REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

June 16, 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 June 16, 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

Minutes for the Regular Meeting on June 2, 2025, were approved as received from the Clerk's Office.

Clerk Block read the following letters from the Board of Zoning Appeals and the Historic Preservation Commission regarding their recommendations from their June 3, 2025, and June 10, 2025, meetings.

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

<u>PROPOSED ORDINANCE NO. 2025-14</u>

AN ORDINANCE TO ESTABLISH 121 SOUTH MAIN STREET AS A LOCAL HISTORIC LANDMARK WITHIN THE CITY OF MISHAWAKA
Establishing 121 S. Main St. as a Historic Landmark
(Assigned to Land Use Planning Committee)

<u>PROPOSED ORDINANCE NO. 2025-15</u>

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, AUTHORIZING PAYMENTS IN LIEU OF TAXES – STONELEAF RESERVE, LP
Authorizing payment in Lieu of Taxes
(Assigned to Budget & Finance Committee)

Clerk Block read the following resolutions by title.

RESOLUTION R2025-17

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, ADDING PARCELS TO THE CITY'S PROPERTY ACQUISITION LIST ASSOCIATED WITH A PREVIOUSLY APPROVED COMMON COUNCIL RESOLUTION 2014-07 WHICH APPROVED AN ORDER OF THE CITY OF MISHAWAKA PLAN COMMISSION APPROVING A CERTAIN DECLARATORY RESOLUTION, AN AMENDMENT TO THE BOUNDARIES OF THE NORTHWEST AREA IMPROVEMENT PROJECT, CONSOLIDATION OF THE SOUTHSIDE ECONOMIC DEVELOPMENT AREA AND THE NORTHWEST IMPROVEMENT PROJECT INTO ONE CONSOLIDATED AREA IMPROVEMENT PROJECT, AND AN AMENDMENT TO THE ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED AREA IMPROVEMENT PROJECT ADOPTED BY THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION
Adding 3 Parcels to the City Acquisition List – 900 Block South Union St.

Ken Prince, Director of Planning and Community Development for the City of Mishawaka, spoke in favor of **RESOLUTION R2025-17**. Mr. Prince stated they had already done this a few times in 2025, but they were once again looking to add properties to the acquisition list, and this was for the consolidated TIF district. Mr. Prince stated as he had identified previously in 2014 when they amended the TIF district, they chose not to list the potential thousand properties that may be impacted by road acquisition and widening over time and wanted to bring them before the Council individually. Mr. Prince stated in this case, this was the Union Street widening and this was the northeast corner of 11th Street and Union. Mr. Prince stated this was likely an area that would not be impacted or expanded within a five-year window and with the expansion of the area, the next phase would be specifically the intersection of Dragoon and Union so this was a little beyond that but because the owner of the property had the property listed as commercial, potential commercial for years, they came to them within the last month to identify that they wanted to build single family homes on the property with three single family lots and rather than having them build or improve the lots, they thought it would be a wise idea for the city to acquire it at that time. Mr. Prince stated they were asking for the Council's approval to add the three properties to the acquisition list. Mr. Prince stated he was happy to answer any questions.

Mr. Hixenbaugh stated he appreciated the thoughtful way that he and the Administration had moved forward with picking up the properties over the course of time. Mr. Prince thanked Mr. Hixenbaugh.

Question called for at 6:07PM for **RESOLUTION R2025-17 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 R2025-18

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS 1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544 AS AN ECONOMIC REVITALIZATION AREA AND ECONOMIC DEVELOPMENT TARGET AREA FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR JAMIL PACKAGING CORPORATION

Confirming Resolution for Personal Property Tax Abatement for Jamil Packaging – 1420 Industrial Drive

