



AGENDA

January 27, 2025

Meetings of Standing Committees
Council Conference Room
5:45PM

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
6:00PM

WebEx Telephone Number: 1-408-418-9388
Meeting Number (access code): 2342 743 0492
Meeting password: AiZyuZnb322

Livestream #1:
<https://mishawaka.in.gov/government/elected-appointed-officials/common-council/>

Livestream #2
<https://www.facebook.com/cityofmishawaka/>

Livestream #3:
www.youtube.com/@cityofmishawaka635

Livestream #4:
@MichianaAccessTV on Facebook

To connect on-line join using Microsoft Lync or Microsoft Skype for Business

Dial: [23427430492@mishawaka.webex.com](https://mishawaka.webex.com/join/23427430492)

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of the Minutes of the Regular Meeting of January 13, 2025

5. Petitions, Communications, Remonstrance and Memorial

A letter from the Board of Zoning Appeals regarding their recommendations from their January 15, 2025 meeting.

A letter from the City Plan Commission regarding their recommendations from their January 15, 2025 meeting.

6. Report of Special Committee

7. Ordinances on First Reading

P.O. No.2025-02 Rezone from C-1 Commercial to R-1 Single Family
- 611 S. Main St.

8. Resolutions

R2025-01 Fiscal Plan for Annexation of 7.72 acres
Douglas Rd.

9. Ordinances on Second Reading

P.O. No. 2024-45 Annexation of 7.72 Acres and Rezoning to S-2
Planned Unit Development for Apartment Complex
- Douglas Rd. (Assigned to Land Use Planning
Committee)**Vote Only**

P.O. No. 2025-01 Collective Bargaining Agreement between the
City and Mishawaka Firefighters Local 360
01 - 01-01-2025 thru 12-31-2026
(Amendment Requested)
(Assigned to Public Health & Safety Committee)

10. Privilege of the Floor - Non-Agenda Items

11. Unfinished Business

12. New Business

13. Adjournment -

This meeting will be aired via live stream:

An archived version of the livestream video can be viewed on the city of Mishawaka's Facebook and YouTube pages, <https://www.facebook.com/cityofmishawaka/> and www.youtube.com/@cityofmishawaka635 and on the Michiana Access TV Facebook page, <https://www.facebook.com/MichianaAccessTV>

If technology is needed to present, please advise the Clerk's Office by 4:00pm the Friday before the meeting by emailing: dblock@mishawaka.in.gov or calling 574-258-1616.

Download Packet Link below:

At this time, I know of no other business to come before the Council.

Deborah S. Block, IAMCA, CMO, MMC, City Clerk

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements contact Susan Kile, ADA Coordinator, at (574) 258-1615.

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REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

January 13, 2025

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 13, 2025, at 6:00PM. The meeting was called to order by City Clerk Debbie Ladyga-Block. 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.

Chief Deputy Clerk Raven Boston called the roll.

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

Also Present: Mike Trippel, Council Attorney

Clerk Block opened the floor for nominations for President of the Council for the year 2025. Mr. Emmons stated it was his honor and privilege to nominate Honorable Gregg Hixenbaugh as Council President. Mr. Mammolenti seconded the nomination. Clerk Block made a motion to close nominations which was moved by Mr. Emmons and seconded by Mr. Mammolenti. A voice vote was held and the motion passed unanimously. Clerk Boston called the roll on the Council nomination of Mr. Hixenbaugh for Council President for 2025.

Motion passed by unanimous roll call vote (summary: Yes = 9).

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The nomination passed 9-0, and Mr. Hixenbaugh became Council President for 2025.

Mr. Hixenbaugh thanked Clerk Block and his colleagues and stated he looked forward to working with all of them as well as the Administration in the coming year.

The chair entertained nominations for the position of Vice President of the Council for the calendar year 2025. Mr. Mammolenti nominated Ron Banicki as Vice President and Mr. Violi seconded the nomination. The chair entertained a motion to close nominations, Mr. Violi moved the motion, and Mr. Mammolenti seconded the motion. The chair entertained a motion to approve Mr. Banicki as Council Vice President for 2025. Mr. Violi moved the motion and with a second from Mr. Mammolenti, Clerk Block polled the Council on the nomination of Mr. Banicki for Council Vice President for 2025.

Motion passed by unanimous roll call vote (summary: Yes = 9).

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The nomination passed 9-0, and Mr. Banicki became Council Vice President for 2025.

Minutes for the Regular Meeting on December 16, 2024, were approved as received from the Clerk's Office.

Clerk Block read the following appeal and petition by title.

Appeal No. 2024-55 Use Variance to allow E-Commerce Store with no Retail Sales in R-1 Single Family Residential – 611 S. Main St.

Petition No. 2024-13 Rezone from C-1 Commercial to R-1 Single Family – 611 S. Main St.

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

PROPOSED ORDINANCE NO. 2025-01

**AN ORDINANCE APPROVING AN AGREEMENT BETWEEN
THE CITY OF MISHAWAKA AND THE MISHAWAKA FIREFIGHTERS
ASSOCIATION LOCAL NO. 360 OF THE INTERNATIONAL
ASSOCIATION OF FIREFIGHTERS, AFL – CIO (01-01-2025 thru 12-31-
2026)**

(Assigned to Public Health & Safety Committee)

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

PROPOSED ORDINANCE NO. 2024-34

**AN ORDINANCE AMENDING CHAPTER 121 OF THE MUNICIPAL CODE OF THE
CITY OF MISHAWAKA, INDIANA, COMMONLY KNOWN AS “THE FLOOD
CONTROL ORDINANCE” OF THE CITY OF MISHAWAKA, INDIANA.**

Amending the Flood Control Ordinance

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

Clerk Block polled the Council on the Committee Report.

Motion passed by unanimous roll call vote (summary: Yes = 9).

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The Committee Report passed 9-0.

Derek Spier, City Planner, spoke in favor of **PROPOSED ORDINANCE NO. 2024-34**. Mr. Spier stated their department was requesting the approval of the adoption of the new

Flood Damage Prevention Ordinance. Mr. Spier stated the city participated in FEMA's national flood insurance program and the program enabled property owners to purchase federally backed insurance as protection against flood losses and to remain active in the program, the Indiana Department of Natural Resources contacted them and said that their local ordinance had to be updated to stay compliant with the federal and state regulations. Mr. Spier stated the Division of Water prepared a model ordinance that was compliant with regulations and that ordinance was used effectively by all participating communities across the state. Mr. Spier stated the draft ordinance had been approved by the DNR and it must be approved by the Council no later than January 27th. Mr. Spier stated they went through the same process back in 2010 and 2015, which was the effective date of the current ordinance. Mr. Spier stated he was happy to answer any questions.

Mrs. Voelker asked if there was anything substantive between the old ordinance and the current ordinance. Mr. Spier stated there was nothing substantial and it did not change any of the maps, but it provided additional clarification that came down from the federal registrar with some of their guidelines. Mr. Spier stated one of the major things was that if there was any construction in a floodway, there were some preliminary requirements that they were required to follow, but other than that they were both very similar. Mrs. Voelker asked what an example would be within their floodplain of construction and asked if a lot of their floodplains were in parks. Mr. Spier stated that was correct and with their floodplains, a lot of that had to do with the flood fringe and a lot of the flood fringe requirements were the same, so the additional requirement he was talking about was if they were actually constructed in a floodway which usually was confined to the channel itself.

Mr. Carroll asked if the ordinance change did not make anything more restrictive than what was required and made it harder for someone to rebuild if anything were to happen. Mr. Spier stated it did not.

Mr. Hixenbaugh asked how frequently he and his department dealt with these types of issues. Mr. Spier stated very rarely and a lot of times, but they did have some new construction out at the Edison Lakes area that was on the flood fringe so they would have to come back to that and require an elevation certificate for that. Mr. Spier stated they had very little issue, if any, with the floodway itself. Mr. Spier stated the issues typically had to do with the flood fringe and they only had one instance in the past year where someone was excavating on the floodway, and they informed them about the violation.

Question was called for at 6:11PM for **PROPOSED ORDINANCE NO. 2024-36 Motion passed by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 9-0, thus it became **ORDINANCE NO. 5921.**

PROPOSED ORDINANCE NO. 2024-44

**AN ORDINANCE APPROVING THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE CITY OF MISHAWAKA AND MISHAWAKA FRATERNAL ORDER
OF POLICE LODGE 91**

**Collective Bargaining Agreement between the City and Mishawaka Police Lodge 91 – 01-
01-2025 thru 12-31-2025**

Ms. Hahn reported the Public Health & Safety Committee recommended this proposed ordinance should be adopted. Upon a second by Mr. Mammolenti, the motion carried.

Clerk Block polled the Council on the Committee Report.

Motion passed by unanimous roll call vote (summary: Yes = 9).

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The Committee Report passed 9-0.

Chief Alex Arendt, Chief of the Mishawaka Police Department, spoke in favor of **PROPOSED ORDINANCE NO. 2024-44**. Chief Arendt thanked the Council, the committees, and the Fraternal Order of Police for their hard work that was put into putting the agreement together. Chief Arendt stated the main purpose of the collective bargaining agreement was to consolidate the 2023-2024 collective bargaining agreement with a memorandum of understanding referencing the 12-hour scheduled shift that the police department went to in 2024. Chief Arendt stated this was cleaning up some language related to the hourly schedule as opposed to days and so forth. Chief Arendt stated another substantial portion of it was to make a provision for the callout of SWAT members and giving shift strength to the police department and all parties agreed on how that language was put together.

Mr. Hixenbaugh thanked Chief Arendt and Chief Nowacki for the work they did in addition to their friends from the FOP and the Council. Mr. Hixenbaugh stated it was a very collaborative process, and it was a much simpler bargain than some of the ones they had in the past. Mr. Hixenbaugh stated they appreciated his leadership and looked forward to continuing to work with him and the Administration as they moved into their next round of negotiations later on in 2025.

Question was called for at 6:15PM for **PROPOSED ORDINANCE NO. 2024-44 Motion passed by unanimous roll call vote (summary: Yes = 9).**

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 9-0, thus it became **ORDINANCE NO. 5922.**

PROPOSED ORDINANCE NO. 2024-45

**AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF
MISHAWAKA, INDIANA AND PROVIDING ZONING CLASSIFICATION
THEREFORE**

**Annexation of 7.72 Acres and Rezoning to S-2 Planned Unit Development for Apartment
Complex – Douglas Rd.**

PUBLIC HEARING – NO VOTE

Brian Pozen, representing Kittle Property Group at 310 E 96th Street Indianapolis, IN 46240, spoke in favor of **PROPOSED ORDINANCE NO. 2024-45**. Mr. Pozen stated they were a vertically integrated construction and management company focused on an affordable workforce and multi-rate and multi-family housing opportunities with a portfolio of 140 properties in 16 states. Mr. Pozen stated they were proposing to annex and rezone the property into 234 senior affordable independent living apartment homes to be called Stoneleaf Reserve. Mr. Pozen stated Stoneleaf Reserve would be approximately a \$48 million development consisted of 144 one-bedroom units, 90 two-bedroom units, and amenities such as a garden area, a dog park, an outdoor entertainment area, garages, transportation, and numerous interior community spaces for the residents. Mr. Pozen stated they applied for funding and expected approval in the coming months and then anticipated construction commencement in January of 2026 and it would be completed in November of 2027. Mr. Pozen thanked the Council for the opportunity and stated he would answer any questions they had.

Ms. Hahn stated he mentioned these would be senior living homes and asked if that meant they would be for aged 55 and over seniors or aged 65 and over seniors. Mr. Pozen stated they would be for seniors aged 55 and over.

Mr. Mammolenti asked approximately how many other locations they had. Mr. Pozen stated they had 140 properties in 16 states with 7,000 units in Indiana, 1,600 of those units being senior, and this was their first development in the county, but they were also in Hammond, Laporte, Michigan City, and Ligonier. Mr. Mammolenti asked if they were all senior living. Mr. Pozen stated no and they did market rate and affordable housing ranging between family and senior. Mr. Mammolenti asked if he could guess percentage wise for his portfolio, how many of those were senior living. Mr. Pozen stated about 40% and it was growing.

Mrs. Voelker asked what they did different with senior apartments as opposed to their family apartments. Mr. Pozen stated they did not do three and four bedroom units for senior and they also created a little bit more of an independent aging in place, so the spaces were more consigned and they had opportunities if there were disabilities to address, but the units were designed more to accommodate folks who had various mobility challenges and having that space to get around the apartment easier than with a traditional family unit. Mr. Pozen stated things like higher raised toilet heights, front controls, and things like that. Mrs. Voelker stated she saw all kinds of different senior developments going in and asked if this was being subsidized by grants or programs through the federal government. Mr. Pozen stated it was being financed through the

low-income housing tax credit, and it was an allocation of tax-exempt bonds that they applied through the state that provided credits that they would then turn around and sell to investors to raise the upfront equity and it was not necessarily geared toward senior. Mr. Pozen stated it was a commentative process of amenities and things you had to score with, and this was a site that lent itself to more senior sites. Mrs. Voelker asked if that meant that this site would be geared toward low-income seniors. Mr. Pozen stated that was right and depending on your understanding of the terminology, affordable could mean as low as 30% of AMI to 60% and all of their units would be 60% which could be called the middle on the income scale, so it was affordable, but it was also in the mid-range of income levels. Mrs. Voelker asked if he was looking at his competition in the area, was there a senior apartment complex in the area that would be for higher-level income and lower-level income, just to give her an idea of what he meant. Mr. Pozen stated the property further up Fir Road across the highway there would be at the higher end and lower end, he did not think there was a lot of competition or a lot of other places and that was partly what drew them to the site. Mrs. Voelker asked if there was a bus stop close to there and what the facility would be serviced by. Mr. Rosen stated there would be a couple different things they would do, but there was a bus stop across the street through Transpo and they would be providing a community vehicle for transportation options as well and they would also be looking into the local community to get service providers to assist with any kind of needs of the seniors. Mr. Pozen stated they would also be providing services to their management. Mrs. Voelker asked if this was not a property they would sell and if they would be managing the property. Mr. Pozen stated they would be owning, developing, constructing, and managing the property. Mrs. Voelker asked how many people would be working there on site. Mr. Pozen stated it would probably be three people, the main site manager, the assistant manager, and another maintenance worker. Mr. Pozen stated depending on the need, they might have a second maintenance tech so at the least there would be three workers.

Mr. Carroll asked if he was able to share what they were targeting as far as rents were concerned for those places for their seniors. Mr. Pozen stated the rents would be approximately \$875 for the one-bed and \$1,060 for the two-bed.

Mr. Emmons asked for clarification what the name of the development would be. Mr. Pozen stated Stoneleaf Reserve.

Mr. Hixenbaugh stated in the staff report notes and in some of the exchange of documents between himself and their staff, there was a reference to the fact that this property was not located within their municipal electric department service area. Mr. Hixenbaugh stated he read the dialogue between himself and their staff which indicated that his organization would prefer to be in their service area and asked if that was accurate. Mr. Pozen stated that was correct. Mr. Hixenbaugh asked what would be advantageous to him and his organization as a developer to be within Mishawaka Utilities and being serviced by them as opposed to AUP. Mr. Pozen stated the short answer was it had better rates which affected the utility allowance for the rents which allowed them to keep the rents more affordable than otherwise. Mr. Pozen stated with AUP, they would have to adjust the utility allowance which then would increase the rent they would be

asking for. Mr. Hixenbaugh asked if that cost along with the other costs that went into their development costs had a direct impact on what tenants would be paying. Mr. Pozen stated that was correct. Mr. Hixenbaugh stated he appreciated that answer and in recent years, it had become more and more of a concern for all of the Council, as well as the Administration that they did not have the ability to be able to grow their electrical municipal boundaries consistent with the growth of their municipality. Mr. Hixenbaugh stated his hope was that the Indiana General Assembly would take a look at this issue once again and provide them with some legislative relief and certainly it sounded like it would not only be in his company's best interest but in the best interests of those who respectively would live in his development if that were to take place. Mr. Hixenbaugh appreciated his comments and hoped his organization would look for opportunities to advocate along with them for that type of change to take place as early as this session of the General Assembly. Mr. Pozen stated that was absolutely correct and they were anxious to go.

The public hearing was closed at 6:27PM for **PROPOSED ORDINANCE 2024-45**. Mr. Hixenbaugh stated consistent with requirements of Indiana Law, they would consider the matter and cast their vote at the next regularly scheduled council meeting.

PRIVILEGE OF THE FLOOR

Mayor Wood spoke under **PRIVILEGE OF THE FLOOR**. Mayor Wood stated he wanted to talk about the recent new partnership with Waste Management on their new trash and recycling service. Mayor Wood stated as they knew, they had been over the last ten months or so working with their vendors to rebid and put together the packages and working with the Council to get all of the contracts passed and in place. Mayor Wood stated they said from the start it was going to be painful, and it was, and they knew that it would not be easy. Mayor Wood stated towards the end of the year, they had the deal of dropping off 30,000 bins and picking up 30,000 bins and they flooded the zone with any kind of communication they could to reach as many people as possible and there was still some misinformation out there, so they had several sites set up to handle that as well as Waste Management having a call center as well as the city talking on hundreds of calls in multiple departments. Mayor Wood stated Matt Lentsch in particular had done an outstanding job of shepherding the calls through as best as possible and he had lived in trash for probably the past two months, and he knew he was working diligently and tirelessly on it. Mayor Wood stated the transition had occurred and Waste Management was learning the routes, and they were making progress. Mayor Wood stated Matt Lentsch would be speaking before them that evening as well giving an update of where they were and more detailed and Waste Management was present that evening as well. Mayor Wood stated in the meantime, he had authorized that Waste Management work with their Central Services department to do a no trash left behind operation where they would be going out and picking up any blue bins, whether they had trash in them or whether they were empty. Mayor Wood stated they would be bringing them back to the Dodge complex where they had a dumpster set up and they would be emptying the trash there and they were accumulating the blue bins that had been left behind. Mayor Wood stated they set it up with basically the same routes they did for leaf pickup and that day, as of

1PM they had picked up about 50 bins and they would be keeping that up all week long and thought they would get through the city very quickly and they would go back as people were taking out their trash and maybe some other blue bins would show up and they would be grabbing those too. Mayor Wood stated there were some blue bins they noticed were up against people's homes and even if they were empty, they would not be going to get those and as long as they were not a city issue with Code Enforcement, they would not be entering private property and picking up bins. Mayor Wood stated that was up to the owner of the bin to do that and work with the residents, so they should call the contractor they belonged to. Mayor Wood stated if you saw something out on the road, to let them know and they would add it to their list and pick it up. Mayor Wood stated they always strived to provide the highest level of service with any kind of service they provided and felt confident they would get there, as they were already on it. Mayor Wood stated as he reminded their staff as they were working through issues like this, he still would not trade their city's problems for any city's problems. Mayor Wood invited Mr. Lentsch up.

Matt Lentsch, Executive Director of Development and Governmental Affairs, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Lentsch began by thanking the Council for their patience and understanding as well as their calls to him and all of the calls they had taken from constituents. Mr. Lentsch stated he had taken around 150 calls per day in the last few weeks, but he knew they were out on the frontlines as well and they had tried to arm them with all of the information and communication possible as they tried to flood the zone. Mr. Lentsch stated he thought that through the process Chris Jamrose, John Roggeman, and others did a great job with the bidding and they worked together through the contract process and worked with them all. Mr. Lentsch stated he felt as good as he felt before when they were in the midst of putting together the contract that WM was an exceedingly good partner. Mr. Lentsch thanked the Council for all of the good work they were doing and as they called him, he would be taking care of the issues on the spot and making sure their friends at WM were notified. Mr. Lentsch stated it was also with working with Republic as they finished up and being as polite as he could with them and asking for their assistance in cleaning up the community. Mr. Lentsch stated as the mayor mentioned, no trash left behind was going on and they would run that as long as they needed to in order to make sure that no blue bins existed when they were done. Mr. Lentsch stated he was very confident with their partners that they were doing the right things to come up to speed and serve their residents well and that went across all phases of their utilities. Mr. Lentsch stated Mishawaka Utilities was a \$90 million business and with that they took it seriously and the service to their constituents was first and foremost. Mr. Lentsch stated their service was second to none, from his perspective. Mr. Lentsch introduced their Senior Account Executive from Waste Management, David Wainscott, who they worked with through the contract process. Prior to that, Mr. Lentsch asked if there were any questions for him.

Mr. Hixenbaugh stated they appreciate the work that Mr. Lentsch had done to try to help make the transition as smooth as possible and he meant that sincerely. Mr. Hixenbaugh stated he also appreciated the extra effort the mayor had made to marshal their internal resources to try to address some issues that, admittedly, went back to their prior vendor rather than WM. Mr.

Hixenbaugh thanked them both for what they had done, but stated the reasons why they were interested in switching vendors was the internal workload that was being passed to their staff from their vendor with regard to issues that were within their control not the Council's or the Administration's and his big concern was that unfortunate pattern was continuing. Mr. Hixenbaugh stated they were new to the relationship, but his hope was that that would dissipate. Mr. Hixenbaugh stated again, he appreciated the work Mr. Lentsch was doing, but it did not make him happy to hear that he and their Central Services staff and others were having to take care of what was a combination of tasks that should be shouldered by two outside vendors. Mr. Hixenbaugh asked Mr. Lentsch to please continue to encourage WM to step up to their contractual obligations as he had. Mr. Lentsch thanked Mr. Hixenbaugh for his comments and stated he did not see this as his full-time job moving forward but it was at that current time and it had taken up a good majority of his time as well as with the Street Department and some of the Business office, but they had a good partner with WM and they were stepping up and they were seeing it. Mr. Lentsch stated attention to detail was not negotiable and the things they talked about with their partnership and what was laid out in the contract was not negotiable as well, so the customer service piece of it was being taken on and they would transition fully to WM as they moved forward.

David Wainscott, Senior Account Executive for Waste Management, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Wainscott thanked the Council for having them that evening and stated most importantly, he wanted to make sure they understood that they appreciated the partnership, and they were working through some items, but they had a great team, and he brought two representatives with him, Matt Lyszkiewicz, Operations Route Manager in South Bend and Travis Upp, District Operations Manager. Mr. Wainscott stated WM was and always would be working towards a sustainable tomorrow and he knew Mayor Wood had the no trash left behind initiative going and they were pretty much working in that same path. Mr. Wainscott stated they were committed to being reliable, efficient, and safe whether they were talking about trash or recycling or both for the City of Mishawaka. Mr. Wainscott stated they recognized there had been some main points, but they were committed to handling each and every one of the issues. Mr. Wainscott stated when they first were brought on, there was a proposed need of 13,000 carts for the residents and that ended up being a little closer to 15,000 so there had been a bit of an adjustment behind the scenes that created some of the issues, not all of them but part of it. Mr. Wainscott thanked Matt Lentsch as he had been a great partner and he had been available at all times and he had talked to Mr. Emmons and Mr. Violi as well after hours, so they were trying to be good partners as well. Mr. Wainscott stated overall, he wanted to speak to the extra calls and he thought he was lead to believe that the folks internally in their administration departments were trying to get away from the calls and they wanted the exact same thing. Mr. Wainscott stated what they found was people were staying on the line or on hold for way too long and he knew everyone on the Council was hearing that as well. Mr. Wainscott stated there were two options to help with that issue, with the first option being the callback feature. Mr. Wainscott stated any resident in the community would not lose their place in line and they would not have to sit there all day. Mr. Wainscott recommended using that callback feature and he knew Mr. Lentsch had already uploaded it to the Mishawaka website. Mr. Wainscott stated the other piece

was that WM.com self-served and all residents should be able to access it through the link that was shared on the City of Mishawaka website to add their address and make the choice of what they were trying to accomplish. Mr. Wainscott stated those two pieces would reduce calls in a huge way. Mr. Wainscott stated they also knew they were getting missed pickup calls for the blue containers and knew those were in the process of being picked up. Mr. Wainscott stated he needed the residents to understand that they would be picking up the same day as their past vendor, but if the blue truck went by and used to come back a few minutes later, that may not be the case because they were going to run the routes as efficient as they could and that could change. Mr. Wainscott stated he did not want that to be seen as them changing the whole operation because they were not, but it could be different timing. Mr. Wainscott stated as far as spilt trash was concerned, they would make sure that was picked up as they did not want trash left behind. Mr. Wainscott stated safety was their number one priority and Matt and Travis made sure that was handled every single day, so each driver not only got the community cleaned up, but they got home every single night. Mr. Wainscott stated if anyone had questions specific to the document, he would be happy to go through it and wanted to make sure the Council understood the nuts and bolts of what they were doing behind the scenes.

Mr. Emmons stated he noticed in his district that the recycling was being picked up a lot earlier and quicker than the trash was and asked if that was normal and was the plan. Mr. Lyszkiewicz stated the way they set up the routes was so the trucks did not come down the same road at the same time or the same area at the same time to prevent any kind of spacing issues. Mr. Lyszkiewicz stated in Mr. Emmons' district, that was just how the trucks were routed to keep drivers away from each other to prevent a buildup, because the trucks were big, and they did not want them to get stuck and have them back out of somewhere for safety reasons. Mr. Emmons asked what time the routes started. Mr. Lyszkiewicz stated they did a crew out at 5AM and they did their pre-trip that took about roughly 20 to 25 minutes and then they left the site and took about 15 to 20 minutes to get out to the neighborhoods, which put them right around the 6AM mark to stay within the noise ordinance. Mr. Emmons asked if that was the normal process and schedule so he could notify the neighbors in his district. Mr. Lyszkiewicz stated it would be the norm and the routes they had set that day were the planned routes going forward. Mr. Lyszkiewicz stated there would be some tweaks and adjustments, but the efficiencies would be the same.

Mr. Mammolenti stated they had done a great job picking up at his home and his neighborhood and as they explained in several meetings, there were going to be some hiccups, but given the grand scheme and scope of things he thought the previous vendor did an outstanding job of picking a majority of them up just like WM did with the deliveries as well. Mr. Mammolenti stated he heard that if the lid to the containers was open, they would not pick up the bin and asked if that was correct. Mr. Lyszkiewicz stated no, and they would be picking up the bins even if the lid was open and they would not bypass a can just because of that.

Mr. Violi stated he downloaded the WM app onto his phone, and it would not let him enter until he got an account number, but Mr. Mammolenti had his all set up and he tried to put the account

number in that was on his utility bill but that was not it. Mr. Violi asked why he could not get the app on his phone. Mr. Wainscott asked Mr. Mammolenti if he used his name or address. Mr. Mammolenti stated he could not remember. Mr. Wainscott stated both options should work. Mr. Violi stated he did not have the account number and asked what he was doing wrong. Mr. Wainscott stated they could talk about it offline, and he would work him through that. Mr. Violi stated he had some elderly residents who lived by him questioning if the recycling or trash would come in the morning and the afternoon or if it was going to be what best worked for them. Mr. Lyszkiewicz stated it was what they were seeing at that time and there would be the same routes, but they would be doing what they could to become more efficient to gain time, so they may be arriving a little bit earlier. Mr. Lyszkiewicz stated they would not have an accurate time, but it would be close.

Mr. Emmons stated he appreciated their interest and dedication in making sure all of the trash and recycling was picked up. Mr. Emmons stated he had seen neighborhoods where people were using their recycling bin to put carpet in, and he knew that was not a recyclable. Mr. Emmons asked what they would do if they found that in the recycling. Mr. Wainscott stated the residents needed to put the carpet in the trash and cut it up into smaller pieces so they could come pick it up. Mr. Emmons stated with the carpet, he saw it sticking up over the top of the bin. Mr. Wainscott stated they wanted everything inside of the carts and they wanted to be able to close the lid. Mr. Emmons asked if they would pick it up as trash even if it was in the recycling. Mr. Wainscott stated they did not want to do that but when they did have something like that happen, it would get sorted. Mr. Lyszkiewicz stated it would not get sorted by them as they did not have a facility in Mishawaka or South Bend, but it got sorted when it got taken to the recycling facility where they took it. Mr. Lyszkiewicz stated if it was outside of the bin, the driver would do everything to get it into the other bin and they would consider that one of the two bulk items. Mr. Lyszkiewicz stated communication was good between the drivers and himself and they would end up picking it up and taking it where it needed to go. Mr. Emmons stated they just needed to educate the citizens on what was recyclable and what was not.

Mrs. Voelker echoed Mr. Mammolenti and said she had no trouble with her trash and recycling, but a lot of people had issues particularly in the first week. Mrs. Voelker stated a lot of people, including her, had extra bins that they used for yard waste and whatnot. Mrs. Voelker asked if she had an extra bin, could she put it out on the curb with the other WM bins or was it not recommended to do that. Mr. Wainscott stated they really wanted green WM carts. Mr. Wainscott stated it really came down to safety. Mr. Lentsch stated they tried to let people through communication about that, but it came down to a safety issue with the arms and the way the truck was set up was made to pick up the WM carts with how they were designed. Mr. Lentsch stated anything else they tried to pick up could be dropped and could be a liability for WM and the City of Mishawaka. Mr. Lentsch stated they believed the size of the carts would allow their consumers to maximize what they put in the carts. Mr. Lentsch stated there was an option to leave a bag if needed, but they said unfortunately to not put other branded carts out by the curb. Mrs. Voelker asked if she had extra trash or anybody had extra trash, then they would have to put it in a black plastic bag and that would be her bulk item and asked if that was correct.

Mr. Wainscott stated it was cart content plus one bag and they also had the two bulky items, so there definitely were options and they would work through it.

Mr. Carroll asked with the bulk item if they had an extra bag, if WM would prefer that once the trash was gone through to put it back in the bin and leave the bag out. Mr. Wainscott stated if you were not going to save it for the following week, it would be best to have it out.

Mr. Hixenbaugh thanked them for being there and for the work they were doing, and he believed wholeheartedly that they were committed to fulfilling their contractual obligation and also providing the service to their citizens who had the right to expect it. Mr. Hixenbaugh stated like Mrs. Voelker and Mr. Mammolenti, he had been through his second cycle of WM pickups, and he had no problems. Mr. Hixenbaugh stated he was in the category of people along with Mr. Violi who could not get the app to work, and he had the same type of error message bounce back. Mr. Hixenbaugh stated he appreciated his offer to help Mr. Violi and maybe himself, but he was more worried about the thousands of people out there similarly situated who could not get access to them and could not get the app to work. Mr. Hixenbaugh stated his hope was that there would be a broader community wide solution they would be able to come with that could be communicated rather than doing it person by person. Mr. Wainscott stated he was spot on and thought about that after how he responded to Mr. Violi and what he would like to do was go back and see if he could get a template and he could get with Mr. Lentsch to have it published on the Mishawaka site and everyone would have the same capabilities. Mr. Hixenbaugh stated he would appreciate that and thought that would be a better fix to the issue. Mr. Hixenbaugh stated along the lines of information that could end up on their website and be communicated to the public, he appreciated the effort that went into putting the action plan together with regard to how they worked through the transition. Mr. Hixenbaugh asked if he would have any objection to it being posted on the city website as well so others could have access to the information, because he thought it would be important for people to understand what was going on and that their concerns would be addressed. Mr. Wainscott stated he wanted to confirm that and then he would get a message to him. Mrs. Voelker suggested they put the app information on the city website as well. Mr. Wainscott stated all of the basics of getting to the app and the phone numbers were already on the website, but they could add to it. Mr. Hixenbaugh stated he agreed with Mrs. Voelker, but not to let perfect be the enemy of good and he thought it was more important to communicate accurate information than torture themselves whether it was the perfect document. Mr. Hixenbaugh stated hopefully this would be helpful and thanked him for working with Mr. Lentsch to make that happen. Mr. Hixenbaugh stated with regard to WM missed pickups, the contract was very specific with regard to what their commitment was, which said as soon as possible but no later than the end of the next business day after the complaint was received. Mr. Hixenbaugh asked if they were in compliance with that commitment to the community at that point in time. Mr. Wainscott stated he believed they were, and he was under the impression, and they were hearing that everything was being solved within 24 hours. Mr. Hixenbaugh stated he appreciated that, and he had not heard anything to the contrary, so he thought they were on the same page. Mr. Hixenbaugh stated he was looking at the implementation timeline portion of their document and he appreciated the concrete commitments they had made to take certain steps to activate the customer service enhancements and take some of the other short-term steps there, three months down the road felt too long so he asked them to revisit that but the first bullet point being zero to one month was reasonable. Mr. Hixenbaugh stated the other stuff felt lengthy to

him, because he did not recall when representatives of WM stepped to the podium that they told them it would be three months before they got the benefit of the contractual commitments made to them, so anything that could be done to expedite that he thought was important. Mr. Wainscott stated Mr. Lentsch, Mr. Lyszkiewicz, and himself had a meeting on Friday and these were all in place. Mr. Hixenbaugh stated he appreciated that, but as much as they were able to control, if this could continue to be a priority for not only them but everyone else who had a role to play in WM to make this happen, they would all appreciate that. Mr. Wainscott stated he had put together all of their sections that came to this entirety and every Friday they scheduled a meeting for the short-term to make any adjustments, updates, or address any of the concerns at least once a week if not more. Mr. Wainscott stated he talked to Mr. Lentsch at least once a day and he did not see any issues. Mr. Wainscott stated they wanted to make sure they were communicating and make sure the community was getting exactly what they needed. Mr. Hixenbaugh stated he appreciated that. Mr. Hixenbaugh stated along the lines of communication and reporting back in the implementation timeline, it said they would make and share a report with the Common Council on the survey results they were going to do with a customer base within six months and he thought that was information that would be well received by them. Mr. Hixenbaugh stated there also was however the commitment they made in paragraph 15 of the contract, as suggested by Mr. Banicki, for them to cordially provide them with a summary report of complaints and accommodations and that made sense when they approved it, but with what they were discussing that evening his ask was that in addition to the weekly meetings with Mr. Lentsch, as they had Council meetings they were welcome to come provide them with updates, but if they could put that in writing and communicate to them the equivalent of what they would share with them with regard to how they were moving forward in the transition, that would be well received by them and if they had any questions, they could work with the Administration to ask them to visit the Council again so they could talk. Mr. Hixenbaugh stated his comments and questions aside, he remained optimistic that they made a good solid choice with WM. Mr. Hixenbaugh stated he was concerned and thought the community was concerned, along with the rest of the Council and Mayor Wood, the Administration, Matt Lentsch and everybody else who had a role to play in this and he got the sense Mr. Wainscott was concerned as well, so they should be able to fix it but he asked them to continue to make it a priority as they moved forward. Mr. Wainscott stated they were 100% committed to the community and the City of Mishawaka. Mr. Hixenbaugh thanked them for everything they were doing, and they looked forward to hearing more about how the process was being fine-tuned and efficiencies were being built in moving forward. Mr. Wainscott thanked them all.

Tammy Soloman, bus driver for the School City of Mishawaka, spoke under **PRIVILEGE OF THE FLOOR**. Mrs. Solomon stated she had been driving a bus for 25 years to different places around town and school districts and she was very upset with certain things in Mishawaka. Mrs. Soloman stated she lived at 127 Alford Street and had a corner lot and for the last year, she had four dogs two doors down from her and they were being poorly mistreated, abused, and not fed. Mrs. Soloman stated the owners left in August to go to a wedding in Atlanta and left the dogs unattended. Mrs. Soloman stated the dogs had continually gotten loose and there were domestic violence calls to the residence continually. Mrs. Solomon stated the woman who lived there had threatened her and she did everything she could. Mr. Hixenbaugh asked Mrs. Soloman to focus on what her concern was in as succinct a way as she could and for her to try to get to the heart of her concern. Mrs. Solomon stated it was not addressed until she went to the Mishawaka Forum

and had been to the Mayor's Office to try to talk to Mayor Wood. Mrs. Soloman stated she had called the attorneys and the Chief of Police about the issue as well. Mrs. Soloman stated she had photos of one of the particular dogs with cables wrapped around it and that same dog got loose and went after a couple of individuals. Mrs. Soloman stated the dogs could have done major harm and the woman who lived in the residence had three of the dogs locked in a shed and they could not get out. Mrs. Soloman stated the woman had asked her to buy food for the dogs. Mrs. Soloman stated everyone in her neighborhood had called and complained but felt like it went nowhere. Mrs. Soloman stated Ken Witkowski had done a great job in helping her and he did everything he could, and they had good communication. Mrs. Soloman stated she was told by the Humane Society that two of the dogs had heartworms and one of them had a broken leg. Mrs. Soloman stated something had to be done and she felt there had been no answers. Mrs. Soloman stated her, and her neighbors did not know where to turn and that was why she went to the Mishawaka Forum to talk about it. Mrs. Soloman stated she was turned away from the Mayor's Office and could not get in contact with the police department. Mrs. Soloman stated a police officer said one of the dogs looked fine and there was nothing he could do at the time and passed it to another officer. Mrs. Soloman stated it had been one year, and the dogs had been removed, and she was told they were going to be put down that day. Mrs. Soloman stated she did not know where the communication was lapsed. Mr. Hixenbaugh appreciated the concern she had raised and could understand why she was there speaking with them that evening. Mr. Hixenbaugh stated he appreciated the emails she had sent to the Council on a couple of occasions as well and when they received the most recent email, he was in contact with Chief Arendt, Mr. Roggeman, and Ken Witkowski in Code Enforcement and it was his understanding that when she referred to the dogs no longer being in that home, that was a result of the Police Department and Assistant Chief Wiley obtaining a warrant to have the dogs taken out of the care of the individual in question and the dogs had been removed. Mr. Hixenbaugh stated he heard last evening and what she referenced to that there was another dog on site. Mrs. Soloman stated no and all dogs had been removed. Mr. Hixenbaugh stated he was glad to hear that and she was correct in saying they had some ordinances that dealt with animal control issues and they had an Animal Control Commission that Mr. Roggeman was involved with that dealt with some of these issues and this disturbing situation had generated conversation amongst councilmembers, Mr. Carroll in particular who had been involved in it, and as of last evening they discussed it and Mr. Carroll was going to reach out to Mr. Roggeman, Chief Arendt, and Mr. Witkowski and asked to partner with them at taking a look at their ordinances to see if there was something additional they needed to do to beef up their ability to enforce some reasonable expectations and to arm the gentleman with what they needed to address these types of situations. Mr. Hixenbaugh stated they agreed with her that this unfortunate situation should cause them to look at what they had in place as a community and try to arm the people who could address the situations with every legal mechanism that was possible so that they could, in the future if God forbid there was another occurrence they could act more quickly and address it. Mr. Hixenbaugh stated what happened in the past was beyond them to answer for, but they could commit to and work on and focus on was what they needed to do moving forward so there was not a repetition of some shortcoming, and he was not saying there was or there was not, but they needed to arm their Administration with the ordinance language they needed so they could do the job they wanted to on behalf of people like her in the community so these situations could be addressed in the best possible way. Mr. Hixenbaugh stated he could tell her without one bit of hesitation that the corporation counsel, their City Attorney, their Chief of Police, their Code Enforcement Director, and everybody else

who worked for the City of Mishawaka, including her elected representatives, wanted these types of situations to be addressed appropriately. Mr. Hixenbaugh stated there was a legal component to it and had to make sure they were operating in conjunction with the law, but they also had to make sure that they were able to address the situations as quickly as possible. Mr. Hixenbaugh appreciated her bringing this to their attention and Mr. Carroll and others were going to be looking at this to address what needed to be addressed but he encouraged her to continue to reach out to Mr. Witkowski, Mr. Roggeman, and Chief Arendt as they were always available to help as they could and also to let councilmembers know what was going on and he was happy to help as well. Mr. Hixenbaugh stated they took the issue seriously and they were committed to working with the community moving forward to address it. Mr. Hixenbaugh thanked her for sharing with them what she shared and for being there that evening.

Mr. Carroll thanked Mrs. Soloman for bringing the subject to their attention and to let everybody know when they talked, his message aligned with what President Hixenbaugh talked about as how to fix the situation going forward and that was part of their purview with ordinance language and he had some good conversations with the Humane Society with things that could help. Mr. Carroll stated three things they brought up were things like tether restrictions in the ordinance, inclement weather restrictions, and how to deal with repeat offenders and they referenced other communities in the area that had different language as well. Mr. Carroll stated to him, he saw that as the best path going forward and having conversations with the Administration but if there were shortcomings, they absolutely wanted to fix it. Mr. Carroll stated there were pet owners and people who owned animals, and they wanted to make sure that they were keeping good pet owners protected and empowered to take care of their animals but in a situation like this, it was important that they had a path going forward to how they could make sure the animals and the community were safe from that. Mr. Carroll stated as President Hixenbaugh said, that was what he was committed to and they wanted to make sure this moved forward.

NEW BUSINESS

Mr. Hixenbaugh stated the Council had been provided with a list of their Council committees and various appointments to boards and commissions for 2025 and the chair entertained a motion to approve appointments to council committees and appointments to various boards and commissions for 2025 pursuant to the list that was distributed by the Clerk's Office. Mr. Carroll moved the motion and Mrs. Voelker seconded the motion, thus Clerk Block polled the council on the motion.

