

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

May 19, 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 May 19, 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 (E), 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 May 5, 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 May 13, 2025, meetings.

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

PROPOSED ORDINANCE NO. 2025-11

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 General Commercial to R-1 Single Family Residential for an Existing House – 115 Virginia St.

(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2025-12

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA AUTHORIZING SPECIAL UTILITY SERVICE AGREEMENTS FOR ECONOMIC DEVELOPMENT AND CUSTOMIZED UTILITY NEEDS

(Assigned to Budget and Finance Committee)

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

RESOLUTION R2025-12

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING
APPEALS FOR THE PROPERTY LOCATED AT: 811 W. CATALPA, MISHAWAKA,
INDIANA**

**Use Variance to allow a Group Home to be Occupied by Eight Unrelated Persons – vacant
lot 811 W. Catalpa**

Cheryl Shady, 2505 E. Jefferson Boulevard in South Bend, spoke in favor of **RESOLUTION R2025-12**. Mrs. Shady stated they had been working to find some new lots to replace some existing old homes that were non-accessible and dated and they reached out to Ken Prince from the city, and he talked about this property on Catalpa. Mrs. Shady stated they were really excited about it, and it would be eight gentlemen that had been living together already in a home south of town where all of the bedrooms were upstairs, and it was very difficult for them as they aged to get up there. Mrs. Shady stated they wanted to relocate that home and were looking at this property for the location. Mrs. Shady stated they had many skills, and they were pretty independent and generally during the typical weekday, they would be at work if they had a job with the community or they would be getting some kind of service from Logan. Mrs. Shady stated during the evenings and the weekends, there would be staffed with two or three staff members at all times except during the overnight when they would have one awake staff member, so they would be supervised at all times. Mrs. Shady stated they were going to have one van that did transportation for the men, and it was like a circle drive, because the first thing they noticed was that there was no street parking, so they had to figure out how to maneuver it. Mrs. Shady stated they had to build some parking pads in there for the staff to park their vehicles and then they would have the van right in there too. Mrs. Shady stated at that point, they were not planning on fencing as they wanted their individuals to be part of the community, but they did want to preserve as many trees around there as they could to give a natural barrier and enhance the look of the home in the community.

Mrs. Voelker asked if they would have an awake staff overnight on the weeknights as well as on the weekends. Mrs. Shady stated they would always have an awake staff member working overnight and she misspoke earlier during her comments. Mrs. Shady there would be two or three during the weeknights depending on all of the activities going on and it depended on the events on the day.

Ms. Hahn asked how many properties they currently had in Mishawaka. Mrs. Shady stated they actually had another home, but they had some folks living there but as far as the ones they owned, they had one on Edgar and one on Donaldson and they were both for four people, so they

were kind of a different funding model. Mrs. Shady stated she also wanted to mention that they never had any complaints from their neighbors, and they made very good neighbors. Mrs. Shady stated in total they had seven group homes, and they were out in the community in 26 different locations with apartment complexes, apartments, and homes. Mrs. Shady stated they did not have a lot in Mishawaka other than the preserve and they had quite a few apartments at the preserve, but they made really good neighbors. Ms. Hahn stated she drove by the one on Edgar and Donaldson quite often and they were always very well-kept and looked very nice and had never seen anything out of the ordinary. Mrs. Shady stated the individuals that lived in Edgar did not have 24/7 supervision, but they took a lot of pride in keeping that property up. Mrs. Shady stated they did have a maintenance crew that either hired work out for or had in-house maintenance who kept up all of their properties.

Mr. Violi stated she said that they were going to be moving from another home and asked what her plans were for the other home once they left and also asked if the other home was in Mishawaka. Mrs. Shady stated the other home was in South Bend down off of York and they had a kind of domino thing going, because that was a big enough property that they could actually put another home on there, so their plan once the gentlemen had moved to Mishawaka was to demolish the existing home and build another home and then to move one of their group homes in South Bend there to make it more accessible a couple of years down the road. Mr. Violi asked if this passed, when would they be breaking ground on the new home. Mrs. Shady stated as soon as the papers were done, and they wanted everything to go forward, and the builder was all set to go, and he said he could make it happen in six months. Mrs. Shady stated as soon as Mr. Prince helped her sign the final documents they would get going. Mr. Violi stated he echoed what Ms. Hahn said earlier in that he always walked by the house on Edgar because it was right down the street from his home and it was meticulously kept. Mrs. Shady stated they were very nice homes and thanked Mr. Violi for saying that. Mrs. Shady stated she would let their maintenance guys know, because they really worked hard to keep all of the property that they owned in good shape.