Derek Spier, City Planner for the City of Mishawaka, spoke in favor of **RESOLUTION R2025-18**. Mr. Spier stated also present that evening was David Diroll, the President of Jamil Packaging. Mr. Spier stated the confirming resolution before the Council that evening was for personal property tax abatement. Mr. Spier stated the company was looking to purchase some industrial equipment, a stacker and a conveyor. Mr. Spier stated the Council had approved five other tax abatements over the years, with the most recent one being in 2019 and all of them were also for equipment purchases. Mr. Spier stated for those five abatements, for every year they complied, they installed the manufacturing equipment that they said they were going to install and then they hired their employees either at or above the number of employees that they said they were going to hire at that time. Mr. Spier stated with the current abatement, it was proposed at $4.85 million for the manufacturing equipment and as was previously said, it was a stacker along with a conveyor and it was going to allow the company to print on both sides of packaging and displaying material. Mr. Spier stated currently, the material had to pass through a machine twice, so this would make their operations more efficient. Mr. Spier stated if the proposal was approved that evening, they were looking to begin immediately ordering the equipment and installing it with completion by October of 2025. Mr. Spier stated currently, they had 131 employees and salaries were approximately $6.8 million annually and this was almost $2 million more than the annual salaries that came before them last time in 2019 for a tax abatement. Mr. Spier stated with this investment, they were looking to add nine new jobs and that would equate to a total of $300,000 in annual salaries. Mr. Spier stated as with the previous tax abatements, specifically the five that they approved, staff was recommending a three-year standard phase-in, being 100% abated in the first year, 66% in the second year, and 33% in the third year. Mr. Spier stated with this, the assessed valuation they were estimating at 60% of the purchase price, so if that was the case the assessed valuation would be $2.9 million and if the assessed valuation came in around that dollar amount, over the life of the abatement approximately $175,000 would be abated with $87,000 paid in taxes. Mr. Spier stated if they had any questions for him, he would be happy to answer them.

Mr. Hixenbaugh stated if memory served at the last council meeting, they talked about where they were at as a community with their total number of tax abatements and with the approval of this if it was approved, they would be at less than five active abatements and asked if that was correct. Mr. Spier stated this would make it five. Mr. Hixenbaugh stated as they talked about before, five active tax abatements was a much-reduced number from where they had been at various points in the past and asked if that was correct. Mr. Spier stated that was correct. Mr. Hixenbaugh thanked Mr. Spier for the information he put together.

Mr. Hixenbaugh stated he was always proud to partner with Jamil and to vote in favor of the tax abatements and he thought this was really a success story. Mr. Hixenbaugh stated these were not the largest abatements that had come before them, but they had been very successful and the additional payroll and employment numbers made this a good benefit for the city, in his opinion. Mr. Hixenbaugh stated he appreciated what Jamil did for the community as well.

Question called for at 6:12PM for **RESOLUTION R2025-18 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 R2025-19

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PEITION OF THE MISHAWAKA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT: VACANT LOT SOUTH OF 1925 N. MAIN STREET, MISHAWAKA, INDIANA
Use Variance to allow for a Beauty/Barber Shop and/or a small office space in R-1 Single Family District – 1925 N. Main Street

Terry Lang, Wightman Office, spoke in favor of **RESOLUTION R2025-19**. Mr. Lang stated their address was 1402 Mishawaka Avenue in South Bend and he was representing the petitioner that evening. Mr. Lang stated before the Council was a parcel that comprised of four residential lots there and the petitioner also owned the lot to the north of the site. Mr. Lang stated they were looking to put in a light commercial use. Mr. Lang stated they had talked with the Planning staff extensively and met with them on what they would see, that would be the best fit for the location in question. Mr. Lang stated they were located immediately adjacent to John Young Middle School and that had brought a lot of close scrutiny by the Planning Staff on this with regard to what the building would look like. Mr. Lang stated they wanted it to look somewhat residential in nature because immediately adjacent to them to the west and further to the north was residentially zoned property. Mr. Lang stated they talked with the City Engineering Department with regards to access to the site and getting utilities to it and they had asked if they could move their entrance that they had originally proposed from Main Street coming in off of Colfax Street to the north such that it would not be a hindrance right at the stoplight adjacent to the school, hindering people coming in and out of the school. Mr. Lang stated the intended use was a light office use like a barber shop, insurance office, or something like that and at that time, they had not gotten a tenant use for it yet. Mr. Lang stated they wanted to keep the use under control such that they would not put in a vape shop right next to the school or something like that and that was something they were very conscious of. Mr. Lang stated they were acceptable to all of the requirements the city had with regard to screening, fencing, and things like that to make sure that it would not be a nuisance being adjacent to the school. Mr. Lang stated they were going to fence the retention area to make it so that it was not an unattractive nuisance for kids as well as not having that driveway come out along the sidewalk along Main Street and make that a hazard for kids walking down, because in Mishawaka they did not bus and they walked to school like he did when he was in school. Mr. Lang stated they worked closely with the Engineering Department as well as the Planning Department and when they were at the Board of Zoning Appeals for the use of the property, they had a letter of remonstrance from the property owner further to the west of the site and they were providing the appropriate fencing as necessary for the ordinance that was required for the office type of use they were proposing. Mr. Lang stated they were going to have a seven foot fence and the landscaping requirements along the westerly side and they had one person living on the block to the north that was concerned about the access coming in off of Colfax, but at that point they would have preferred to have it come in off of Main Street, but at that point they were trying to be a safety conscious property owner putting something in that was going to be pleasing to that and the concern that resident had was that the house on the right corner, also owned by the petitioner, was a rental house in the city and there was usually three cars parked there and the concern was that they were taking down the garage to provide access for the property and what they were going to be doing in place of that in the L-shaped corner of the house there, they would be providing additional off-street parking. Mr. Lang stated there then would not be as many cars parking out onto Colfax there to answer the concerns they were receiving and that was a suggestion Ken Prince had at the meeting so that they could have additional off-street parking for the house also. Mr. Lang stated they had been working really closely and conscious with the questions that came up throughout the hearing process and he was happy to answer any questions the Council had.