Motion passed by unanimous roll call vote (summary: Yes = 9).

Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The motion passed 9-0.

Mr. Mammolenti made a brief reminder that that month's Twin Branch Neighborhood Watch meeting would take place on Wednesday January 15th at 7PM at Fire Station #4 on Harrison Road. Mr. Mammolenti stated this would be a follow up meeting regarding coyotes that had been seen and located in some of their residential areas and the speaker would be Jessica Merkling, who was an Urban Wildlife Biologist for the Indiana Department of Natural Resources and she

would try to answer any questions asked for her and she would be able to provide information. Mr. Mammolenti stated all were welcome.

Mr. Emmons made an announcement that on Thursday January 16th, they had the 1st District community meeting at 7PM at St Bavos and their guest speaker would be Chief of Police for the Mishawaka Police Department Alex Arendt. Mr. Emmons stated all were welcome to come meet their Chief of Police as he was new, he had a lot of ideas, he would talk about his qualifications, talk about the realignment of the police department and would answer any questions they had. Mr. Emmons stated it should be a very interesting and informative meeting, all were welcome and as usual, there would be West End Doughnuts provided.

ADJOURNMENT 7:26PM

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

Gregg A. Hixenbaugh /s/
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.



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

Deborah S. Block, IACM, MMC

JAN 15 2025

City Clerk
Mishawaka, IN

January 15, 2025

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Board of Zoning Appeals Recommendation
January 14, 2025, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Board of Zoning Appeals was held on the above date at which time the following Use Variances was considered:

APPEAL #24-55 An appeal submitted by Advanced RE Holdings LLC requesting a Use Variance for 611 S Main Street, Mishawaka, IN, to allow E-Commerce Store with no retail sales.

The Board, with a vote of 5-0, provided a favorable recommendation.

Respectfully,

Donna M Burkart

Donna M Burkart, Administrative Planner
Secretary, Board of Zoning Appeals



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

Deborah S. Block, AMC, MMC

January 15, 2025

JAN 15 2025

City Clerk
Mishawaka, IN

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Plan Commission Recommendation
January 14, 2025, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Plan Commission meeting was held on the above date at which time the following petitions were considered:

PETITION #24-13 A request submitted by Advanced RE Holdings LLC requesting to rezone 611 S Main Street from C-1 General Commercial to R-1 Single Family Residential.

The Commission, with a vote of 9-0, recommended approval.

Respectfully,

Donna M Burkart

Donna M Burkart, Administrative Planner
Secretary, Plan Commission

PETITION 24-13

JAN 15 2025

CITY OF MISHAWAKA, INDIANA

City Clerk
Mishawaka, IN

PROPOSED ORDINANCE NO. 2025-02

ORDINANCE NO. _____

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.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described:

611 S Main Street, Mishawaka, IN

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, St. Joseph County, State of Indiana, to-wit:

38 ½ ft N End Ea Lots 20 & 21 Mc Inernys 1st Addition

which real estate is now classified as C-1 General Commercial District shall hereafter be within and a part of that District known as R-1 Single Family Residential designated in "The Zoning Ordinance of 1966" as amended.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. The applicable Comprehensive Plan is the Mishawaka 2000 Comprehensive Plan, created in 1990, which identifies a land use of the subject property as General Commercial. Since that time, the South Main Street area is primarily residential with a few small businesses sprinkled in. The proposed request is consistent with the development that has taken place along this area.
2. Current conditions and the character of current structures and uses in each district – The proposed E-Commerce business is consistent with any commercial development that has occurred on S Main Street. Adjacent land uses include single family, C-5 Neighborhood Commercial and C-1 General Commercial.
3. The most desirable use for which the land in each district is adopted – The most desirable use for the property is a business with minimal foot traffic or Single Family Residential. The proposed E-Commerce business with no retail sales is consistent with the area and the limited off street parking availability. With the potential for development as a higher intensity commercial project in the current C-1 District, staff feels that rezoning this property for future single-family use is more appropriate.
4. The conservation of property values throughout the jurisdiction – As opposed to the range of potential commercial property development that could occur with its current

Proposed Ordinance No: _____

Ordinance No: _____

zoning, rezoning this property to the R-1 Single-Family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood.

5. Responsible development and growth - The proposed change is desirable given the varied existing uses and zoning on S Main Street. The size of this lot limits any off street parking so a business that does not offer any retail sales is appropriate.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2025, at _____ o'clock _____.M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2025, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2025, at _____ o'clock _____.M.

David A. Wood, Mayor

STAFF REPORT

Location: 611 S Main Street

Date: January 14, 2025

Petition: 24 13

Prepared By: DMB

GENERAL INFORMATION

Applicant: Advanced RE Holdings, LLC

Status: Property Owner

Request: Rezone from C-1 General Commercial District to R-1 Single Family Residential

Zoning Classification: C-1 General Commercial District

Lot Size: 0.07 acres

Applicable Regulations: Sec. 137-164 Residential R-1 District; Sec. 137-40 Plan Commission; & Sec. 137-41 Amendment to Zoning Ordinance and Zoning Map, Indiana Code 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern: North: R-1 Single Family Residential
South: R-1 Single Family Residential
East: C-5 Neighborhood Commercial (616 S Main -Three Family home according to tax records & 620 S Main – Quick Mart)
West: R-1 Single Family Residential

Thoroughfare: S Main Street

Council District: 1

School District: School City of Mishawaka

Public Utilities: All public utilities are available and existing.

Comprehensive Plan: General Commercial

ANALYSIS

The Petitioner is requesting to rezone 611 S Main Street from C-1 General Commercial District to R-1 Single Family Residential District. The property is located on South Main Street between Seventh & Eighth Street and the neighborhood is mainly residential in nature.

The property has been zoned C-1 General Commercial. The building has been vacant for over a year. The Petitioner would like to run his E-Commerce Store out of the location. The lot does not provide any off street parking. The rear of the building does provide access to the interior garage area. Due to the lack of off-street parking, the Planning staff requested that the lot be zoned R-1 Single Family Residential and to allow a use variance for an E-Commerce Store with no retail sales.

There is a concurrent Use Variance (24-55) that was heard at the Board of Zoning Appeals meeting earlier this evening.

The Fire Department noted to get permits for any work performed to the building.

The Engineering Department has recommended approval per conditions on Use Variance.

Pertinent City Departments have reviewed and approved the request.

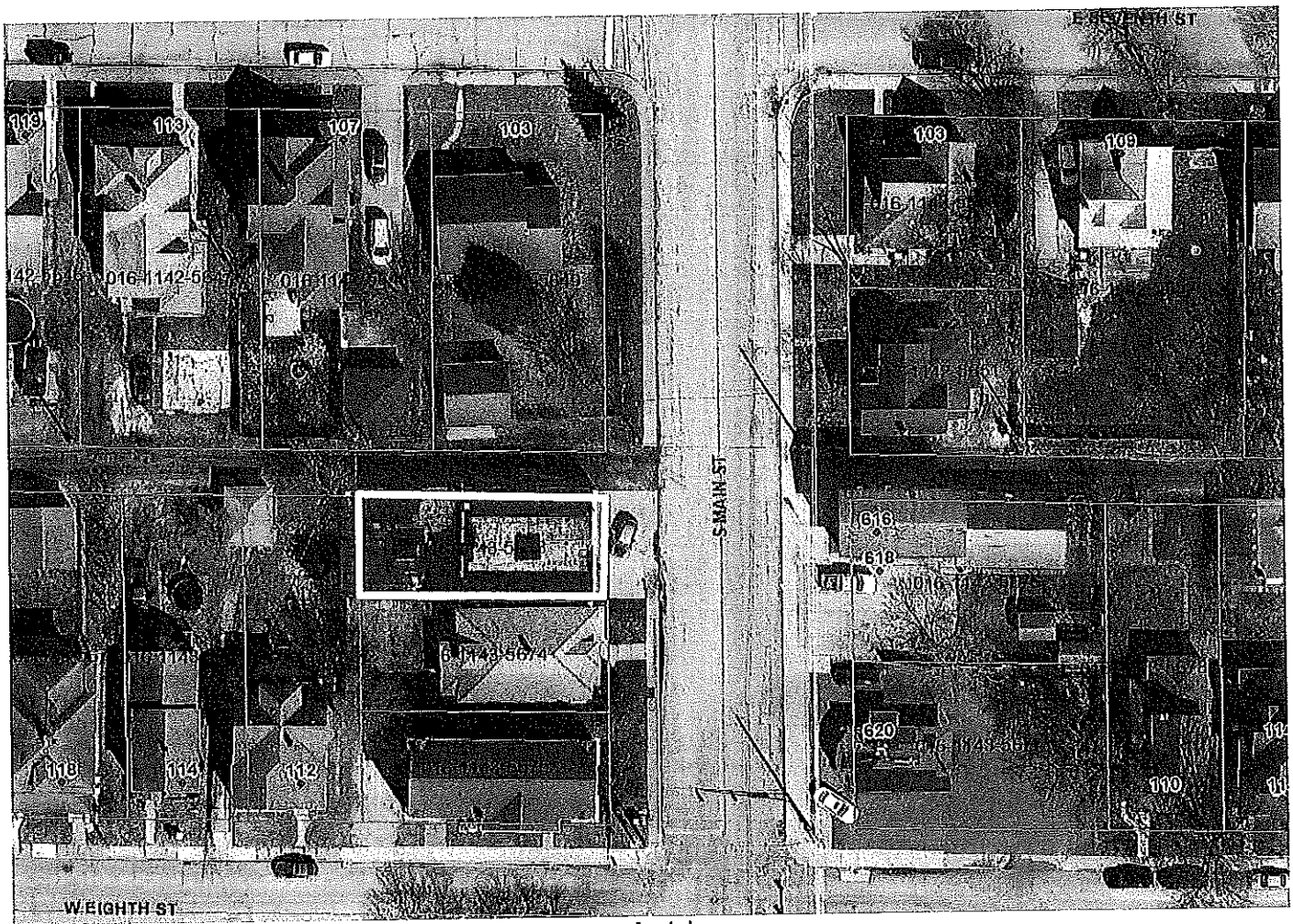
RECOMMENDATION

The Planning Department recommends **approval** of Petition #24-13 to rezone 611 S Main Street from C-1 General Commercial District to R-1 Single Family Residential District. This recommendation is based upon the following findings of fact per *Indiana Code Section 36-7-4-603*:

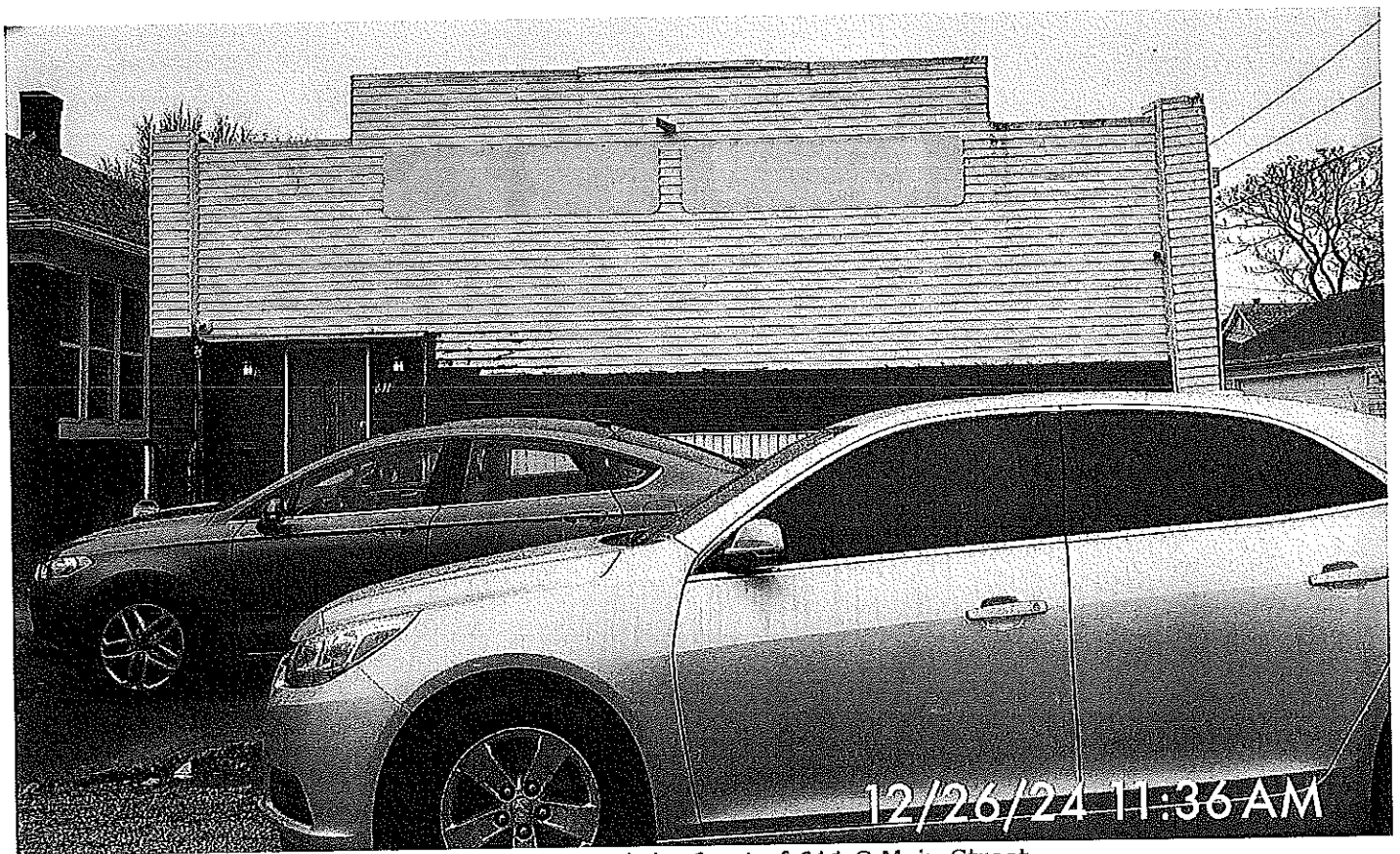
1. The applicable Comprehensive Plan is the Mishawaka 2000 Comprehensive Plan, created in 1990, which identifies a land use of the subject property as General Commercial. Since that time, the South Main Street area is primarily residential with a few small businesses sprinkled in. The proposed request is consistent with the development that has taken place along this area.
2. Current conditions and the character of current structures and uses in each district – The proposed E-Commerce business is consistent with any commercial development that has occurred on S Main Street. Adjacent land uses include single family, C-5 Neighborhood Commercial and C-1 General Commercial.
3. The most desirable use for which the land in each district is adopted – The most desirable use for the property is a business with minimal foot traffic or Single Family Residential. The proposed E-Commerce business with no retail sales is consistent with the area and the limited off street parking availability. With the potential for development as a higher intensity commercial project in the current C-1 District, staff feels that rezoning this property for future single-family use is more appropriate.
4. The conservation of property values throughout the jurisdiction – As opposed to the range of potential commercial property development that could occur with its current zoning, rezoning this property to the R-1 Single-Family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood.
5. Responsible development and growth – The proposed change is desirable given the varied existing uses and zoning on S Main Street. The size of this lot limits any off street parking so a business that does not offer any retail sales is appropriate.

ATTACHMENTS

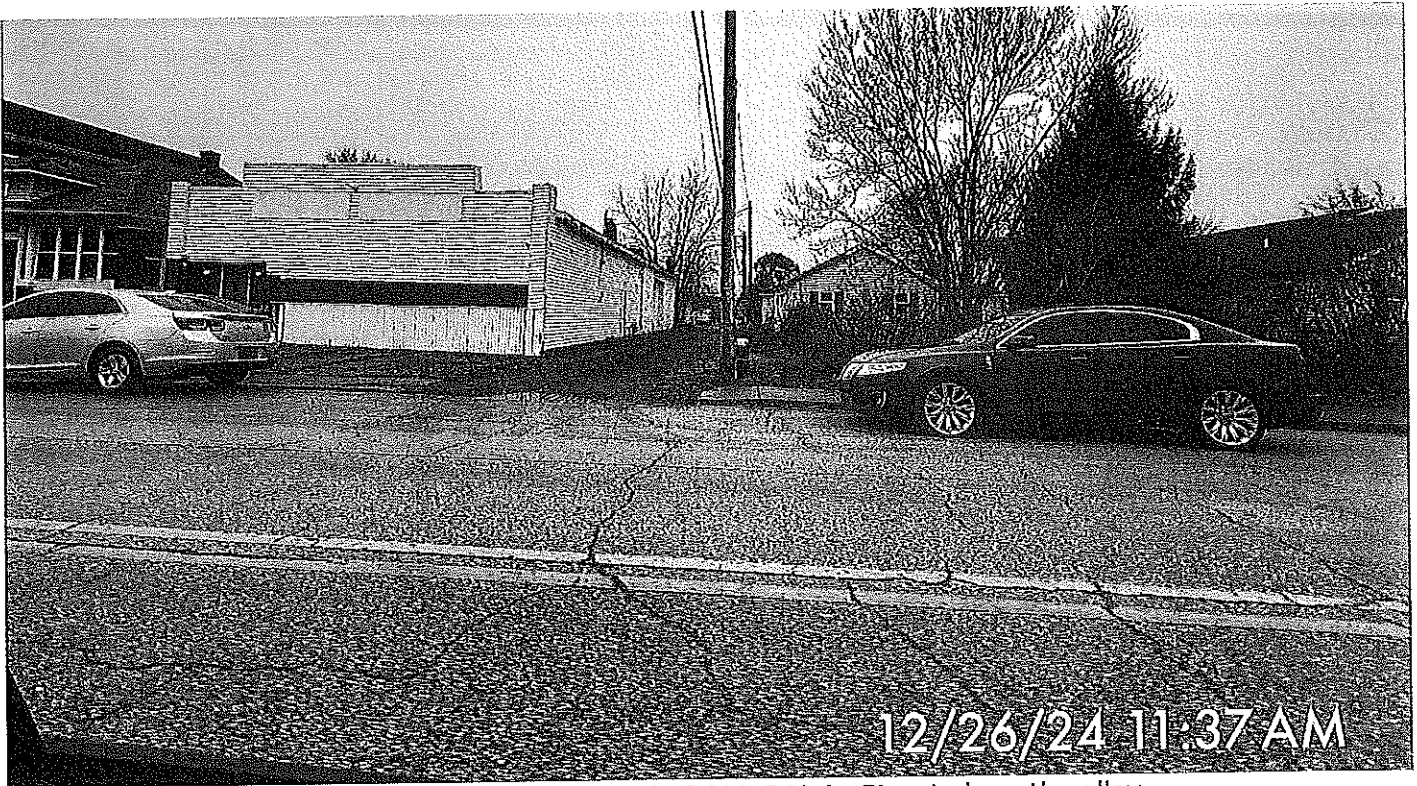
AERIAL, PHOTOGRAPHS, PETITION, LOCATION MAP



Aerial



Facing west toward the front of 611 S Main Street



Facing west at the north end of 611 S Main Street along the alley

December 6, 2024

Honorable Members of the
Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

Pet 24-13

Received

Planning and
Community Development

RE: PETITION TO REZONE

The undersigned, Advanced RE Holdings, LLC, respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

Legal Description: 38 ½ ft N End Ea Lots 20 & 21 Mc Inernys 1st

Common Address: 611 S. Main, Mishawaka, Indiana 46544

Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification of C-1 District. Said property is *vacant*.

Petitioner(s) desire said real estate to be rezoned to Residential – R-1 District. Petitioner(s) further state that they intend to utilize said land for a security business as an ecommerce store.

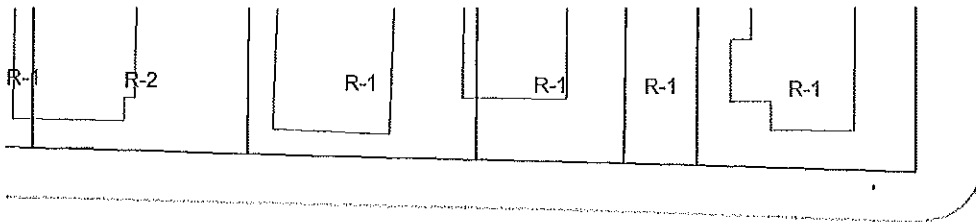
Wherefore, the petitioner(s) pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of land located in the City of Mishawaka.



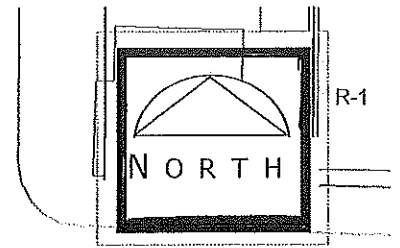
Victor Bleck

Contact Person:

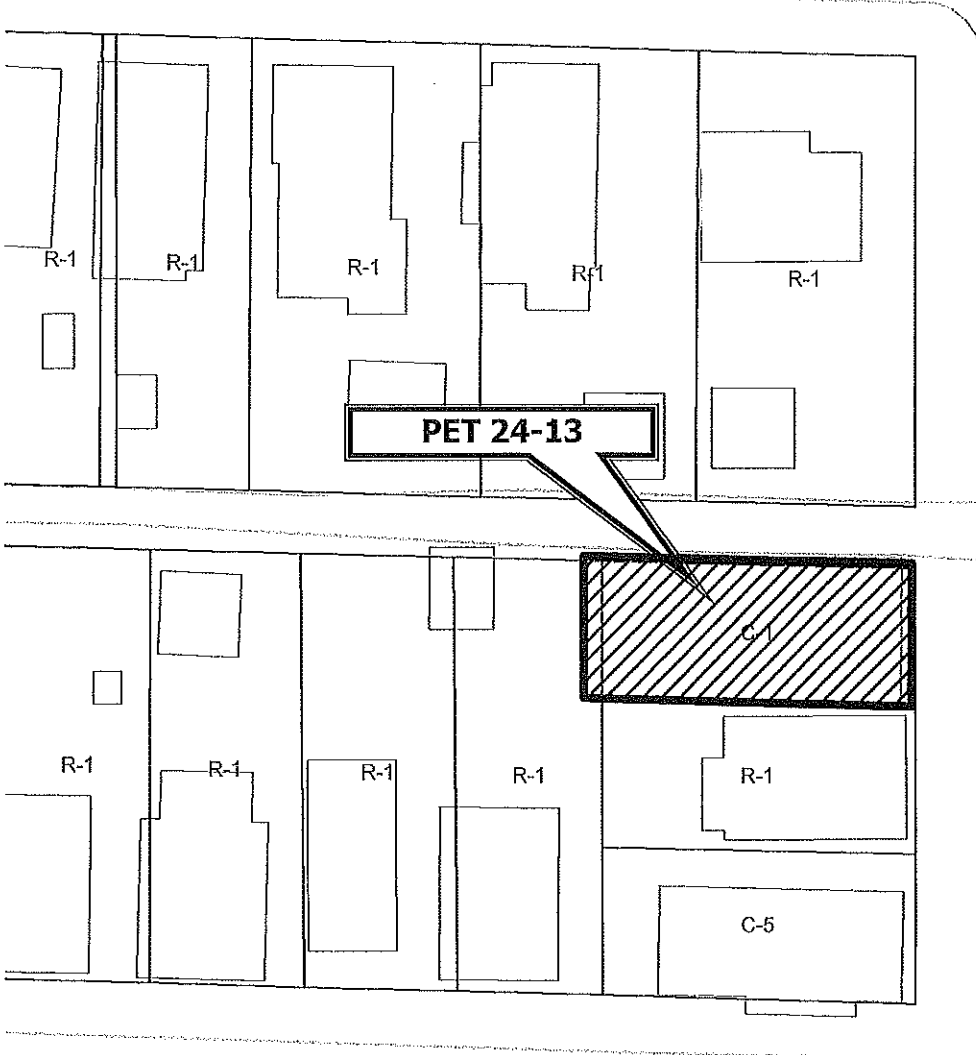
Name:	Victor Bleck
Address:	611 S Main Street Mishawaka, IN 46544
Day Phone Number:	1-877-364-0918
E-mail:	victor@advancedsecurityllc.com



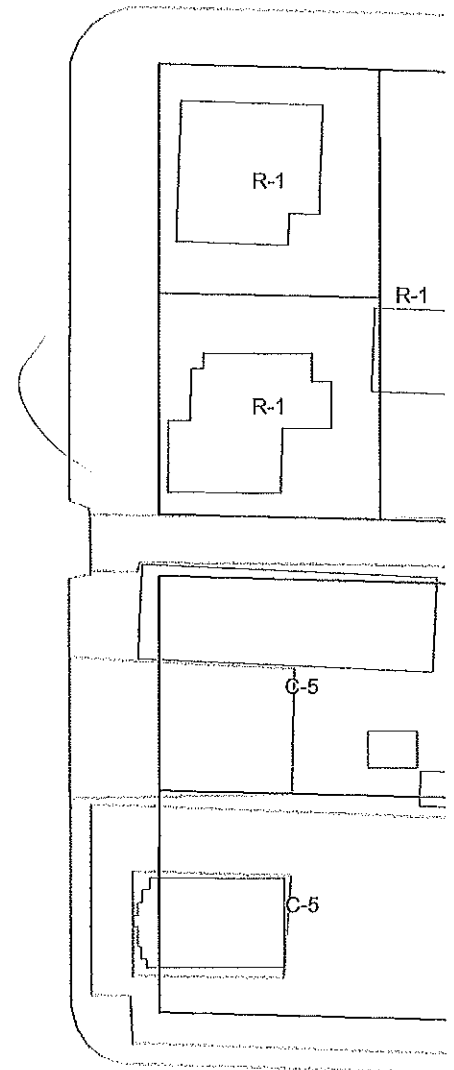
W SEVENTH ST



E SEVENTH ST



W EIGHTH ST



E EIGHTH ST

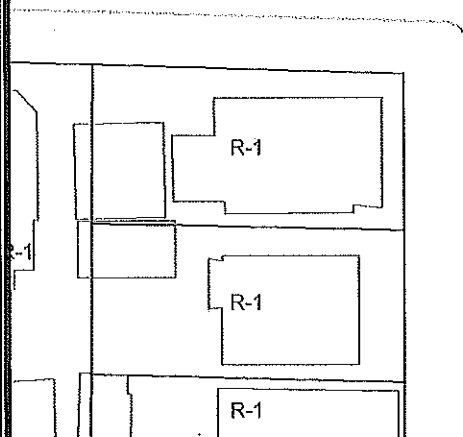
Location Map

PET 24-13

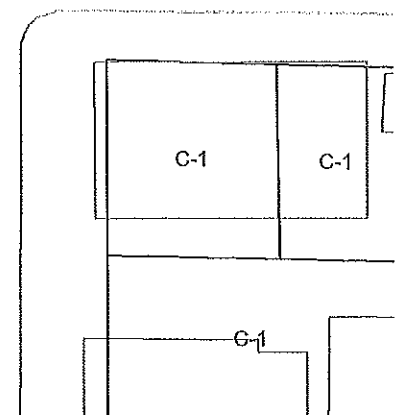
ADVANCED RE HOLDINGS LLC

611 S MAIN STREET

REZONE FROM
C-1 COMMERCIAL DISTRICT
TO R-1 SINGLE FAMILY DISTRICT
(WITH AP 24-55)



S MAIN ST



RESOLUTION NO. 2025-01

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

15503 Douglas Road, Granger, IN 46530 – North side of Douglas Road approximately 1,200' west of Fir Road.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning and Community Development has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning and Community Development has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

REAL ESTATE IN ST. JOSEPH COUNTY, IN THE STATE OF INDIANA, DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 3 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE NORTH 1160 FEET; THENCE EAST 300.41 FEET; THENCE SOUTH 1160 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE WEST AND ALONG SAID SOUTH LINE 300.41 FEET TO THE PLACE OF BEGINNING EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 150 FEET; THENCE WEST 100 FEET; THENCE SOUTH 150 FEET; THENCE EAST 100 FEET TO THE PLACE OF BEGINNING.

INCLUDING THE FOLLOWING PREMISES CONVEYED TO ST. JOSEPH COUNTY, INDIANA BY DEED, RECORDED NOVEMBER 18, 2003 AS INSTRUMENT NO. 373957, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST (BASIS OF BEARINGS) ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27, A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST ON SAID WEST LINE, A DISTANCE OF 20 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER SECTION 27 ON THE NORTH PROPOSED RIGHT-OF-WAY LINE OF DOUGLAS ROAD, A DISTANCE OF 200.58 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 44 SECONDS WEST, A DISTANCE OF 20 FEET TO THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 ON THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD, A DISTANCE OF 200.50 FEET TO THE PLACE OF BEGINNING. PARCEL CONTAINS 0.09 ACRES MORE OR LESS

COMMON ADDRESS: 15503 DOUGLAS ROAD, GRANGER, IN 46530 – NORTH SIDE OF DOUGLAS ROAD APPROXIMATELY 1,200’ WEST OF FIR ROAD.

Section II. Following the review of documents prepared by the Department of Planning and Community Development and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2025, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

2025, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2025, at
_____ o'clock ____M.

David A. Wood, Mayor



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

January 21, 2025

Dale Emmons, 1st District City Council
Matt Carroll, 2nd District City Council
Lou Ann Hazen, 3rd District City Council
Kate Voelker, 4th District City Council
Anthony Violi, 5th District City Council
Ron Banicki, 6th District City Council
Gregg Hixenbaugh, At Large City Council
Matt Mammolenti, At Large City Council
Lacy Hahn, At Large City Council
Deborah S. Block, City Clerk

Deborah S. Block, MMC, MMC

JAN 21 2025

City Clerk
Mishawaka, IN

Re: Fiscal Plan and Approving Resolution for proposed Ordinance to Annex and Zone property into the City of Mishawaka: 15503 Douglas Road approximately 1,200' West of Fir Road

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Department of Planning and Community Development in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the area to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is in a pocket of unincorporated area immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on January 27, 2025.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Spier", is written over a horizontal line.

Derek J. Spier, AICP
City Planner

cc: David A. Wood, Mayor



City of Mishawaka

*Edward N. Doty, as Trustee of the
Edward N. Doty Revocable Trust
15503 Douglas Road Annexation*

*Property located North of
Douglas Road Approximately
1,200' West of Fir Road*

January 2025

Prepared by:
City of Mishawaka
Department of Planning & Community Development
100 Lincolnway West
Mishawaka, IN
46544-2011

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

EDWARD N. DOTY, AS TRUSTEE OF THE EDWARD N. DOTY REVOCABLE TRUST
NORTH OF DOUGLAS ROAD APPROXIMATELY 1,200' WEST OF FIR ROAD
ANNEXATION FISCAL PLAN

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Annexation Fiscal Plan

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TAB A- CITY OF MISHAWAKA **ANNEXATION POLICY**

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

SUMMARY

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.
- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.
- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.
- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

Annexation Fiscal Plan

REAL ESTATE IN ST. JOSEPH COUNTY, IN THE STATE OF INDIANA, DESCRIBED AS FOLLOWS:
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TAB B- BASIC DATA & FISCAL
ANALYSIS

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aerals. This area is legally described as follows:

REAL ESTATE IN ST. JOSEPH COUNTY, IN THE STATE OF INDIANA, DESCRIBED AS FOLLOWS:

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INCLUDING THE FOLLOWING PREMISES CONVEYED TO ST. JOSEPH COUNTY, INDIANA BY DEED, RECORDED NOVEMBER 18, 2003 AS INSTRUMENT NO. 373957, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST (BASIS OF BEARINGS) ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27, A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST ON SAID WEST LINE, A DISTANCE OF 20 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER SECTION 27 ON THE NORTH PROPOSED RIGHT-OF-WAY LINE OF DOUGLAS ROAD, A DISTANCE OF 200.58 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 44 SECONDS WEST, A DISTANCE OF 20 FEET TO THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 ON THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD, A DISTANCE OF 200.50 FEET TO THE PLACE OF BEGINNING. PARCEL CONTAINS 0.09 ACRES MORE OR LESS

COMMON ADDRESS: 15503 DOUGLAS ROAD, GRANGER, IN 46530 – NORTH SIDE OF DOUGLAS ROAD APPROXIMATELY 1,200' WEST OF FIR ROAD.

Annexation Area

The area to be annexed includes one parcel of property (Tax Parcel #006-1012-0174) located on the north side of Douglas Road approximately 1,200' west of Fir Road. The parcel has 200' of frontage and is currently occupied with a single-residential house and two detached accessory structures. The property is bound to the west, east, and south with approximately 2,370' being incorporated into the City, while two of the adjacent

properties, one to the north and one to the southeast, being in unincorporated St. Joseph County. The property is currently zoned "R" Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned S-2 Planned Unit Development for a proposed 234 unit affordable senior apartment complex. The property is proposed to be developed in one phase.

Contiguity with the Existing City Limits

The property to be annexed into the City totals approximately 7.64 acres including the north 40' of right-of-way of E. Douglas Road. The external boundary of the annexation area measures 2,920 linear feet with 2,370 linear feet being contiguous with the current corporate boundary of the City of Mishawaka. The border of the contiguous area is 81.2% of the total external boundary. This is in excess of the minimum 12.5%, or 1/8, of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The property is primarily vacant fallow land with minimal relief across the site. The generalized 2' contours per the City's GIS show approximate elevations ranging from 757' along the north property line to less than 752' in the southeast corner of the property. Tree rows line the north, east, and west property lines, with sporadic large deciduous and evergreen trees near the house within the first 200' of the property north of Douglas Road. Most of the property is fallow with natural scrub growth. There is one single-family house along Douglas Road with two (2) accessory structures along the west property line.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed is currently zoned R Single Family District within unincorporated St. Joseph County and is mostly vacant fallow property. There is one house and two (2) accessory structures within the annexation area. If the Mishawaka Common Council approves the annexation request, the property will be zoned to the S-2 Planned Unit Development District.

D. ASSESSMENT

The territory to be annexed consists of one (1) parcel of property. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres*	Land & Imp. Valuation**
006-1012-0174	EDWARD N. DUTY, TRUSTEE OF EDWARD N. DOTY REVOCABLE TRUST	7.64 ACRES	\$167,200

**Acreage is per the City of Mishawaka/Michiana Area Council of Governments GIS parcel data including 0.18 acres dedicated for public right-of-way.*
***Only includes a land value of \$104,100 and structure value of \$63,100.*

E. CURRENT TAX RATE

The City's tax rate 2023 payable 2024 was \$2.0047 per \$100 of assessed valuation. For property owners in Harris Township, in which this proposed annexation is located, the total taxes will be \$3.8438 per \$100 of assessed valuation. Property owners in this area currently pay \$2.0153 per \$100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Actual tax rates may vary.

Tax District	Existing Tax Rate	Tax Rate after Annexation
Harris Township	2.0153	3.8438

The City's tax rate has remained relatively stable over the years:

2023	\$2.0047
2022	\$1.8575
2021	\$2.0002
2020	\$1.9952
2019	\$2.0226
2018	\$2.0701
2017	\$2.0516
2016	\$1.9977
2015	\$1.8750
2014	\$2.0062
2013	\$1.9086
2012	\$1.8186
2011	\$1.7362
2010	\$1.6741
2009	\$1.6557
2008	\$1.5283
2007	\$1.3326
2006	\$1.3899
2005	\$1.3382
2004	\$1.3313
2003	\$1.2476

F. NEW ADDRESSES

If the proposed annexation is approved, the property will be zoned S-2 Planned Unit Development to allow the development of an affordable senior apartment complex. The property shall be developed in accordance with the requirements of the City of Mishawaka Zoning Ordinance. Addresses will be assigned by the City of Mishawaka Engineering Department when the property is developed.

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Every proposed annexation area to the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab C. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. It will be the responsibility of any future property owner/ developer to bear any expense required to extend, when applicable, and connect to existing City services. Given the location of the proposed annexation area adjacent to the existing city limits, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2024 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area and requirement that all utilities will be extended to the property at the property owner's expense, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

Analysis:

The property proposed to be annexed is currently vacant fallow land that includes one single-family residential house and two (2) accessory structures. If the annexation is approved, the contingent developer is proposing to construct an affordable senior multi-family residential apartment complex with various amenities.

As indicated on the preliminary site plan, the Stoneleaf Reserve complex is proposed to include 234 units within three (3) buildings, a leasing office, dog park, maintenance garage, and other amenities. Primary access will be provided from E. Douglas Road with cross access provided to the east connecting to the adjacent hotel property. A detention basin shall be provided in the south part of the property along E. Douglas Road for stormwater storage. The developer plans to construct the project in one phase. Construction is expected to begin in January 2026 with completion and occupancy by November 2027.

If construction on the proposed development begins in early 2026 with completion by late fall of 2027, as anticipated, the annexation is expected to significantly increase the assessed valuations and provide positive impacts to other taxing units in future years. These increases will not be fully realized until tax year 2028 payable 2029. The developer estimated that construction costs for the entire project will be approximately \$48 million. Based upon The Villas on Fir, which is a similar nearby apartment project constructed from 2017-2018, the development is expected to yield an initial assessed valuation of approximately \$24,349,874, including \$24 million for the buildings (50% of the construction costs) and \$349,874 for the land valuation. The land valuation is based upon \$46,900 per acre for the 7.46 acre project area, which is the applicable assessment for multi-family residential property in northern Mishawaka.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2023 payable 2024". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed valuation:

\$167,200

Future anticipated property assessed valuation:

\$24,349,874

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing an online estimator available through the Indiana Gateway for Government Units > Taxpayer Portal > Tax Bill Estimator website. The current URL address for this estimator is <https://gateway.ifionline.org/CalculatorsDLGF/taxcalculator.aspx>.

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for residential rental, non-homestead residential, and agricultural property, then following annexation for the same property type identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: \$3,344

Following annexation: \$486,997

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (31.1%) - \$1,039.98
- Harris Township (14.3%) - \$478.19
- Penn-Harris-Madison School Corporation (46.0%) - \$1,538.24
- Mishawaka-Penn-Harris Public Library (6.6%) - \$220.70
- Airport Authority (2.0%) - \$66.88

** Estimates may not equal estimated tax value due to rounding.*

The current tax rate of all of these entities combined is 2.0153%.

