

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

January 27, 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 27, 2025, at 6:00PM. The meeting was called to order by Council President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance.

Members attending virtually do so by WebEx. Public that attends can participate by WebEx or observe meetings by YouTube or Facebook live. The Council meetings are also streamed live on Michiana Access on Comcast/AT&T U-verse Channel 99.

City Clerk Debbie Ladyga-Block called the roll.

Present: Mrs. Hazen (P), Mrs. Voelker (P), Mr. Carroll (P), Mr. Banicki (P), 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

Minutes for the Regular Meeting on January 13, 2025 were approved as received from the Clerk's Office.

Clerk Block read a letter from the Board of Zoning Appeals and the City Plan Commission regarding their recommendations from their January 15, 2025 meeting.

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

PROPOSED ORDINANCE NO. 2025-02

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

**Rezone from C-1 Commercial to R-1 Single Family – 611 S. Main St.
(Assigned to Land Use Planning Committee)**

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

RESOLUTION R2025-01

**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
Fiscal Plan for Annexation of 7.72 acres – Douglas Rd.**

Derek Spier, City Planner, spoke in favor of **RESOLUTION R2025-01**. Mr. Spier stated that this property was located between the Holiday Inn and the Elevate on Main apartment complex. Mr. Spier stated it was approximately 1,200 feet west of Fir Road. Mr. Spier stated the developer was proposing to construct Stoneleaf Reserve, a senior apartment complex made up of three apartment buildings with 234 units. Mr. Spier stated per state law, properties were required to be 1/8th contiguous to the existing city limits in order to be annexed at 12.5% and in this case, the property was over 81% contiguous. Mr. Spier stated that in order to prepare the plans, they sent the request to all city departments for review, and they were then asked what expenditure or costs were required to service the area and if the request was being accommodated within the current approved city budget. Mr. Spier stated in this case, the property was in a pocket of unincorporated area, existing immediately adjacent to the city limits and the developer was responsible for installing and extending any utilities to the site and constructing any required improvements within the public right-of-way so there were no additional expenditures anticipated by the city at that time. Mr. Spier stated he was happy to answer any questions.

Question was called for at 6:06PM for **RESOLUTION R2025-01 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 resolution passed 9-0.

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

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.**

VOTE ONLY

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

Mr. Hixenbaugh stated consistent with requirements of Indiana Law dealing with annexations. The Council held a public hearing on this matter at their meeting on January 13, 2025 so at that

time, Mr. Hixenbaugh opened the floor for questions and comments from the Council regarding the matter. Hearing none, Mr. Hixenbaugh thanked Mr. Spier and the Planning Department for their work on this.

Question was called for at 6:08PM for **PROPOSED ORDINANCE NO. 2024-45 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. 5923.**

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) (Amendment Requested)

The chair entertained a motion to amend **PROPOSED ORDINANCE NO. 2025-01** as requested by the Administration. Mr. Banicki moved the motion and with a second from Mr. Mammolenti, a voice vote was held on the motion. The amendment on the proposed ordinance was made.

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

John Roggeman, Corporation Counsel for the City of Mishawaka, spoke in favor of **PROPOSED ORDINANCE NO. 2025-01AA**. Mr. Roggeman stated he was there requesting the support of the Council on behalf of the Administration. Mr. Roggeman stated as many of them knew, they spent some time together with the Local Firefighters 360 in several meetings and they came to a two-year agreement that year and they were happy about that. Mr. Roggeman thanked the members of the Council that were on that committee as well as President Hyatt and President Higgins as well. Mr. Roggeman thanked Clerk Block and Chief Deputy Clerk Boston as well for the amendment that was made as they got signatures and got all of the required documents together for the meeting that evening. Mr. Roggeman stated Chief Woodward and Chief Higgins would be speaking that evening as well.

Mr. Hixenbaugh thanked Mr. Roggeman for his work on this not only at the negotiating table, but also with the cleanup and putting it into proper formatting and they appreciated it. Mr. Hixenbaugh asked with regard to the amendment that was approved a couple minutes prior, if he agreed with him that it was a very technical change in nature with changing a reference in one clause of the contract from master firefighter to first class firefighter and in another clause of the contract, changing some language with regard to