Mrs. Voelker asked if the site plan they were looking at was not the actual site plan. Mr. Lang stated it was the preliminary plan for zoning purposes. Mrs. Voelker asked if the off-street parking would be behind the house. Mr. Lang stated it would be behind the house in the L-shaped corner and there was enough room for two off-street parking spots there. Mrs. Voelker asked if it was across the street from the dentist's office. Mr. Lang stated that was correct and it was also caddy-corner from the credit union, and also, he thought there was another doctor's office further to the north of there. Mr. Lang stated all of those were very nicely architecturally designed buildings that fit nicely along the Main Street corridor, and they were going to try to maintain that same residential feel in the neighborhood.

Mr. Violi asked if they had received any feedback from School City of Mishawaka or if they had conferred. Mr. Lang stated they had not had any feedback from them at the Board of Zoning Appeals meeting so at that time, they had not heard anything from School City. Mr. Violi asked if there were any plans for them to reach out to School City maybe before construction as it was going right next to the school. Mr. Lang stated they had two public hearing notices go out to them and he believed Mr. Hixenbaugh could address that. Mr. Hixenbaugh stated after he had talked to Mr. Violi, he had the chance to consult with the Superintendent and the Director of Operations and School City had no plans that would lend itself to being interested in acquiring the property, nor did they have any objection based upon the good work that Mr. Lang and his client did working with the Planning Staff so that this was really limited to uses that should not pose a problem to the school that directly butted up against it. Mr. Violi thanked Mr. Hixenbaugh and Mr. Lang.

Question called for at 6:19PM for **RESOLUTION R2025-19 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. 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
(Postponement Requested)

The Chair entertained a motion to postpone **PROPOSED ORDINANCE NO. 2025-12** based upon the request of the Administration in order to further revise the proposed ordinance. The motion was moved by Mr. Banicki and seconded by Mrs. Voelker and a voice vote was held on the motion. The motion was passed unanimously, and the matter was postponed to the next regularly scheduled council meeting.

PROPOSED ORDINANCE NO. 2025-13

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, AMENDING THE MUNICIPAL CODE DEFINING METHODS OF PAYMENT BY THE CITY
Defining Methods of Payments accepted by the city

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

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2025-13**. Mrs. Maguire stated she was requesting the Council’s approval for an ordinance that defined the methods of payment accepted by the city as they would soon be accepting credit cards at additional departments at City Hall and this closed the circle on the process listing credit cards specifically. Mrs. Maguire stated that they had researched it and found that they did not have something in place like this.

Mrs. Voelker asked if the police department would be accepting credit cards for paying fines. Mrs. Maguire stated yes.

Mr. Hixenbaugh thanked Mrs. Maguire for doing the research and looking into this matter and clearly, this would be a benefit to multiple members of the public. Mr. Hixenbaugh asked if this would eventually extend to payments to Mishawaka Municipal Utilities as well or if this was just a civil city initiative. Mrs. Maguire stated this was currently civil city, because Mishawaka Utilities already had their own credit card process in place and their own processor.

Question was called for at 6:24PM for **PROPOSED ORDINANCE NO. 2025-13 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 proposed ordinance passed 9-0, thus it became **ORDINANCE NO. 5935**.