The tax rate will increase to 3.8438% upon annexation to the City, however, the residential rental cap is set at 2%. Even though the cap is set at 2%, the revenue will increase significantly due to the estimated increase in assessed valuation realized from the proposed apartment complex. Thus, the distribution of property tax revenue is anticipated to increase for all existing tax entities based on getting a larger percentage of revenue when the City tax rate, and to a very minor extent, the South Bend Transpo rate is added to the overall rate.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue for existing taxing units upon annexation*

- St. Joseph County (16.3%) - \$79,380.51 (+\$76,036.51 per year)
- Harris Township (0.2%) - \$973.99 (+\$495.80 per year)
- Penn-Harris-Madison School Corporation (24.1%) - \$117,366.28 (+\$115,828.04 per year)

- Mishawaka-Penn-Harris Public Library (3.5%) - \$17,044.90 (+\$16,824.20 per year)
- Airport Authority (1.0%) - \$4,869.97 (+\$4,803.09 per year)
- South Bend Transpo (2.7%) - \$13,148.92
- City of Mishawaka (52.2%) - \$254,212.43

** Estimates may not equal estimated tax value due to rounding.*

Four Year Projection of Property Tax Revenue following Annexation & Anticipated Completion of Development / Full Assessment by Fall 2027 (above numbers x4)

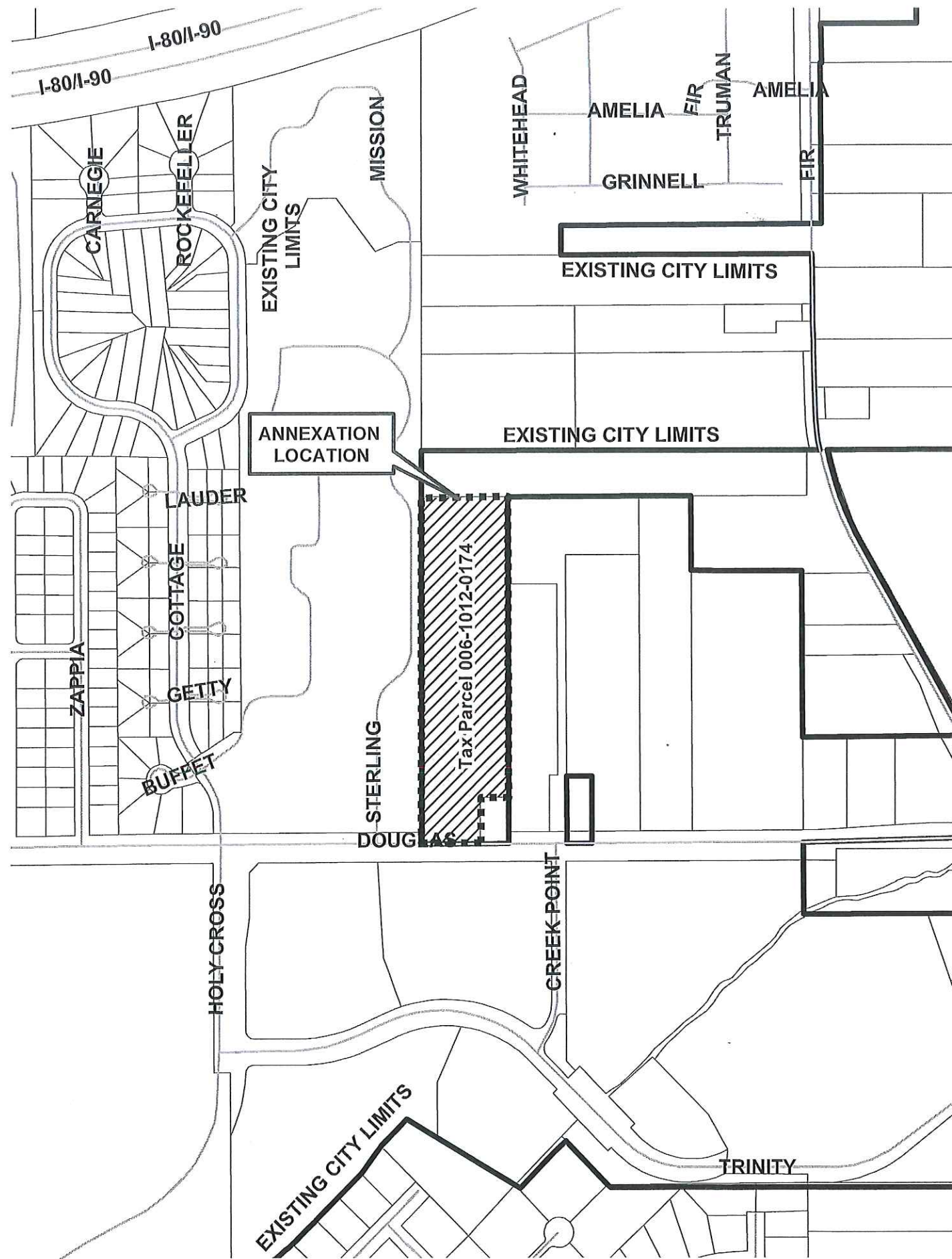
Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

• St. Joseph County	\$317,522.04
• Harris Township	\$3,895.96
• Penn-Harris-Madison School Corporation	\$469,465.12
• Mishawaka-Penn-Harris Public Library	\$68,179.60
• Airport Authority	\$19,479.88
• South Bend Transpo	\$52,595.68
• City of Mishawaka	\$1,016,849.72

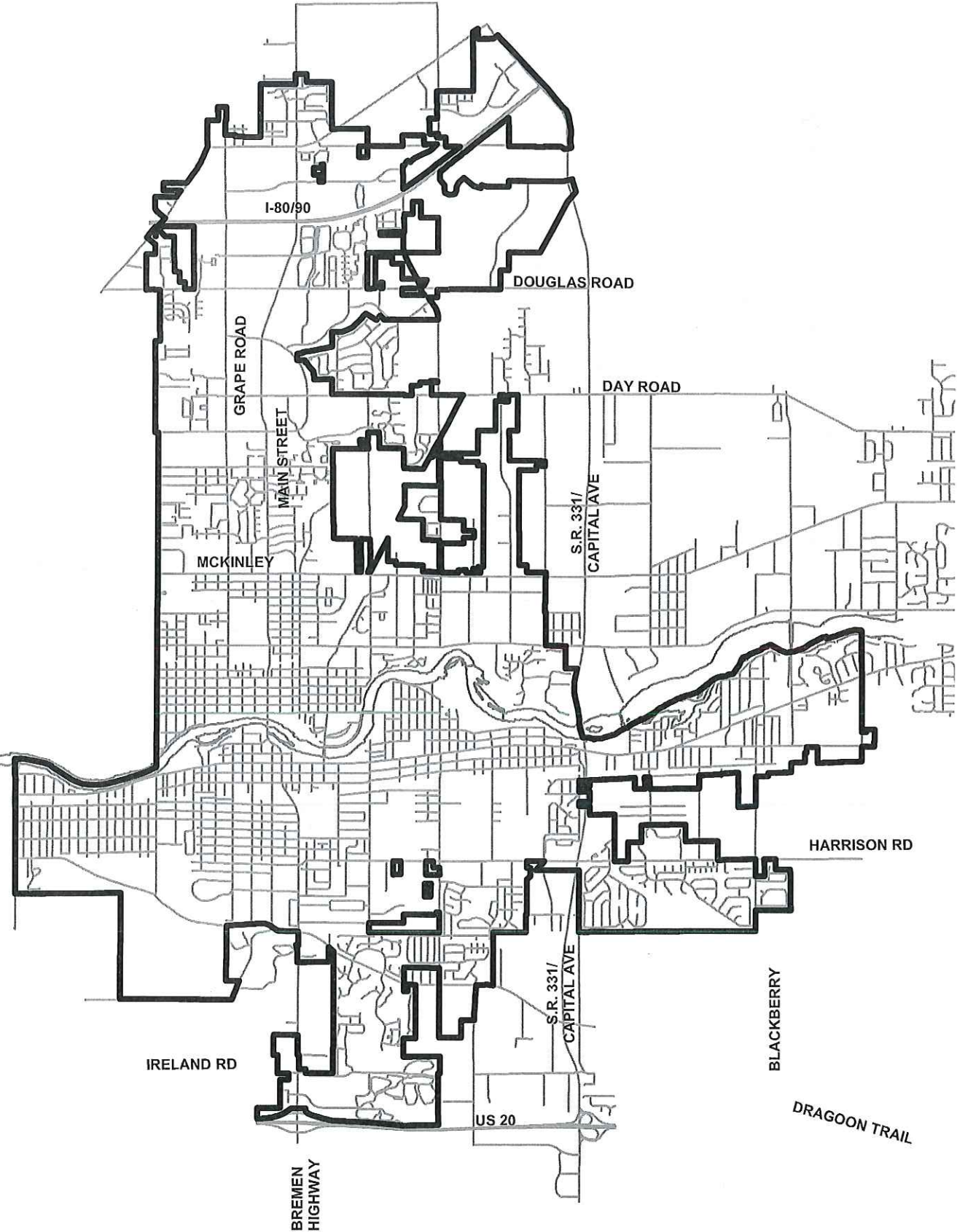
J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

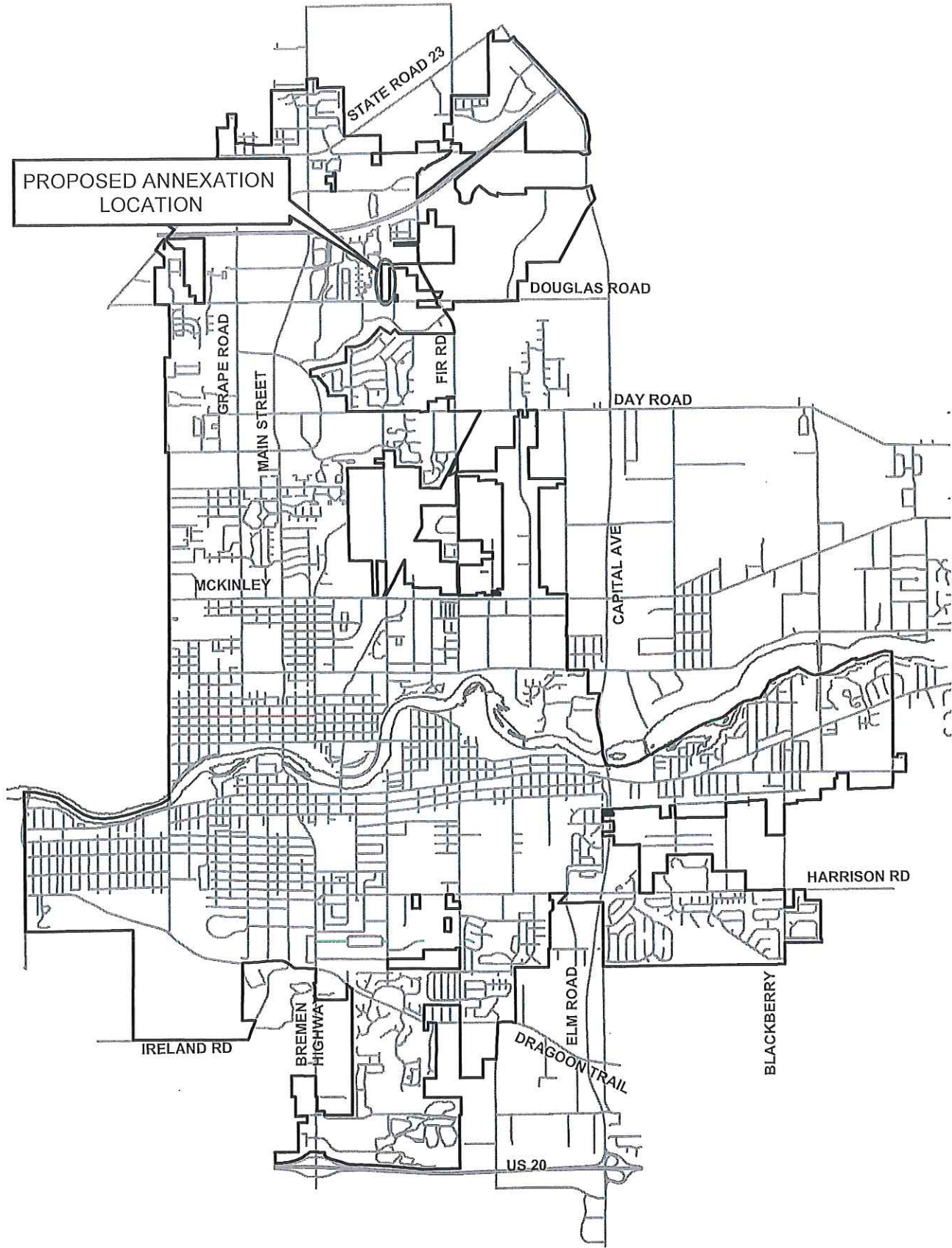
Upon reviewing the site and the information identified in Tab "D" / Appendix "D", there is no County infrastructure debt associated within the proposed annexation, nor is there any outstanding county debt on infrastructure that is payable by a local option income tax.



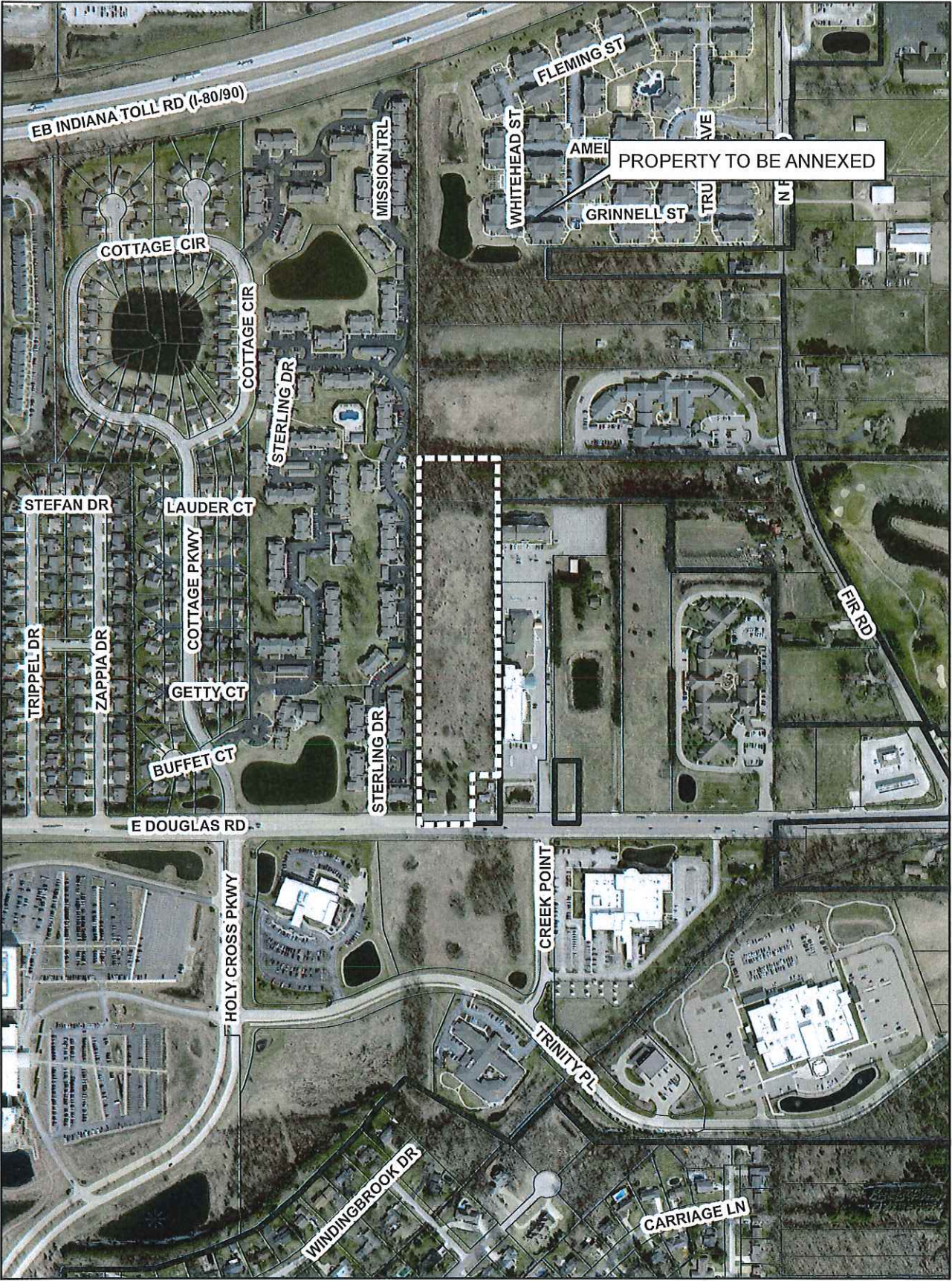
MAP OF EXISTING CITY LIMITS



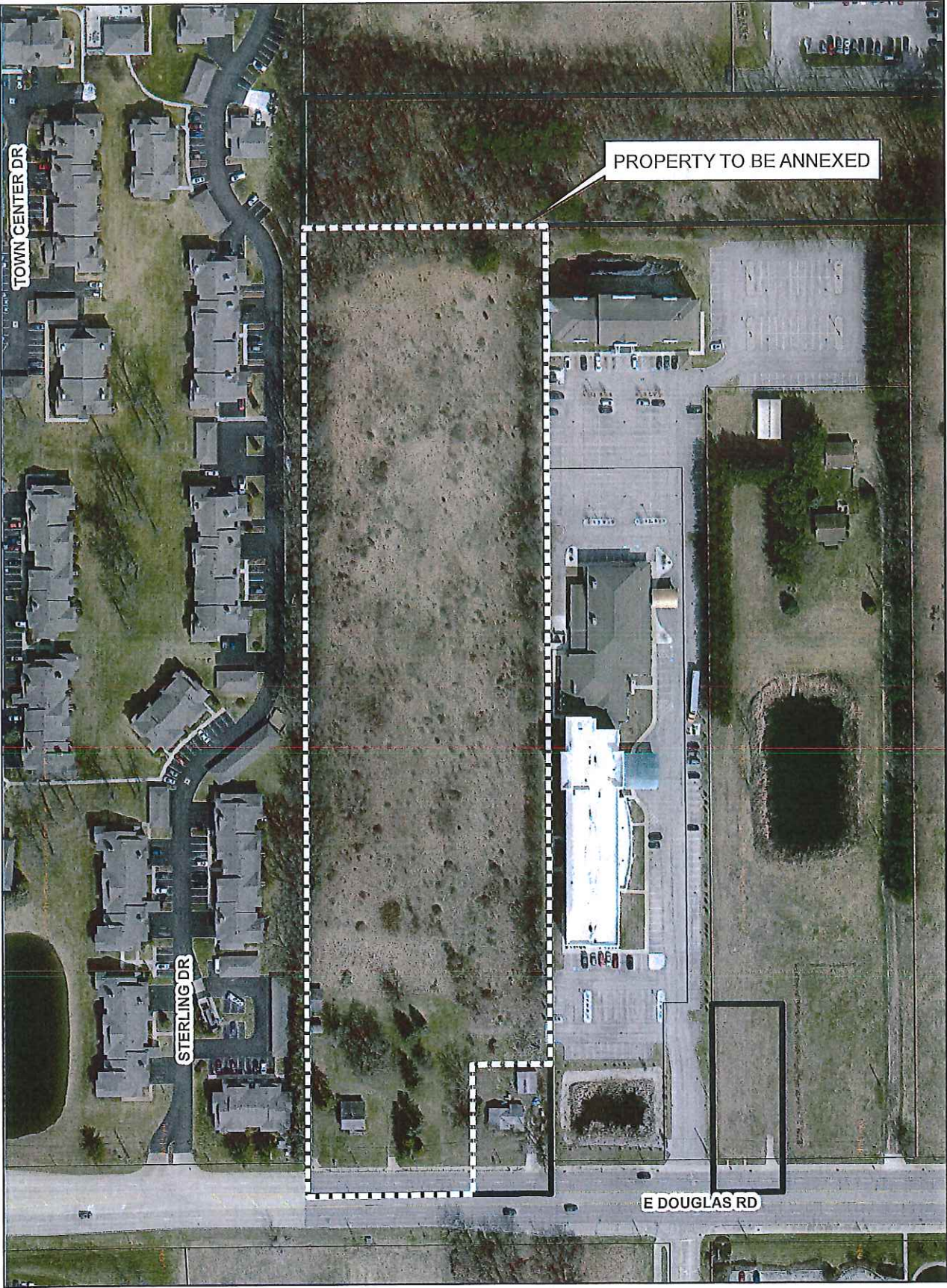
MAP OF PROPOSED CITY LIMITS



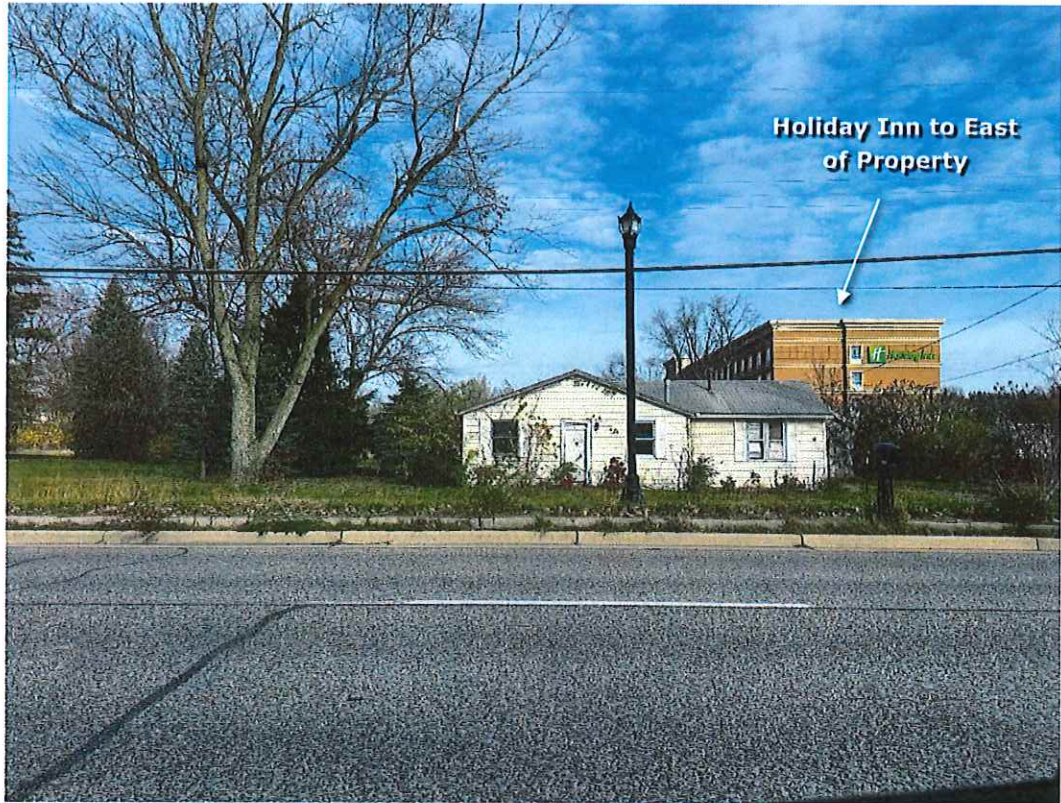
AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



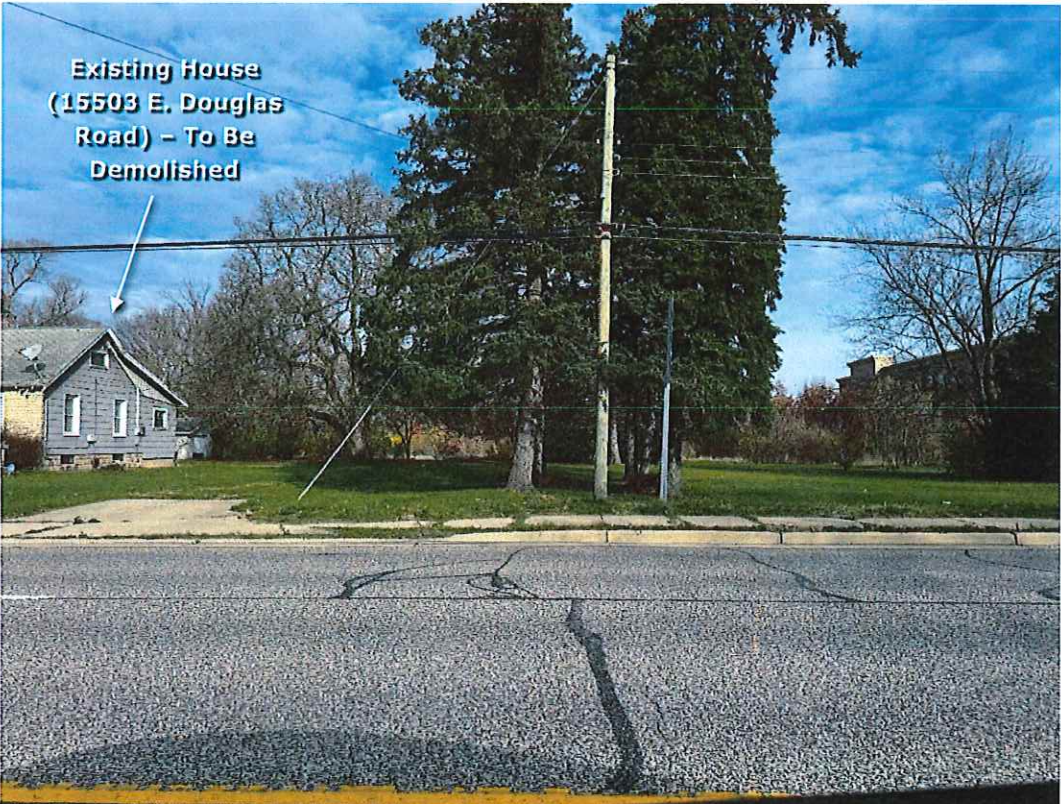
AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



PHOTOGRAPHS OF PROPERTY TO BE ANNEXED



Looking north from E. Douglas Road toward the existing house to remain in county.
Subject property is west of this house.



Looking northerly from E. Douglas Rd toward the property and house to be demolished.

November 20, 2024

Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Petition for Annexation and Zoning Classification

The undersigned, EDWARD N. DOTY AS TRUSTEE OF THE EDWARD N. DOTY
REVOCABLE TRUST, respectfully show they are the owners of the following described real estate
located in the County of St. Joseph, State of Indiana, to-wit:

The Land, located at 15503 Douglas Road, Granger, IN 46530, is described as follows:

Real estate in St. Joseph County, in the State of Indiana, described as follows:

Part of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 27, Township
38 North, Range 3

East and more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter (1/4) of said Section 27;

Thence North 1160 feet;

Thence East 300.41 feet;

Thence South 1160 feet to the South line of the Southeast Quarter (1/4) of said Section 27;

Thence West and along said South line 300.41 feet to the place of beginning EXCEPTING
therefrom the following:

Beginning at the Southeast corner of the above described tract;

Thence North 150 feet; thence West 100 feet;

Thence South 150 feet; thence East 100 feet to the place of beginning.

LESS AND EXCEPT the following premises conveyed to St. Joseph County, Indiana by
Deed, recorded

November 18, 2003 as Instrument No. [373957](#), and described as follows:

A parcel of land located in the Southeast Quarter of Section 27, Township 38 North, Range 3
East of the Second

Principal Meridian in Harris Township, St. Joseph county, Indiana, more particularly
described as follows:

Commencing at the Southwest corner of the Southeast quarter of Section 27;

Thence North 00 degrees 07 minutes 16 seconds West (basis of bearings) on the West line of
the Southeast

Quarter of Section 27, a distance of 20 feet to the point of beginning;

Thence North 00 degrees 07 minutes 16 seconds West on said West line, a distance of 20
feet;

Thence South 89 degrees 57 minutes 53 seconds East, parallel with the South line of the
Southeast Quarter

Received
NOV 19 2024
Planning and
Community Development
PET 24-10

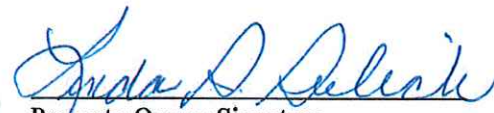
Section 27 on the North proposed right-of-way line of Douglas Road, a distance of 200.58 feet;
Thence South 00 degrees 06 minutes 44 seconds West, a distance of 20 feet to the North existing right-of-way of Douglas Road;
Thence North 89 degrees 57 minutes 53 seconds West, parallel with the South line of the Southeast Quarter of Section 27 on the North existing right-of-way of Douglas Road, a distance of 200.50 feet to the place of beginning.
Parcel contains 0.09 acres more or less.

Petitioners own One Hundred (100%) percent of the above-described parcel of land which is located in INDIANA and that Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a S-2 PUD District. Petitioners further state they intend to utilize said land for a SENIOR AFFORDABLE APARTMENT COMMUNITY.

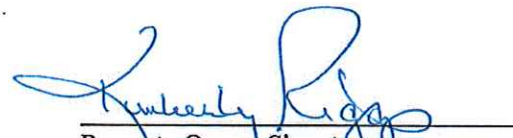
Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed building and also the location of the proposed building structure(s).

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a S-2 PUD.


Property Owner Signature

Linda S. Sulich, Co-Executor
Print Property Owner Name


Property Owner Signature

Kimberly Riggs, Co-Executor
Print Property Owner Name

Contact Person:
Brian R. Pozen
Kittle Property Group, Inc.
310 E. 96th Street
Suite 400
Indianapolis, IN 46240
317-590-5842
BPOzen4634@KittleProperties.com

Annexation Fiscal Plan

REAL ESTATE IN ST. JOSEPH COUNTY, IN THE STATE OF INDIANA, DESCRIBED AS FOLLOWS:
PART OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 27,
TOWNSHIP 38 NORTH, RANGE 3 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION
27; THENCE NORTH 1160 FEET; THENCE EAST 300.41 FEET; THENCE SOUTH 1160 FEET TO THE
SOUTH LINE OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE WEST AND
ALONG SAID SOUTH LINE 300.41 FEET TO THE PLACE OF BEGINNING EXCEPTING THEREFROM THE
FOLLOWING:

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 150
FEET; THENCE WEST 100 FEET; THENCE SOUTH 150 FEET; THENCE EAST 100 FEET TO THE PLACE
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INCLUDING THE FOLLOWING PREMISES CONVEYED TO ST. JOSEPH COUNTY, INDIANA BY DEED,
RECORDED NOVEMBER 18, 2003 AS INSTRUMENT NO. 373957, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 38
NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HARRIS TOWNSHIP, ST. JOSEPH
COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27;
THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST (BASIS OF BEARINGS) ON THE WEST
LINE OF THE SOUTHEAST QUARTER OF SECTION 27, A DISTANCE OF 20 FEET TO THE POINT OF
BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST ON SAID WEST LINE, A
DISTANCE OF 20 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, PARALLEL
WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER SECTION 27 ON THE NORTH PROPOSED
RIGHT-OF-WAY LINE OF DOUGLAS ROAD, A DISTANCE OF 200.58 FEET; THENCE SOUTH 00
DEGREES 06 MINUTES 44 SECONDS WEST, A DISTANCE OF 20 FEET TO THE NORTH EXISTING
RIGHT-OF-WAY OF DOUGLAS ROAD; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS
WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 ON THE
NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD, A DISTANCE OF 200.50 FEET TO THE PLACE
OF BEGINNING. PARCEL CONTAINS 0.09 ACRES MORE OR LESS

TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of approximately 51,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A \$42 million expansion of the wastewater treatment plant was completed in June 2008. From 2013 to 2020, capital improvements to the wastewater system were made including the replacement of four lift stations, three emergency generators, and final clarifier troughs. Additional plant and system improvements with a focus of implementing the Combined Sewer Overflow Long Term Control Plan are currently under construction with future improvements planned in the upcoming years.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed several capital improvement projects in recent years. In late 2019, a new 2 million gallon reservoir located along Ireland Trail south of Dragoon Trail went online with the rehabilitation of the old 3 million gallon tank occurring throughout 2020. The 3 million gallon tank went online in January 2021. A new 1.5 million gallon elevated water tower located northwest of Cleveland and Gumwood Road intersection was constructed and came online in October 2023. This tower will replace the existing tank near University Park Mall. In 2024, a new water treatment facility and well field along Veteran's Parkway near Juday Creek was completed. With the new wellfield, the existing Gumwood well field will be decommissioned in the coming years. Additional improvements currently under construction include the replacement of the 1.5 million gallon storage reservoir at the Virgil Treatment Plant originally constructed in 1923.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The new Fire Station # 2, located along E. McKinley Road south of Liberty School, opened in late 2024, replacing the station at 2332 N. Main Street. The Department maintains a Class 2 fire rating with the Insurance Services Office (ISO) rating improving from a Class 3 rating in November 2019. The City nearly received a Class 1 rating of which there are only five in the State of Indiana. It is expected that a Class 1 rating will be achieved during the next reevaluation which occurred in February 2024. The results of the reevaluation have yet to be announced. The lower the rating, the lower a

resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within six minutes on average to a call.

The Mishawaka Police Department, with approximately 100 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations and Street Crimes Units, and the Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responded to approximately 10,400 calls in 2023. The City, with its population of approximately 51,000, responds to about 50% more calls than the County ambulance service does, with its population of over 120,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at \$21.69. For senior citizens, the rate is \$17.55. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 15 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sanitary Sewer Infrastructure

The City has an existing 8" sanitary sewer main along the north side of Douglas Road behind the sidewalk and includes an 8" sewer main stub at the southeast corner of the parcel. The sanitary sewer shall be extended into the site for connection to the proposed development per City of Mishawaka Engineering Standards. The cost of this connection/extension shall be the responsibility of the owner/developer. This sanitary sewer connection will discharge into the sanitary sewer system that is publicly maintained and ultimately discharges to the City of Mishawaka's Wastewater Treatment Plant. The City's sanitary sewer system has ample capacity to serve this annexation property. An existing 12" force main is located within a 20' easement on the west side of the parcel. This easement shall be expanded to 29' to allow for adequate separation and protection.

Existing Road/Transportation Infrastructure

Currently, this annexation has frontage along Douglas Road. Douglas Road is a five-lane section with two westbound travel lanes, two eastbound travel lanes, and a shared center left turn lane. This site shall be allowed one access drive off Douglas Road and should be located at the west end of the parcel to accommodate an added right turn lane. Sidewalk shall be reconstructed along frontage. Additional public right-of-way may need to be dedicated to encompass these improvements. Cross-access drives shall connect to both adjacent properties to provide secondary ingress-egress.

Existing Storm Sewer/Drainage Infrastructure

Regarding any new development or redevelopment within the annexation area, sites are required to retain the stormwater generated by the development on site at the rate of 100-year return storm frequency for a 24-hour duration. A geotechnical investigation shall be conducted to determine the existing soil conditions and seasonal groundwater table, as they may limit the amount of runoff that will infiltrate into the ground. This requirement provides significant protection to both existing and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and TR-55 Method are also acceptable and tend to be more advanced, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. The choice of one method over another is typically due to factors of site size, soil type, and design preference. The developer is required to bear all costs associated with stormwater management and all land disturbing activities shall fully comply with the City's Erosion & Sediment Control Ordinance.

Planned Capital Expenditures, Staff and Rates

If annexed, any streets and utilities within the annexed parcel will remain privately maintained by the site owner. The City Departments do not require any additional funds than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

Personal Service Programs

The Engineering Department works closely with the Sewer Maintenance Department regarding the maintenance of the City sewer system. We maintain construction records for all sanitary and storm sewers and providing technical and administrative assistance on sewer repairs and for the Sewer Lateral Insurance Program that was initiated in 1986.

Specifically, the Sewer Lateral Insurance Program covers each single-family residential home connected to the public sewer system within the City of Mishawaka. For a \$2.20 monthly fee, which is included in the Mishawaka Utilities sewer bill, the homeowner is protected from paying catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area is not proposing single-family residential, and therefore is not eligible for this program.

CITY OF MISHAWAKA
2024 BUDGET

ENGINEERING DEPARTMENT
1101-13

1 PERSONAL SERVICES

Salaries and Wages

		biweekly
411-01	Director of Engineering	90,277.00 3,472.18
411-02	Assistant Director	74,944.00 2,882.43
	Project Manager	72,639.00 2,793.78
	Traffic Manager	61,938.00 2,382.23
	Project Coordinator	46,158.00 1,775.30
	Office Manager	40,778.00 1,568.36
	City GIS Coordinator	<u>61,938.00</u> 2,382.23
	<i>Utility salary ordinance displays utility portion of salaries</i>	448,672.00

Other Personal Services

411-63	Longevity	11,850.00
411-65	PE Certification	<u>10,000.00</u> 192.31
		470,522.00

2 SUPPLIES

Office Supplies

421-90	General Supplies	<u>8,000.00</u>
		8,000.00

3 OTHER SERVICES AND CHARGES

Professional Services

431-06	Consulting	5,000.00
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Communication and Transportation

432-03	Travel and Training	10,000.00
432-04	Telephone/Technology	750.00

Repairs and Maintenance

436-01	Equipment Repair	2,500.00
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Other Services and Charges

439-03	Subscriptions, Dues, etc.	<u>1,000.00</u>
		19,250.00
		<u>497,772.00</u>

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division does not currently serve the proposed annexation area. *If the annexation is approved, Mishawaka Utilities – Electric Division will attempt to acquire the service area from AEP as it is not already in our franchise boundary. If AEP releases the service area to Mishawka Utilities, we can supply both single phase and three phase service.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility’s estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer’s load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 47 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

- Engineering: Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
- Construction: Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeyman, Apprentices and Linemen).
- Metering: Consists of Metering Department Manager and support metering personnel.
- Operations: Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 31 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department's average response time to calls is anywhere from 3 to just over 6 minutes within the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial tower, one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Sutphen pumper truck, one aerial truck (a 105' Sutphen aerial/pumper combination,) and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 4, located at 3000 Harrison Road, is staffed by six (6) to seven (7) firefighters at all times, manning one Sutphen pumper truck, one A.L.S. Paramedic ambulance unit and one (1) Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2023 out of 10,421 runs 7,903 or roughly 76% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system in 2013. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. Our department increased staffing in 2024 to allow us to put up a new, fourth ambulance that went into service in January of 2024. This and the availability of paramedics on some engine and ladder companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having thirty-one (31) to thirty-eight (38) firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at all times with the third being a reserve. Depending upon the location, some outside fire departments utilize auto and mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat, emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians Basic (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at two additional levels, Advanced EMT, (IV therapy, cardiac monitoring) and Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2023 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 2 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a business's or homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance. There are only thirty-three (33) Class 2 departments in Indiana.

During the last audit in November of 2019 Mishawaka's rating improved from 78.65% out of a maximum of 100% in 2012 to 88.35% out of 100% in 2020.

We are currently only 3.17 points away from a Class one (1) designation of which there are only six (6) in the State of Indiana.

Our department went through our 5-year reevaluation by the I.S.O in February 2024 and we will learn the results and classification sometime around the last quarter of this year.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the highest possible a Class one (1).

Future Plans

Additional personnel and fire stations will become necessary in the future as the City grows. This increase is due to the increased demand on department as calls for service will continue to grow. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone. As the city extends its growth our department will need to expand with it to continue keeping response times down in critical situations for our community.