Mr. Hixenbaugh thanked Mrs. Shady for her interest in Mishawaka first and foremost but with regard to her existing facilities, he, like his fellow council members, had not heard any complaints. Mr. Hixenbaugh stated with regard to other similarly situated group homes, the issue that he had heard most frequently over the years was that in certain locations where the homes were really tight and the street was not amenable to off-street parking like they had done here. Mr. Hixenbaugh stated it was really not an issue with the residents, but it was the staff issues of people parking halfway into an alley or on the street where they should not and things like that. Mr. Hixenbaugh stated he appreciated the proactivity that went into this so that she addressed it before and hopefully it did not become a concern either for her or for the neighbors. Mrs. Shady stated that was a concern that they had with some other properties and that was one of the main reasons why this lot was really attractive, and their maintenance director was the one that came up with that model that would put the parking pads in there so that their staff could park there. Mr. Hixenbaugh stated that was very much appreciated and clearly there was a need in the community that was unmet, so her helping to fill that need on behalf of many people in Mishawaka was important and he appreciated her interest and the thought that went into this.

Mrs. Shady thanked Mr. Hixenbaugh and stated they were really excited and gave Ken Prince credit, because he kept them on his radar. Mr. Hixenbaugh stated Ken did a great job.

Mr. Banicki stated just for clarification, Logan did reach out to him months and months ago with the help of Ken and they did have a neighborhood meeting that had quite a few neighbors show up and there was not one neighbor who was negative about the proposal. Mr. Banicki stated he had seen one neighbor who may have had concerns in passing who was not present at the meeting who lived right next door, and they were very pleased with the plan and there was no remonstrance against it whatsoever. Mr. Banicki stated he thought this would be a good fit for that spot and hopefully it will be ready to go before Christmas. Mrs. Shady thanked Mr. Banicki for his comments and stated they were anxious to meet the neighbors and get to know them better. Mrs. Shady stated she should have mentioned that they had that neighborhood meeting, and it was nice of Ron and Ken to make that available to them.

Question called for at 6:14PM for **RESOLUTION R2025-12 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.

RESOLUTION R2025-13

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, DECLARING A CERTAIN AREA IN THE CITY OF MISHAWAKA, INDIANA, TO BE AN ECONOMIC REVITALIZATION AREA Real Property Tax Abatement for United Petfood Producers USA, Inc.

Derek Spier, City Planner, spoke in favor of **RESOLUTION R2025-13**. Mr. Spier stated the resolution was submitted by United Petfood Producers USA and it was for a real property tax abatement. Mr. Spier stated the company was headquartered in Ghent, Belgium and they produced pet food. Mr. Spier stated they acquired the former WellPet facility in June of 2024. Mr. Spier stated they were proposing to demolish an existing warehouse building located at 919 Cleveland Street and construct a new 69,000 square foot building and distribution facility. Mr. Spier stated the site plan for the project was approved by the Plan Commission in February and construction was anticipated to begin next month with completion set to be at the end of the year. Mr. Spier stated the total plan investment was approximately \$5.4 million. Mr. Spier stated they also had plans for a new dryer facility and other site improvements for the main campus located to the south and they were anticipating that with that project they would be seeking another tax abatement. Mr. Spier stated WellPet, the prior owner of the facility, received three tax abatements in the past from the city in 2014, 2015, and 2021 and just two years ago, the Council rescinded the last abatement because they did not follow through with the installation of the dryer and some of the odor control equipment and the company did plan on moving forward with some more additional improvements in the future. Mr. Spier stated with the current request, they planned on retaining 101 employees while adding 19 employees as a direct result of the

investment and hourly wages excluding benefits would be just over \$24 an hour for the eleven unskilled positions and \$42 an hour for the eight salary positions. Mr. Spier stated this was a blended hourly wage of approximately \$32 an hour. Mr. Spier stated annual salaries for the 19 jobs were approximately \$1.2 million. Mr. Spier stated similar to the previously approved abatements, they were recommending a five-year abatement for the real property investment at a standard phase in, so it would be 100% for the first year and then 20% degrading over the life of the abatement for the five years.