PRIVILEGE OF THE FLOOR

Michael Compton, 1530 South Lake George Drive, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Compton stated he wanted to address the Council because of the generous gift that was given to him and his family. Mr. Compton stated he was not much at writing notes and writing cards and he did not think emails were appropriate, so as soon as he felt able, he wanted to come out and thank them all. Mr. Compton stated it was above and beyond anything he could have ever expected. Mr. Compton stated he appreciated it very much and for him personally, he was doing fairly well. Mr. Compton stated it was a long recovery, and it had been a tough one, but he had a good caregiver and some good doctors who were taking care of him. Mr. Compton stated it was going to take some time, but they told him he would get there. Mr. Compton stated some days he wondered about that, but he was seeing slow progress. Mr. Compton appreciated what the Council did, and he wanted to thank them personally.

Mr. Hixenbaugh stated it was great to see him and his wife Paula as well and even though he no longer sat up there on the dais, he was still one of them. Mr. Hixenbaugh asked Mr. Compton to please let them know if there was anything they could do for him, but it was great to see him.

Carlos Leyva, 448 South Olive Steet South Bend, Indiana, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Leyva stated first, he wanted to let the Council know it was his first time in the new City Hall building and the chambers were beautiful. Mr. Leyva stated he grew up in South Bend, but it was not until he went to Marian High School where he got to know Mishawaka. Mr. Leyva stated he played football at Marian High School and also ran track and he used to run up and down the riverwalk all the time and Mishawaka had great parks and great schools. Mr. Leyva stated he told his friends when they asked him about South Bend and Mishawaka, you could not go wrong with either. Mr. Leyva stated they had a great mayor in Mayor Wood along with great residents. Mr. Leyva stated a lot of his friends lived in River Park so when they would be spending time in River Park, they always came out to the downtown area which had great restaurants, and it was a great time. Mr. Leyva stated a lot of his friends in River Park were teachers and he thought public schools were a very important issue, and he thought Mishawaka schools hit a slam dunk with Dr. Stevens as their superintendent as he got to meet him and he was great. Mr. Leyva stated he was a man of great character and was very personable and he thought that he was a big reason why teachers wanted to teach in Mishawaka and also because of the family atmosphere. Mr. Leyva stated it was a great environment, and he went and saw the new turf field and track, and it was great. Mr. Leyva stated he could not say enough about Mishawaka, and he hoped they continued to support public schools as they always needed great teachers. Mr. Leyva stated he actually went from a law career to an educational career to become a teacher and he believed that was a great thing. Mr. Leyva stated he just wanted to make some observations, and he thought things were going well and he hoped South Bend could match the progress that Mishawaka was seeing. Mr. Leyva thanked the Council for their time.

NEW BUSINESS

Mr. Hixenbaugh stated at that time, based upon some scheduling conflicts on the part of several council members, The Chair entertained a motion to reschedule their July 21st council meeting to July 28th. Mr. Banicki moved the motion and with a second from Mrs. Voelker, a voice vote was held on the motion. The motion passed unanimously, and the council meeting was rescheduled.

Mr. Emmons made an announcement that the First District Neighborhood meeting would be on Thursday June 19th at St. Bavos at 7PM. Mr. Emmons stated their guest speaker would be Maureen Bauer, who was their state representative and she would be discussing what went on down at the state legislature to update them on the things that passed and did not pass and things that they were for or were against. Mr. Emmons stated all were welcome and as usual, refreshments from West End Bakery would be provided. Mr. Emmons stated he looked forward to seeing everyone there and it should be a very interesting meeting.

Mr. Mammolenti stated there had not been too many times where he had been emotional in the chambers, but when he saw Mr. Compton walked in he became incredibly emotional and it was so great to see him doing well. Mr. Mammolenti stated he had been in his family's prayers as he had been in the past several years and would continue to be. Mr. Mammolenti thanked Mr. Compton for being there. Mr. Mammolenti also made an announcement that Wednesday June 18th at 7PM at Fire Station #4 off of Harrison Road they would be having their Twin Branch Neighborhood Watch meeting and their guest speaker would be Mayor Dave Wood who would be presenting his State of the City as he did every year. Mr. Mammolenti stated all were welcome to attend.

ADJOURNMENT 6:31PM

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

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