The next station slated for major improvements is Station #2 located at 2332 North Main Street. A new Station #2 is under construction currently at 700 E. McKinley with anticipated completion and move in dates before the end of 2024.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases will not

hinder us in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2023 the Fire Prevention Bureau performed over 900 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department’s smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, elderly service clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

1 PERSONAL SERVICES

Salaries and Wages

411-01	Fire Chief	94,681.00	biweekly	3,641.55
411-02	Assistant Chief			
	4 @ 87,903	351,612.00		3,380.88
	Battalion Chief			
	3 @ 80,527	241,581.00		3,097.16
	Captain 15 @ 76,596	1,148,940.00		2,945.98
	Lieutenant			
	15 @ 74,707	1,120,605.00		2,873.33
	Fire Inspector			
	1 @ 76,596 2 @ 74,707	226,010.00	2,945.98	2,873.33
	Driver Operator			
	30 @ 72,921	2,187,630.00		2,804.64
	1st Class Firefighter			
	33 @ 71,163	2,348,379.00		2,737.02
	Master Firefighter			
	18 @ 68,095	<u>1,225,710.00</u>		2,619.03
				8,945,148.00

Civilian

Administrative Assistant	<u>48,134.00</u>	1,851.28
		48,134.00

Other Personal Services

411-12	Specialty Pay	550,000.00		
411-60	Overtime	1,000,000.00		
411-63	Longevity	450.00		
411-66	Uniform Allowance 120 @ 1,250	152,000.00		
	new hires 2 @ 625			
411-67	Pension Equalization	<u>11,700.00</u>		

1,714,150.00

Employee Benefits

413-01	Social Security	15,257.00		
413-02	Medicare	155,748.00		
413-03	INPRS 14.2%	34,944.00		
413-05	Health Insurance	2,900,000.00		
413-06	Life/Disability Insurance	6,500.00		
413-08	Deferred Comp Match	160,000.00		
413-09	77 Pension 19.1% + 3%	<u>1,887,243.00</u>		

5,159,692.00

15,867,124.00

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

2 SUPPLIES		
<u>Office Supplies</u>		
421-90	Office Supplies	6,000.00
 <u>Operating Supplies</u>		
422-01	Operating Supplies	250,000.00
422-03	Medical Supplies	210,000.00
 <u>Other Supplies</u>		
429-10	Public Education Training/ Seminar Supplies/Refreshments	<u>6,000.00</u>
		472,000.00
 3 OTHER SERVICES AND CHARGES		
<u>Professional Services</u>		
431-09	Clinic Services	35,800.00
431-11	Physicals	120,000.00
 <u>Communication and Transportation</u>		
432-03	Travel and Training	80,000.00
 <u>Repairs and Maintenance</u>		
436-01	Building/ Equipment Repair	100,000.00
 <u>Professional Services</u>		
436-91	Laundry Maintenance	3,000.00
 <u>Other Services and Charges</u>		
439-03	Subscriptions, Dues, etc.	<u>20,000.00</u>
		358,800.00
		<u>16,697,924.00</u>

CITY OF MISHAWAKA
2024 BUDGET

EMERGENCY MEDICAL SERVICES
6606-50

4 CAPITAL OUTLAY

Machinery and Equipment

445-07	Medical Equipment	55,000.00
	Powerload Cot \$30K	
	Med Vending \$25K	

445-09	Ambulance - demo	400,000.00
	Ambulance - remount	200,000.00

		<u>655,000.00</u>
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CITY OF MISHAWAKA
2024 BUDGET

AMERICAN RESCUE PLAN ACT
2403-50

4 CAPITAL OUTLAYS	
<u>Other Capital Outlays</u>	
443-93 Fire Station Improvements	116,000.00

116,000.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 28 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The Ball-Band Biergarten, opened in July 2020, is a unique event and gathering space along the popular Riverwalk and increasingly vibrant downtown. The center of the building will provide a service area for beverages and limited concessions to be enjoyed by all ages.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, and Community Center Director. There are 5 Park Divisions (Recreation, Special Events, Golf, Aquatics/Ice Rink, and Landscape). Four (4) have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

1 PERSONAL SERVICES

<u>Salaries and Wages</u>			biweekly
411-01	Department Head	80,000.00	3,076.92
411-02	Regular Employees	797,160.00	
	Group 1: 16@23.60*2092	789,940.00	
411-03	Temporary/Summer Help	800,000.00	2,467,100.00
	CS reimburse - 61,962* 1.25 for assts.	77,453.00	
	Reimburse MVH Director - 78,332*5%	3,917.00	<u>81,370.00</u>
			2,548,470.00

Other Services Personal

411-60	Overtime	25,000.00	
411-63	Longevity	23,125.00	
411-64	FTO	<u>12,000.00</u>	
			60,125.00

Employee Benefits

413-01	Social Security	161,733.00	
413-02	Medicare	37,825.00	
413-03	PERF 14.2%	256,820.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	365,000.00	
413-06	Life Insurance	2,000.00	
413-08	Deferred Comp Match	20,000.00	
			<u>848,378.00</u>

2 SUPPLIES 3,456,973.00

Office Supplies

421-90	Office Supplies	8,000.00	
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Operating Supplies

422-02	Gas, Oil, Parts, etc.	73,000.00	
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Other Supplies

429-09	Merrifield/Ironworks Complex Supplies	42,000.00	
429-14	Maintenance Supplies	110,000.00	
429-15	Program Supplies	60,000.00	
429-16	Golf Course Concessions	60,000.00	
429-18	Athletic Event Supplies	70,000.00	
429-19	Battell Center Supplies	15,000.00	
429-20	Golf Course Supplies	65,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	<u>18,000.00</u>	
			526,000.00

CITY OF MISHAWAKA
- 2024 BUDGET

PARK AND RECREATION
2204-50

3 OTHER SERVICES AND CHARGES

Professional Services

431-09 Health Screenings/Vaccines 8,000.00

Communication and Transportation

432-02 Postage and Freight 2,000.00

432-03 Travel and Training 8,000.00

432-04 Telephone 7,000.00

Printing and Advertising

433-01 Printing/Newsletter etc. 10,000.00

Insurance

434-90 Insurance Premiums/Deductibles 200,000.00

Utility Services

435-01 MU/AEP Charges 500,000.00

435-02 NIPSCO 50,000.00

Repairs and Maintenance

436-01 Equipment/Facility Repair 100,000.00

436-90 Service Contracts 180,000.00

Rentals

437-05 Uniforms/Port-o-lets 17,500.00

Other Services and Charges

439-03 Subscription, Dues, etc. 3,000.00

439-09 Miscellaneous/Charges 1,000.00

439-18 Instructor Fees 15,000.00

439-19 Official/Referee Fees 26,000.00

439-21 Recreation Event/Entertainment 74,000.00

439-93 Sales Tax 25,000.00

1,226,500.00

5,209,473.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION NON-REVERTING
2211-50

1 PERSONAL SERVICES			
<u>Salaries and Wages</u>			
411-03	Temporary Help	<u>25,000.00</u>	25,000.00
2 SUPPLIES			
<u>Other Supplies</u>			
429-09	Merrifield Supplies and Repairs	45,000.00	
429-09	Wilson Supplies and Repairs	12,000.00	
429-17	Landscaping/Chemical Supplies	<u>100,000.00</u>	157,000.00
3 OTHER SERVICES AND CHARGES			
<u>Professional Services</u>			
431-06	Consulting	95,000.00	
436-90	Animal Control	15,000.00	
<u>Communication and Transportation</u>			
432-04	Wilson Hill Phone and Internet	2,500.00	
436-90	GPS Contract	19,000.00	
<u>Repairs and Maintenance</u>			
436-01	Golf Cart Repair	5,000.00	
436-22	Athletic Field Maintenance	<u>15,000.00</u>	151,500.00
4 CAPITAL OUTLAYS			
<u>Machinery and Equipment</u>			
444-10	Golf Carts - \$89.3K	120,300.00	
	Leaf Sweeper - \$30K		<u>120,300.00</u>
			453,800.00

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 11 full time civilians within the Mishawaka Police Department and is budgeted for 114 sworn officers. The Department has 37 officers on the Day Shift and 35 on the Night Shift, making for a total of 72 officers in the Uniform Division, plus 2 Captains; 1 Captain for each shift. In 2024, the Uniform Division went to 12-hour days.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 10 officers in the Investigative Division and 8 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 15-week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 65 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 108 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, Tasers, and body armor. All officers have been provided with digital cameras for recording accident and crime scenes. In addition, 652 cars are equipped with video cameras to record events on patrol. The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for \$9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos, and participating in Tri-Ad Senior Citizens Organization. The unit is partnered with Nixle.com (a California-based Internet messaging-service provider). This provider offers a standardized, secure, and certified communication platform for local police departments, municipalities, and their agencies to communicate important, neighborhood-level information to the residents of their communities. This has been a great success with improving how we get

crime information and other important information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. There are 4 officers assigned to the Unit. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

The SCU's adaptability in various criminal situations has fostered strong relationships with multiple agencies. Joint investigations with entities such as the South Bend Police Department's Strategic Focus Unit, ATF Task Force, DEA Task Force, FBI Task Force, US Marshal Task Force, St. Joseph County Warrants Division, Elkhart County Homicide Unit, Elkhart ICE Unit, Marshal County Narcotic Unit, ISP Narcotics Division, ISP Highway Interdiction Division, Homeland Security, Michigan SWET Drug Task Force and the US Postal Inspectors Office and others have proven instrumental. This collaboration has led to notable successes, including significant drug seizures, firearm recoveries, and the dismantling of drug trafficking organizations in the Mishawaka area. As a direct result of SCU's unique ability to be associated with this type of Task Force, SCU has been involved with seizures involving the following amounts in 2023:

Meth 24,040 grams; Cocaine 46 grams; Fentanyl 275 grams; Marijuana 15,875 grams
plus approx. 90 vape cartridges; Firearms 12; Vehicles 3
Money seizures \$191,649.00 plus \$1,400 in bit coin

The success of the SCU's efforts not only reinforces law enforcement capabilities but also underscores our collective commitment to a safer Mishawaka. We commend the SCU for their dedication and impactful contributions to our community's well-being.

Riverwalk Beat

A "Riverwalk beat" was implemented in 2015 and determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrols have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes will also be installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

These events are not uncommon; as the uniform officer is normally the first to arrive on scene during an emergency call situation. They are the face of the Department. Promoting a positive working relationship within the community helps to keep peace and harmony in our neighborhoods.

The Uniform Division was tasked with covering over 41,698 calls for service in 2023. That number also reflects reporting on 1,901 vehicle crashes.

For general information purposes, a copy of the year 2024 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

ICJI Traffic Enforcement Grant - Stats:

There was a total of 1,716 hours of traffic enforcement worked.

Approximately 5,015 total contacts
Approximately 2,371 total written citations
Approximately 262 Arrests

Arrests were for operators driving while suspended, operating vehicles without ever having a license, habitual traffic violators, driving while intoxicated, arrest warrants, possession of drugs and/or drug paraphernalia.

Total grant money spent in the year 2023 was approximately \$128,731.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2024 BUDGET

POLICE DEPARTMENT

1101-20

1 PERSONAL SERVICES

Salaries and Wages

biweekly

411-01	Police Chief	101,500.00	3,903.85
411-02	Assistant Chief		
	3 @ 96,500	289,500.00	3,711.54
	Captain		
	5 @ 93,500	467,500.00	3,596.15
	Lieutenant		
	14 @ 92,000	1,288,000.00	3,538.46
	Sergeant		
	20 @ 90,500	1,810,000.00	3,480.77
	1st Class Patrol Officer		
	47 @ 89,000	4,183,000.00	3,423.08
	2nd Class Patrol Officer		
	10 @ 64,739	647,390.00	2,489.96
			8,786,890.00

Civilians

	Trainer	55,105.00	2,119.42
	Crime Tech	53,470.00	2,056.51
	Recruiter	52,789.00	2,030.33
	Digital Media/Statistical Analyst	44,794.00	1,722.83
	Administrative Assistant	48,134.00	1,851.28
	Administrative Secretary	41,315.00	1,589.02
	Secretary 2 @ 40,797	81,594.00	1,569.11
	Parking Personnel	40,797.00	1,569.11
	Property Manager	44,794.00	1,722.83
	Office Manager	44,880.00	1,726.15
			507,672.00

	Crossing Guards 15 @ 8,154	122,310.00	
411-03	Substitute Crossing Guard	2,000.00	
	Temporary Help/Part-time	30,000.00	
411-65	Certifications	4,500.00	158,810.00

Other Personal Services

411-02	Shift Differential 2nd @700	30,000.00	
411-12	Specialty	75,000.00	
411-60	Overtime/ Court-time Officer-Non Officer	600,000.00	
411-63	Longevity	11,325.00	
411-66	Uniform Allowance 1@600, 102@2050	210,700.00	
	1@1000 Crime Tech		
411-66	Equipment Allowance 102@1250	127,500.00	1,054,525.00

Employee Benefits

413-01	Social Security	42,123.00	
413-02	Medicare	137,261.00	
413-03	INPRS 14.2%	74,564.00	
413-05	Health Insurance	2,515,252.00	
413-06	Life Insurance	7,000.00	

CITY OF MISHAWAKA
2024 BUDGET

POLICE DEPARTMENT
1101-20

413-08	Deferred Comp Benefit	180,000.00	
413-10	77 Pension 19.1% + 3%	<u>2,006,238.00</u>	<u>4,962,438.00</u>
			15,470,335.00
2	SUPPLIES		
	<u>Operating Supplies</u>		
422-01	Operating Supplies	120,000.00	
	<u>Other Supplies</u>		
429-11	Seminars/ Community Relations	<u>1,000.00</u>	
			121,000.00
3	OTHER SERVICES AND CHARGES		
	<u>Professional Services</u>		
431-09	Clinic Services	35,800.00	
431-11	Testing	2,000.00	
	<u>Communication and Transportation</u>		
432-03	Travel and Training	2,000.00	
	<u>Printing and Advertising</u>		
433-01	Printing	1,800.00	
	<u>Repairs and Maintenance</u>		
436-01	Building Repair/ Maintenance	100,000.00	
	<u>Other Services and Charges</u>		
439-03	Subscriptions, Dues, etc.	18,000.00	
439-09	Miscellaneous Charges	5,000.00	
439-11	Special Expense	13,000.00	
439-12	Canine Expenses	<u>9,000.00</u>	
			<u>186,600.00</u>
			15,777,935.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street reopened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

CENTRAL SERVICES DEPARTMENT
1101-22

1 PERSONAL SERVICES

<u>Salaries and Wages</u>			biweekly
411-02	Assistant 4 @ 61,962	247,848.00	2,383.13
	Fleet Maintenance Technician		
	6 @ 24.84*2092	311,804.00	
	Group 1: 4 @ 23.60*2092	197,522.00	
	PT maintenance 1040 hrs @ 11.00	11,440.00	
	3 Additional Employees	150,000.00	
			918,614.00
<u>Other Services Personal</u>			
411-60	Overtime	15,000.00	
411-63	Longevity	<u>12,775.00</u>	
			<u>27,775.00</u>
			946,389.00

2 SUPPLIES

<u>Office Supplies</u>			
421-90	Office Supplies	2,000.00	
<u>Operating Supplies</u>			
422-02	Gas, Oil, etc.	1,000,000.00	
422-05	Equipment/Vehicle/Maint Supplies	185,000.00	
<u>Other Supplies</u>			
429-08	Uniform/Supplies	<u>7,550.00</u>	
			1,194,550.00

3 OTHER SERVICES AND CHARGES

<u>Professional Services</u>			
431-09	Health Screenings/Vaccines	1,000.00	
<u>Communication and Transportation</u>			
432-03	Travel and Training	1,000.00	
<u>Repairs and Maintenance</u>			
436-01	Building Repair/Equipment/Maint	145,000.00	
<u>Rentals</u>			
437-05	Uniforms	11,080.00	
<u>Other Services and Charges</u>			
439-09	Miscellaneous Charges	<u>1,500.00</u>	
			<u>159,580.00</u>
			<u>2,300,519.00</u>

CITY OF MISHAWAKA
2024 BUDGET

MOTOR VEHICLE HIGHWAY
2201-50

1 PERSONAL SERVICES

<u>Salaries and Wages</u>			biweekly
411-01	Street Commissioner	78,332.00	3,012.74
411-02	Office Administrator	43,888.00	1,687.99
	Office Manager	40,778.00	1,568.36
	Group 1: 34 @ 23.60*2092	1,678,940.00	
	CS reimburse - 61,962* 1.25 for assts.	<u>77,453.00</u>	
			1,919,391.00

Other Services Personal

411-12	Specialty CDL Instructors	5,000.00	
411-60	Overtime	80,000.00	
411-63	Longevity	23,015.00	
411-64	FTO (Flexible Time Off) Plan	<u>8,000.00</u>	
			116,015.00

Employee Benefits

413-01	Social Security	126,195.00	
413-02	Medicare	29,513.00	
413-03	INPRS 14.2%	289,028.00	
413-04	Unemployment	5,000.00	
413-05	Employee Ins Benefits	600,000.00	
413-06	Life Insurance	2,200.00	
413-07	Deferred Comp Benefit	<u>20,000.00</u>	
			<u>1,071,936.00</u>
			3,107,342.00

2 SUPPLIES

Office Supplies

421-90	Office Supplies	1,500.00	
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Other Supplies

429-08	Uniform Supplies	7,500.00	
429-13	Traffic Supplies	<u>45,000.00</u>	
			54,000.00

3 OTHER SERVICE AND CHARGES

Professional Services

431-09	Health Screenings/ Vaccines	5,000.00	
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Communication and Transportation

432-03	Travel and Training	3,000.00	
432-04	Telephone/ Paging	8,000.00	

Printing and Advertising

433-02	Publications	500.00	
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CITY OF MISHAWAKA
2024 BUDGET

MOTOR VEHICLE HIGHWAY
2201-50

Rentals

437-05 Uniforms 16,000.00

Other Services and Charges

439-09 Miscellaneous Charges 3,000.00 35,500.00

4 CAPITAL OUTLAYS MVHR
Improvements Other than Buildings
442-01 Street Repair

1,500,000.00
1,500,000.00
4,696,842.00

LOCAL ROAD AND STREET
2202-50

4 CAPITAL OUTLAYS
Improvements other than Buildings

442-01 Street Repair 500,000.00
442-04 Sidewalk and Curb Program 300,000.00
50/50 Program 25,000.00
445-02 Equipment 330,000.00
Trackless vehicle w/ plow 1,155,000.00
CV Mid size dump w/ plow

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is \$21.69. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of \$17.55 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

Wastewater

Services

Services are provided by the Mishawaka Wastewater Division 24-hours a day, 7 days per week. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The thirty remote sewage lift stations are continuously monitored by radio telemetry.

Facilities

Mishawaka's wastewater treatment plant is a Class IV facility that was expanded in 2008 to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual.

Staff

Twenty-six people staff the wastewater utility. There are 6 managers/supervisors, 3 chemists, 11 operators, 5 maintenance technicians, and 1 biosolids technician. At least two operators are on duty at all times.

Support Personnel

The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Past and Planned Capital Improvements

A \$42 million upgrade was completed in 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements includes the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Addition of three influent pumps and two fine screens
- New grit separation and washing equipment
- Addition of two each of grit removal tanks, primary tanks, aeration tanks and final clarifier
- Addition of a chlorine contact tank
- Conversion from gaseous chlorine and sulfur dioxide to liquid sodium hypochlorite and sodium bisulfite disinfection
- Rehabilitation of ferrous chloride storage and feed system
- Addition of two WAS gravity belt thickener
- Addition of a second belt filter press for biosolids dewatering
- New anaerobic digester and rehabilitation of existing digesters including new covers
- Modifications to the plant electrical feed
- Installation of a high efficiency turbo aeration blower

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced. In 2020 the Willow Creek Lift Station was completely re-built following a catastrophic failure of the station.

Construction of miscellaneous plant improvements included replacement of the manual bar screen with a new automated fine screen, improvements to the hypochlorite disinfection system, improvements to

CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings was substantially completed in 2019. Also, replacement of the Home St. lift station was completed in 2019.

In 2020, the replacement of the effluent troughs in the 4 west side final clarifiers was completed.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

In May of 2023, the Mishawaka Wastewater Division issued \$33M in revenue bonds for continued work in the collection system in order to reduce Combined Sewer Overflows and promote development. In addition, projects will be conducted at the treatment facility to increase efficiency and replace aged equipment.

Statistical Information

Mishawaka’s wastewater treatment plant exhibits outstanding performance. For the year 2024 the average removals and plant data were as follows:

	2024
Average Flow (MGD)	8.77
Peak Flow (MGD)	54.2
BOD Removed (%)	98
Phosphorus Removed (%)	82
Ammonia Removed (%)	95
Solids Removed (%)	98
Biosolids Produced (dry tons)	1211
Electricity Use (MkWH)	6.6
Natural Gas Use (Mcf)	22.8
Total Precipitation (inches)	36.19

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. The Wastewater Treatment Plant Upgrade and Expansion was completed in June of 2008. The City financed \$41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which saved considerable interest expense throughout the twenty-year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half.

City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

Currently there is a 16" water main fronting the property on Douglas Road on the north side of the street, just off the curb line. About midway from east to west the water main jogs south to the centerline of the street and reduces to 12". A water main extension would need to be done to bring it on to the property.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of thirty-three (33) employees in the Water Division consisting of twenty (24) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-eight (28) vehicles and ten (10) large, specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services

Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

Annexation Fiscal Plan

REAL ESTATE IN ST. JOSEPH COUNTY, IN THE STATE OF INDIANA, DESCRIBED AS FOLLOWS:
PART OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 27,
TOWNSHIP 38 NORTH, RANGE 3 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE NORTH 1160 FEET; THENCE EAST 300.41 FEET; THENCE SOUTH 1160 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE WEST AND ALONG SAID SOUTH LINE 300.41 FEET TO THE PLACE OF BEGINNING EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 150 FEET; THENCE WEST 100 FEET; THENCE SOUTH 150 FEET; THENCE EAST 100 FEET TO THE PLACE OF BEGINNING.

INCLUDING THE FOLLOWING PREMISES CONVEYED TO ST. JOSEPH COUNTY, INDIANA BY DEED, RECORDED NOVEMBER 18, 2003 AS INSTRUMENT NO. 373957, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST (BASIS OF BEARINGS) ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27, A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST ON SAID WEST LINE, A DISTANCE OF 20 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER SECTION 27 ON THE NORTH PROPOSED RIGHT-OF-WAY LINE OF DOUGLAS ROAD, A DISTANCE OF 200.58 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 44 SECONDS WEST, A DISTANCE OF 20 FEET TO THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 ON THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD, A DISTANCE OF 200.50 FEET TO THE PLACE OF BEGINNING. PARCEL CONTAINS 0.09 ACRES MORE OR LESS

TAB D - APPENDICES

RESOLUTION NO. 2025-01

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

15503 Douglas Road, Granger, IN 46530 – North side of Douglas Road approximately 1,200’ west of Fir Road.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning and Community Development has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning and Community Development has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

REAL ESTATE IN ST. JOSEPH COUNTY, IN THE STATE OF INDIANA, DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 3 EAST AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE NORTH 1160 FEET; THENCE EAST 300.41 FEET; THENCE SOUTH 1160 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 27; THENCE WEST AND ALONG SAID SOUTH LINE 300.41 FEET TO THE PLACE OF BEGINNING EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTH 150 FEET; THENCE WEST 100 FEET; THENCE SOUTH 150 FEET; THENCE EAST 100 FEET TO THE PLACE OF BEGINNING.

INCLUDING THE FOLLOWING PREMISES CONVEYED TO ST. JOSEPH COUNTY, INDIANA BY DEED, RECORDED NOVEMBER 18, 2003 AS INSTRUMENT NO. 373957, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST (BASIS OF BEARINGS) ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27, A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 07 MINUTES 16 SECONDS WEST ON SAID WEST LINE, A DISTANCE OF 20 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER SECTION 27 ON THE NORTH PROPOSED RIGHT-OF-WAY LINE OF DOUGLAS ROAD, A DISTANCE OF 200.58 FEET; THENCE SOUTH 00 DEGREES 06 MINUTES 44 SECONDS WEST, A DISTANCE OF 20 FEET TO THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 ON THE NORTH EXISTING RIGHT-OF-WAY OF DOUGLAS ROAD, A DISTANCE OF 200.50 FEET TO THE PLACE OF BEGINNING. PARCEL CONTAINS 0.09 ACRES MORE OR LESS

COMMON ADDRESS: 15503 DOUGLAS ROAD, GRANGER, IN 46530 – NORTH SIDE OF DOUGLAS ROAD APPROXIMATELY 1,200’ WEST OF FIR ROAD.

Section II. Following the review of documents prepared by the Department of Planning and Community Development and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2025, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

2025, at _____ o'clock ____M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2025, at
_____ o'clock ____M.

David A. Wood, Mayor

Appendix "B"
Annexation Ordinance

PETITION 24-10

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. _____

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF
MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION
THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a Planned Unit Development Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

*Real estate in St. Joseph County, in the State of Indiana, described as follows:
Part of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 27,
Township 38 North, Range 3 East and more particularly described as follows:
Beginning at the Southwest corner of the Southeast Quarter (1/4) of said Section
27; Thence North 1160 feet; Thence East 300.41 feet; Thence South 1160 feet to
the South line of the Southeast Quarter (1/4) of said Section 27; Thence West and
along said South line 300.41 feet to the place of beginning EXCEPTING therefrom the
following:*

*Beginning at the Southeast corner of the above described tract; Thence North 150
feet; thence West 100 feet; Thence South 150 feet; thence East 100 feet to the
place of beginning.*

*Including the following premises conveyed to St. Joseph County, Indiana by Deed,
recorded November 18, 2003 as Instrument No. 373957, and described as follows:
A parcel of land located in the Southeast Quarter of Section 27, Township 38 North,
Range 3 East of the Second Principal Meridian in Harris Township, St. Joseph county,
Indiana, more particularly described as follows:*

*Commencing at the Southwest corner of the Southeast quarter of Section 27; Thence
North 00 degrees 07 minutes 16 seconds West (basis of bearings) on the West line
of the Southeast Quarter of Section 27, a distance of 20 feet to the point of
beginning; Thence North 00 degrees 07 minutes 16 seconds West on said West line,
a distance of 20 feet; Thence South 89 degrees 57 minutes 53 seconds East, parallel
with the South line of the Southeast Quarter Section 27 on the North proposed right-
of-way line of Douglas Road, a distance of 200.58 feet; Thence South 00 degrees 06*

Proposed Ordinance No: _____

Ordinance No: _____

*minutes 44 seconds West, a distance of 20 feet to the North existing right-of-way of Douglas Road; Thence North 89 degrees 57 minutes 53 seconds West, parallel with the South line of the Southeast Quarter of Section 27 on the North existing right-of-way of Douglas Road, a distance of 200.50 feet to the place of beginning.
Parcel contains 0.09 acres more or less*

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for the construction of a 234 unit affordable senior apartment complex subject to the following development regulations/conditions:

Uses:

- 1. Permitted uses shall be limited to a 234 unit affordable senior multi-family residential apartment complex and other accessory uses including but not limited to detached garages, an entertainment pavilion, and maintenance office.
- 2. Off-premise signs/billboards shall be prohibited.

Parking Spaces, Building & Parking/Pavement Setbacks:

- 1. A minimum of 1.2 parking spaces shall be provided per residential dwelling unit.
- 2. The building setbacks shall be a minimum of 25’ from the south property line / E. Douglas Road public right-of-way (front), 5’ from the east property line (side), 35’ from the north property line (rear), and 29’ from the west property line (side). Detached garage structures shall be permitted within the rear building setback but shall maintain a 5’ minimum setback from the north property line.
- 3. The parking/pavement setbacks shall be 10’ from the E. Douglas Road public right-of-way and 5’ from all other property lines.

Landscaping:

- 1. Landscaping is required to comply with the minimum landscaping and screening regulations (Section 137-815).

Signage:

- 1. One (1) freestanding monument sign shall be permitted. The sign shall be limited to 8’ in height and contain a display area of no more than 60 square feet. The sign shall have a masonry base no less than 3’ in height. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board.

Right-of-way, Road Improvements, and Sidewalks:

Proposed Ordinance No: _____

Ordinance No: _____

1. Additional right-of-way and/or easements may be required and shall be determined by review of the Department of Engineering and Department of Planning and Community Development as a part of the planned unit development plan and subdivision plat.
2. Road improvements along E. Douglas Road shall be installed as determined by the Department of Engineering.
3. The existing sidewalk along E. Douglas Road shall be reconstructed from the west property line of the subject property to the Holiday Inn property line (1208 E. Douglas Road) to the east. Additional sidewalks shall be provided within the subject property connecting to the E. Douglas Road sidewalk. All sidewalks shall be reviewed and approved by the Department of Engineering and Department of Planning and Community Development as a part of the planned unit development plan and subdivision plat.

Lighting:

1. All site lighting shall be limited to 25 feet in height. 90-degree cut-off fixtures shall be required for both pole and wall mounted fixtures.
2. A lighting plan shall be submitted with the planned unit development plan submission.

Building Limitations & Architecture:

1. The maximum building height shall be 50'.
2. Residential grade (minimum 0.044" thick) vinyl siding and brick veneer shall be permitted building materials for all buildings, including the multi-family residential buildings and any accessory buildings. All building materials are subject to review and approval by the Department of Planning and Community Development as a part of the planned unit development plan.

Stormwater Management Infrastructure & Utilities:

1. A stormwater drainage plan shall be reviewed and approved by the Department of Engineering as a part of the planned unit development plan.
2. All costs associated with the extension of utilities shall be the responsibility of the developer. Extension of utilities shall occur in a location and size as directed by the Department of Engineering.

This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603:

1. The Comprehensive Plan - Although this property was identified with a preferred use as low-density residential (single-family homes) in the Mishawaka 2000 Comprehensive Plan, the proposed multi-family use is reasonably consistent with adjacent and present land uses along the E. Douglas Road corridor.
2. The Current conditions and the character of current structures and uses in each district - The subject parcel is located on E. Douglas Road, a currently

Proposed Ordinance No: _____

Ordinance No: _____

heavily travelled corridor on which traffic volumes are expected to increase due the significant commercial and residential growth that has occurred in the northeast part of the City and St. Joseph County. The property is located adjacent to unincorporated vacant land and a single-family residential house to the north; a multi-family residential apartment complex to the west; vacant commercial property, a medical office, and television and radio studio all within the City, and an unincorporated single-family residential house to the south; and two hotels to the east. The character of other buildings and land uses located along the E. Douglas Road corridor between N. Main Street and Fir Road vary greatly and include an automatic car wash/lube facility, a restaurant, a fire station, a single-family residential development, a hospital, an assisted living facility, and a convenience store/gas station.

- 3. The most desirable use for which the land in each district is adapted – With the property’s location along the increasingly commercial and residential developed E. Douglas Road corridor combined with the adjacent properties being zoned for commercial use, the most desirable use for the property is either commercial or high-density residential.
- 4. The conservation of property values throughout the jurisdiction - The proposed zoning should not be injurious to property values in the surrounding area. The proposed multi-family residential use is compatible with the adjacent multi-family residential and commercial uses.
- 5. Responsible development and growth – The continuation of development of vacant land along E. Douglas Road for commercial or high-density residential uses is responsible growth and development.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2025, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2025, at _____ o'clock ____M.

Proposed Ordinance No: _____

Ordinance No: _____

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2025, at
_____o'clock ____M.

David A. Wood, Mayor

1. Appendix "C"

		71 001	71 002	71 003	71 004	71 005	71 006	71 007	71 008	71 009	71 010	71 011	71 014	71 015	71 016	71 017
		Centre Township	South Bend - Centre	Clay Township	South Bend - Clay	Mishawaka - Clay	Indian Village	Roseland	German Township	South Bend - German	Greene Township	Harris Township	Lincoln Township	Walkerton	Madison Township	Olive Township
Fund	Fund Name															
61	County Rainy Day															
101	County General	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
124	Cumulative Reassessment	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
180	Debt Service	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
181	2022 GO Highway Bond	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
702	Highway															
706	LR & S															
720	Major Moves SPC															
790	Cumulative Bldge	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
792	Major Cumulative Bridge	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
801	Health	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
1301	Park & Recreation	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
2391	Cumulative Capital Development	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
71 1	Total COUNTY	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259
61	Township Rainy Day															
101	Township General Fund	0.0119	0.0119	0.0225	0.0225	0.0225	0.0225	0.0225	0.0072	0.0072		0.0075	0.0446	0.0446	0.0091	0.0429
180	TOWNSHIP DEBT SERVICE															
601	Twp Community Bldg			0.0051	0.0051	0.0051	0.0051	0.0051				0.0008	0.0209	0.0209	0.0030	0.0013
840	Twp Poor Relief/Twp Assistance														0.0757	
1111	Twp Fire															
1181	Twp Fire Bldg Debt Fund															
1182	Twp Fire Equipment Debt														0.0300	
1190	Twp Cum Fire								0.0035	0.0035			0.0031	0.0031		
1312	Twp Recreation															0.0140
2120	Township Cemetery															
8604	Twp Fire Territory General	0.5063		0.2529			0.2529	0.2529	0.2529		0.2731	0.2529				
8692	Twp Fire Territory Equip Repla	0.0308		0.0269			0.0269	0.0269	0.0269		0.0333	0.0269				
71 2	Total TOWNSHIP	0.5490	0.0119	0.3074	0.0276	0.0276	0.3074	0.2905	0.0107	0.3064	0.2881	0.0686	0.0686	0.1178	0.0582	
61	City/Town Rainy Day															
101	City General		2.3710		2.3710	1.7224		0.5590		2.3710				1.0218		
180	City Debt Service													0.0988		
181	City/Town Debt Payment															
341	City Fire Pension															
342	City Police Pension															
706	City/Town LR & S															
708	City MVI					0.0088								0.1112		
720	City/Town Major Moves Spc															
1109	Municipal Emerg Medical Svcs															
1301	City Park & Rec		0.5565		0.5565	0.2735				0.5565				0.2044		
1303	City/Town Park															
1380	Park Bond		0.0308		0.0308					0.0308				0.0998		
2120	City Cemetery															
2379	City/Town CCI															
2391	City Cum Cap Development		0.0282		0.0282	0.0500		0.0336		0.0282				0.0500		
6290	City Cum Sewer															
8604	City Town Fire Territory Gen												0.3688	0.3688		
8692	City Town Fire Terr Equip Replac												0.0292	0.0292		
71 3	Total CITY/TOWN	0.0000	2.9865	0.0000	2.9865	2.0047	0.0000	0.5926	0.0000	2.9865	0.0000	0.0000	0.3950	1.9850	0.0000	0.0000
22	Referendum Exempt Operating	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334					
61	School Rainy Day															
180	School Debt Service	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.4265	0.4488	0.4488	0.4265	0.2497
287	Referendum Debt-Exempt Capital	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506					0.2567
3101	Education															
3300	Operations	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.5010	0.5564	0.5564	0.5010	0.6457
71 4	Total SCHOOL	1.2822	1.2822	1.2822	1.2822	1.2822	1.2822	1.2822	1.2822	1.2822	1.2822	0.9275	1.0052	1.0052	0.9275	1.1521
61	Rainy Day															
101	Library General	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.1198	0.0878	0.0878		0.2583
180	Library Debt Service	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0139	0.0606	0.0606		0.0229
7011	Library LRF															
71 5	Total LIBRARY	0.2725	0.2725	0.2725	0.2725	0.2725	0.2725	0.2725	0.2725	0.2725	0.2725	0.1337	0.1484	0.1484	0.0000	0.2806
8001	So Bend Transpo		0.1036		0.1036	0.1036				0.1036						
8090	So Bend Transpo Spec Tran Cum															
8101	Airport Authority General	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
8180	Airport Sp Airport Debt															
8190	Airport Authority Cum Bldg	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
8210	Sp Solid Waste Ma															
8604	Special Fire Protect Terr-Gen														0.4920	
8692	Spec Fire Protect Terr-Equip														0.0333	
71 6	Total SPECIAL UNIT	0.0401	0.1437	0.0401	0.1437	0.1437	0.0401	0.0401	0.0401	0.1437	0.0401	0.0401	0.0401	0.0401	0.0401	0.5654
	Total Tax Rates (Less Conservancy)	2.7697	5.3227	2.5281	5.3384	4.3566	2.5281	3.1207	2.5112	5.3215	2.5271	2.0153	2.2872	3.8732	1.7113	2.6822

Property Tax 03/07/2024 09:00 AM by KRGREGORI



1. Harris Township Tax Rates - Prior to Annexation

Tab Rate Chart for the year 2023 payable 2024 Tab Rate Chart for the year 2023 payable 2024
Notice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2023 payable 2024, are now in the hands of the St. Joseph County Auditor, who is ready to receive the Taxes charged thereon.
The following table shows the rate of taxation on each \$100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2024.
Second installment will be delinquent after November 12, 2024. John H. Murphy, Auditor of St. Joseph County.

	71 018	71 022	71 023	71 025	71 026	71 027	71 028	71 029	71 030	71 031	71 032	71 033	71 034	71 035	71 036	71 037
	New Carlisle	Mishawaka - Phm School	Mishawaka - Penn	Portage Township	South Bend - Portage	Union Township	Lakeville	Warren Township	Osceola	Penn Township	Penn Township - Mishawaka Schools	South Bend - Penn	Liberty Township	North Liberty	Mishawaka - Harris	South Bend Warren
Fund	Fund Name															
61	County Rainy Day															
101	County General	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
174	Cumulative Reassessment	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
180	Debt Service	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
181	2022 GO Highway Bond	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
702	Highway															
706	LR & S															
720	Major Moves SPC															
790	Cumulative Bridge	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
792	Major Cumulative Bridge	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
801	Health	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
1301	Park & Recreation	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
2391	Cumulative Capital Development	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
71.1	Total COUNTY	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259	0.6259
61	Township Rainy Day															
101	Township General Fund	0.0129	0.0113	0.0113		0.0683	0.0683	0.0322	0.0113	0.0113	0.0113	0.0113	0.0667	0.0667	0.0075	0.0322
180	TOWNSHIP DEBT SERVICE								0.0195	0.0195	0.0195					
601	Twp Community Bldg															
840	Twp Poor Relief/Twp Assistance	0.0013	0.0207	0.0207	0.0440	0.0440	0.0035	0.0035	0.0207	0.0207	0.0207	0.0207			0.0008	
1111	Twp Fire							0.2676								
1181	Twp Fire Bldg Debt Fund						0.0792	0.1881								
1182	Twp Fire Equipment Debt						0.0385	0.0385								
1190	Twp Cum Fire							0.0333								
1312	Twp Recreation															
2120	Township Cemetery	0.0140			0.5063	0.0839	0.0839		0.2103	0.2103	0.2103		0.2731	0.2731		
8604	Twp Fire Territory General				0.0308	0.0331	0.0331		0.0333	0.0333	0.0333		0.0333	0.0333		
8692	Twp Fire Territory Equip Repla															
71.2	Total TOWNSHIP	0.0582	0.0320	0.0320	0.5811	0.0440	0.3065	0.5573	0.3251	0.3251	0.3251	0.0320	0.3731	0.3731	0.0083	0.0322
61	City/Town Rainy Day															
101	City General	0.8031	1.7224	1.7224		2.3710		0.6649	0.1723			2.3710		0.9129	1.7224	2.3710
180	City Debt Service	0.0705														
181	City/Town Debt Payment															
341	City Fire Pension															
347	City Police Pension															
706	City/Town LR & S	0.2459	0.0088	0.0088			0.2505		0.0398					0.2676	0.0088	
708	City MVI															
720	City/Town Major Moves Sps															
1109	Municipal Emerg Medical Svcs															
1301	City Park & Rec		0.2235	0.2235		0.5565						0.5565		0.0750	0.2235	0.5565
1303	City/Town Park											0.0308				0.0308
1380	Park Bond					0.0308										
2120	City Cemetery	0.0454														
2379	City/Town CC															
2391	City Cum Cap Development	0.0500	0.0500	0.0500		0.0287	0.0421		0.0422			0.0287		0.0500	0.0500	0.0287
6290	City Cum Sewer															
8604	City Town Fire Territory Gen															
8692	City Town Fire Terr Equip Replac															
71.3	Total CITY/TOWN	1.2149	2.0047	2.0047	0.0000	2.9865	0.0000	0.9575	0.0000	0.2543	0.0000	0.0000	2.9865	0.0000	1.3055	2.0047
22	Referendum-Exempt Operating			0.2434	0.3334	0.3334		0.3334				0.2434				0.3334
61	School Rainy Day															
180	School Debt Service	0.2497	0.4265	0.6870	0.2425	0.2425	0.5672	0.5672	0.2425	0.4265	0.4265	0.6870	0.4265	0.4488	0.4265	0.2425
287	Referendum Debt-Exempt Capital	0.2567		0.1040	0.0506	0.0506			0.0506			0.1040				0.0506
3101	Education															
3300	Operations	0.6457	0.5010	0.4004	0.6557	0.6557	0.4576	0.4576	0.6557	0.5010	0.5010	0.4004	0.5010	0.5564	0.5010	0.6557
71.4	Total SCHOOL	1.1521	0.9275	1.4348	1.2822	1.2822	1.0248	1.0248	1.2822	0.9275	0.9275	1.4348	0.9275	1.0052	0.9275	1.2822
61	Rainy Day															
101	Library General	0.2583	0.1198	0.1198	0.2530	0.2530	0.2530	0.2530	0.1198	0.1198	0.1198	0.1198	0.1198	0.2530	0.1198	0.2530
180	Library Debt Service	0.0223	0.0139	0.0139	0.0195	0.0195	0.0195	0.0195	0.0139	0.0139	0.0139	0.0139	0.0139	0.0195	0.0139	0.0195
2011	Library LIBF															
71.5	Total LIBRARY	0.2806	0.1337	0.1337	0.2725	0.2725	0.2725	0.2725	0.1337	0.1337	0.1337	0.1337	0.1337	0.2725	0.1337	0.2725
8001	So Bend Transpo		0.1036	0.1036		0.1036								0.1036	0.1036	0.1036
8090	So Bend Transpo Spec Tran Cum															
8101	Airport Authority General	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
8180	Airport Sp Airport Debt															
8190	Airport Authority Cum Bldg	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
8210	Sp Solid Waste Ma															
8604	Special Fire Protect Terr-Gen	0.4920														
8692	Spec Fire Protect Terr-Equip	0.0333														
71.6	Total SPECIAL UNIT	0.5654	0.1437	0.1437	0.0401	0.1437	0.0401	0.0401	0.0401	0.0401	0.0401	0.1437	0.0401	0.0401	0.1437	0.1437
	Total Tax Rates (Less Conservancy)	3.8971	3.8675	4.3748	2.8018	5.3548	2.2698	3.2273	2.7780	2.3066	2.0523	2.5596	4.8493	2.3168	3.8438	5.3430

Property Tax Property Tax 03/07/2024 09:00 AM by KGREGORI



2. Mishawaka - Harris Tax Rates -
Post Annexation

St. Joseph County **Indebtedness of St. Joseph County & HarrisTownship**

Submitted to the State on

Report printed on Tuesday, December 17, 2024

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification Initial Year: Date of last payment or bond expiration: New (post 1989): Newer (post 2005): Refinanced bond: N
Basic Debt Information Debt Name: Economic Development Income Tax Revenue Bonds of 2014 Debt Status: Outstanding Type of Indebtedness: Bond Base CUSIP Number: 790607 Is this debt exempt from the property tax caps? N
Code Cite Code Cite Under Which Debt is Authorized: 6-3.5-7 <i>Code cite can typically be found in the bond resolution or ordinance.</i>
Debt Limitation Is this debt subject to the issuer's debt limit? Y Applicable Issuer: St. Joseph County Current Debt Limit: \$52,426,723.00 Current Debt Capacity (after issuance of this debt): \$35,171,723.00
Date Information Date of Preliminary Determination: Date of Publication of Preliminary Determination: Newspaper(s): Date of Public Hearing: Date of Final Approval/Lease Execution: 9/16/2014 Date of Appropriation Resolution: Date of Debt Sale: 12/11/2014 Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CREDIT: Primary

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construct a new Public Safety Answering Point and renovate existing facility to serve as a backup

Total Project Cost: \$9,155,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 11/18/2014