Elodie Fleury, Vice President for United Petfood Producer USA, spoke in favor of **RESOLUTION R2025-13**. Mrs. Fleury stated she wanted to reiterate that this investment was about the warehouse, and it was not just a business decision, but also a commitment for them to stay in the community and invest in the community. Mrs. Fleury stated she hoped they saw that as a win-win and the current building that they had at the site was in a poor stage at that current time and they were really trying to revitalize the whole area and add to the whole community to elevate the whole neighborhood.

Mr. Emmons stated it seemed like the name of the company changed just about every month and asked if United Petfood Producers would be their name now. Mrs. Fleury stated yes and United Petfood Producer was the whole group and United Petfood Producer USA had to do with the United States entity. Mr. Emmons asked if they added the USA tag just recently. Mrs. Fleury stated it was always like that with United Petfood Producer being the parent company and then USA was the United States entity. Mr. Emmons asked regarding behind the warehouse that they were going to tear down on the corner of 11th Street and Logan going up towards 8th Street if they had any plans to acquire that vacant property between the warehouse and the bowling alley. Mrs. Fleury stated right now, the property was not theirs, so they would love to keep growing but that property was not theirs.

Amanda Turnwald, Director of Plant Operations for United Petfood, spoke in favor of **RESOLUTION R2025-13**. Mrs. Turnwald stated the property they were looking to put the warehouse on was actually at 919 Cleveland Street, which was at the corner of 11th and Cleveland so it would be all the way down towards the end of 11th. Mrs. Turnwald stated there was property behind that, but they currently did not own it at that time. Mr. Emmons stated there was land in between their building and the bowling alley. Mrs. Turnwald stated there were a number of properties that were vacant in that current area between the roller rink and the 919 Cleveland facility. Mr. Emmons asked if that land was still owned by the Cocquyt family. Mrs. Turnwald stated they were not the owners of that land any longer and they themselves owned two parcels in that area and both of those were already included and then there was another parcel right behind that between the roller skate rink and their property which was currently owned by an entity who they were not sure who they were at that time.

Ms. Hahn stated she lived in that neighborhood and wanted to thank them for being such a good neighbor and a community partner and she knew that they had done a lot to reach out to speak

with herself and Mr. Emmons and the neighbors as well and they were excited to have them working in that area and developing it and cleaning it up a little bit.

Mr. Hixenbaugh echoed the comments of his colleagues and thanked Vice President Fleury as well as the rest of her team for their ongoing investment in Mishawaka. Mr. Hixenbaugh stated with the two stages of the process, the first thing that they had to do when they boiled the resolution all down was that they had to determine that the site she referenced prior qualified as an economic revitalization area and he thought that anybody who was familiar with the area and had driven by there would agree that it was an area that would not continue to develop and it would difficult for them to invest in it without the continued partnership with the city. Mr. Hixenbaugh stated as Mr. Spier referenced earlier, they had some bumps in the road under prior leadership in the past, but he was really optimistic about the direction they were heading in and this felt to him like a good investment on the part of Mishawaka to help them continue to develop and maintain that area. Mr. Hixenbaugh thanked them again for the work that they were doing and they looked forward to seeing them at the next stage of the process.

Question called for at 6:23PM for **RESOLUTION R2025-13 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.

NEW BUSINESS

Mr. Mammolenti made a brief reminder that their Twin Branch Neighborhood Watch meeting would be taking place Wednesday May 21st at 7PM at Fire Station #4 off of Harrison and their guest speaker would be Jenny Hunsberger, Vice President of the Women's Care Center. Mr. Mammolenti stated she would be discussing the program and the services they provided and would tell them all of the cool things that was related not their new location right off of Lincolnway behind the old City Hall building. Mr. Mammolenti stated all were welcome.

ADJOURNMENT 6:25PM

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.