reassignment from an ambulance to a fire suppression vehicle that was no longer necessary based on the outcome of the bargaining and if it was a minor change. Mr. Roggeman stated that that was correct, and it was signed off on by all parties involved. Mr. Hixenbaugh stated when they approved the salary in late 2024, they talked about the financial investment that they were making as a result of the outcome of the negotiation in the fire department and more so in fire department salaries. Mr. Hixenbaugh stated his recollection was that for 2025, they agreed to a 13% increase and for 2026, a 4.5% increase on top of that, and asked if that was correct. Mr. Roggeman stated that that was correct. Mr. Hixenbaugh stated all of them on the Council, in the Administration, in the Fire Administration, and the Union believed that was a worthy investment in public safety in Mishawaka and asked if that was accurate. Mr. Roggeman stated yes, that was accurate. Mr. Hixenbaugh stated they also agreed to some contract changes that clarified some matters but also built in some efficiencies with regard to the day-to-day operations of the Fire Department. Mr. Hixenbaugh asked if Chief Woodward would summarize that. Mr. Roggeman stated the Chief would be better to address those day-to-day operations. Mr. Hixenbaugh appreciated the work Mr. Roggeman did on this as well as Mrs. Maguire, Chief Woodward, and everybody else involved from the Administration as well as the council members involved. Mr. Hixenbaugh stated he thought that this was more comprehensive than what they just concluded with the police department, but they were able to problem-solve and work through some more complicated issues, but they came through it very well and he appreciated the work he did to help them get through it.

Bryon Woodward, Chief of Fire for the City of Mishawaka, spoke in favor of **PROPOSED ORDINANCE NO. 2025-01AA**. Chief Woodward stated, like Mr. Hixenbaugh said, this was probably one of the longer and more thorough negotiations in his time after serving on several committees as a union member and as fire management, but he commended Local 360. Chief Woodward stated there was some language that was cleaned up regarding the daily operations and making some stuff that allowed them to have more people at work and potentially save them some overtime money. Chief Woodward stated they also took out some language about training times on weekends and with being a young department, they had to make sure they were keeping their people safe and could do their job, because it was important to their firefighters especially the ones who had been working for a long time and for them to have the foresight to be able to look for it and realize they were making generational changes with these improvements but they were necessary for their time. Chief Woodward stated as far as the salaries were concerned, they could not be more worthy of the raises. Chief Woodward stated the process was trying at times, but all good things were and he thanked all of the councilmembers involved especially the ones doing it for the first time, which was interesting and also thanked Mr. Roggeman, Mrs. Maguire, Local 360, and his team. Chief Woodward stated the negotiations were a great success and it was a win-win on both sides.

Mr. Mammolenti thanked everyone involved in the process and even though it was difficult at times, he thought it was important to mention that both sides of the table were extremely professional throughout and both sides of the table had the best interest of the city and the fire department at heart. Mr. Mammolenti stated from Mrs. Maguire's office,

Chief Woodward's staff, Local 360, and the councilmembers involved, Mr. Hixenbaugh, Ms. Hahn, Mr. Violi and himself, were very grateful for their professionalism and all of the stuff they did on a daily basis. Mr. Mammolenti thanked Chief Woodward. Chief Woodward stated he agreed that the best part was how professional it was and how levelheaded everyone was because in year's past, it was not that way. Chief Woodward stated the negotiations had come a long way and appreciated how they worked out.

Mr. Hixenbaugh thanked Chief Woodward and his command staff who also participated in the negotiations. Mr. Hixenbaugh stated what he really appreciated was that when they got down to the heart of it, he was willing to compromise and the firefighters union was willing to compromise, which in his experience was all part of a good bargaining session and a good working relationship. Mr. Hixenbaugh thanked Chief Woodward for his work on this and the work he and his team did on a daily basis as Mr. Mammolenti said very well.

Ben Higgins, Mishawaka Local 360 President, spoke in favor of **PROPOSED ORDINANCE NO. 2025-01**. President Higgins spoke in favor of the proposed ordinance on behalf of Local 360 and expressed their gratitude to all of the parties involved in supporting the passage of the two-year contract. President Higgins thanked their wage team, the city's negotiating team, and the fire administration for the hard work and dedication in negotiations in the prior year. President Higgins stated as they knew, the negotiations brought a record wage package for them which resulted in better wages for their members and as a result, they had seen a tremendous turnout for applications which wrapped up in the prior week. President Higgins stated he was proud of the progress they made, he was optimistic for the future and he looked forward to the continued growth of the whole team and they were already gearing up for 2026.

Mr. Violi began by thanking everyone who was involved in the process and stated not for one moment did he doubt that they were going to come to an agreement which was a tribute to everyone working together. Mr. Higgins stated he agreed, and it definitely went down to the wire. Mr. Violi agreed with Mr. Hixenbaugh's statement in that there were some trying moments, but nothing deterred him and made him think it was not going to get done.

Mr. Hixenbaugh thanked President Higgins and asked him to pass that appreciation along to those who he represented.

Question was called for at 6:21PM for **PROPOSED ORDINANCE NO. 2024-45 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. 5924.**

ADJOURNMENT 6:22PM

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.