Date Construction Started: 9/30/2014

Estimated Date of Substantial Completion: 9/30/2015

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance
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									Credit	
12/31/2034	\$260,000	3.63	\$4,713	\$264,713		\$529,047				\$0
6/30/2034	\$255,000	3.63	\$9,334	\$264,334						\$260,000
12/31/2033	\$250,000	3.63	\$13,866	\$263,866		\$527,172				\$515,000
6/30/2033	\$245,000	3.63	\$18,306	\$263,306						\$765,000
12/31/2032	\$240,000	3.50	\$22,506	\$262,506		\$529,213				\$1,010,000
6/30/2032	\$240,000	3.50	\$26,706	\$266,706						\$1,250,000
12/31/2031	\$235,000	3.50	\$30,819	\$265,819		\$530,663				\$1,490,000
6/30/2031	\$230,000	3.50	\$34,844	\$264,844						\$1,725,000
12/31/2030	\$225,000	3.38	\$38,641	\$263,641		\$531,078				\$1,955,000
6/30/2030	\$225,000	3.38	\$42,438	\$267,438						\$2,180,000
12/31/2029	\$220,000	3.38	\$46,150	\$266,150		\$530,928				\$2,405,000
6/30/2029	\$215,000	3.38	\$49,778	\$264,778						\$2,625,000
12/31/2028	\$215,000	3.25	\$53,272	\$268,272		\$534,956				\$2,840,000
6/30/2028	\$210,000	3.25	\$56,684	\$266,684						\$3,055,000
12/31/2027	\$205,000	3.13	\$59,888	\$264,888		\$532,978				\$3,265,000
6/30/2027	\$205,000	3.13	\$63,091	\$268,091						\$3,470,000
12/31/2026	\$200,000	3.00	\$66,091	\$266,091		\$535,181				\$3,675,000
6/30/2026	\$200,000	3.00	\$69,091	\$269,091						\$3,875,000
12/31/2025	\$195,000	3.00	\$72,016	\$267,016		\$531,881				\$4,075,000
6/30/2025	\$190,000	3.00	\$74,866	\$264,866						\$4,270,000
12/31/2024	\$265,000	3.00	\$78,841	\$343,841		\$686,581				\$4,460,000
6/30/2024	\$260,000	3.00	\$82,741	\$342,741						\$4,725,000
12/31/2023	\$255,000	3.00	\$86,566	\$341,566		\$686,956				\$4,985,000
6/30/2023	\$255,000	3.00	\$90,391	\$345,391						\$5,240,000
12/31/2022	\$250,000	3.00	\$94,141	\$344,141		\$686,956				\$5,495,000
6/30/2022	\$245,000	3.00	\$97,816	\$342,816						\$5,745,000
12/31/2021	\$240,000	3.00	\$101,416	\$341,416		\$686,431				\$5,990,000
6/30/2021	\$240,000	3.00	\$105,016	\$345,016						\$6,230,000
12/31/2020	\$235,000	2.00	\$107,366	\$342,366		\$687,081				\$6,470,000
6/30/2020	\$235,000	2.00	\$109,716	\$344,716						\$6,705,000
12/31/2019	\$230,000	2.00	\$112,016	\$342,016		\$686,331				\$6,940,000
6/30/2019	\$230,000	2.00	\$114,316	\$344,316						\$7,170,000
12/31/2018	\$225,000	2.00	\$116,566	\$341,566		\$685,381				\$7,400,000
6/30/2018	\$225,000	2.00	\$118,816	\$343,816						\$7,625,000
12/31/2017	\$225,000	2.00	\$121,066	\$346,066		\$689,331				\$7,850,000
6/30/2017	\$220,000	2.00	\$123,266	\$343,266						\$8,075,000
12/31/2016	\$220,000	2.00	\$125,466	\$345,466		\$688,081				\$8,295,000
6/30/2016	\$215,000	2.00	\$127,616	\$342,616						\$8,515,000
12/31/2015	\$215,000	2.00	\$129,766	\$344,766		\$686,631				\$8,730,000
6/30/2015	\$210,000	2.00	\$131,866	\$341,866						\$8,945,000

Total	\$9,155,000		\$3,027,870	\$12,182,870		\$12,182,857				
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Notes

St. Joseph County
Submitted to the State on Friday, February 17, 2017
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2023
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: \$28,513,058.00
Current Debt Capacity (after issuance of this debt): \$15,333,058.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): Tri-County News and South Bend Tribune
Date of Public Hearing: 7/1/2016
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution: 7/12/2016
Date of Debt Sale: 11/21/2016
Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CREDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No**Grant Revenue:** No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Provide funds to finance various improvements in or serving the New Carlisle Economic Development Area

Total Project Cost: \$9,197,753.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance
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									Credit	
8/1/2017			\$196,716	\$196,716						\$8,730,000
2/1/2018			\$146,925	\$146,925		\$343,641				\$8,730,000
8/1/2018			\$146,925	\$146,925						\$8,730,000
2/1/2019	\$565,000	3.00	\$146,925	\$711,925		\$858,850				\$8,165,000
8/1/2019			\$138,450	\$138,450						\$8,165,000
2/1/2020	\$490,000	3.00	\$138,450	\$628,450		\$766,900				\$7,675,000
8/1/2020			\$131,100	\$131,100						\$7,675,000
2/1/2021	\$505,000	3.00	\$131,100	\$636,100		\$767,200				\$7,170,000
8/1/2021			\$123,525	\$123,525						\$7,170,000
2/1/2022	\$520,000	3.00	\$123,525	\$643,525		\$767,050				\$6,650,000
8/1/2022			\$115,725	\$115,725						\$6,650,000
2/1/2023	\$535,000	3.00	\$115,725	\$650,725		\$766,450				\$6,115,000
8/1/2023			\$107,700	\$107,700						\$6,115,000
2/1/2024	\$550,000	3.00	\$107,700	\$657,700		\$765,400				\$5,565,000
8/1/2024			\$99,450	\$99,450						\$5,565,000
2/1/2025	\$565,000	3.00	\$99,450	\$664,450		\$763,900				\$5,000,000
8/1/2025			\$90,975	\$90,975						\$5,000,000
2/1/2026	\$585,000	3.00	\$90,975	\$675,975		\$766,950				\$4,415,000
8/1/2026			\$82,200	\$82,200						\$4,415,000
2/1/2027	\$600,000	3.00	\$82,200	\$682,200		\$764,400				\$3,815,000
8/1/2027			\$73,200	\$73,200						\$3,815,000
2/1/2028	\$620,000	3.00	\$73,200	\$693,200		\$766,400				\$3,195,000
8/1/2028			\$63,900	\$63,900						\$3,195,000
2/1/2029	\$265,000	4.00	\$63,900	\$328,900		\$392,800				\$2,930,000
8/1/2029			\$58,600	\$58,600						\$2,930,000
2/1/2030	\$275,000	4.00	\$58,600	\$333,600		\$392,200				\$2,655,000
8/1/2030			\$53,100	\$53,100						\$2,655,000
2/1/2031	\$290,000	4.00	\$53,100	\$343,100		\$396,200				\$2,365,000
8/1/2031			\$47,300	\$47,300						\$2,365,000
2/1/2032	\$300,000	4.00	\$47,300	\$347,300		\$394,600				\$2,065,000
8/1/2032			\$41,300	\$41,300						\$2,065,000
2/1/2033	\$310,000	4.00	\$41,300	\$351,300		\$392,600				\$1,755,000
8/1/2033			\$35,100	\$35,100						\$1,755,000
2/1/2034	\$325,000	4.00	\$35,100	\$360,100		\$395,200				\$1,430,000
8/1/2034			\$28,600	\$28,600						\$1,430,000
2/1/2035	\$335,000	4.00	\$28,600	\$363,600		\$392,200				\$1,095,000
8/1/2035			\$21,900	\$21,900						\$1,095,000
2/1/2036	\$350,000	4.00	\$21,900	\$371,900		\$393,800				\$745,000
8/1/2036			\$14,900	\$14,900						\$745,000
2/1/2037	\$365,000	4.00	\$14,900	\$379,900		\$394,800				\$380,000

8/1/2037			\$7,600	\$7,600						\$380,000
2/1/2038	\$380,000	4.00	\$7,600	\$387,600		\$395,200				\$0
Total	\$8,730,000		\$3,306,741	\$12,036,741		\$12,036,741				

Notes

Debt Verification Initial Year: 2021 Date of last payment or bond expiration: 7/1/2025 12:00:00 AM New (post 1989): Y Newer (post 2005): Y Refinanced bond: N
Basic Debt Information Debt Name: 2017 General Obligation (Guaranteed Energy Savings) Bonds Debt Status: Outstanding Type of Indebtedness: Bond Base CUSIP Number: Is this debt exempt from the property tax caps? N
Code Cite Code Cite Under Which Debt is Authorized: <i>Code cite can typically be found in the bond resolution or ordinance.</i>
Debt Limitation Is this debt subject to the issuer's debt limit? Y Applicable Issuer: Saint Joseph County Current Debt Limit: \$54,674,687.00 Current Debt Capacity (after issuance of this debt): \$44,174,687.00
Date Information Date of Preliminary Determination: Date of Publication of Preliminary Determination: Newspaper(s): Date of Public Hearing: 8/8/2017 Date of Final Approval/Lease Execution: 8/15/2017 Date of Appropriation Resolution: Date of Debt Sale: Date of Debt Closing: 10/12/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings
Total Project Cost: \$10,574,935.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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12/30/2017	\$0	2.00	\$53,062	\$53,062		\$53,062	\$0		\$10,500,000
6/30/2018	\$260,000	2.00	\$122,450	\$382,450			\$0		\$10,240,000
12/30/2018	\$315,000	2.00	\$119,850	\$434,850		\$817,300	\$0		\$9,925,000
6/30/2019	\$320,000	2.00	\$116,700	\$436,700			\$0		\$9,605,000
12/30/2019	\$325,000	2.00	\$113,500	\$438,500		\$875,200	\$0		\$9,280,000
6/30/2020	\$325,000	2.00	\$110,250	\$435,250			\$0		\$8,955,000
12/30/2020	\$330,000	2.00	\$107,000	\$437,000		\$872,250	\$0		\$8,625,000
6/30/2021	\$330,000	2.00	\$103,700	\$433,700			\$0		\$8,295,000
12/30/2021	\$335,000	2.00	\$100,400	\$435,400		\$869,100	\$0		\$7,960,000
6/30/2022	\$340,000	2.00	\$97,050	\$437,050			\$0		\$7,620,000
12/30/2022	\$345,000	2.00	\$93,650	\$438,650		\$875,700	\$0		\$7,275,000
6/30/2023	\$345,000	2.00	\$90,200	\$435,200			\$0		\$6,930,000
12/30/2023	\$350,000	2.00	\$86,750	\$436,750		\$871,950	\$0		\$6,580,000
6/30/2024	\$355,000	2.00	\$83,250	\$438,250			\$0		\$6,225,000
12/30/2024	\$355,000	2.00	\$79,700	\$434,700		\$872,950	\$0		\$5,870,000
6/30/2025	\$360,000	2.00	\$76,150	\$436,150			\$0		\$5,510,000
12/30/2025	\$365,000	2.00	\$72,550	\$437,550		\$873,700	\$0		\$5,145,000
6/30/2026	\$365,000	2.13	\$68,900	\$433,900			\$0		\$4,780,000
12/30/2026	\$370,000	2.25	\$65,022	\$435,022		\$868,922	\$0		\$4,410,000
6/30/2027	\$375,000	2.38	\$60,859	\$435,859			\$0		\$4,035,000
12/30/2027	\$380,000	2.38	\$56,406	\$436,406		\$872,266	\$0		\$3,655,000
6/30/2028	\$385,000	2.50	\$51,894	\$436,894			\$0		\$3,270,000
12/30/2028	\$390,000	2.50	\$47,082	\$437,082		\$873,975	\$0		\$2,880,000
6/30/2029	\$395,000	2.75	\$42,206	\$437,206			\$0		\$2,485,000
12/30/2029	\$400,000	2.75	\$36,775	\$436,775		\$873,981	\$0		\$2,085,000
6/30/2030	\$405,000	3.00	\$31,275	\$436,275			\$0		\$1,680,000
12/30/2030	\$410,000	3.00	\$25,200	\$435,200		\$871,475	\$0		\$1,270,000
6/30/2031	\$415,000	3.00	\$19,050	\$434,050			\$0		\$855,000
12/30/2031	\$425,000	3.00	\$12,825	\$437,825		\$871,875	\$0		\$430,000
6/30/2032	\$430,000	3.00	\$6,450	\$436,450		\$436,450	\$0		\$0
Total	\$10,500,000		\$2,150,156	\$12,650,156		\$12,650,156	\$0		

Notes

2017 GO Energy Savings Bond. Closed 10/12/17. Gateway debt unlocked and information updated on 4/12/18.

St. Joseph County
Submitted to the State on Thursday, October 19, 2017
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2019
Date of last payment or bond expiration: 12/31/2024 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/31/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology and Equipment for a 911 Center
Total Project Cost: \$12,000,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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6/30/2015	\$601,375	2.22	\$67,188					\$668,563		\$11,398,625
12/31/2015	\$542,324	2.22	\$126,240			\$1,337,127		\$668,563		\$10,856,301
6/30/2016	\$548,329	2.22	\$120,234					\$668,563		\$10,307,972
12/31/2016	\$554,403	2.22	\$114,161			\$1,337,127		\$668,563		\$9,753,569
6/30/2017	\$560,543	2.22	\$108,021					\$668,563		\$9,193,026
12/31/2017	\$566,751	2.22	\$101,813			\$1,337,127		\$668,563		\$8,626,275
6/30/2018	\$573,027	2.22	\$95,536					\$668,563		\$8,053,248
12/31/2018	\$579,374	2.22	\$89,190			\$1,337,127		\$668,563		\$7,473,874
6/30/2019	\$585,790	2.22	\$82,773					\$668,563		\$6,888,084
12/31/2019	\$592,278	2.22	\$76,286			\$1,337,127		\$668,563		\$6,295,806
6/30/2020	\$598,838	2.22	\$69,724					\$668,571		\$5,696,968
12/31/2020	\$605,469	2.22	\$63,094			\$1,337,125		\$668,563		\$5,091,499
6/30/2021	\$612,175	2.22	\$56,388					\$668,563		\$4,479,324
12/31/2021	\$618,955	2.22	\$49,609			\$1,337,127		\$668,563		\$3,860,369
6/30/2022	\$625,810	2.22	\$42,754					\$668,563		\$3,234,559
12/31/2022	\$632,741	2.22	\$35,823			\$1,337,127		\$668,563		\$2,601,818
6/30/2023	\$639,748	2.22	\$28,815					\$668,563		\$1,962,070
12/31/2023	\$646,833	2.22	\$21,730			\$1,337,127		\$668,563		\$1,315,237
6/30/2014	\$653,997	2.22	\$14,566					\$668,563		\$661,240
12/30/2014	\$661,240	2.22	\$7,323			\$1,337,127		\$668,563		\$0
Total	\$12,000,000		\$1,371,268			\$13,371,268		\$13,371,268		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. \$12,000,000 original principal amount.

St. Joseph County
Submitted to the State on Wednesday, November 15, 2017
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2028 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/14/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center
Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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11/16/2027	\$140,017	2.46	\$1,730			\$283,494		\$141,747		\$0
5/16/2027	\$138,327	2.46	\$3,420					\$141,747		\$140,017
11/16/2026	\$136,659	2.46	\$5,098			\$283,494		\$141,747		\$278,344
5/16/2026	\$134,990	2.46	\$6,757					\$141,747		\$415,003
11/16/2025	\$133,352	2.46	\$8,395			\$283,494		\$141,747		\$549,993
5/16/2025	\$131,734	2.46	\$10,013					\$141,747		\$683,345
11/16/2024	\$130,135	2.46	\$11,612			\$283,494		\$141,747		\$815,079
5/16/2024	\$128,556	2.46	\$13,191					\$141,747		\$945,214
11/16/2023	\$126,996	2.46	\$14,751			\$283,494		\$141,747		\$1,073,770
5/16/2023	\$125,454	2.46	\$16,293					\$141,747		\$1,200,766
11/16/2022	\$123,932	2.46	\$17,815			\$283,494		\$141,747		\$1,326,220
5/16/2022	\$122,428	2.46	\$19,319					\$141,747		\$1,450,152
11/16/2021	\$120,942	2.46	\$20,805			\$283,494		\$141,747		\$1,572,580
5/16/2021	\$119,474	2.46	\$22,273					\$141,747		\$1,693,522
11/16/2020	\$118,024	2.46	\$23,723			\$283,494		\$141,747		\$1,812,996
5/16/2020	\$116,592	2.46	\$25,155					\$141,747		\$1,931,020
11/16/2019	\$115,177	2.46	\$26,570			\$283,494		\$141,747		\$2,047,612
5/16/2019	\$113,779	2.46	\$27,968					\$141,747		\$2,162,789
11/16/2018	\$112,398	2.46	\$29,348			\$283,494		\$141,747		\$2,276,568
5/16/2018	\$111,034	2.46	\$30,713					\$141,747		\$2,388,966
Total	\$2,500,000		\$334,949			\$2,834,940		\$2,834,940		

Notes

2017 PSAP Technology Lease Amendment in the amount of \$2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

St. Joseph County
Submitted to the State on Wednesday, November 15, 2017
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2028 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/14/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center
Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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11/16/2027	\$140,017	2.46	\$1,730			\$283,494		\$141,747		\$0
5/16/2027	\$138,327	2.46	\$3,420					\$141,747		\$140,017
11/16/2026	\$136,659	2.46	\$5,098			\$283,494		\$141,747		\$278,344
5/16/2026	\$134,990	2.46	\$6,757					\$141,747		\$415,003
11/16/2025	\$133,352	2.46	\$8,395			\$283,494		\$141,747		\$549,993
5/16/2025	\$131,734	2.46	\$10,013					\$141,747		\$683,345
11/16/2024	\$130,135	2.46	\$11,612			\$283,494		\$141,747		\$815,079
5/16/2024	\$128,556	2.46	\$13,191					\$141,747		\$945,214
11/16/2023	\$126,996	2.46	\$14,751			\$283,494		\$141,747		\$1,073,770
5/16/2023	\$125,454	2.46	\$16,293					\$141,747		\$1,200,766
11/16/2022	\$123,932	2.46	\$17,815			\$283,494		\$141,747		\$1,326,220
5/16/2022	\$122,428	2.46	\$19,319					\$141,747		\$1,450,152
11/16/2021	\$120,942	2.46	\$20,805			\$283,494		\$141,747		\$1,572,580
5/16/2021	\$119,474	2.46	\$22,273					\$141,747		\$1,693,522
11/16/2020	\$118,024	2.46	\$23,723			\$283,494		\$141,747		\$1,812,996
5/16/2020	\$116,592	2.46	\$25,155					\$141,747		\$1,931,020
11/16/2019	\$115,177	2.46	\$26,570			\$283,494		\$141,747		\$2,047,612
5/16/2019	\$113,779	2.46	\$27,968					\$141,747		\$2,162,789
11/16/2018	\$112,398	2.46	\$29,348			\$283,494		\$141,747		\$2,276,568
5/16/2018	\$111,034	2.46	\$30,713					\$141,747		\$2,388,966
Total	\$2,500,000		\$334,949			\$2,834,940		\$2,834,940		

Notes
2017 PSAP Technology Lease Amendment in the amount of \$2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

Debt Verification

Initial Year: 2042
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 Motorola PSAP CAD System Capital Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 1/15/2019
Date of Appropriation Resolution:
Date of Debt Sale: 1/15/2019
Date of Debt Closing: 1/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: New PSAP 911 CAD System
Total Project Cost: \$2,976,131.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 8/24/2018
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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2/1/2026	\$475,608	3.91	\$18,596			\$494,204		\$494,204		\$0
2/1/2025	\$457,711	3.91	\$36,493			\$494,204		\$494,204		\$475,608
2/1/2024	\$440,488	3.91	\$53,716			\$494,204		\$494,204		\$933,319
2/1/2023	\$423,913	3.91	\$70,291			\$494,204		\$494,204		\$1,373,802
2/1/2022	\$407,962	3.91	\$86,242			\$494,204		\$494,204		\$1,797,721
2/1/2021	\$392,611	3.91	\$101,593			\$494,204		\$494,204		\$2,205,683
2/1/2020	\$377,837	3.91	\$116,367			\$494,204		\$494,204		\$2,598,294
Total	\$2,976,130		\$483,298			\$3,459,428		\$3,459,428		

Notes
Debt Schedule No. 25
2019 Motorola PSAP Lease
Approved by PSAP Executive Board on 12/14/18
Approved by County Commissioners on 12/15/19

Debt Verification

Initial Year: 2022
Date of last payment or bond expiration: 6/30/2032 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District Special Taxing District Bonds of 2019 (SS Double Tracking)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14 and 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: \$33,579,426.00
Current Debt Capacity (after issuance of this debt): \$16,039,426.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 8/13/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/17/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CREDIT: No

Electric Revenues: No.

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt:	Finance a portion of County's share of the South Shore Double Tracking Project
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Total Project Cost: \$9,508,859.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance
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									Credit	
8/1/2020			\$213,740			\$213,740				\$9,375,000
2/1/2021			\$135,469							\$9,375,000
8/1/2021			\$135,469			\$270,938				\$9,375,000
2/1/2022			\$135,469							\$9,375,000
8/1/2022			\$135,469			\$270,938				\$9,375,000
2/1/2023			\$135,469							\$9,375,000
8/1/2023			\$135,469			\$270,938				\$9,375,000
2/1/2024			\$135,469							\$9,375,000
8/1/2024			\$135,469			\$270,938				\$9,375,000
2/1/2025			\$135,469							\$9,375,000
8/1/2025			\$135,469			\$270,938				\$9,375,000
2/1/2026			\$135,469							\$9,375,000
8/1/2026			\$135,469			\$270,938				\$9,375,000
2/1/2027			\$135,469							\$9,375,000
8/1/2027			\$135,469			\$270,938				\$9,375,000
2/1/2028			\$135,469							\$9,375,000
8/1/2028			\$135,469			\$270,938				\$9,375,000
2/1/2029			\$135,469							\$9,375,000
8/1/2029			\$135,469			\$270,938				\$9,375,000
2/1/2030			\$135,469							\$9,375,000
8/1/2030			\$135,469			\$270,938				\$9,375,000
2/1/2031			\$135,469							\$9,375,000
8/1/2031			\$135,469			\$270,938				\$9,375,000
2/1/2032			\$135,469							\$9,375,000
8/1/2032			\$135,469			\$270,938				\$9,375,000
2/1/2033			\$135,469							\$9,375,000
8/1/2033			\$135,469			\$270,938				\$9,375,000
2/1/2034	\$750,000		\$135,469							\$8,625,000
8/1/2034			\$124,219			\$1,009,688				\$8,625,000
2/1/2035	\$800,000		\$124,219							\$7,825,000
8/1/2035			\$112,219			\$1,036,438				\$7,825,000
2/1/2036	\$2,475,000		\$112,219							\$5,350,000
8/1/2036			\$75,094			\$2,662,313				\$5,350,000
2/1/2037	\$2,600,000		\$75,094							\$2,750,000
8/1/2037			\$36,094			\$2,711,188				\$2,750,000
2/1/2038	\$2,750,000		\$36,094			\$2,786,094				\$0
Total	\$9,375,000		\$4,566,655			\$13,941,655				

Notes

Debt Schedule No. 32 - 2019 Redevelopment South Shore Double Tracking Bond. County Share. Closing on October 17, 2019. Financial advisor - Cender & Company. Bond Counsel - Barnes & Thornburg and Thorne Grodtnik.

St. Joseph County

Submitted to the State on Thursday, October 24, 2019

Report printed on Tuesday, December 17, 2024

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2037 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Police Radio Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 8/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of radios for the police department
Total Project Cost: \$1,760,003.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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8/15/2026	\$136,091	2.49	\$1,699	\$137,794		\$275,581		\$137,794		\$0
2/15/2026	\$134,414	2.49	\$3,373	\$137,787				\$137,787		\$136,091
8/15/2025	\$132,759	2.49	\$5,029	\$137,787		\$275,574		\$137,787		\$270,505
2/15/2025	\$131,124	2.49	\$6,664	\$137,787				\$137,787		\$403,264
8/15/2024	\$129,509	2.49	\$8,279	\$137,787		\$275,574		\$137,787		\$534,388
2/15/2024	\$127,914	2.49	\$9,874	\$137,787				\$137,787		\$663,897
8/15/2023	\$126,338	2.49	\$11,449	\$137,787		\$275,574		\$137,787		\$791,811
2/15/2023	\$124,782	2.49	\$13,005	\$137,787				\$137,787		\$918,149
8/15/2022	\$123,245	2.49	\$14,542	\$137,787		\$275,574		\$137,787		\$1,042,931
2/15/2022	\$121,727	2.49	\$16,060	\$137,787				\$137,787		\$1,166,176
8/15/2021	\$120,228	2.49	\$17,559	\$137,787		\$275,574		\$137,787		\$1,287,903
2/15/2021	\$118,747	2.49	\$19,040	\$137,787				\$137,787		\$1,408,131
8/15/2020	\$117,285	2.49	\$20,502	\$137,787		\$275,574		\$137,787		\$1,526,878
2/15/2020	\$115,840	2.49	\$21,947	\$137,787				\$137,787		\$1,644,163
Total	\$1,760,003		\$169,022	\$1,929,025		\$1,929,025		\$1,929,025		

Notes

Debt Schedule No. 30. U.S. Bank Capital Lease for police radios. seven years. 14 semi-annual payments.

St. Joseph County
Submitted to the State on Friday, October 25, 2019
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2033
Date of last payment or bond expiration: 12/31/2033 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Election Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 7/19/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of new election equipment
Total Project Cost: \$2,500,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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1/15/2020	\$235,946	2.56	\$31,975	\$267,921				\$267,921		\$2,264,054
7/15/2020	\$238,964	2.56	\$28,957	\$267,921		\$535,842		\$267,921		\$2,025,090
1/15/2021	\$242,021	2.56	\$25,901	\$267,921				\$267,921		\$1,783,069
7/15/2021	\$245,116	2.56	\$22,805	\$267,921		\$535,842		\$267,921		\$1,537,953
1/15/2022	\$248,251	2.56	\$19,670	\$267,921				\$267,921		\$1,289,702
7/15/2022	\$251,426	2.56	\$16,495	\$267,921		\$535,842		\$267,921		\$1,038,276
1/15/2023	\$254,642	2.56	\$13,280	\$267,921				\$267,921		\$783,634
7/15/2023	\$257,899	2.56	\$10,023	\$267,921		\$535,842		\$267,921		\$525,735
1/15/2024	\$261,197	2.56	\$6,724	\$267,921				\$267,921		\$264,538
7/15/2024	\$264,538	2.56	\$3,384	\$267,925		\$535,846		\$267,925		\$0
Total	\$2,500,000		\$179,214	\$2,679,214		\$2,679,214		\$2,679,214		

Notes
Debt Schedule No. 31. 2019 U.S. Bank Election Equipment Lease. 5-year lease. Paid with Cumulative Capital Development Fund. Vendor RBM Consulting.

Debt Verification

Initial Year: 2024
Date of last payment or bond expiration: 12/31/2027 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: 2021 Ducomb Center U.S. Bank Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/9/2021
Date of Appropriation Resolution: 10/12/2021
Date of Debt Sale:
Date of Debt Closing: 11/12/2021

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other (Fee Revenue) : Primary

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): U.S. Bank Leasing

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Ducomb Center vehicles, technology, vests, radios, and equipment

Total Project Cost: \$196,272.53

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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2/15/2022	\$19,517	1.75	\$992	\$20,509				\$20,509		\$176,756
8/15/2022	\$18,962	1.75	\$1,547	\$20,509				\$20,509		\$157,794
2/15/2023	\$19,128	1.75	\$1,381	\$20,509				\$20,509		\$138,666
8/15/2023	\$19,295	1.75	\$1,214	\$20,509				\$20,509		\$119,371
2/15/2024	\$19,464	1.75	\$1,045	\$20,509				\$20,509		\$99,907
8/15/2024	\$19,635	1.75	\$874	\$20,509				\$20,509		\$80,272
2/15/2025	\$19,806	1.75	\$703	\$20,509				\$20,509		\$60,466
8/15/2025	\$19,980	1.75	\$529	\$20,509				\$20,509		\$40,486
2/15/2026	\$20,155	1.75	\$354	\$20,509				\$20,509		\$20,331
8/15/2026	\$20,331	1.75	\$178	\$20,509				\$20,509		\$0
Total	\$196,273		\$8,817	\$205,090				\$205,090		

Notes

Debt Schedule No. 78.

St. Joseph County
Submitted to the State on Wednesday, December 21, 2022
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County General Obligation Series 2022
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790603
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-2-6-18
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: \$71,186,724.00
Current Debt Capacity (after issuance of this debt): \$65,386,724.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): South Bend Tribune, Mishawaka Enterprise, Indianapolis Business Journal
Date of Public Hearing: 11/9/2022
Date of Final Approval/Lease Execution: 11/10/2022
Date of Appropriation Resolution: 11/10/2022
Date of Debt Sale: 12/14/2022
Date of Debt Closing: 12/21/2022

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Renovation of North Liberty and Woodland Highway Garages
Total Project Cost: \$5,927,782.15

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received: 12/14/2022
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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12/30/2025	\$1,015,000	4.00	\$20,300	\$1,035,300	\$0	\$2,070,500				
6/30/2025	\$995,000	4.00	\$40,200	\$1,035,200	\$0					
12/30/2024	\$980,000	4.00	\$59,800	\$1,039,800	\$0	\$2,078,800				
6/30/2024	\$960,000	4.00	\$79,000	\$1,039,000	\$0					
12/30/2023	\$940,000	4.00	\$97,800	\$1,037,800	\$0	\$2,069,600				
6/30/2023	\$910,000	4.00	\$121,800	\$1,031,800	\$0					
Total	\$5,800,000		\$418,900	\$6,218,900	\$0	\$6,218,900				

Notes
2022 General Obligation(Highway)Bonds
Closing on December 21, 2022

St. Joseph County

Submitted to the State on Friday, July 28, 2023

Report printed on Tuesday, December 17, 2024

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:

Date of last payment or bond expiration:

New (post 1989):

Newer (post 2005):

Refinanced bond: Y

Basic Debt Information

Debt Name: 2023 Information Technology Lease - Network Solutions

Debt Status: Outstanding

Type of Indebtedness: Lease

Base CUSIP Number:

Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:

Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N

Applicable Issuer:

Current Debt Limit:

Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 7/25/2023

Date of Publication of Preliminary Determination:

Newspaper(s):

Date of Public Hearing:

Date of Final Approval/Lease Execution: 7/25/2023

Date of Appropriation Resolution:

Date of Debt Sale:

Date of Debt Closing: 7/31/2023

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: Primary

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CREDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): Key Bank

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Lease for Infrastructure

Total Project Cost: \$1,054,382.47

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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2/5/2028	\$197,146	6.96	\$13,731	\$210,876				\$210,876		\$0
2/5/2027	\$184,309	6.96	\$26,568	\$210,876				\$210,876		\$197,146
2/5/2026	\$172,308	6.96	\$38,569	\$210,876				\$210,876		\$381,454
2/5/2025	\$161,088	6.96	\$49,788	\$210,876				\$210,876		\$553,762
2/5/2024	\$175,562	6.96	\$35,315	\$210,876				\$210,876		\$714,850
7/10/2023	\$163,971	0.00	\$0	\$163,971				\$163,971		\$890,412
Total	\$1,054,384		\$163,971	\$1,218,351				\$1,218,351		

Notes

2023 IT Lease - Network Solutions No. 97

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2023 JP Morgan IPG Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 11/27/2023
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 12/19/2023
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 12/19/2023

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: No

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CREDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated:

Name of Lessor (Building Corporation/Hold Corporation): St. Joseph County

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Equipment for the county Highway Department

Total Project Cost: \$1,016,267.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance
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8/15/2028	\$110,003	4.30	\$2,363	\$112,366		\$224,732		\$112,366		\$0
2/15/2028	\$107,689	4.30	\$4,677	\$112,366		\$0		\$112,366		\$110,003
8/15/2027	\$105,424	4.30	\$6,942	\$112,366		\$224,732		\$112,366		\$217,692
2/15/2027	\$103,207	4.30	\$9,159	\$112,366		\$0		\$112,366		\$323,116
8/15/2026	\$101,036	4.30	\$11,330	\$112,366		\$224,732		\$112,366		\$426,323
2/15/2026	\$98,911	4.30	\$13,455	\$112,366		\$0		\$112,366		\$527,359
8/15/2025	\$96,830	4.30	\$15,536	\$112,366		\$224,732		\$112,366		\$626,270
2/15/2025	\$94,794	4.30	\$17,572	\$112,366		\$0		\$112,366		\$723,100
8/15/2024	\$92,800	4.30	\$19,566	\$112,366		\$224,732		\$112,366		\$817,894
2/15/2024	\$105,573	4.30	\$6,793	\$112,366		\$0	\$1,500	\$112,366		\$910,694
Total	\$1,016,267		\$107,393	\$1,123,660		\$1,123,660	\$1,500	\$1,123,660		

Notes

2023 JP Morgan IPG Highway Equipment lease. Lease closed 12/19/23. Escrow account set up 12/19/23. Debt#98. US Bank account no. 221360000. Debt service paid by LIT Fund 1112. County Fund 0033 for lease proceeds.

St. Joseph County
Submitted to the State on Thursday, March 28, 2024
Report printed on Tuesday, December 17, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Taxable Economic Development Tax Increment Revenue Bonds, Series 2024 (Honeysuckle Solar)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-11.9
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/1/2024
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/26/2024

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: Primary

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CREDIT: No

Electric Revenues: No

Water Revenue: No

Wastewater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated: Solar Project EDA

Allocation Area

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

<u>Purpose/Cost</u>

Purpose of Debt: Financing of a solar-powered electric generating facility.

Total Project Cost: \$50,000,000.00

Sources

Sources of Funds	Amount
------------------	--------

Uses

Uses of Funds	Amount
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Dates

Date Bids Received:

Date Construction Started:

Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance
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									Credit	
7/15/2025	\$2,000,000	0.00	\$0	\$2,000,000						\$48,000,000
1/15/2026	\$2,000,000	0.00	\$0	\$2,000,000		\$4,000,000				\$46,000,000
7/15/2026	\$2,000,000	0.00	\$0	\$2,000,000						\$44,000,000
1/15/2027	\$2,000,000	0.00	\$0	\$2,000,000		\$4,000,000				\$42,000,000
7/15/2027	\$1,500,000	0.00	\$0	\$1,500,000						\$40,500,000
1/15/2028	\$1,500,000	0.00	\$0	\$1,500,000		\$3,000,000				\$39,000,000
7/15/2028	\$1,500,000	0.00	\$0	\$1,500,000						\$37,500,000
1/15/2029	\$1,500,000	0.00	\$0	\$1,500,000		\$3,000,000				\$36,000,000
7/15/2029	\$1,500,000	0.00	\$0	\$1,500,000						\$34,500,000
1/15/2030	\$1,500,000	0.00	\$0	\$1,500,000		\$3,000,000				\$33,000,000
7/15/2030	\$1,500,000	0.00	\$0	\$1,500,000						\$31,500,000
1/15/2031	\$1,500,000	0.00	\$0	\$1,500,000		\$3,000,000				\$30,000,000
7/15/2031	\$1,500,000	0.00	\$0	\$1,500,000						\$28,500,000
1/15/2032	\$1,000,000	0.00	\$0	\$1,000,000		\$2,500,000				\$27,500,000
7/15/2032	\$1,000,000	0.00	\$0	\$1,000,000						\$26,500,000
1/15/2033	\$1,000,000	0.00	\$0	\$1,000,000		\$2,000,000				\$25,500,000
7/15/2033	\$1,000,000	0.00	\$0	\$1,000,000						\$24,500,000
1/15/2034	\$1,000,000	0.00	\$0	\$1,000,000		\$2,000,000				\$23,500,000
7/15/2034	\$1,000,000	0.00	\$0	\$1,000,000						\$22,500,000
1/15/2035	\$1,000,000	0.00	\$0	\$1,000,000		\$2,000,000				\$21,500,000
7/15/2035	\$1,000,000	0.00	\$0	\$1,000,000						\$20,500,000
1/15/2036	\$1,000,000	0.00	\$0	\$1,000,000		\$2,000,000				\$19,500,000
7/15/2036	\$1,000,000	0.00	\$0	\$1,000,000						\$18,500,000
1/15/2037	\$1,000,000	0.00	\$0	\$1,000,000		\$2,000,000				\$17,500,000
7/15/2037	\$1,000,000	0.00	\$0	\$1,000,000						\$16,500,000
1/15/2038	\$1,000,000	0.00	\$0	\$1,000,000		\$2,000,000				\$15,500,000
7/15/2038	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$14,500,000
1/15/2039	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$13,500,000
7/15/2039	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$12,500,000
1/15/2040	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$11,500,000
7/15/2040	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$10,500,000
1/15/2041	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$9,500,000
7/15/2041	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$8,500,000
1/15/2042	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$7,500,000
7/15/2042	\$1,000,000	0.00	\$0	\$1,000,000		\$1,000,000				\$6,500,000
1/15/2043	\$500,000	0.00	\$0	\$500,000		\$500,000				\$6,000,000
7/15/2043	\$500,000	0.00	\$0	\$500,000		\$500,000				\$5,500,000
1/15/2044	\$500,000	0.00	\$0	\$500,000		\$500,000				\$5,000,000
7/15/2044	\$500,000	0.00	\$0	\$500,000		\$500,000				\$4,500,000
1/15/2045	\$500,000	0.00	\$0	\$500,000		\$500,000				\$4,000,000

7/15/2045	\$500,000	0.00	\$0	\$500,000		\$500,000				\$3,500,000
1/15/2046	\$500,000	0.00	\$0	\$500,000		\$500,000				\$3,000,000
7/15/2046	\$500,000	0.00	\$0	\$500,000		\$500,000				\$2,500,000
1/15/2047	\$500,000	0.00	\$0	\$500,000		\$500,000				\$2,000,000
7/15/2047	\$500,000	0.00	\$0	\$500,000		\$500,000				\$1,500,000
1/15/2048	\$500,000	0.00	\$0	\$500,000		\$500,000				\$1,000,000
7/15/2048	\$500,000	0.00	\$0	\$500,000		\$500,000				\$500,000
1/15/2049	\$500,000	0.00	\$0	\$500,000		\$500,000				\$0
Total	\$50,000,000		\$0	\$50,000,000		\$50,000,000				

Notes

Project Honeysuckle

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: Lease Rental Revenue Bonds, Series 2024A
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062D
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14, et seq.
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 12/13/2023
Date of Appropriation Resolution:
Date of Debt Sale: 3/12/2024
Date of Debt Closing: 3/26/2024

									Credit	
8/1/2024	\$0	0.00	\$173,611	\$173,611						\$10,000,000
2/1/2025	\$0	0.00	\$250,000	\$250,000		\$423,611	\$2,000	\$426,000		\$10,000,000
8/1/2025	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2026	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2026	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2027	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2027	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2028	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2028	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2029	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2029	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2030	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2030	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2031	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2031	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2032	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2032	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2033	\$0	0.00	\$250,000	\$250,000		\$500,000	\$2,000	\$503,000		\$10,000,000
8/1/2033	\$0	0.00	\$250,000	\$250,000						\$10,000,000
2/1/2034	\$275,000	5.00	\$250,000	\$525,000		\$775,000	\$2,000	\$778,000		\$9,725,000
8/1/2034	\$1,290,000	5.00	\$243,125	\$1,533,125						\$8,435,000
2/1/2035	\$1,320,000	5.00	\$210,875	\$1,530,875		\$3,064,000	\$2,000	\$3,067,000		\$7,115,000
8/1/2035	\$1,355,000	5.00	\$177,875	\$1,532,875						\$5,760,000
2/1/2036	\$1,385,000	5.00	\$144,000	\$1,529,000		\$3,061,875	\$2,000	\$3,064,000		\$4,375,000
8/1/2036	\$1,420,000	5.00	\$109,375	\$1,529,375						\$2,955,000
2/1/2037	\$1,460,000	5.00	\$73,875	\$1,533,875		\$3,063,250	\$2,000	\$3,066,000		\$1,495,000
8/1/2037	\$1,495,000	5.00	\$37,375	\$1,532,375		\$1,532,375		\$1,533,000		\$0
Total	\$10,000,000		\$5,920,111	\$15,920,111		\$15,920,111	\$26,000	\$15,958,000		

Notes

2024 GM-Samsung Bond

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Taxable Lease Rental Revenue Bonds, Series 2024B
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062D
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14, et seq.
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer’s debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 12/13/2023
Date of Appropriation Resolution:
Date of Debt Sale: 3/12/2024
Date of Debt Closing: 3/26/2024

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No

Was a remonstrance conducted? No

Votes in favor debt:

Votes against debt:

Was this debt subject to referendum? No

Votes in favor debt:

Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating
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Security on the Debt - Source of Repayment

Property Tax: No

TIF Revenue: Primary

COIT: No

Motor Vehicle Highway/Local Road & Street: No

CAGIT: No

Stormwater Revenues: No

CEDIT: No

Electric Revenues: No

Water Revenue: No

Wasterwater Revenues: No

Grant Revenue: No

Other () : No

Allocation Area from which the TIF Revenues will be generated: New Carlisle EDA #3

Allocation Area

Name of Lessor (Building Corporation/Hold Corporation):

Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Finance certain road improvements and related infrastructure costs.
Total Project Cost: \$40,000,000.00

Sources

Sources of Funds	Amount
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Uses

Uses of Funds	Amount
---------------	--------

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance
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									Credit	
8/1/2024	\$0	0.00	\$726,947	\$726,947						\$40,000,000
2/1/2025	\$0	0.00	\$1,046,804	\$1,046,804		\$1,773,751	\$2,000	\$1,776,000		\$40,000,000
8/1/2025	\$0	0.00	\$1,046,804	\$1,046,804						\$40,000,000
2/1/2026	\$0	0.00	\$1,046,804	\$1,046,804		\$2,093,608	\$2,000	\$2,096,000		\$40,000,000
8/1/2026	\$870,000	0.05	\$1,046,804	\$1,916,804						\$39,130,000
2/1/2027	\$890,000	0.05	\$1,024,980	\$1,914,980		\$3,831,784	\$2,000	\$3,834,000		\$38,240,000
8/1/2027	\$915,000	0.05	\$1,003,353	\$1,918,353						\$37,325,000
2/1/2028	\$935,000	0.05	\$981,027	\$1,916,027		\$3,834,380	\$2,000	\$3,837,000		\$36,390,000
8/1/2028	\$960,000	0.05	\$958,386	\$1,918,386						\$35,430,000
2/1/2029	\$980,000	0.05	\$934,995	\$1,914,995		\$3,833,381	\$2,000	\$3,836,000		\$34,450,000
8/1/2029	\$1,005,000	0.05	\$911,118	\$1,916,118						\$33,445,000
2/1/2030	\$1,030,000	0.05	\$886,480	\$1,916,480		\$3,832,598	\$2,000	\$3,835,000		\$32,415,000
8/1/2030	\$1,055,000	0.05	\$861,086	\$1,916,086						\$31,360,000
2/1/2031	\$1,085,000	0.05	\$834,969	\$1,919,969		\$3,836,055	\$2,000	\$3,839,000		\$30,275,000
8/1/2031	\$1,110,000	0.05	\$807,893	\$1,917,893						\$29,165,000
2/1/2032	\$1,135,000	0.05	\$780,082	\$1,915,082		\$3,832,975	\$2,000	\$3,835,000		\$28,030,000
8/1/2032	\$1,165,000	0.05	\$751,520	\$1,916,520						\$26,865,000
2/1/2033	\$1,195,000	0.05	\$722,086	\$1,917,086		\$3,833,605	\$2,000	\$3,836,000		\$25,670,000
8/1/2033	\$1,225,000	0.05	\$691,715	\$1,916,715						\$24,445,000
2/1/2034	\$980,000	0.05	\$660,581	\$1,640,581		\$3,557,296	\$2,000	\$3,560,000		\$23,465,000
8/1/2034	\$0	0.00	\$635,479	\$635,479						\$23,465,000
2/1/2035	\$0	0.00	\$635,479	\$635,479		\$1,270,958	\$2,000	\$1,273,000		\$23,465,000
8/1/2035	\$0	0.00	\$635,479	\$635,479						\$23,465,000
2/1/2036	\$0	0.00	\$635,479	\$635,479		\$1,270,958	\$2,000	\$1,273,000		\$23,465,000
8/1/2036	\$0	0.00	\$635,479	\$635,479						\$23,465,000
2/1/2037	\$0	0.00	\$635,479	\$635,479		\$1,270,958	\$2,000	\$1,273,000		\$23,465,000
8/1/2037	\$0	0.00	\$635,479	\$635,479						\$23,465,000
2/1/2038	\$1,530,000	0.05	\$635,479	\$2,165,479		\$2,800,958	\$2,000	\$2,803,000		\$21,935,000
8/1/2038	\$1,570,000	0.05	\$594,911	\$2,164,911						\$20,365,000
2/1/2039	\$1,615,000	0.05	\$553,282	\$2,168,282		\$4,333,193	\$2,000	\$4,336,000		\$18,750,000
8/1/2039	\$1,655,000	0.05	\$510,138	\$2,165,138						\$17,095,000
2/1/2040	\$1,700,000	0.05	\$465,924	\$2,165,924		\$4,331,062	\$2,000	\$4,334,000		\$15,395,000
8/1/2040	\$1,750,000	0.05	\$419,591	\$2,169,591						\$13,645,000
2/1/2041	\$1,795,000	0.05	\$371,894	\$2,166,894		\$4,336,485	\$2,000	\$4,339,000		\$11,850,000
8/1/2041	\$1,845,000	0.05	\$322,972	\$2,167,972						\$10,005,000
2/1/2042	\$1,895,000	0.05	\$272,686	\$2,167,686		\$4,335,658	\$2,000	\$4,338,000		\$8,110,000
8/1/2042	\$1,945,000	0.05	\$221,038	\$2,166,038						\$6,165,000
2/1/2043	\$2,000,000	0.05	\$168,027	\$2,168,027		\$4,334,065	\$2,000	\$4,337,000		\$4,165,000
8/1/2043	\$2,055,000	0.05	\$113,517	\$2,168,517						\$2,110,000
2/1/2044	\$2,110,000	0.05	\$57,508	\$2,167,508		\$4,336,025	\$2,000	\$4,339,000		\$0

Total	\$40,000,000		\$26,879,754	\$66,879,754		\$66,879,753	\$40,000	\$66,929,000		
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Notes										
2024 GM-Samsung Bond										



[Report Search](#) / Bond/Lease Report

Report Builder: Bond/Lease Report

County	St. Joseph	Unit Type	Township
Unit	HARRIS TOWNSHIP	Debt Status	No Debt
Debt Type	No Debt	Source of Repayment	No Debt
Debt Name	No Debt		

1

 of 1

Find | Next

The unit you have selected has no current debt to report.

DEC 11 2024

City Clerk
Mishawaka, IN

PETITION 24-10

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2024-45

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF
MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION
THEREFORE

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a Planned Unit Development Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

*Real estate in St. Joseph County, in the State of Indiana, described as follows:
Part of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 27,
Township 38 North, Range 3 East and more particularly described as follows:
Beginning at the Southwest corner of the Southeast Quarter (1/4) of said Section
27; Thence North 1160 feet; Thence East 300.41 feet; Thence South 1160 feet to
the South line of the Southeast Quarter (1/4) of said Section 27; Thence West and
along said South line 300.41 feet to the place of beginning EXCEPTING therefrom the
following:*

*Beginning at the Southeast corner of the above described tract; Thence North 150
feet; thence West 100 feet; Thence South 150 feet; thence East 100 feet to the
place of beginning.*

*LESS AND EXCEPT the following premises conveyed to St. Joseph County, Indiana by
Deed, recorded November 18, 2003 as Instrument No. 373957, and described as
follows:*

*A parcel of land located in the Southeast Quarter of Section 27, Township 38 North,
Range 3 East of the Second Principal Meridian in Harris Township, St. Joseph county,
Indiana, more particularly described as follows:*

*Commencing at the Southwest corner of the Southeast quarter of Section 27; Thence
North 00 degrees 07 minutes 16 seconds West (basis of bearings) on the West line
of the Southeast Quarter of Section 27, a distance of 20 feet to the point of
beginning; Thence North 00 degrees 07 minutes 16 seconds West on said West line,
a distance of 20 feet; Thence South 89 degrees 57 minutes 53 seconds East, parallel
with the South line of the Southeast Quarter Section 27 on the North proposed right-*

Proposed Ordinance No: _____

Ordinance No: _____

*of-way line of Douglas Road, a distance of 200.58 feet; Thence South 00 degrees 06 minutes 44 seconds West, a distance of 20 feet to the North existing right-of-way of Douglas Road; Thence North 89 degrees 57 minutes 53 seconds West, parallel with the South line of the Southeast Quarter of Section 27 on the North existing right-of-way of Douglas Road, a distance of 200.50 feet to the place of beginning.
Parcel contains 0.09 acres more or less*

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for the construction of a 234 unit affordable senior apartment complex subject to the following development regulations/conditions:

Uses:

1. Permitted uses shall be limited to a 234 unit affordable senior multi-family residential apartment complex and other accessory uses including but not limited to detached garages, an entertainment pavilion, and maintenance office.
2. Off-premise signs/billboards shall be prohibited.

Parking Spaces, Building & Parking/Pavement Setbacks:

1. A minimum of 1.2 parking spaces shall be provided per residential dwelling unit.
2. The building setbacks shall be a minimum of 25' from the south property line / E. Douglas Road public right-of-way (front), 5' from the east property line (side), 35' from the north property line (rear), and 29' from the west property line (side). Detached garage structures shall be permitted within the rear building setback but shall maintain a 5' minimum setback from the north property line.
3. The parking/pavement setbacks shall be 10' from the E. Douglas Road public right-of-way and 5' from all other property lines.

Landscaping:

1. Landscaping is required to comply with the minimum landscaping and screening regulations (Section 137-815).

Signage:

1. One (1) freestanding monument sign shall be permitted. The sign shall be limited to 8' in height and contain a display area of no more than 60 square feet. The sign shall have a masonry base no less than 3' in height. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board.

Right-of-way, Road Improvements, and Sidewalks:

Proposed Ordinance No: _____

Ordinance No: _____

1. Additional right-of-way and/or easements may be required and shall be determined by review of the Department of Engineering and Department of Planning and Community Development as a part of the planned unit development plan and subdivision plat.
2. Road improvements along E. Douglas Road shall be installed as determined by the Department of Engineering.
3. The existing sidewalk along E. Douglas Road shall be reconstructed from the west property line of the subject property to the Holiday Inn property line (1208 E. Douglas Road) to the east. Additional sidewalks shall be provided within the subject property connecting to the E. Douglas Road sidewalk. All sidewalks shall be reviewed and approved by the Department of Engineering and Department of Planning and Community Development as a part of the planned unit development plan and subdivision plat.

Lighting:

1. All site lighting shall be limited to 25 feet in height. 90-degree cut-off fixtures shall be required for both pole and wall mounted fixtures.
2. A lighting plan shall be submitted with the planned unit development plan submission.

Building Limitations & Architecture:

1. The maximum building height shall be 50'.
2. Residential grade (minimum 0.044" thick) vinyl siding and brick veneer shall be permitted building materials for all buildings, including the multi-family residential buildings and any accessory buildings. All building materials are subject to review and approval by the Department of Planning and Community Development as a part of the planned unit development plan.

Stormwater Management Infrastructure & Utilities:

1. A stormwater drainage plan shall be reviewed and approved by the Department of Engineering as a part of the planned unit development plan.
2. All costs associated with the extension of utilities shall be the responsibility of the developer. Extension of utilities shall occur in a location and size as directed by the Department of Engineering.

This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603:

1. The Comprehensive Plan - Although this property was identified with a preferred use as low-density residential (single-family homes) in the Mishawaka 2000 Comprehensive Plan, the proposed multi-family use is reasonably consistent with adjacent and present land uses along the E. Douglas Road corridor.

Proposed Ordinance No: _____

Ordinance No: _____

2. The Current conditions and the character of current structures and uses in each district - The subject parcel is located on E. Douglas Road, a currently heavily travelled corridor on which traffic volumes are expected to increase due the significant commercial and residential growth that has occurred in the northeast part of the City and St. Joseph County. The property is located adjacent to unincorporated vacant land and a single-family residential house to the north; a multi-family residential apartment complex to the west; vacant commercial property, a medical office, and television and radio studio all within the City, and an unincorporated single-family residential house to the south; and two hotels to the east. The character of other buildings and land uses located along the E. Douglas Road corridor between N. Main Street and Fir Road vary greatly and include an automatic car wash/lube facility, a restaurant, a fire station, a single-family residential development, a hospital, an assisted living facility, and a convenience store/gas station.
3. The most desirable use for which the land in each district is adapted – With the property’s location along the increasingly commercial and residential developed E. Douglas Road corridor combined with the adjacent properties being zoned for commercial use, the most desirable use for the property is either commercial or high-density residential.
4. The conservation of property values throughout the jurisdiction - The proposed zoning should not be injurious to property values in the surrounding area. The proposed multi-family residential use is compatible with the adjacent multi-family residential and commercial uses.
5. Responsible development and growth – The continuation of development of vacant land along E. Douglas Road for commercial or high-density residential uses is responsible growth and development.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2024, at _____ o'clock ____M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

Proposed Ordinance No: _____

Ordinance No: _____

PRESENTED by me to the Mayor this _____ day of _____,
2024, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at
_____ o'clock _____.M.

David A. Wood, Mayor

STAFF REPORT

Location: 15503 E. Douglas Road

Date: December 10, 2024

Petition: 24-10 Stoneleaf Reserve Planned Unit Development –
Annexation, Establish Zoning, and Approve a
Preliminary Planned Unit Development Site Plan
for an affordable senior apartment complex

Prepared By: DJS

GENERAL INFORMATION

Applicants: Edward N. Doty, as Trustee of the Edward N. Doty Revocable Trust / Kittle Property Group, Inc.

Status: Property Owner / Contingent Developer

Request: To annex, establish zoning, and approve a preliminary planned unit development site plan for the Stoneleaf Reserve - a 234 unit affordable senior apartment complex

Existing Zoning: Unincorporated St. Joseph County

Proposed Zoning: S-2 Planned Unit Development (Multi-Family Residential)

Lot Size: +/- 7.64 acres including the north 40' public right-of-way of E. Douglas Road

Applicable Regulations: Section 137-671 thru 137-679 / S-2 Planned Unit Development District, Section 137-41 / Amendments to the Zoning Map & Indiana Code 36-4-3-2.1 and 36-4-3-3.1; and 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:

North:	Unincorporated St. Joseph County / R Single Family Residential (Undeveloped with house over 900' away fronting Fir Road)
South:	C-8 High Density Suburban Commercial (Vacant, Radio & Television Studio / WSBT, and Medical Offices / Michiana Hematology Oncology) & Unincorporated St. Joseph County / R Single Family Residential (House)
East:	C-1 General Commercial (Hotels / Holiday Inn & Candlewood Suites)
West:	S-2 Planned Unit Development (Multi-Family Residential / Elevate on Main formerly Main Street Village Apartments)

Thoroughfare: E. Douglas Road

Council District: 6 (pending)

School District: Penn-Harris-Madison

Public Utilities: All public utilities are available and/or will be extended to/throughout the site at the developer's expense.

Comprehensive Plan: The Mishawaka 2000 Comprehensive Plan identifies a preferred or planned use for this property as Low Density Residential (Single Family Homes). The proposed use for multi-family residential is consistent with the adjacent and present land uses along the E. Douglas Road corridor.

ANALYSIS

Proposal:

The applicants, Edward M. Doty, Trustee of the Edward N. Doty Revocable Trust (owner) and Kittle Property Group, Inc. (contingent developer), are proposing to annex, establish zoning, and approve a preliminary planned unit development site plan to allow for the construction of a 234 unit affordable senior apartment complex. The 7.72 acre site, which has a current address of 15503 E. Douglas Road (Tax Parcel 006-1012-0174), is located on the north side of E. Douglas Road approximately 1,200' west of Fir Road.

Prior to filing the petition, the applicant discussed the potential project with Planning Staff and emailed a preliminary site plan for review and comment. The Planning, Engineering, and Fire Departments had several comments that were mostly addressed with the revised preliminary site plan, as submitted with the petition, or will be addressed with the future final site plan following annexation. A response letter to these comments is attached.

Planning Staff recommended that the property be zoned to the S-2 Planned Unit Development (PUD) District. This zoning will allow for specific development regulations and conditions, similar to those approved for other multi-family residential apartment complexes, to be placed on the property. The PUD zoning will also permit flexibility in the design and development standards which would normally be applicable to a multi-family residential apartment complex zoned R-3 Multi-Family Residential. As a result, the development standards can be varied through the Planned Unit Development process eliminating the need to obtain developmental variances through the Board of Zoning Appeals.

Per the preliminary site plan, the project is proposed to include 234 dwelling units within three (3) buildings, a leasing office within one of the apartment buildings, a dog park, an entertainment pavilion, bike racks, a raised garden area, and a maintenance garage. The dwelling unit mix will consist of 144 one-bedroom units (61%) and 90 two-bedroom units (39%). The overall density is 30.6 units per acre including the existing north 40' public right-of-way of E. Douglas Road.

A total of 282 parking spaces are proposed consisting of 254 surface spaces and 28 spaces within five (5) detached garages. The surface spaces will include 12 guest spaces and 3 employee spaces. Parking is proposed at a ratio of 1.2 spaces per unit, which is less than the standard 1.5 spaces per unit for an apartment complex within the R-3 District. Per the contingent developer's experience in other senior property development, the proposed 1.2 spaces per unit will provide sufficient parking for residents and guests. The developer has constructed senior apartment complexes with only 0.8 spaces per unit. Additionally, the property is located along a Transpo bus route with a designated stop to the southeast at the E. Douglas Road and Creek Point Road intersection. A community bus will also provide transportation services for the residents.

Primary access will be provided from E. Douglas Road via a new drive in the southwest corner of the property. The access will allow for unrestricted turning movements to and from the public right-of-way. Cross access to the east shall be provided to connect to the adjacent access drive in the southeast corner of the property. When the adjacent Holiday Inn was approved and constructed, Planning Staff required a stub/drive connection to the subject property with a dedicated ingress-egress easement on the adjacent property. The easement was included on the recorded adjacent plat (Holiday Inn – Candlewood Suites Minor Subdivision, 1st Corrective Plat / Instr. #14085960). An ingress-egress easement shall also be dedicated on the subject property via a plat. The preliminary site plan also shows a potential cross access at the northwest corner of the property connecting to the adjacent Elevate on Main apartment complex. The applicant has not contacted the adjacent property owner regarding the feasibility or desire to provide

a connection, and this connection is not being required by Planning Staff. All drives and parking lots interior to the site will be privately owned and maintained.

Building setbacks shall conform with the R-3 Multi-Family Residential District which requires a 25' front setback as measured from the 40' half right-of-way, a 5' side yard setback along the east property line, and a 35' rear building setback along the north property line. A 29' side yard setback shall be provided along the west property line to be outside of the required utility / sanitary sewer easement as requested by the Engineering Department. A 20' easement currently exists along the west property line for a sanitary sewer force main. The easement shall be expanded to 29' and dedicated via a plat.

Parking/pavement setbacks shall be 10' from the public right-of-way along E. Douglas Road and 5' from all other property lines. Landscaping is required within these setbacks and throughout the property compliant with the minimum landscaping and screening regulations (Section 137-815). A detailed landscaping plan shall be submitted with the final planned unit development site plan, and is subject to review and approval by the Planning Staff.

The scale and density of the proposed development is similar to other multi-family residential developments in the northern part of the City of Mishawaka, such as the adjacent Elevate on Main apartments, the Villas on Fir on Fir Road south of the Indiana Toll Road, Grandview Flats & Townhomes to the northwest of Gumwood and Cleveland Roads, Summer Place Apartments along E. University Drive, and The Springs at Mishawaka at the northeast corner of Fir Road and Beacon Parkway (currently under construction).

At this time, the applicants are only proposing to establish the permitted use for multi-family residential and basic development requirements of the planned unit development. If approved, a detailed final planned unit development site plan must be submitted to address all the applicable zoning (height, area, and development regulations), utility (sanitary sewer, water, storm drainage, electric, gas, etc.), grading, landscaping, erosion control, and other required improvements.

Annexation:

In 2000, the adjacent property to the west was annexed into the City for the development of the Main Street Village apartments (now Elevate on Main apartments) and Main Street Villas single-family residential subdivision. In 2002, the adjacent property to the south was annexed for the development of a medical campus facility and other permitted C-8 High-Density Suburban Commercial District uses. In 2008, the adjacent property to the east was annexed for the development of a hotel. The property to the north is unincorporated land and includes a single-family residential home over 900' to the east facing Fir Road. A property adjacent to southeast (15467 E. Douglas Road) is also unincorporated land that includes a single-family residential house.

Per the State of Indiana's annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing boundary in order to be annexed. With the three previous annexations as outlined above, approximately 2,370 feet, or 81.2%, of the total 2,920 feet of the perimeter of the property will be contiguous with the existing city limits. This exceeds the required 12.5% contiguity.

Location/Context:

The site is located on the north side of E. Douglas Road approximately 1,200' west of Fir Road, and is bound to the north by vacant property and a single-family residential house in unincorporated St. Joseph County; to the west by an apartment complex; to the south by vacant commercial property, a medical office, and a television and radio studio all within the city, and a single-family residential house in unincorporated St. Joseph County; and to the east by two hotels.

Zoning Change:

Staff believes that the proposed zoning of this property for a multi-family residential apartment complex is appropriate given the significant residential and commercial grown along E. Douglas Road.

Transportation/Roads:

According to the latest available traffic counts, there were 14,228 annual average daily trips (AADT) (June 2022) along E. Douglas Road east of Holy Cross Parkway. The counts at this location have remained

consistent between 2019 and 2022, which are the only two available counts. There were 13,901 annual average daily trips (AADT) (July 2022) along E. Douglas Road west of Fir Road. The counts at this location have increased more than 50% over the last 17 years. Between 2007 and 2019, counts ranged from just over 9,100 AADT to nearly 14,500 AADT. With the existing and anticipated increase in commercial and residential development in the northern Mishawaka and Granger areas, it is anticipated that traffic volumes will remain relatively consistent and/or increase in future years.

The 2050 Transportation Plan, prepared by the Michiana Area Council of Governments with input from City staff and the County Engineering Department, does not show any planned added travel lanes along the E. Douglas corridor between N. Main Street and Fir Road. Added travel lanes along Douglas Road to the east from Veteran's Parkway to Capital Avenue, including a grade separation at the Canadian National rail line, is proposed for construction in 2045. An auxiliary line (center turn lane) along Fir Road to the east between McKinley Avenue and the Indiana Toll Road is proposed for construction in 2035. Veteran's Parkway is also anticipated to be extended from its current northern terminus near the Mishawaka Fieldhouse to Cleveland Road. The plan and anticipated completion dates for any transportation improvements may be amended in future years dependent on projected travel demand and available funding.

All pertinent City Departments have reviewed and approved the request for annexation and zoning. Preliminary comments from the Planning, Engineering, and Fire Departments were forwarded to the applicant prior to the petition being filed. Most of the comments were addressed with the revised preliminary site plan, as submitted with the petition, or will be addressed with the future final site plan following annexation.

The Electric Department commented that the property is not within the city's service territory.

RECOMMENDATION

Staff recommends **approval** of Petition 24-10 to annex and establish zoning for property located along E. Douglas Road approximately 1,200' west of Fir Road (15503 E. Douglas Road) to allow for the construction of a 234 unit affordable senior apartment complex subject to the following development regulations/conditions:

Uses:

1. Permitted uses shall be limited to a 234 unit affordable senior multi-family residential apartment complex and other accessory uses including but not limited to detached garages, an entertainment pavilion, and maintenance office.
2. Off-premise signs/billboards shall be prohibited.

Parking Spaces, Building & Parking/Pavement Setbacks:

1. A minimum of 1.2 parking spaces shall be provided per residential dwelling unit.
2. The building setbacks shall be a minimum of 25' from the south property line / E. Douglas Road public right-of-way (front), 5' from the east property line (side), 35' from the north property line (rear), and 29' from the west property line (side). Detached garage structures shall be permitted within the rear building setback but shall maintain a 5' minimum setback from the north property line.
3. The parking/pavement setbacks shall be 10' from the E. Douglas Road public right-of-way and 5' from all other property lines.

Landscaping:

1. Landscaping is required to comply with the minimum landscaping and screening regulations (Section 137-815).

Signage:

1. One (1) freestanding monument sign shall be permitted. The sign shall be limited to 8' in height and contain a display area of no more than 60 square feet. The sign shall have a masonry base no less than 3' in height. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board.

Right-of-way, Road Improvements, and Sidewalks:

1. Additional right-of-way and/or easements may be required and shall be determined by review of the Department of Engineering and Department of Planning and Community Development as a part of the planned unit development plan and subdivision plat.
2. Road improvements along E. Douglas Road shall be installed as determined by the Department of Engineering.
3. The existing sidewalk along E. Douglas Road shall be reconstructed from the west property line of the subject property to the Holiday Inn property line (1208 E. Douglas Road) to the east. Additional sidewalks shall be provided within the subject property connecting to the E. Douglas Road sidewalk. All sidewalks shall be reviewed and approved by the Department of Engineering and Department of Planning and Community Development as a part of the planned unit development plan and subdivision plat.

Lighting:

1. All site lighting shall be limited to 25 feet in height. 90-degree cut-off fixtures shall be required for both pole and wall mounted fixtures.
2. A lighting plan shall be submitted with the planned unit development plan submission.

Building Limitations & Architecture:

1. The maximum building height shall be 50'.
2. Residential grade (minimum 0.044" thick) vinyl siding and brick veneer shall be permitted building materials for all buildings, including the multi-family residential buildings and any accessory buildings. All building materials are subject to review and approval by the Department of Planning and Community Development as a part of the planned unit development plan.

Stormwater Management Infrastructure & Utilities:

1. A stormwater drainage plan shall be reviewed and approved by the Department of Engineering as a part of the planned unit development plan.
2. All costs associated with the extension of utilities shall be the responsibility of the developer. Extension of utilities shall occur in a location and size as directed by the Department of Engineering.

This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603:

1. The Comprehensive Plan - Although this property was identified with a preferred use as low-density residential (single-family homes) in the Mishawaka 2000 Comprehensive Plan, the proposed multi-family use is reasonably consistent with adjacent and present land uses along the E. Douglas Road corridor.
2. The Current conditions and the character of current structures and uses in each district - The subject parcel is located on E. Douglas Road, a currently heavily travelled corridor on which traffic volumes are expected to increase due the significant commercial and residential growth that has occurred in the northeast part of the City and St. Joseph County. The property is located adjacent

to unincorporated vacant land and a single-family residential house to the north; a multi-family residential apartment complex to the west; vacant commercial property, a medical office, and television and radio studio all within the City, and an unincorporated single-family residential house to the south; and two hotels to the east. The character of other buildings and land uses located along the E. Douglas Road corridor between N. Main Street and Fir Road vary greatly and include an automatic car wash/lube facility, a restaurant, a fire station, a single-family residential development, a hospital, an assisted living facility, and a convenience store/gas station.

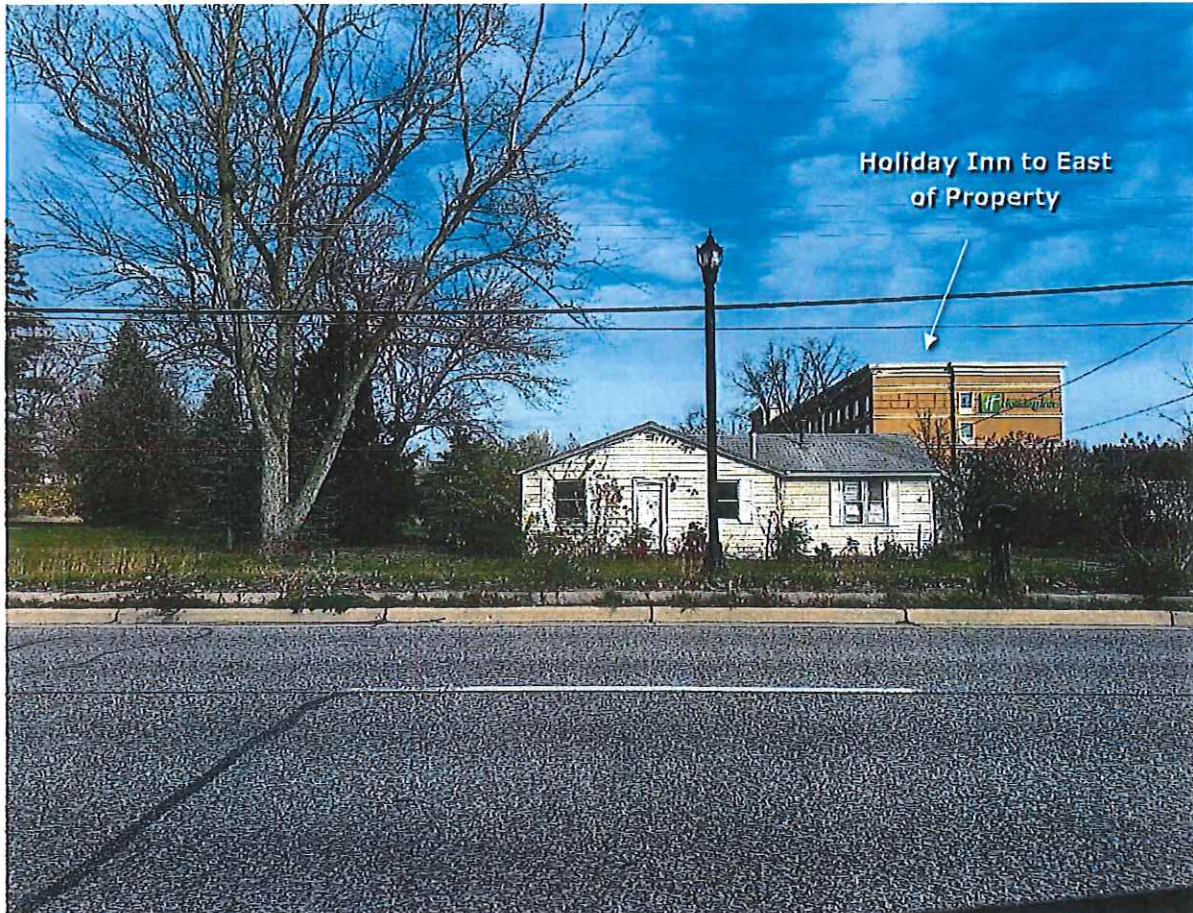
3. The most desirable use for which the land in each district is adapted – With the property's location along the increasingly commercial and residential developed E. Douglas Road corridor combined with the adjacent properties being zoned for commercial use, the most desirable use for the property is either commercial or high-density residential.
4. The conservation of property values throughout the jurisdiction - The proposed zoning should not be injurious to property values in the surrounding area. The proposed multi-family residential use is compatible with the adjacent multi-family residential and commercial uses.
5. Responsible development and growth – The continuation of development of vacant land along E. Douglas Road for commercial or high-density residential uses is responsible growth and development.

ATTACHMENTS

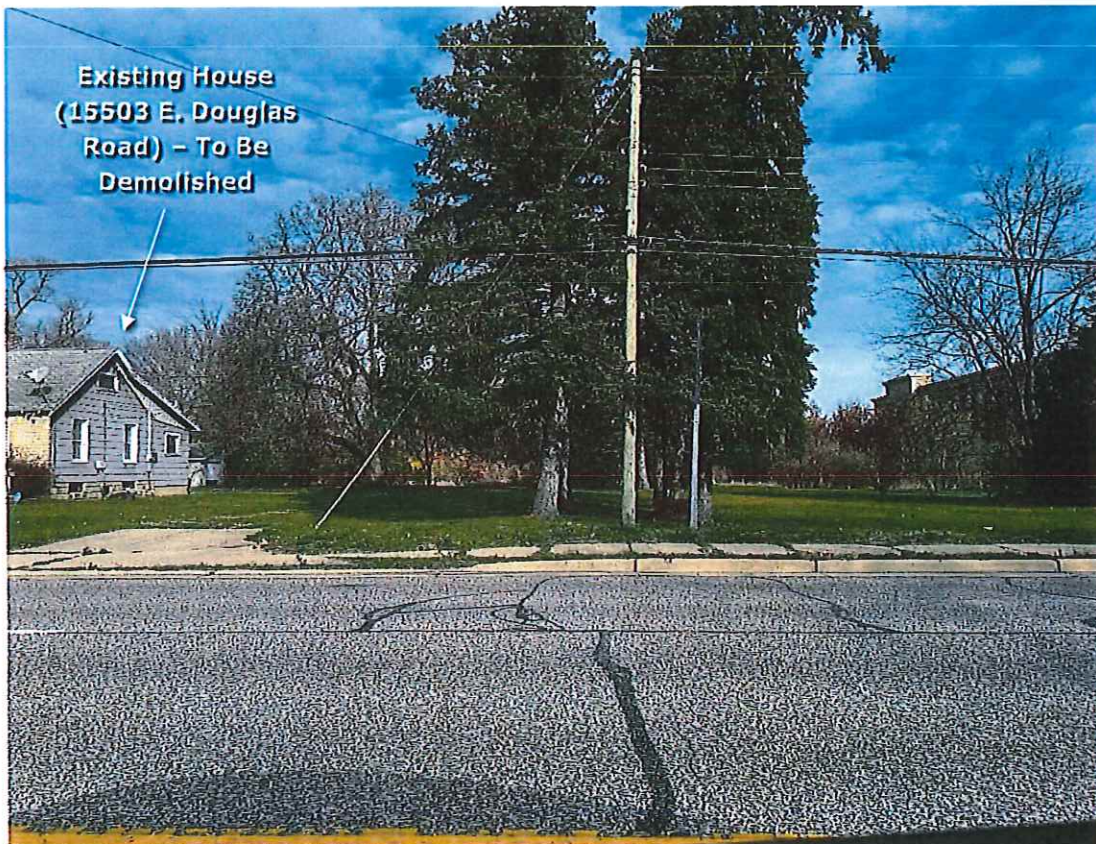
Aerial Photograph, Photographs of Site Area, Petition for Annexation and Zoning Classification, Response Letter to Preliminary Review Prior to Filing, Preliminary Planned Unit Development Site Plan, Location Map



Aerial Photograph – 15503 E. Douglas Road (current address)
Proposed Stoneleaf Reserve – a 234 unit affordable senior apartment complex



P1. Looking north from E. Douglas Road toward the existing house to remain in county. Subject property is west of this house.



P2. Looking northerly from E. Douglas Rd toward the property and house to be demolished.

November 20, 2024

Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

Received
NOV 19 2024
Planning and
Community Development
PKJ 24-10

RE: Petition for Annexation and Zoning Classification

The undersigned, EDWARD N. DOTY AS TRUSTEE OF THE EDWARD N. DOTY REVOCABLE TRUST, respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

The Land, located at 15503 Douglas Road, Granger, IN 46530, is described as follows:

Real estate in St. Joseph County, in the State of Indiana, described as follows:
Part of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 27, Township 38 North, Range 3
East and more particularly described as follows:
Beginning at the Southwest corner of the Southeast Quarter (1/4) of said Section 27;
Thence North 1160 feet;
Thence East 300.41 feet;
Thence South 1160 feet to the South line of the Southeast Quarter (1/4) of said Section 27;
Thence West and along said South line 300.41 feet to the place of beginning EXCEPTING therefrom the following:
Beginning at the Southeast corner of the above described tract;
Thence North 150 feet; thence West 100 feet;
Thence South 150 feet; thence East 100 feet to the place of beginning.
LESS AND EXCEPT the following premises conveyed to St. Joseph County, Indiana by Deed, recorded November 18, 2003 as Instrument No. [373957](#), and described as follows:
A parcel of land located in the Southeast Quarter of Section 27, Township 38 North, Range 3 East of the Second Principal Meridian in Harris Township, St. Joseph county, Indiana, more particularly described as follows:
Commencing at the Southwest corner of the Southeast quarter of Section 27;
Thence North 00 degrees 07 minutes 16 seconds West (basis of bearings) on the West line of the Southeast Quarter of Section 27, a distance of 20 feet to the point of beginning;
Thence North 00 degrees 07 minutes 16 seconds West on said West line, a distance of 20 feet;
Thence South 89 degrees 57 minutes 53 seconds East, parallel with the South line of the Southeast Quarter

Section 27 on the North proposed right-of-way line of Douglas Road, a distance of 200.58 feet;

Thence South 00 degrees 06 minutes 44 seconds West, a distance of 20 feet to the North existing right-of-way of

Douglas Road;

Thence North 89 degrees 57 minutes 53 seconds West, parallel with the South line of the Southeast Quarter of

Section 27 on the North existing right-of-way of Douglas Road, a distance of 200.50 feet to the place of beginning.

Parcel contains 0.09 acres more or less.

Petitioners own One Hundred (100%) percent of the above-described parcel of land which is located in INDIANA and that Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with a S-2 PUD District. Petitioners further state they intend to utilize said land for a SENIOR AFFORDABLE APARTMENT COMMUNITY.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed building and also the location of the proposed building structure(s).

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a S-2 PUD.



Property Owner Signature

Linda S. Sulich, Co-Executor

Print Property Owner Name



Property Owner Signature

Kimberly Riggs, Co-Executor

Print Property Owner Name

Contact Person:

Brian R. Pozen

Kittle Property Group, Inc.

310 E. 96th Street

Suite 400

Indianapolis, IN 46240

317-590-5842

BPozen4634@KittleProperties.com



PM 24-10
Received

NOV 20 2024

Planning and
Community Development

November 19, 2024

City of Mishawaka
Planning and Community Development
100 Lincolnway West
Mishawaka, IN 46544
Attn: Kenneth B. Prince, FASLA

RE: Preliminary PUD Site Plan Review –
7.72 Acres in St Joseph County/Mishawaka
As described on Exhibit A - Mishawaka Flats (tentative name) (the
“Community”)

On behalf of Kittle Property Group, Inc. (KPG) we thank you for the opportunity to offer this response to the various local comments based on a review of the proposed site plan (Douglas Rd Site Plan Option 2 20241025-CSK-1-0) for Mishawaka Flats located at 15503 Douglas Road. The numbered comments below were taken from the staff comment emails and the lettered comments are our responses. Our responses are supported by the included revised site plan (Exhibit B).

PLANNING:

1. When annexed, it should be zoned S-2 PUD so the development regulations can be specific to the proposed project. This will be similar to the Villas on Fir apartment complex (See attached Ord. 5544).
 - a. Understood. Per Sec. 137-674, find the applicable S-2 PUD information incorporated into the Community site plan document as applicable.
2. Cross-access to the east should be provided to connect to the adjacent access drive in the far southeast corner of the property. When the adjacent hotel was approved and constructed, we required a stub/connection to this property. An ingress-egress easement was included on the plat. This connection will require redesign of the property stormwater retention basin, internal access drives, and other proposed improvements in this area. Provisions will need to be included to provide a connection to the existing single-family home off Douglas between this property and the Holiday Inn from the rear. Our hope was that this property would have been included in the request, but we also understand if that is cost prohibitive. We just need to address its future redevelopment potential.

- a. The Community site has been redesigned to allow an east side cross-access connection drive to connect to the adjacent hotel/existing ingress-egress easement.
 - b. We have attempted to include the adjacent existing single-family home in our proposed development but currently, the acquisition price is cost prohibitive. We remain open to acquiring the parcel should circumstances change, but for the time being, provision has been made to allow access to the property.
 - i. Question – If acquisition becomes a possibility after final PUD approval but before building permit – would inclusion be considered a ‘nonsubstantial’ change per Sec. 137-679 which would allow city planner ability to approve incorporation provided no other major changes would be proposed?
 - c. Possible west cross-access has also been proposed at the northwest corner of the Community site connecting to adjacent multi-family community.
 - i. Are the multi-family complex streets public or private?
 - ii. At this time, we have not contacted the landowner if this access would be considered.
 - iii. If access is provided – may we assume this will be a gated ‘emergency-only’ access point?
3. It looks like the density/number of units may need to be decreased to provide sufficient parking. We don’t believe a 1 to 1 ratio is appropriate. This is the minimum ratio for an apartment complex by ordinance is 1.5 parking spaces per unit. Since it is a senior complex, we are open to a potential reduction, but we would want documentation based on your other communities that the parking ratio will work. Since this is independent living, there is an expectation that most units will have a vehicle, and although some will have none, some will have two. There is also a need for visitor parking.
 - a. KPG is a vertically integrated multi-family development firm that incorporates Property Management under its operation. To date, KPG has over 150 properties in twenty states. In Indiana, for senior property development, we are comfortable with 0.8 spaces/unit proposed count for Mishawaka Flats, however we acknowledge the City standard and propose 1.2 parking spaces per unit as shown in the updated Community plan.
 - b. The South Bend Public Transportation Corporation (Transpo) services the site via route 15A – University Park Mall/Mishawaka with a designated stop at Douglas/Creek Point Road – which is directly across the street from the Community. We expect our residents to utilize this public transportation system.
 - c. Further, as part of KPG commitment to its senior communities and residents, we will provide a Community bus that will serve the transportation need of this Community’s residents.
4. Sidewalks are shown internally with a connection to the existing integral sidewalk along E. Douglas Road. We would require that the sidewalk along Douglas Road sidewalk shall be reconstructed with the redevelopment of the property. From the west property line to the Holiday Inn property to the east.

- a. Clarification – since we are unable to include the existing single family home parcel between the hotel and our Community, is the request still for us to continue our sidewalk reconstruction beyond our site boundary?
5. All a landscaping shall meet the minimum landscaping and screening regulations. (Section 137-815).
 - a. Understood. We will review and comply with Section 137-815 and detail as part of final PUD approval documentation.
6. Water indicated that the property is fronted by a 16" water main and from a providing water standpoint that will not be an issue. Water has a stub on the north side of the property near the assisted living facility that faces Fir Road that could possibly be tied into to loop the system. Fire is not available to review right now but will weigh in once you submit for fire hydrant placement and any accessibility issues.
 - a. 16" water main location understood. Are there more detailed engineering drawings of the location that can be shared?
 - b. We do not anticipate the ability to access the north side stub, but will you share more details of location?
 - c. Will you provide a 'will serve' availability letter for water for our funding application. Requests for such documentation into Mishawaka Utilities indicated the planning office must provide/advise.
7. The property is not located within our electric service area, as such, you will likely need to work with AEP for the service connection. We will ask for a change in territory since we serve around the property, but since they changed State law, AEP has not approved any change in territory.
 - a. Understood. We have documentation from AEP/Indiana Michigan Utilities for service.
 - b. Assume would be beneficial for both parties for the Community to be serviced by Mishawaka Utilities, but we do not intimately know the state law and chances of service prior to construction. We would like to converse more about this and know if there is anything we can do to help.

ENGINEERING:

8. Provide 30' easement for force main instead of existing 20' for added protection. is would affect the location of Building #2.
 - a. We understand this easement is existing and is granted to and maintained by the City of Mishawaka
 - b. We propose per plan to increase the building set-back of Building #2 from to 29'-0" which should also allow the HVAC condensers to be out of the easement and provide the added protection/access.
9. Right of way needs to be dedicated.
 - a. Understood

10. Relocate stormwater pond TOB outside of setback. Assuming this will be a wet pond, will need safety measures installed.
 - a. Stormwater pond has been relocated/redesigned and TOB is outside of setback.
 - b. We request any analysis of needed safety measures be reserved for final engineering of the pond.
11. 8" sanitary sewer stub available at southeast corner of site for extension.
 - a. 8" sewer stub location understood. Are there more detailed engineering drawings of the location that can be shared?
 - b. Since we are unable to include the existing single family home parcel between the hotel and our Community, will the City consider reimbursing our costs to extend the stub to our eastern property line?
 - c. Alternatively – is there a stub west from the existing multi-family site?
 - d. Please advise about the note on the Holiday Inn plat stating that 'East & West sewer sections in right-of-way and parallel to Douglas will be maintained by the city of Mishawaka, North & South sewer sections shall be privately maintained by property owners.'
12. Should consider cross-access to both adjacent properties.
 - a. Per plan – cross-access to both adjacent properties have been preliminary located/proposed.

FIRE:

13. What is the square footage of each building?
 - a. Per plan all three buildings are the same and their square footage is 73,020 sf.
14. What type of construction is each building type?
 - a. Per plan all three residential buildings are construction type VA and the other accessory buildings are construction type VB.
15. Locations of hydrants and FDCs?
 - a. Per plan they are locations with notation either of (N) FH or (E) FH
16. Width of drive paths?
 - a. Per plan, the minimum drive width is 26'-0".
17. Turn radiuses?
 - a. Per plan, the minimum turn radius is 30'-0".
18. Length and width of buildings
 - a. Per plan, the length of buildings is approximately 313'-0".
 - b. Per plan, the width of buildings is approximately 77'-0".
19. Height of buildings
 - a. Per plan, the residential buildings garages are 46'-0" high.
 - b. Per plan, the entertainment pavilion is 12'-0" high.

- c. Per plan, the garages are 10'-6" high.

DEVELOPER REQUEST FOR FEEDBACK:

20. Our marketing team has proposed the following names for the Community. Does staff foresee any local concern/conflict with any of these options? Any names that would be preferred by local leaders?

- a. Elderstone Haven
- b. The Hearth at Cedarbrook
- c. Solstice Oaks
- d. Timbervue Landing
- e. Harborstone Residences
- f. Sagebrooke Manor
- g. Eversage Court
- h. Brightwater Place
- i. Heritage Hollow
- j. Stoneleaf Reserve
- k. Willowcrest Sanctuary
- l. Morningside Arcadia

We again appreciate this opportunity to comment and present a preliminary PUD site plan. Should you have any questions, please direct them to Brian R. Pozen at (317) 590-5842. Thank you.

Sincerely,

KITTLE PROPERTY GROUP, INC.

By: _____



Brian R. Pozen, Development Director

Exhibit A

The Land is described as follows:

Real estate in St. Joseph County, in the State of Indiana, described as follows:

Part of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 27, Township 38 North,
Range 3

East and more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter (1/4) of said Section 27;

Thence North 1160 feet;

Thence East 300.41 feet;

Thence South 1160 feet to the South line of the Southeast Quarter (1/4) of said Section 27;

Thence West and along said South line 300.41 feet to the place of beginning EXCEPTING therefrom the
following:

Beginning at the Southeast corner of the above described tract;

Thence North 150 feet; thence West 100 feet;

Thence South 150 feet; thence East 100 feet to the place of beginning.

LESS AND EXCEPT the following premises conveyed to St. Joseph County, Indiana by Deed, recorded
November 18, 2003 as Instrument No. [373957](#), and described as follows:

A parcel of land located in the Southeast Quarter of Section 27, Township 38 North, Range 3 East of the
Second

Principal Meridian in Harris Township, St. Joseph county, Indiana, more particularly described as
follows:

Commencing at the Southwest corner of the Southeast quarter of Section 27;

Thence North 00 degrees 07 minutes 16 seconds West (basis of bearings) on the West line of the
Southeast

Quarter of Section 27, a distance of 20 feet to the point of beginning;

Thence North 00 degrees 07 minutes 16 seconds West on said West line, a distance of 20 feet;

Thence South 89 degrees 57 minutes 53 seconds East, parallel with the South line of the Southeast Quarter

Section 27 on the North proposed right-of-way line of Douglas Road, a distance of 200.58 feet;

Thence South 00 degrees 06 minutes 44 seconds West, a distance of 20 feet to the North existing right-of-way of

Douglas Road;

Thence North 89 degrees 57 minutes 53 seconds West, parallel with the South line of the Southeast Quarter of

Section 27 on the North existing right-of-way of Douglas Road, a distance of 200.50 feet to the place of beginning.

Parcel contains 0.09 acres more or less.

Exhibit B



**KITTLE PROPERTY
GROUP, INC.**
310 East 96th Street, Suite 400
Indianapolis, IN 46240
(317) 846-3111
www.kittleproperties.com

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SEAL

NOTE: THIS DISK IS NOT A STANDARD IBM® HARDWARE DISK. IT IS A SPECIAL DISK FOR THE IBM® POWERPC® 601. IT IS NOT A STANDARD DISK. IT IS A SPECIAL DISK FOR THE IBM® POWERPC® 601. IT IS NOT A STANDARD DISK. IT IS A SPECIAL DISK FOR THE IBM® POWERPC® 601.

PROJECT TITLE

MISHAWAKA FLATS

15503 DOUGLAS ROAD
MISHAWAKA, INDIANA

STUDENTS

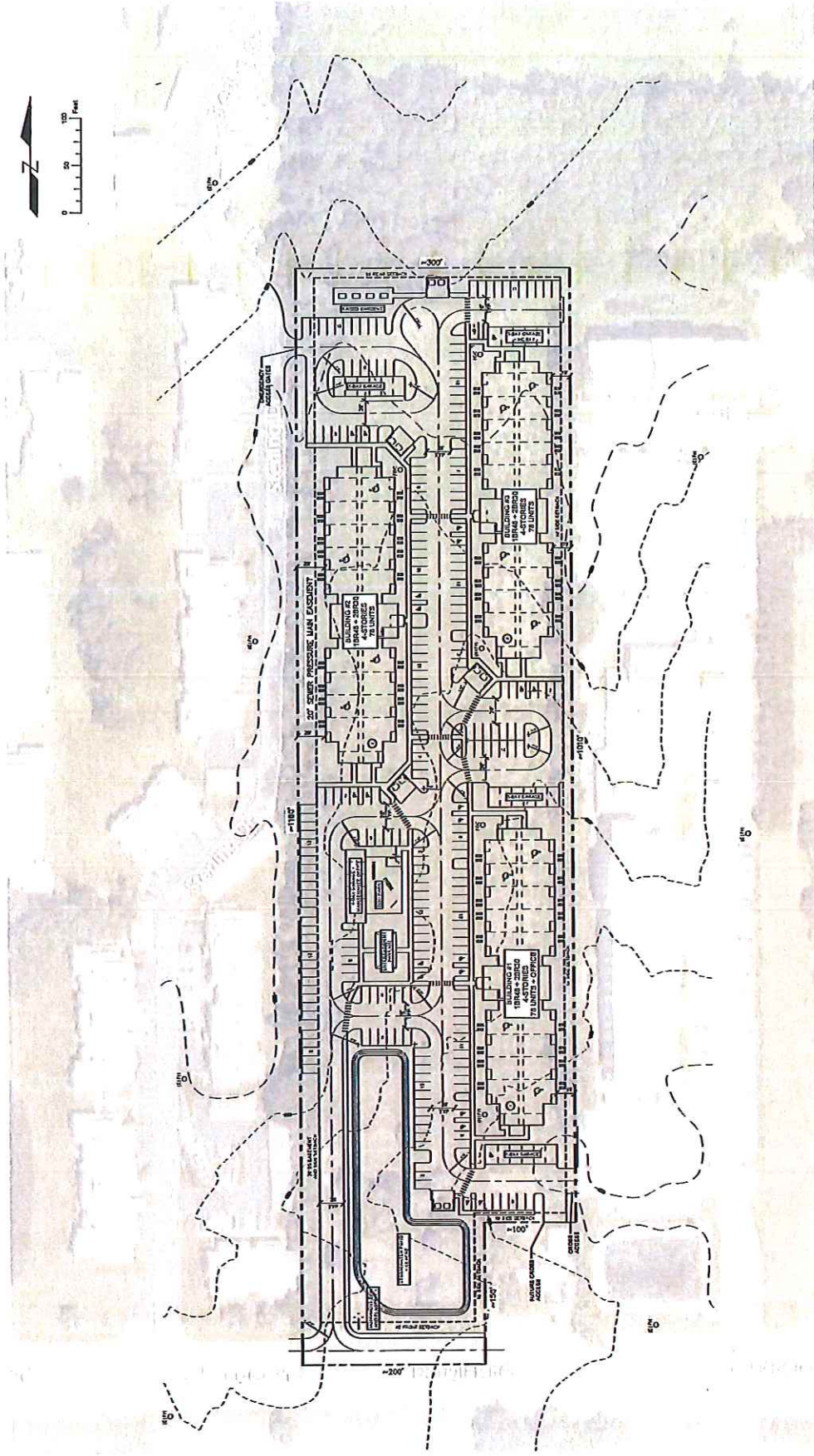
ARCHITECTURAL
SITE PLAN[illegible]

DO NOT SCALE PRINTS - USE
FIGURED DIMENSIONS ONLY

24-008

1000

CSK-1.0



CODE INFORMATION:
 APARTMENT BUILDINGS, TYP.:
 TYPE VA, 73,020 SF, 46'-0"
 ENTERTAINMENT PAVILION:
 TYPE VB, 1,480 SF, 12'-0"
 6-BAY GARAGE:
 TYPE VB, 1,508 SF, 10'-6"
 HC 5-BAY GARAGE:
 TYPE VB, 1,513 SF, 10'-6"
 MAINTENANCE/BAY GARAGE:
 TYPE VB, 1,508 SF, 10'-6"
 (N) FH - NEW FIRE HYDRANT
 (E) FH - EXISTING FIRE HYDRANT

PARKING SPACES:
PROVIDED:
 254 PARKING SPACES INCLUDING
 12 GUEST SPACES
 3 EMPLOYEE SPACES
 28 GARAGE SPACES
 282 TOTAL (1.2 SPACES / DU)

TYPE A UNITS:
 (7) 1BR UNITS
 (5) 2BR UNITS

12 TYPE A UNITS
 5 AUDIOMVISUAL UNITS

UNIT MIX:
144 1BR (51%)
90 2BR (39%)
234 TOTAL DWELLING UNITS

AMENITIES:
LEASING OFFICE IN BUILDING 1
BARK PARK
BIKE RACKS AND COMMUNITY BUS
ENTERTAINMENT PAVILION
MONUMENT SIGN AND FLAGPOLES
DUMPSTER CORRALS (5)
GARAGE BUILDINGS (5)
MAINTENANCE OFFICE (1)

**MISHAWAKA FLATS, SENIOR HOUSING
MISHAWAKA, INDIANA**

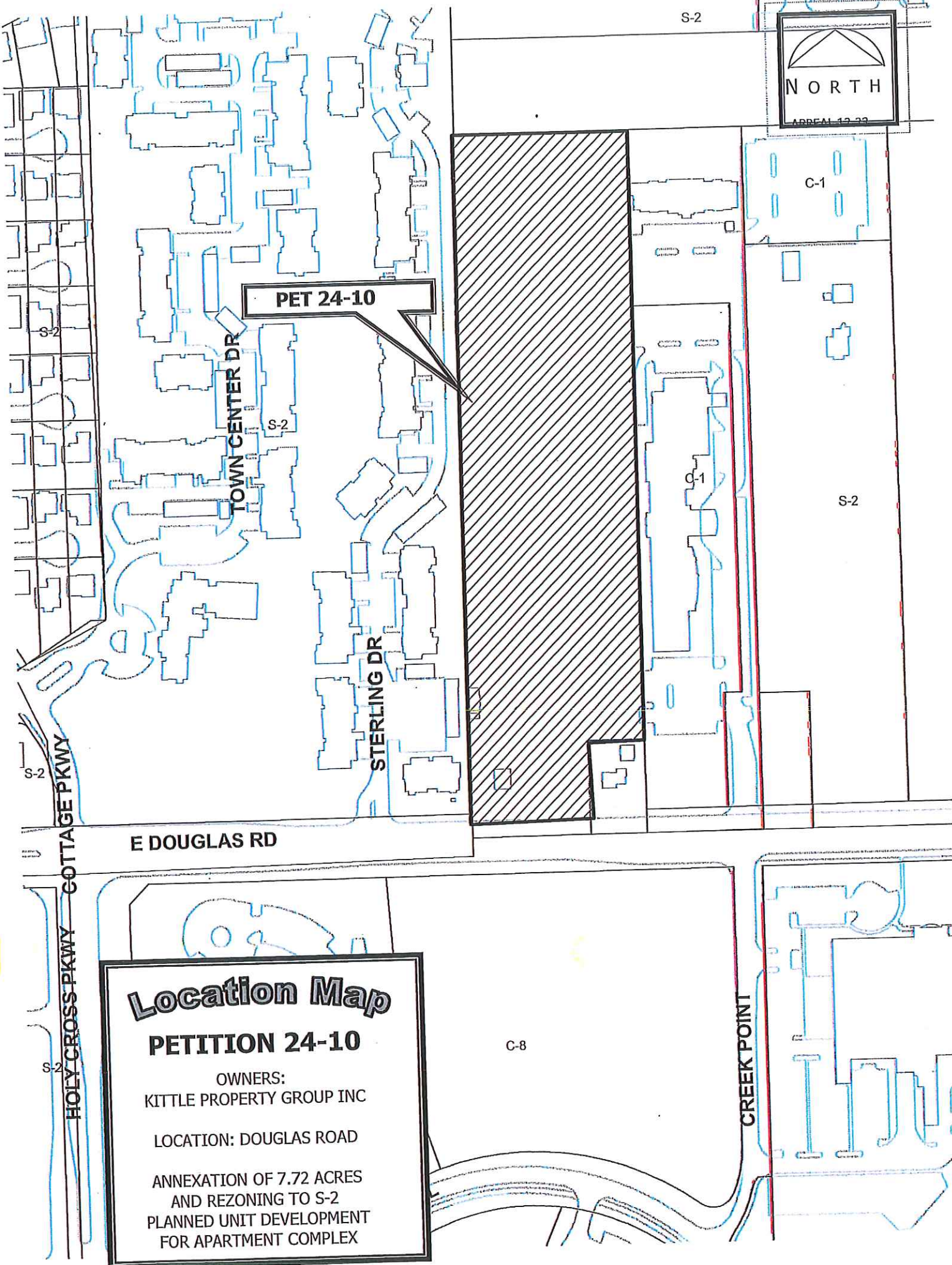
SITE:
~7.64 ACRES
234 DWELLING UNITS

DENSITY:
30.6 DWELLING UNITS / ACRE
FAR = .83

PROJECT SCOPE:
(3) 1BR/48+2BR/30 BUILDINGS
LEASING OFFICE IN BUILDING 1

PRELIMINARY SITE PLAN
SCALE: 1" = 50'-0"





PET 24-10

E DOUGLAS RD

Location Map

PETITION 24-10

OWNERS:
KITTLE PROPERTY GROUP INC

LOCATION: DOUGLAS ROAD

ANNEXATION OF 7.72 ACRES
AND REZONING TO S-2
PLANNED UNIT DEVELOPMENT
FOR APARTMENT COMPLEX

JAN 23 2025

City Clerk
Mishawaka, IN

PROPOSED ORDINANCE NO. 2025-01

**ORDINANCE NO. _____
AS AMENDED**

**AN ORDINANCE APPROVING AN AGREEMENT BETWEEN
THE CITY OF MISHAWAKA AND THE MISHAWAKA FIREFIGHTERS
ASSOCIATION LOCAL NO. 360 OF THE INTERNATIONAL ASSOCIATION
OF FIREFIGHTERS, AFL - CIO
(01-01-2025 thru 12-31-2026)**

WHEREAS, the contract negotiating committees for the City of Mishawaka, Indiana and the Mishawaka Firefighters Association Local No. 360 of the International Association of Firefighters have mutually reached an agreement on amendments to the Collective Bargaining Agreement expiring the 31st day of December 2024; and

WHEREAS, the members of the Mishawaka Firefighters Association Local No. 360 of the International Association of Firefighters have ratified the new Collective Bargaining Agreement and the governing body of said Association has executed the new Agreement on their behalf; and

WHEREAS, on the 31st day of December, 2024, the City of Mishawaka, Indiana, acting by and through its Board of Public Works & Safety, approved the new Collective Bargaining Agreement with Mishawaka Firefighters Association Local No. 360 of the International Association of Firefighters, and

WHEREAS, on the 21st day of January, 2025, the City of Mishawaka, Indiana, acting by and through its Board of Public Works & Safety, approved an Amendment to the Collective Bargaining Agreement; and

WHEREAS, Ordinance No. 1666 requires all Collective Bargaining Agreements to be approved by the Common Council of the City of Mishawaka.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, THAT:

Section 1. The Collective Bargaining Agreement executed the 31st day of December, 2024, and amended the 21st day of January, 2025, effective January 1, 2025, between the Board of Public Works & Safety of the City of Mishawaka, Indiana and the Mishawaka Firefighters Association Local No. 360 of the International Association of Firefighters is hereby approved.

Section 2. This Ordinance shall be in full force and effect from and after its passage, signing, and attestation.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____
day of _____, 2025, at _____ o'clock _____ M.

Common Council
City of Mishawaka, Indiana

Gregg Hixenbaugh, President

ATTEST:

Deborah S. Block, IAMCA, MMC, City Clerk

Presented by me, the undersigned City Clerk of the City of Mishawaka, Indiana,
to the Mayor of the City of Mishawaka, Indiana, for approval on the ____ day of _____
, 2025 at _____ o'clock _____ m.

Deborah S. Block, IAMCA, MMC, City Clerk

Having examined the foregoing Ordinance, I do as the Mayor of the City of
Mishawaka, Indiana, approve said Ordinance and return the same to the City Clerk of
the City of Mishawaka, Indiana, this ____ day of _____, 2025.

David A. Wood, Mayor
City of Mishawaka, Indiana

JAN 23 2025

City Clerk
Mishawaka, IN

RESOLUTION NO. 2025-01

MISHAWAKA BOARD OF PUBLIC WORKS AND SAFETY

A RESOLUTION AMENDING RESOLUTION NO. 2424-07 APPROVING AN AGREEMENT BETWEEN THE CITY OF MISHAWAKA AND THE MISHAWAKA FIREFIGHTERS ASSOCIATION, LOCAL NO. 360 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO

WHEREAS, the City of Mishawaka and the Mishawaka Firefighters Association, Local No. 360 of the International Association of Firefighters, AFL-CIO have agreed to a Collective Bargaining Agreement for the period of January 1, 2025 to December 31, 2026; and

WHEREAS, such Agreement requires the approval of the Mishawaka Board of Public Works and Safety and the Mishawaka Common Council;

WHEREAS, there are two changes that need to be made to the Collective Bargaining Agreement previously approved on December 31, 2024, specifically:

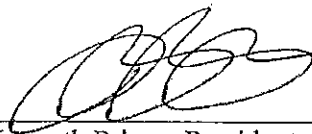
1. Article XIX, Section 4 (b)-"1st Class Firefighter" replaces "Master Firefighter".
2. Article XXIV, Section E. Removes the following language: "After completing seven (7) years assigned to an ambulance, an individual may request in writing to the Chief to be assigned to a fire-suppression vehicle. The firefighter making the request will have first priority for the next available fire-suppression-vehicle opening. Management will accommodate requests for transfer from full-time-ambulance duty prior to seven (7) years, subject to manpower restrictions."

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works and Safety of the City of Mishawaka that:

Section 1. The attached Collective Bargaining Agreement between the City of Mishawaka and the Mishawaka Firefighters Association, Local No. 360 of the International Association of Firefighters, AFL-CIO is hereby approved, and

Section 2. This Resolution shall be forwarded to the Mishawaka Common Council for its review and final action.

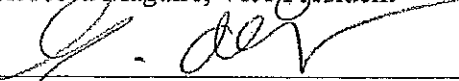
ADOPTED by the Board of Public Works of the City of Mishawaka, on this 21st day of January, 2025.



Kenneth Prince, President

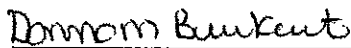


Rebecca Maguire, Vice President



George Obren, Member

ATTEST:



Donna Burkart, Clerk of the Board

Deborah S. Block, IAMC, MMC

JAN 23 2025

City Clerk
Mishawaka, IN

COLLECTIVE BARGAINING AGREEMENT

between

CITY OF MISHAWAKA, INDIANA

and

MISHAWAKA FIREFIGHTERS

ASSOCIATION LOCAL NO. 360

OF THE

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO

DATED: 01-01-2025 thru 12-31-2026

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EXHIBIT "A" SALARY ORDINANCE

SIGNATURE PAGE

COLLECTIVE BARGAINING AGREEMENT

THIS AGREEMENT entered into on the 21st day of January, 2025 effective on the 1st day of January, 2025 between the CITY OF MISHAWAKA, INDIANA, hereinafter called "City," and MISHAWAKA FIREFIGHTERS ASSOCIATION, LOCAL NO. 360, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO, hereinafter called "Union," WITNESSETH THAT:

The parties hereto, in consideration of the mutual covenants and agreements herein contained, do hereby agree as follows:

ARTICLE I

Purpose and Definitions

Section 1 – Purpose

The parties enter into this Agreement pursuant to the authority of ordinance Number 1666 passed by the Common Council of the City of Mishawaka on the 6th day of December, 1971. The purpose of this Agreement is to incorporate understandings previously reached and other matters into a formal contract; to promote harmonious relations between the City and the Union in the best interests of the community; to improve the public firefighting services; and to provide an orderly and equitable means of resolving future differences between parties.

Section 2 – Definitions

- (a) City shall include the elected or appointed representatives of the City of Mishawaka, including the Fire Chief and Assistant Fire Chiefs.
- (b) Union shall include all other firefighters and the officers or representatives of the Union.
- (c) When the singular number is used, it shall include the plural.
- (d) The term firefighter shall include all sworn firefighters and all civilian firefighter/paramedics unless specified elsewhere in this Agreement.

ARTICLE II

Coverage

This agreement shall be applicable as to all firefighters of the City of Mishawaka, Indiana Fire Department except the Fire Chief and Assistant Fire Chiefs.

ARTICLE III

Recognition

The City recognizes the Union as the sole and exclusive bargaining representative of the employees of the Fire Department.

The City shall not enter into any agreements with its employees individually or collectively or with any other organization which in any way conflicts with the provisions hereof.

The City recognizes the Mishawaka Fire Department as the sole provider of paramedic and ambulance services other than mutual aid agreements.

ARTICLE IV

Rights of Management

Section 1 - General

Except as otherwise provided in this Agreement, or applicable federal or state law, the City in the exercise of its functions of management shall have the right to decide the policies, methods, safety rules, direction of employees, assignment of work, contracting of work, equipment to be used in the operation of the Fire Department, and to determine the hours of work, the right to hire, discharge, suspend, discipline, promote, demote, and transfer firefighters; it is agreed that the enumeration of the above management prerogatives shall not be deemed to exclude other prerogatives not enumerated. Nothing in this Article shall limit or prevent firefighters' rights to the grievance procedure provided for in this Agreement.

Section 2 - Late to Work Clause

In any twelve (12) month period, a firefighter who has been late five (5) times will be given a warning letter advising the firefighter that the sixth (6th) time late will result in a fine equal in amount to loss of one-half (1/2) day's pay, the seventh (7th) time late will result in a fine equal in amount to loss of one (1) day's pay and the eighth (8th) time late will result in the firefighters referral to the Board of Public Works and Safety for disciplinary action.

ARTICLE V

Dues and Deductions

The City shall deduct, as dues, from the pay of each firefighter from whom it receives a written authorization to do so, the required amount for the payment of Union dues, fees, and assessments. Such sums, accompanied by a list of employees who have authorized such deductions and from whom no deductions were made and the reason therefore, shall be forwarded to the Union Secretary-Treasurer within thirty (30) days after such collections have been made.

All firefighters, covered by this contract, who are not members of the Union, shall pay a monthly representation fee to the Union in an amount equal to the actual cost to the Union of its representation of all unit employees, but in no event to exceed the monthly dues and assessments of Union members. The City shall have no obligation to collect the non-union member representation fee. The Union shall indemnify the City for any costs or expenses arising out of a suit or claim against the City brought by a non-union member relating to this Article.

ARTICLE VI

Union Activities

Section 1 - General

Employees and their Union representatives shall have the right to join the Union, to engage in lawful concerted activities for the purpose of collective negotiation or bargaining or other mutual aid and protection, to express or communicate any views, grievance, complaint, or opinion related to the conditions or compensation of public employment or their betterment, all free from any and all restraint, interference, coercion, discrimination, or reprisal, except as limited by the laws of the City of Mishawaka, State of Indiana, or the United States of America.

Section 2 - Released Time

Officers and other representatives of the Union shall be afforded reasonable time during working hours without loss of pay to fulfill their Union responsibilities, including negotiations with the City, processing grievances, administrating and enforcing this Agreement, and attending Union activities. The City's obligation to provide such time off with pay shall be limited to no more than four (4) firefighters per Union activity. If any such absences related to a Union activity should cause the department strength to fall below the minimum required under this Agreement, notwithstanding any provisions herein to the contrary, any firefighter called in to maintain the minimum department strength shall be compensated solely by the Union and the City shall incur no liability under the terms of this Agreement or otherwise with respect to the payment of this compensation. The Union shall be responsible for maintaining the call-in list and

furnishing substitute manpower for firefighters released from duty under this Article. The substitute firefighter furnished by the Union must be of equivalent rank or otherwise be qualified to fill the vacancy created due to the absence, except as otherwise approved in advance by the affected Battalion Chief.

Section 3 - Bulletin Boards

The Union shall retain the Bulletin Board rights it now has, including the right to post Union notices or other materials. Such boards shall be identified with the name of the Union and the Union may designate persons responsible therefore.

Section 4 - Meetings

The Union may schedule meetings on Fire Department property, in so far as such meetings are not disruptive of the duties of the employees or the efficient operation of the Fire Department.

ARTICLE VII

Wages

Section 1 - General

The salary schedule attached hereto as Exhibit "A" shall be effective January 1, 2025 and shall be amended from time to time by action of the Common Council of the City of Mishawaka, Indiana.

Section 2 - Overtime Pay

- (a) Overtime pay shall be paid to all 56-hour employees of the firefighting division for all work in excess of their regularly scheduled workday (24 consecutive hours) or work week (56 hours in a 6 calendar-day cycle). Such overtime shall be paid at the rate of time and one-half of the employee's prevailing hourly rate, provided, however, that all overtime worked on Sundays and holidays shall be paid at the rate of twice the employee's prevailing hourly rate. Double-time is calculated for any overtime worked between 0700 hrs. on Sundays or a holiday until 0700 hrs. the following day as per Article VIII section 1 (a).
- (b) Overtime pay shall be paid to all 40-hour employees for all work in excess of 40 hours per week. Such overtime shall be paid at the rate of time and one-half of the employee's prevailing hourly rate, provided, however, that all overtime worked on Sundays and holidays shall be paid at the rate of twice the employee's prevailing hourly rate.
- (c) An employee's prevailing hourly rate shall be determined by dividing their annual salary by 2,912. This calculation shall include the Pension Equalization

Plan Payments to the civilian firefighter/paramedics.

- (d) Call in Pay. When a firefighter is called in to work partial and/or emergency duty, the firefighter will be guaranteed a minimum of four (4) hours work or four (4) hours pay at overtime rate and any additional fraction of an hour over fifteen (15) minutes shall constitute one (1) hour. When a firefighter is called for a twenty-four (24) hour overtime, the firefighter will be guaranteed twenty-four (24) hours pay at the overtime rate for that day. When a firefighter is mistakenly offered a prescheduled overtime, management reserves the right to retract said offer and that member will be guaranteed four (4) hours overtime pay and regain their original place on the appropriate overtime list.
- (e) In the event a firefighter is held over their regular work shift, the firefighter shall receive regular overtime pay in increments of one-half (1/2) hour but shall not be guaranteed a minimum of four (4) hours work or four (4) hours pay. By way of example, if a firefighter is held over thirty-one (31) minutes, the firefighter shall be paid for one (1) hour of overtime at the regular overtime rate.

Section 3 - Overtime Pay for Specialty Positions

- (a) The City will keep an updated list of those firefighters taking part in the Water Surface Rescue and Recovery Program, Dive Team Program, Tactical Rescue Team and Mechanics.
- (b) All firefighters shall have an equal opportunity to attend special schooling for the specialty programs listed above. Firefighters attending such schooling shall be reimbursed for expenses reasonably incurred in the attendance at such schooling

and shall be compensated, as if on duty for attendance at such schooling on the firefighter's regularly scheduled day off.

- (c) In the event a firefighter is ordered or subpoenaed and appears during off-duty hours before a court, administrative body, or at the County Prosecutor's Office, pertaining to incidents involving the Fire Department, the firefighter shall receive overtime pay. The firefighter shall receive pay for the actual amount of time spent but not less than two (2) hours at the overtime rate of pay. A firefighter who is the subject of a disciplinary hearing shall not be entitled to the benefits provided in this subsection. The firefighter's overtime will be figured less any compensation received from the Courts, attorneys, insurance companies, or any other third party.

Section 4 - Pension Equalization Pay for Non-77 Pension plan Members

For those civilian firefighter/paramedics who do not qualify or do not elect to become members of the 1977 pension fund, the pension equalization pay (PEP) will be offered to the employees as additional wages. The PEP shall be payable in twenty-six (26) equal biweekly pay periods with the regular payroll. The annual PEP will be a combination of a base of three thousand three hundred dollars (\$3,300) and an additional one hundred dollars (\$100) for every full year of continuous service completed by January 1st of each year.

Section 5 - Renegotiation of Wages

It is understood and agreed by the parties hereto that any wage provision contained in this Agreement may be modified at any time by renegotiation with the

members of the Common Council of the City of Mishawaka, Indiana. The Common Council and the Union must agree to such renegotiation, and the refusal of either to reopen negotiations for wages shall not be considered a breach of this Agreement or a breach of any other duty or obligation of either.

ARTICLE VIII

Hours of Employment

Section 1 - Work Schedule

- (a) The Platoon system shall be a three-platoon system consisting of three shifts. A workday consists of 24 consecutive hours starting at 0700 hours. The regular work schedule of firefighters under this system will be as follows: 24 hours on, 24 hours off, 24 hours on, 24 hoursoff, 24 hours on, and 96 hours off.
- (b) For Fire Marshals, the regular work week shall be thirty-six (36) hours consisting of four (4) weekdays at nine hours per day. Work week schedules shall be approved by the Fire Chief or their designee. There shall be no less than three (3) Fire Marshals.

Section 2 - Trading Days

Subject to the approval of the Assistant Chief or the Assistant Chief's designee, and the department being able to meet and maintain minimum manpower requirements, firefighters shall be permitted to voluntarily trade scheduled work and unpicked random days. Random days traded will be used like any other random day would be, with one exception, it does not carry any seniority when a three (3) week posting is necessary. Firefighters will not be allowed to "borrow" time from the City.

The firefighter that accepts the trade request and agrees to work the tour of duty that is specified by the trade request, is the firefighter that is responsible for working that specified tour of duty. Failure to report for duty on the agreed upon day, shall constitute an unauthorized absence, and the firefighter agreeing to work the specified tour of duty

shall be considered absent without leave, (AWOL) and may be subject to discipline. Once the trade time has been approved, the firefighter requesting the trade time is no longer responsible for working the tour of duty specified by the trade request, and shall not be subject to discipline or reduction in pay if the accepting firefighter fails to report for duty on the tour of duty specified. The responsibility falls on the accepting firefighter to find coverage for the day.

If the day is available the accepting firefighter is allowed to take the day off as long as it does not drop the day below the minimum work force or create overtime at the time of their request.

The City shall incur no costs as a result of trade time between firefighters.

ARTICLE IX

Holiday Schedule

For purposes of this agreement, the holidays shall be as follows:

New Year's Day

New Year's Eve Day

Good Friday

Easter Sunday

Patriot Day (Recognized for Holiday Pay purposes only)

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Friday after Thanksgiving Day

Christmas Eve Day

Christmas Day

3rd Saturday in August Fallen Firefighter

ARTICLE X

Vacations and Leave

Section 1 – Vacation Eligibility

- (a) All firefighters, except Fire Marshals, will accrue vacation and randomtime according to the following chart:

VACATION							
	3 Days(s) (1 st Week)	6 (2 nd Week)	9 (3 rd Week)	12 (4 th Week)	15 (5 th Week)	18 (6 th Week)	TOTAL
<1						Prorated	≤ 4
1	x					4	7
2	x	x				4	10
3	x	x				4	10
4	x	x				4	10
5	x	x	x			4	13
6	x	x	x			4	13
7	x	x	x			4	13
8	x	x	x			4	13
9	x	x	x			4	13
10	x	x	x	x		4	16
11	x	x	x	x		4	16
12	x	x	x	x		4	16
13	x	x	x	x	x	4	19
14	x	x	x	x	x	4	19
15	x	x	x	x	x	5	20
16	x	x	x	x	x	5	20
17	x	x	x	x	x	5	20
18	x	x	x	x	x	5	20
19	x	x	x	x	x	5	20
20+	x	x	x	x	x	x	21

- (b) After the vacation selection process is completed all remaining Random days may be taken in twelve (12) or twenty-four (24) hour increments.

Section 2 – Vacation Selection

- (a)

- (1) Firefighters may not at any time select a day for vacation or random leave if doing so would reduce the shift strength for that day below the minimum firefighting work force due to other firefighters' vacation and random-leave selections. Firefighters on sick leave shall not be counted in determining shift strength. Firefighters signed up for education leave shall not be counted in determining shift strength until seven (7) calendar days prior to the start of the class, except that firefighters attending a class that lasts longer than fourteen (14) calendar days shall not be counted in determining shift strength.
- (2) Each shift will select vacation independent of the other two shifts. Vacations shall be selected on the basis of seniority.
- (3) During the first round of selections, firefighters with more than five years of service must select six consecutive workdays of vacation (a "two-week vacation"). Firefighters who have completed less than five (5) years of service must select at least three (3) vacation days consecutively, but not more than six (6).
- (4) A member who is set to retire in the calendar year of their vacation selection, may opt to defer picking all days with the notion of being paid for said days upon retirement. Members using this option must state in writing to the Fire Chief or their designee no less than seven (7) calendar days prior to the start of the two (2) week selection process. If a member then decides to cancel their retirement, they may select their vacation days after all of their respective shifts vacation rounds and Random-leave day selections have been completed and

they will be awarded on a first-come-first-serve basis.

- (b) Up to four (4) firefighters per shift shall be eligible on the basis of seniority to select simultaneous two-week vacations without regard to any conflict caused by conditions in scheduling. If a member with less than five (5) years chooses to select three (3) consecutive days, those days must be of the same cycle. Furthermore, another member with less than five (5) years may choose to take the remaining, available, three (3) day cycle and it will count as one (1) complete two-week vacation selection.
- (c) Vacation schedules shall be posted by the Fire Department Management by December 1st of each year. Vacation selection shall commence one full cycle after January 1st, and be completed by the end of the 3rd day of that cycle. Each firefighter must be prepared to select their vacation on any day of that cycle, between 0700 and 1700 hours, unless other written arrangements that do not conflict with the seniority process are made ahead of time with copies going to the Chief or representative and the Union Executive Board. Vacation picks may be selected after 1700 hours if the officer in charge of vacation selections chooses and the next member in line to select agree. If the next member in line is not ready to select their vacation and it is after 1700 hours, then vacation selections will cease until their shift's next regular workday.
- (d) A firefighter who fails to select their vacation during this time will be passed and shall go to the bottom of the vacation selection list. Available days for vacation or random leave are any days beginning between January 2 and January 1 of the following year that the firefighting workforce does not drop below the minimum manpower requirements in Article XIX.

- (e) During each round of selections after the first round, firefighters may only select up to three workdays per round. Each subsequent selection round will start on or by the start of the shift's next regularly scheduled workday. After the final vacation-selection round, there will be another round during which firefighters will select one Random-leave day based on seniority. All other Random-leave days are available on a first-come-first-serve basis.
- (f) Any firefighter who splits their two-week vacation in the first round will pick their remaining days from their split two-week vacation as if they were Open Vacation Days (i.e. on a first come first serve basis.) So, if a firefighter chooses to let their vacation become Open Vacation Days, they give up seniority selection rights.
- (g) When a firefighter is transferred from one shift to another, after vacations are picked, their vacation pick will transfer with them, within one (1) or two (2) work days of the original pick, with the firefighters having the choice of moving forward or backwards of their original vacation pick, it is also understood that if a contractual day(s) or earned time, that was chosen separately becomes the firefighter's regular day off, due to a transfer, they will have the choice to move that day forward or backwards. As an alternative, a firefighter may select another day, as long as the day is available and within the same calendar year.
- (h) In the event days become available that were not available at the posting of the Random-leave day list, those days and only those days will be emailed to the entire department and made available to be picked by seniority after a three (3) week posting period. Any firefighter interested in such days must request the days on the

department's scheduling software within the three (3) week posting period. Any days not selected shall be granted on a first come, first serve basis. If a day becomes available within the three (3) week posting period, it shall be emailed as set forth above and the firefighter will be notified one (1) shift day prior to the day in question.

Section 3 – Vacation Eligibility – Fire Marshal Division

Vacation time shall inure to the benefit of the Fire Marshal Division based upon their appointment to the Fire Department as follows:

- (a) Fire Marshals having completed one (1) year of service, but less than two (2) years, shall receive four (4) workdays of vacation.
- (b) Fire Marshals having completed two (2) years of service, but less than five (5) years, shall receive eight (8) workdays of vacation.
- (c) Fire Marshals having completed five (5) years of service, but less than twelve (12) years shall receive fifteen (15) workdays of vacation.
- (d) Fire Marshals having completed twelve (12) years of service, but less than seventeen (17) years of service shall receive twenty (20) workdays of vacation.
- (e) Fire Marshals having completed seventeen (17) years of service, but less than twenty-five (25) shall receive twenty-six (26) workdays of vacation.
- (f) All employees assigned as Fire Marshals shall receive 2 random days in addition to their vacation days.
- (g) All employees assigned as Fire Marshals will have their vacation selections approved by the Fire Chief.

Section 4 – Deferred Compensation Sell Back

Firefighters may elect, at their discretion, to have the straight-time hourly value (see Article VII, Section 2, Article C) of up to two (2) Open Vacation or Random Days invested into their Deferred Compensation. Usage of the conversion benefit is in lieu of the usage of those two (2) days. In order for firefighters to participate in this benefit, the firefighter must elect this option before picking their Open Vacation or Random Days.

ARTICLE XI

Seniority, Layoff, Recall and Lateral Transfer

Section 1 – Seniority, Layoff and Recall

- a. Seniority shall be determined by the date of the firefighter's appointment to the Department. If more than one (1) firefighter has the same date of appointment, then seniority shall be determined alphabetically.
- b. A "lay-off" is hereby defined to be a necessary reduction of the work force of the Fire Department. Lay-offs shall be made in the reverse order of seniority; that is, the firefighter with the least seniority shall be laid off first and the firefighter with the most seniority shall be laid off last.
- c. A "recall" shall be an increase of the work force with the Fire Department following a lay-off. Recall shall be by seniority with the firefighter with the most seniority being the first individual to be recalled and the firefighter with the least seniority being the last individual to be recalled.
- d. In the event of a personnel reduction, no new employees shall be hired until all laid off employees are recalled or have refused to return to work.
- e. If any position on the Fire Department presently being performed by a firefighter is performed by a civilian or volunteer help, no firefighter shall be laid off as a result.

ARTICLE XII

Sick Leave

Section 1 – Firefighter

During illness, a firefighter's pay shall continue subject to the right of the Board of Public Works and Safety to require a physician's statement confirming the firefighter's illness and their inability to perform their duties. Medical disabilities shall be determined by the firefighter's Pension Board. Medical disability for a Civilian Firefighter/Paramedic shall be determined by the City's designated physician.

Section 2 – Work-Related Injury – Civilian Firefighter/Paramedic

The City will provide a disability and income program for civilian firefighter/paramedics. This insurance benefit shall continue in effect until such time as a similar disability insurance program for municipal civilian firefighter/paramedics shall be established and funded by the Federal government, the State of Indiana, or some other governmental agency.

ARTICLE XIII

Funeral Leave

In case of death in the firefighter's immediate family (meaning parent, spouse, grandparent, grandchild, parent-in-law, brother, sister, sister-in-law, brother-in-law, child or stepchild), a firefighter shall receive upon request, two (2) consecutive work days off without loss of regular pay, to make preparations for and attend, the funeral and burial of such relative and to attend to any necessary business or legal matters of the decedent or their estate. In addition, the Fire Chief shall have the right to grant, in appropriate cases and at their sole discretion, additional days off work for funerals.

The same right to funeral leave as set forth above shall be applicable in cases of death to an aunt or uncle of the firefighter, to a firefighter's nieces and nephews, to the aunts, uncles, nieces and nephews of the firefighter's spouse, and the grandparents of the firefighter's spouse. In such instances, the leave shall be only one (1) workday off without loss of regular pay. A firefighter who serves as a pallbearer in any funeral shall be entitled to whatever time off is needed on the day of the funeral to serve as a pallbearer without loss of pay. This does not apply to a firefighter that is on a pallbearers list. For members of the inspection division and the training officers, the days off provided for in the above section shall be three consecutive eight (8) or nine (9) hour workdays only.

Funeral leave under this Article XIII shall be taken at the time the death occurs. If a firefighter is on vacation when the death giving rise to the funeral occurs, the firefighter shall not be entitled to take the funeral leave as an extension to their vacation.

ARTICLE XIV

Insurance

Section 1 – Life and Accident

The City shall maintain in effect for each firefighter a life insurance policy of Fifteen Thousand (\$15,000.00) Dollars double indemnity.

The City shall also provide a \$50,000.00 life insurance policy for each civilian firefighter/paramedic in the event they are killed in the line of duty; provided, however, if federal or state legislation is passed providing such coverage, as in the instance of the police and firemen, then the City need not provide such coverage. Such a policy must include coverage for death by disease contracted in-the-line-of-duty.

Section 2 – Medical and Hospital

The City shall offer medical and hospital care coverage to all firefighters, including those off work due to injury and/or illness, throughout the life of the Agreement complying with the terms included in the Insurance Memorandum attached to this agreement.

ARTICLE XV

Uniform Allowance

(a) The City shall, in addition to all other compensation herein granted, pay each firefighter an annual uniform allowance of:

1. \$625.00 one-time payment included in first (1st) year of service
2. \$1,250.00 after the first (1st) year hire date anniversary

to purchase and maintain uniforms as prescribed by the Chief. In consideration of this allowance, the firefighters agree to keep their uniforms in neat, clean and in good repair and to replace all wornout clothing as necessary. Effective January 1, 2026, the City shall increase the amount of uniform allowance to \$750.00 (1st year of service) and \$1500.00 (after 1st year hire date anniversary).

(b) No new items of clothing shall be required unless the Union agrees, provided, however, that this paragraph shall not apply to any safety items which may in the future be mandated by IOSHA or OSHA.

(c) The City shall provide and replace damaged protection gear at no expense to the firefighter. Protection gear shall consist of the firefighter's helmet, turnout coat and pants, a protective hood, boots and gloves, and OSHA approved eye protection. A firefighter must relinquish all damaged protective gear before the City is obligated to replace such gear.

ARTICLE XVI

Duties of Firefighters

- (a) Firefighters duties shall consist of the following:
 - (1) All work directly connected with firefighting services, emergency medical services, fire prevention, and public education.
 - (2) Specialty work including water and aerial rescue services, hazardous material emergency response services, water rescue and recovery, fire protection services in the area of code enforcement and fire and arson investigation.
 - (3) Keeping all staffed stations and fire department vehicles clean, including performing general-maintenance tasks for the presentable upkeep of station grounds and quarters.
- (b) Firefighters shall not be required to perform heavy maintenance work or work which requires special skills, including plumbing, electrical work, and painting; however, a firefighter may voluntarily perform these tasks if qualified.
- (c) After all of the duties required under paragraph (a) are performed to the satisfaction of the Fire Chief or representative, firefighters may engage in personal activities which do not interfere with the duties of other members of the fire department.
- (d) Firefighters shall not be required to engage in training, schooling or station maintenance on the Holidays listed in this agreement, except for Patriot's Day. Management shall be entitled to require training, schooling, or station maintenance on weekends.

ARTICLE XVII

Strike Prohibition

The Union will not engage in, nor sanction, strike action, slow down, "blue flu," or similar action during the life of this Agreement or any extension thereof. If this Article is violated, the participants shall be immediately subject to discharge as provided in Ordinance Number 1666 of the City of Mishawaka.

ARTICLE XVIII

Joint Safety Committee

Section 1 – Adoption of Safety Program

A joint safety program shall be adopted and enforced by a joint safety committee comprised of an equal number of representatives from the Union and the City.

Section 2 – Special Items of Safety Equipment

The Cascade system or any replacement system shall be tested not less than annually and maintained in good working order.

Section 3 – Fresh Air Tanks

Fresh air tanks shall be tested hydrostatically at least every five (5) years, per code No. DOT 49 CFR.

Section 4 – Testing of Other Items

All aerial ladders and platform trucks shall be tested, at least once every three (3) years for defects and all defects shall be promptly repaired by the City.

ARTICLE XIX

Department Strength

Section 1 – Minimum Work Force

- (a) The minimum work force will be thirty-one (31) firefighters per day.
- (b) Seven (7) firefighters will be allowed off per day. In the event of sickness, vacation, or any other reason whatsoever the work force is reduced below the minimum manning requirement, the Officer in Charge will then refer to the proper overtime list for the next firefighter in line to work.
- (c) A minimum of four (4) supervising paramedics will remain on duty per shift.
- (d) For purposes of this Agreement, extended duration sick time shall be defined as any medically related absence from duty that has a duration of three (3) consecutive workdays or more and during which the firefighter is under the care of a doctor or other licensed medical professional, with the exception of an absence related to a worker's compensation claim that is approved by the City's worker's compensation insurance carrier, beginning on the date that the claim is initiated and continuing until the date upon which the claim is denied or otherwise resolved. Up to two (2) firefighters per shift using extended duration sick time shall count toward the determination of seven (7) firefighters off set out in Section 1(b) above, except for the purposes of vacation selection as set forth in Article X, Section II of this Agreement. Upon the receipt of the certification of the medical condition from a doctor or other licensed medical professional, the firefighter will be then considered towards the seven (7) members off to the daily work schedule

and will continue to do so (including during any extension of the originally anticipated extended sick leave) until such time as the Fire Chief or his designee receives appropriate return to work certification.

Extended Sick – Consists of any injury or illness resulting in being off work, under a doctor's care, and last longer than three (3) workdays consecutively.

- 2 members per shift will count towards the 7 off a day.
- Will be placed on the schedule once a doctor's slip has been received and remain in place for the duration of time listed on the slip. Days written out will be adjusted from doctor's slip to doctor's slip.
- Member will continue on this pattern until a final release date from a doctor is given.
- If a member fails to provide a new doctor's slip at the end of their current time off, they will remain written out until a doctor's slip is provided.
- During the month of January, while contractual vacation picks are taking place, any member on extended sick will only be added to their assigned shift's workday the day before after vacation picks have ended for the day. Once all contractual picks have finished the member then will be added to the schedule per the directions listed previously in this article.

Section 2 – Department Strength

- (a) The minimum firefighting work force shift shall be assigned to manning emergency firefighting equipment.
- (b) Each pumper truck and aerial/pumper combination truck in service shall run and

be manned by at least three (3) firefighters.

- (c) Each rescue truck unit in service shall run and be manned by at least two (2) firefighters.
- (d) Each paramedic ambulance shall run and be manned by at least one (1) supervising paramedic and one (1) EMT.
- (e) The City will man and run a minimum of four (4) advanced life support (ALS) ambulances. The City may run additional ambulances as staffing allows.
- (f) In the event a rescue truck or aerial truck unit is out of service because of a mechanical breakdown, a reserve engine may be placed in service as a replacement, manned by not less than two (2) firefighters and used only as a rescue truck or aerial truck unit. Under no circumstances shall the reserve engine be used as a pumper truck unless manned by not less than three (3) firefighters. In the event the reserve engine is used as a pumper truck while manned by less than three (3) firefighters, then the firefighters next in line on the recall list shall be entitled to overtime pay of not less than four (4) hours.
- (g) Whenever a reserve pump truck is put in service to take the place of a piece of equipment that is manned normally by two (2) firefighters and enough manpower is available, it shall be manned with three (3) firefighters.
- (h) All disabled firefighting motor vehicle equipment, excepting automobiles, shall be repaired and placed back in service as soon as reasonably possible.

Section 3 – Vacancies

- (a) The City will make a diligent effort to fill all vacancies in the Fire Department within

sixty (60) calendar days after such vacancies occur. In the event a vacancy is not filled within sixty calendar days, the City shall furnish immediately thereafter a written explanation to the Union outlining the reason the vacancy has not been filled.

- (b) All vacancies in rank as a result of promotion shall be filled within (30) days.
- (c) All vacancies in ranks as a result of a resignation, retirement, or termination will be filled within thirty (30) days, or when the vacating firefighter ceases to receive compensation by the City for hours worked or other time owed, whichever is later. Vacancies will be posted within seven (7) days of action by the Board of Public Works and Safety creating the vacancy.

Section 4 – Driver Operator and Master Firefighter Positions

- (a) There shall be not less than thirty (30) firefighters holding the rank of Driver Operator (DO).
- (b) All firefighters shall be automatically promoted to the rank of 1st Class Firefighter on or before the third anniversary of their hire date.

Section 5 – Rank Structure

- (a) Effective January 1, 2015, the rank structure will be as follows:
 - (1) Probationary Firefighter
 - (2) Master Firefighter
 - (3) 1st Class Firefighter
 - (4) Driver Operator
 - (5) EMS Mentor (Non-rank position at Lieutenant's Salary)

- (6) Lieutenant
- (7) Fire Marshal
- (8) EMS QM Supervisor (Non-rank Position at Captain's Salary)
- (9) Captain
- (10) Battalion Chief
- (11) Assistant Chief
- (12) Chief

Section 6 – 1st Class Firefighter

Once a firefighter achieves the rank of 1st Class Firefighter or higher, the base pay for such firefighter thereafter shall never be less than that paid to other 1st Class Firefighters, regardless of the subsequent rank of such firefighter. The Board of Safety reserves the right to refuse a request made by a firefighter for voluntary demotion from the rank of 1st Class Firefighter

ARTICLE XX

Grievance Procedure and Arbitration

- (a) A "grievance" is defined to mean any difference that may arise between the parties or between the City and a firefighter employee covered by this Agreement as to any matter involving interpretation, meaning, application or violation of any of the provisions of this Agreement. A "grievant" is defined as any firefighter employee covered by this Agreement, group of firefighter employees or the Union.
1. It shall first be the responsibility of the grievant to reduce the grievance into writing within thirty (30) days after it arises and present it to the Chief.
 2. If the grievance is not resolved after a period of thirty (30) days after being presented to the Chief or acting Chief, the written grievance shall be presented to the City's Board of Public Works and Safety within ninety (90) days for determination and settlement.
 3. If the grievance is not settled by the Board of Public Works and Safety within fourteen (14) days to the satisfaction of the grievant, then the matter may be submitted to arbitration in accordance with the terms and conditions set forth below.
- (b) The establishment of this method of arbitration shall not in any way whatsoever be deemed to be a recognition by the City of compulsory arbitration as a superior method of settling labor disputes, but rather shall be deemed to be a recognition solely of the necessity to provide an alternative method or mode of settling labor

disputes where employees must, as a matter of public policy, be denied the usual right to strike. Therefore, in the event that the grievant and the City are unable to satisfactorily resolve a grievance before the Board of Public Works and Safety, either party may send written notice of a demand for arbitration to the other party and the dispute shall be submitted to arbitration before an impartial arbitrator selected as provided below.

If within ten (10) days after the notice of the demand for arbitration, the parties are unable to agree upon an arbitrator, then the grievant may request the American Arbitration Association or Federal Mediation and Conciliation Service to submit a panel of names and the selection of the arbitrator made by alternately striking names from the panel. The impartial arbitrator shall hold hearings upon the issues, make such investigations as shall be deemed necessary to a proper decision and render such decision in writing. The decision of the arbitrator shall be final and binding upon the parties. The arbitrator is authorized to conduct such hearing in an informal manner and without recourse of the technical, common-law rules of evidence required in judicial proceedings. Every person who is a party to such proceeding shall have a right to submit evidence in open hearing and shall have the right of cross-examination. Hearings may be held at any place in the county agreed to by the parties or in the absence of agreement, as determined by the arbitrator.

- (c) The arbitrator's fees and necessary expenses of arbitration shall be borne equally by the Union and City. However, it is understood and agreed that such fees and

expenses shall not include attorney's fees of either party.

ARTICLE XXI

Savings Clause

If any provision of this agreement, or application thereto to any person or circumstances, is held unconstitutional or otherwise invalid, the remaining provisions of this Agreement and the application of such provisions to other persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

ARTICLE XXII

Indemnification

Section 1 – Claims and Judgments

The City shall indemnify and hold harmless any firefighter from all legal claims, suits, costs and judgments arising out of the acts or omissions of the firefighter arising out of and in the course of the performance of the duties of such firefighter subject to the terms and conditions contained herein. Indemnity shall not be provided in the event any firefighter willfully violates any legal order of a superior officer, the rules and regulations of the Fire Department, or is guilty of gross negligence or of willful or wanton misconduct.

Section 2 – Executions on Judgments

The City shall take such actions as it deems appropriate to forestall the execution of judgment against a firefighter personally and if notwithstanding such efforts by the City, the City will indemnify and hold harmless the firefighter on any judgment covered under Section 1 of this Article subject to terms and conditions contained herein.

Section 3 – Trials

- (a) The City shall provide legal counsel of the City's choosing to any firefighter against whom legal action has commenced, within the coverage set forth in Section 1 of this Article.
- (b) The firefighter shall have the option to retain their own attorney at their own expense to represent their interests in litigation without any effect on the responsibilities of the City under this Article.

Section 4 – Firefighter's Responsibilities

(a) As a condition precedent to the right of indemnification under this Article, any firefighter desiring indemnification shall:

- (1) Tender in writing to the City's attorney a notice of its right to appear and defend any litigation as may result in a judgment covered by this Article and grant to the City the right to make such investigation, negotiation and settlement of any claim as the City deems appropriate.
- (2) Give written notice containing the particulars sufficient to identify the firefighter involved and information as to the time, place and circumstances thereof to the City's attorney as soon as reasonably practical following a covered occurrence.
- (3) Forward immediately any or all suit papers, demands, notices, summons, complaint or other process received by such firefighter or their representative to the City's attorney.
- (4) Cooperate with the City in the conduct, defense or settlement of any legal proceeding and additionally grant the City the right to free access and use of all hospital, medical and doctor's records and reports as to any firefighter's physical or mental condition in the conduct, defense or settlement of any legal proceedings

ARTICLE XXIII

Specialty Position

A. In recognition of the special and unique services performed by certain firefighters for the City, the City agrees to pay specialty pay to those firefighters who perform the following duties:

1. Water Rescue and Recovery.
2. Self-Contained Breathing Apparatus.
3. Mechanics.
4. Information Technology (IT)

All specialties will receive their specialty pay included on their last check in November. The specialty time period will run from November 1st to October 31st annually. Participation in any specialty listed in this article is not mandatory.

B. Definitions.

1. **"Water Rescue/Recovery Team"** means those firefighters regularly assigned to the Water Rescue and Recovery Team in accordance with the standard operating procedures currently in effect. Such standard operating procedures shall not be changed except by mutual consent of the City and the Union.
2. **"Water Rescue/Recovery Apprentice Diver"** means those firefighters assigned to Water Rescue and Recovery Team in a reserve status. Apprentice divers will have the same responsibilities as frontline Dive Team members and will be moved into an "Active Status" on days when

three (3) or less Dive Team members are on duty.

3. **"Self-Contained Breathing Apparatus Technician"** means those firefighters assigned to maintaining, repairing, testing and all records keeping activities as required by federal and state regulations with respect to self-contained breathing apparatus.
4. **"Mechanics"** means those firefighters assigned to the maintenance and repair of fire suppression vehicles and all other Fire Department mechanical equipment.
5. **"Information Technology" (IT)** means a firefighter who maintains the computer systems within the Fire Department including but not limited to Firehouse software, Mobile Data Terminals, and GPS data

C. The City agrees to offer to train at least the following number of firefighters for each of the following specialties:

<u>Specialty</u>	<u>Number of Firefighters</u>
Water Rescue/Recovery Team	12
Water Rescue/Recovery Team Leaders	3
Water Rescue/Recovery Apprentices	6
Self-Contained Breathing Apparatus Technician	3
Mechanics	3
IT	2

D. The City shall train such additional firefighters as may be necessary, from time to

time, to maintain the specialty programs listed in this paragraph, provided, however, there are firefighters available who desire to be so trained.

- E. If less than the specified number of firefighters enroll to be trained for a particular specialty, then the City shall be obligated to train only those firefighters who have enrolled in a specialty program.
- F. If a firefighter withdraws from certain specialty training after the training commences or fails to successfully complete such training for any other reason, the firefighter shall still be counted toward the City's obligation to train a specific number of firefighters for that specialty.
- G. The City shall provide all specialty training at no cost to the firefighters who wish to secure the specialty.
- H. The City shall establish specialty programs for the specialties set forth in this Article and maintain them for the life of this Agreement and any extensions of this Agreement.
- I. Specialty pay shall be prorated to the date of acquiring the specialty. The following specialty pays are established:

Specialty

Water Rescue/Recovery Team	\$ 950.00
Water Rescue/Recovery Team Leaders (3)	\$ 1050.00
Water Rescue/Recovery Apprentice Team	\$ 500.00

Self-Contained Breathing Apparatus Technician	\$	1,000.00
Mechanics	\$	2,500.00
IT	\$	1,500.00

- J. If a firefighter is required to attend off-duty training or certification classes in order to achieve specialty status and gives prior notice to the Fire Chief, or representative, the firefighter shall be reimbursed for each hour of necessary off-duty training at the applicable overtime rate. All specialty programs shall be operated strictly in accordance with the standard operating procedures presently in effect. Once in effect, such standard operating procedures shall not be changed except by mutual agreement between the Union and the City.
- K. If a firefighter is required to attend off-duty training or certification classes in order to maintain specialty status and gives prior notice to the Fire Chief, or representative, the firefighter shall be reimbursed for each hour of necessary off-duty training at the applicable overtime rate.

ARTICLE XXIV

EMS Certification and Pay

A. This article applies to firefighters employed as Advanced Emergency Medical Technicians (AEMT), and Paramedics.

B. Definitions.

1. **"Advanced Emergency Medical Technician (AEMT)"** means a firefighter who is certified by the Indiana Emergency Medical Services Commission as an AEMT and is qualified by the local Medical Control Board to provide advanced life support care.
2. **"Firefighter/Paramedic"** means a firefighter who is dually certified as both a firefighter and a paramedic and is assigned to an ambulance.
3. **"Civilian Firefighter/Paramedic"** means a firefighter paramedic assigned to an ambulance and receives the PEP compensation.
4. **"Paramedic"** means a firefighter who is licensed by the Indiana Emergency Medical Services Commission as a Paramedic and is qualified by the local Medical Control Board to provide paramedic level care. The term includes Firefighter/Paramedics and Civilian Firefighter Paramedics.
5. **"Supervising Paramedic"** means a paramedic who has obtained Supervising paramedic status from the supervising medical control established under Indiana law.

C. The City agrees to send qualified firefighter(s) to Advanced/Paramedic school on an as needed basis or as stipulated in their terms of employment at time of hiring.

D. Pay schedule (in addition to base pay):

Tier 1 is awarded annually for certification or licensure (and maintenance of certification or license).

<u>Status</u>	<u>Tier 1</u>	<u>Daily Ride Pay</u>
AEMT	\$1000.00	\$50
Paramedic	\$2000.00	\$50
Supervising Paramedic	\$6000.00	\$100

In addition to Tier 1 pay, Supervising Paramedics shall be paid \$100.00 for each full day worked as scheduled Supervising Paramedic on the ambulance. When not scheduled for a full day on the ambulance, Supervising Paramedics shall be paid \$50.00 for each instance working twelve (12) consecutive hours as scheduled Supervising Paramedic on the ambulance. If a twelve (12) hour Supervising Paramedic slot on the ambulance is split between two (2) firefighters, the firefighter working the greater portion of the twelve (12) hours shall be paid \$50.00. The firefighter working the lesser portion of the twelve (12) hours shall receive no additional pay.

In addition to Tier 1 pay, A-EMTs and non-Supervising Paramedics shall be paid \$50.00 for each full day worked as scheduled on the ambulance. When not scheduled

for a full day on the ambulance, A-EMTs non-Supervising Paramedics shall be paid \$25.00 for each instance working twelve (12) consecutive hours as a scheduled A-EMT or non-Supervising Paramedic on the ambulance. If a twelve (12) hour A-EMT or non-Supervising Paramedic slot on the ambulance is split between two (2) firefighters, the firefighter working the greater portion of the twelve (12) hours shall be paid \$25.00. The firefighter working the lesser portion of the twelve (12) hours shall receive no additional pay.

Effective January 1, 2026, the City shall increase the amount of Daily Ride Pay that a firefighter is entitled to receive under the terms of this Agreement as follows:

Supervising Paramedic	\$150
Paramedic/AEMT/EMT	\$100

All above language regarding portions of a 24 hour shift being split will still apply, however will apply based upon the new 2026 rate increase.

E. If at any time within ten (10) years of receiving such training a firefighter loses his or her paramedic licensure or leaves employment of the City of Mishawaka's Fire and EMS Department, the firefighter agrees to reimburse the City for costs associated with paramedic training on a pro rata basis.

F. All requests to drop a certification, licensure or Supervising Paramedic status must be made prior to the end of business on October 15 in order to be effective November 1.

Any firefighter not making such request prior to the October 15 deadline shall maintain

certification, licensure or Supervising Paramedic status until at least November 1 the following year. Dropping such certification, licensure, or Supervising Paramedic status after the October 15 deadline shall result in forfeiture of all associated annual Tier 1 and Tier 2 payments for that annual period.

G. Certification, licensure, and Paramedic status requirements are defined in City of Mishawaka Board of Public Works and Safety Resolutions 2011-05, 2011-06, 2011-07, and 2011-08.

If a firefighter is required to attend off-duty training or certification classes in order to achieve certification, the firefighter shall be reimbursed for each hour of necessary off-duty training at the applicable overtime rate.

ARTICLE XXV

Job Posting

In the event of an opening or vacancy within the Mishawaka Fire Department, the Chief will post the opening or vacancy for bids at all fire stations. The posted openings or vacancy shall remain open for bids for a period of ten (10) days. Any firefighter wishing to bid for such opening or vacancy shall sign the job posting sheet and complete required forms.

ARTICLE XXVI

Pay Days

Section 1 - Firefighter

Firefighters shall be paid bi-weekly, (every other Friday).

Section 2 - Firefighter

All other pay shall be dispersed by the City as follows:

- (a) Uniform allowance pay will consist of four (4) equal and separate checks payable quarterly on or before the first (1st). New hires will receive a lump sum payment at the time of their first scheduled pay period.
- (b) Payment of Specialty Pay. All specialty pay shall be paid in a lump sum as part of the last pay in November of each year.

ARTICLE XXVII

Training New Firefighters

Upon commencement of employment, a firefighter shall not be considered part of the firefighting work force until having received the minimum State and local requirements to work as a firefighter.

Personnel being hired already having these credentials or above shall be evaluated using course equivalent practical skill evaluations to ensure proficiency. Personnel can be added to firefighter workforce as soon as the standard of the credentials they hold are met.

Training will be performed Monday through Friday, except for firefighters to attend Recruit Fire Academy events scheduled on Saturdays.

ARTICLE XXVIII

Emergency Leave

Firefighters shall have the privilege of leaving the fire station for immediate family emergencies. In such cases, the following guidelines must be followed as closely as possible;

- (a) Firefighter must notify the officer in charge of the emergency.
- (b) Firefighter must call officer in charge within the first two (2) hours and give their status as to if he will be returning to work in the next two (2) hours.
- (c) Once the emergency is taken care of and the firefighter's presence is no longer needed, they shall return to work.
- (d) The officer in charge will call in overtime if below the minimum manpower and it is determined that the firefighter on emergency leave will not be returning to work within the four (4) hour time frame set forth above.
- (e) Any added days needed, the firefighter is required to make their own arrangements, such as, to trade days, take vacation days, or arrangements made through the Chief

ARTICLE XXIX

Overtime Call-In Procedure-Suppression

- (a) For regular overtime to maintain Article XIX, Section 1, for twenty-four (24) hour, and order in overtime.
- (b) Overtime is to be offered to firefighters in a uniform manner of rotation based on last date of accepted overtime. A master overtime list will be maintained by the Officer in Charge for twenty-four (24) hours and ordered to work overtime
- (c) Overtime will be managed by an automated system agreed upon by Union and Management.
- (d) In the event of a disagreement on which automated system to use or of automated technology failure, the Officer in Charge will default to manual calling of overtime based on last accepted overtime date.

Section 2 - Call-In Procedure

- (a) All members will be defaulted as not available for overtime, except for the ordered to work list, where all members will be defaulted to available. Each member will be responsible to log into the automated system and mark the dates they would be available for overtime. You are not required to accept the overtime if it is offered, however, members are encouraged to only mark themselves available the dates they would accept overtime.
- (b) Overtime will be managed from two (2) lists of the members that mark themselves available each day: Master Overtime and Ordered to Work.

- (c) If an available overtime slot is for a Supervising Paramedic position, it must be designated as such during the overtime call in procedure and filled before other overtime can be filled.
- (d) All twenty-four (24) hour overtime slots will be filled before partial overtime slots. A partial overtime is any overtime that originates as less than twenty-four (24) hours.
- (e) If a member is working a partial overtime slot and another concurrent partial overtime slot becomes available during that day, the member working the partial overtime will have the option to extend their partial overtime to fill the new partial overtime slot that is needed. If there is more than one member working a partial overtime that precedes another concurrent partial overtime, members will be offered the concurrent overtime in order of acceptance of the previous partial overtime in the order of first accepted to last. If that member(s) declines to work the new partial overtime slot, a new call out for partial overtime will begin.
- (f) Members will have the option to accept the 24-hour overtime slots as noted: 24 hours, first 12 hours, second 12 hours, decline.
- (g) Members will maintain their place on the overtime list if they turn down an offer to work overtime. When a member accepts an overtime assignment they will be placed at the bottom of the overtime list.
- (h) Each member will have the option of being contacted via mobile application, phone call, text message, or email.

- (i) Any overtime occurring the same day of the overtime needed shall be awarded on first come, first served basis. For any prescheduled overtime the automated system will wait two (2) minutes between contacting members to allow for that member to respond before moving on to the next member on the list. After the initial contact, the overtime may be accepted until secured.
- (j) Each shift Officer in Charge will secure their own shift overtime needed for the next shift day.
- (k) If a member calls in sick creating a need for an overtime slot, that slot will be filled as soon as possible by the Officer in Charge.
- (l) If an overtime slot is not able to be secured from the list of members available, the automated system will send out a master overtime request to all members on the department. The first person to respond to that request will be awarded that overtime. That member will then be moved to the bottom of the list.
- (m) If after the master overtime request, the overtime slot is still not secured, the overtime slot shall be offered to the Fire Chief and Assistant Chiefs, offered first to the Fire Chief or Assistant Chief who has least recently worked overtime, then to the next least recently, and so on. If no Fire Chief or Assistant Chief accept the overtime slot, the Officer in Charge may "order" someone to work the vacancy. The Officer in Charge shall maintain an "ordered to work" record and shall rotate this duty equally among all Fire Department personnel. Ordered to work shall be offered by reverse seniority. Any firefighter that is ordered to work shall maintain their place on the voluntary overtime list and be moved to the bottom

of the "ordered to work" list. Any employee that is "ordered to work" overtime shall only be mandated to work 12 hours maximum as a result of that "order to work". Members cannot be "ordered to work" if it coincides with a vacation day, random day, off duty on a twenty-four (24) hour trade day, SC day or already working greater than or equal to seventy-two (72) hours consecutively.

- (n) If there is a need for "Emergency Overtime" during a multi alarm incident, the Officer in Charge will send out an "Emergency Overtime" request via the automated system to all members of the Fire Department. Members can accept this "Emergency Overtime" on a firstcome first serve basis. Members who accept this "Emergency Overtime" will not be moved onthe voluntary overtime list.
- (o) Fire Marshals are to be included on all overtime master lists, with the exception of the "ordered to work list."
- (p) In the event a Fire Marshal is on overtime during their "On Call" period and is needed to investigate an incident, they will be allowed to be removed from their apparatus position, while still counting towards minimum staffing, to perform their Fire Marshal responsibilities until they are completed. Upon completion they will return to their previously assigned riding position.
- (q) When a firefighter is off duty due to sick time or extended duration sick time as set out by the terms of this Agreement, the firefighter may neither accept nor work any overtime until the firefighter has returned to work and completed one (1) full twenty-four (24) hour daily work shift.
- (r) Should a firefighter accept an overtime assignment and subsequently be off duty

due to sick time or extended duration sick time, the City will remove the firefighter from the daily work schedule corresponding to the previously accepted overtime assignment and instead assign the overtime to another firefighter in accordance with the terms of this Agreement.

ARTICLE XXX

Bill of Rights

All firefighters who are members of the bargaining unit on full-time active duty shall be entitled to the protection of what shall hereafter be termed as the "Mishawaka Firefighters Bill of Rights."

1. All firefighters shall have the right to Union representation selected from a list prepared by the Union during any interview or questioning involving a disciplinary matter.
2. When for any reason any firefighter is under investigation by the city for conduct which results in dismissal, criminal charges or suspension for more than five (5) days (40 hours) the following rules are hereby established and shall be followed to insure such investigations are conducted in a manner conducive to public confidence, good order and discipline while, at the sametime, observing and protecting the individual rights of each firefighter:
 - (a) Advance Notice - Prior to being interviewed, a firefighter shall be:
 - (i) Informed in writing of the nature of the investigation; informed of other information necessary to reasonably apprise them of the nature of the allegations of the complaint, including the date, time and location of the occurrence;
 - (ii) If prior to or at any time during the interrogation of a firefighter, it is determined that he may be charged with a criminal offense or be suspected of being implicated in a criminal offense, they shall be

immediately informed of their constitutional rights and the investigation shall be terminated unless the firefighter chooses to waive their constitutional rights of self-incrimination;

- (iii) Afforded an opportunity and facilities to contact and consult privately with an attorney of their choosing and/or representative of the Union;
- (iv) Whenever a delay in conducting the interview will not jeopardize the successful accomplishment of the investigation or when criminal culpability is not an issue, advance notice shall be given the firefighter not less than twenty-four (24) hours before the initial interview commences or written reports are required from the firefighters.

(b) Interview Safeguards - Any interview of a firefighter shall be when the firefighter is on duty unless the seriousness of the complaint dictates otherwise.

- (i) Interviews shall take place at the firehouse facility, or elsewhere if mutually agreed, unless the emergency of the situation necessitates otherwise.
- (ii) The firefighter may have a Union representative and/or attorney present to witness the interview. However, the interview may not be unduly delayed awaiting an unavailable Union representative when other Union representatives are available.
- (iii) An attorney or representative chosen by the firefighter must be, depending upon the seriousness of the investigation and the need for immediate

action, available within a reasonable period of time and under no circumstances will any interrogation session be delayed more than twenty-four (24) hours because of the unavailability of the attorney or representative chosen by the firefighter. However, no matter how extreme an emergency exists, no interrogation shall take place until the firefighter shall be given a minimum of three (3) hours to obtain the services of a representative and/or attorney.

(iv) During the interrogation of the firefighter, the attorney or representative shall not make any statements or objections of any kind to the investigator nor will they in any way impede the interrogation but will restrict their remarks to conferring with the firefighter. The representative's failure to object to a question shall not constitute a waiver of their ability to later object to any questions asked.

(v) Interviews shall be done under circumstances free of intimidation or coercion and shall not otherwise violate the firefighter's constitutional rights. The firefighter shall not be subjected to offensive or abusive language. No promise or reward shall be made as an inducement to answer questions.

(vi) Interviews shall not be overly long. The firefighter shall be entitled to reasonable intermissions as they shall request for personal necessities, telephone calls, rest periods, with one (1) ten (10) minute intermission every hour, if they request.

(vii) All interviews shall be limited in scope to activities, circumstances, events, conduct or acts which pertain to the subject of the investigation.

(viii) Investigations shall be concluded without delay.

(c) Charges Filed

(i) The firefighter will be furnished with a copy of the summary report of the internal investigation which will contain all material facts of the matter.

(ii) The firefighter will be furnished with the names of all witnesses and complainants who will appear against the firefighter and/or whose statements will be used against them.

(d) Resulting Disciplinary action

(i) When the investigation results in a determination of a sustained complaint, only the findings will be placed in the firefighter's personnel file, unless the firefighter requests inclusion of the complete record.

(ii) No dismissal, demotion, or other punitive measures shall be taken against the firefighter unless they are notified of the action and a reason for such action prior to the effective date of such action.

3. Personal Privileges

(a) No firefighter shall be required for purposes of assignment or other personnel action to disclose any item of their property, income, assets, source of income or personal or domestic expenditures including those of any member of their family, unless such information is obtained pursuant to proper legal process or tends to indicate a conflict of interest with respect to the performances of

their official duties.

(b) No firefighter shall have their residence, private place of business, if any, private vehicle or locker space assigned to them by the Fire Department searched unless a valid search warrant is obtained or they voluntarily agree to such search.

(c) No member of the immediate family of the firefighter shall be required to give a statement to the investigator and prior to requesting any member of the immediate family of the firefighter to give a statement, the firefighter shall be given notice of such intended request and the firefighter shall be given an opportunity to confer with that family member before that family member shall be asked to give a statement.

4. Political Activities - No firefighter shall be prohibited from engaging in political activities except when on duty.
5. Polygraph Examinations - A firefighter under investigation shall not be required to take a polygraph examination unless their accuser or accusers agree to take such a polygraph examination, and have taken such examination prior to the firefighter being asked to take such examination: provided, however, anything in this Article to the contrary notwithstanding, none of the charts, conversations, discussions, questions or results derived from such polygraph examination shall be used against such firefighter in any civil or criminal proceeding. In the event the polygraph examiner desires to question the firefighter after the polygraph test has been administered, the examiner shall first advise the firefighter of their

rights in writing and if the firefighter waives in writing their rights, then any statements made by such firefighter may be used against such firefighter.

6. Drug-Free Workplace – Firefighters shall be subject to the provisions of the City's Drug- Free Workplace Policy as such policy exists as of the date of this Agreement. However, a firefighter shall not be required to submit to any such tests in regard to any occurrence at a time when the firefighter, while off duty, was compelled to take immediate firefighting action in response to an emergency situation. The City shall agree to train firefighters on Drug-Free Workplace Policy prior to implementation, and will also train new hires as needed. The Union President will be notified at any time a firefighter is selected for a random test of any kind.

7. Maintenance of Records

- (a) Complaints investigated by the Department shall be handled in the following manner by classification:
 - (i) Unfounded, exonerated, and non-sustained complaints shall be destroyed upon the resolution of the matter, with the firefighter who is the subject of the complaint having a right to be present during the destruction, if they so desire. Said firefighter shall be informed of the proposed destruction before it takes place.
 - (ii) Sustained complaints may be kept in the personnel file for a period of three (3) years at the end of which time they shall be destroyed, in the presence of the firefighter who is the subject thereof, if they so desire, provided, however, the

personnel file shall nevertheless contain a summary record of discipline setting forth the appropriate dates, charges, findings and penalty imposed.

- (b) A firefighter shall have the opportunity, at a reasonable time during office hours, to review their active file and any closed investigative file in which they were the accused. In the event there is any comment adverse to their interests in their personnel file, the officer shall have the right to file a written response thereto, which written response shall be attached to said adverse comments; and, additionally, they shall have the right to file a grievance in regard to any such matter which is of such gravity that it could affect their promotional opportunities, which grievance shall then be processed in accordance with grievance procedures.
- (c) Any firefighter who is reprimanded in any way, either orally, in writing, by suspension, deprivation of overtime or any other benefits, or disciplinary action in any way, shall have the right of appeal as provided by law

ARTICLE XXXI

Call in Emergency Duty

Section 1 – Emergency Call in As Defined by Officer in Charge

- (a) The Officer in Charge will determine the need to call in the appropriate number of personnel for the specific emergency. The Officer in Charge or his/her designee will be in charge of securing the necessary emergency personnel. All call records will be maintained and recorded into the appropriate overtime list.
- (b) The City will work towards a system that, when it is made available, the Officer in Charge will use a computer-generated system to send out a mass contact of all firefighters using any or all methods of phone, mobile phone, text, or e-mail. The firefighters making contact with the Officer in Charge on a first come first serve basis will be awarded the emergency overtime and must report as soon as possible. Once all necessary positions have been filled another mass contact will be sent out to cancel the emergency contact process. All firefighters must provide at least one working phone contact number at all times for the purpose of emergency call in but may also provide as many contact methods as possible voluntarily.
- (c) Each firefighter making contact back will be told where the Emergency is and where to report.

ARTICLE XXXII

Specialty Teams

All specialty teams shall be operated strictly in accordance with each program's the Standard Operating Procedure (S.O.P.), in effect as of the date of this Agreement. An S.O.P. relating to a specialty team shall not be changed except by mutual agreement between the Union and the City.

ARTICLE XXXIII

Termination of Employment

Upon the termination of a firefighter's employment with the City, the firefighter shall receive all benefits under this contract, pro-rated to the last day of their employment. Clothing allowance will be pro-rated by the months worked each quarter. When a firefighter leaves employment with the City for whatever reason, accrued vacation days or leave day shall be taken as time off provided, or paid for these days. However, if the firefighter is dismissed for cause, then the firefighter shall be paid for any accrued vacation time.

ARTICLE XXXIV

Retiree Health Insurance

Each retired firefighter of the City of Mishawaka Fire Department shall be eligible for health coverage or credit according to the parameters set forth by ordinance of the City.

ARTICLE XXXV

Duration

Section 1 – Duration

This Agreement shall be in effect January 1, 2025, following approval by the Union, resolution of the Board of Public Works and Safety and ordinance of the Common Council of the City of Mishawaka, and shall remain in force and effect to and including the 31st day of December, 2026.

Section 2 – Future Negotiations

The parties agree that commencing not later than June 1st, 2026, they will undertake negotiations for a new collective bargaining agreement.

Section 3 – Renegotiation and Amendment

Notwithstanding any provision herein to the contrary, it is understood and agreed by the parties hereto that any provision contained in this Agreement may be amended at any time by the mutual agreement of the parties hereto.

Section 4 – Relations to Rules and Regulations

This Agreement shall supersede any rules and regulations inconsistent herewith, provided, however, rules and regulations not inconsistent with this Agreement may be adopted and promulgated by the Board of Public Works and Safety of the City of Mishawaka pursuant to Indiana statute.

IN WITNESS WHEREOF, the parties have executed this Agreement by their authorized representatives in Mishawaka, Indiana, this 21st day of January, 2025.

CITY OF MISHAWAKA, INDIANA

BOARD OF PUBLIC WORKS AND SAFETY

Kenneth B. Prince, President

Rebecca Maguire, Vice President

George Obren, Member

**MISHAWAKA FIREFIGHTERS ASSOCIATION LOCAL NO. 360 OF THE
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO**

Eric Hiatt, President

Benjamin Higgins, Vice President

Nicholas Ponsler, Treasurer

Randi Sotelo, Recording Secretary

Anthony Tomlinson, Committee Member

Andrew Lauver, Committee Member

Nathan Vincent, Committee Member