

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

October 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 October 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.

Present: Mrs. Hazen (A), 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 October 6, 2025, were approved as received from the Clerk's Office.

MAYOR'S YOUTH COUNCIL PRESENTATION

AJ Rimelspach, Junior at Penn High School and President of the MYAC, spoke before the Council. Mr. Rimelspach thanked the Council for giving him and his fellow students the opportunity to update them on their Thanksgiving food drive. Mr. Rimelspach stated in 2024, they set a goal to reach seventy-five families with fifty of them being Mishawaka families and twenty-five of them were veteran families and they felt they could achieve that goal again in 2025. Mr. Rimelspach stated members of their council had been reaching out to community members for monetary donations and non-perishable food items. Mr. Rimelspach stated this effort would make a significant difference in the lives of many Mishawaka residents during the holiday season and he wanted to extend his gratitude to those who contributed, and he was truly proud of how they could help Mishawaka and have United Schools support the amazing cause and it served as a wonderful example as to how their future leaders could assist those who were in need.

CJ Vantine, Senior at Penn High School and Secretary of the MYAC, spoke before the Council. Ms. Vantine stated over the past few Wednesdays, jean dress down days had been hosted at City Hall for \$3 each to raise funds for their annual food drive. Ms. Vantine stated city employees had also been asked to provide non-perishable food donations to be placed in the box at City Hall and other boxes at different city departments. Ms. Vantine stated donating just a can of green beans to the yearly food drive may not have seemed like it made much of a difference, but it really did in the grand scheme of things. Ms. Vantine stated it would mean a whole lot if everyone could find it in their hearts to donate. Ms. Vantine thanked all who had donated to their food drive in

the past and that year. Ms. Vantine stated their contributions were set to make a serious impact on the Mishawaka community.

Eliza Wright, Senior at Penn High School and Treasurer of the MYAC, spoke before the Council. Ms. Wright stated the Mayor's Youth Advisory Council had members from all three Mishawaka high schools: Marian, Penn, and Mishawaka. Ms. Wright stated bringing students together from across the city had created a broader community reach, getting students and families involved from each end of the city and everywhere between. Ms. Wright stated each high school was involved in the Thanksgiving food drive in different ways with Marian High School working with their student council and spirit committee to establish a schoolwide dress down day, Mishawaka High School was participating in a penny war fundraises that started on October 21st as a fun way to raise money and donations for the Thanksgiving food drive, and Penn High School's key club was planning a week-long food drive to collect donations for their Thanksgiving food drive as well.

Ryan McGuire, Senior at Marian High School and Communications Coordinator for the MYAC, spoke before the Council. Mr. McGuire stated over the past several weeks, their council had been working with local media to promote their annual Thanksgiving food drive. Mr. McGuire stated they aimed to provide families in need throughout Mishawaka with food and support during the holiday season. Mr. McGuire stated in order to accomplish that, it was essential that awareness of the drive reached as many Mishawaka residents as possible. Mr. McGuire stated for ongoing updates or to learn how to contribute, they invited everyone to follow them on Facebook at Mishawaka Mayor Dave Wood Youth Council. Mr. McGuire thanked the Council for their time and continued support in their efforts to serve the Mishawaka community.

Tobias Prince, Senior at Penn High School and Vice President of the MYAC, spoke before the Council. Mr. Prince stated they had a timeline for the drive as well with it ending officially on November 12th and then they would be packing up all of the boxes over a shared meal because Thanksgiving was about bringing people together and that would be on November 16th. Mr. Prince stated the entire MYAC would be taking a trip to the VFW to deliver food on November 17th and then they would be passing the meal boxes to families individually on November 18th.

Mr. Emmons asked how many baskets they planned to try to fill for their donations. Mr. Rimelspach stated it would be about a box per family for the seventy-five families.

Mr. Hixenbaugh thanked Mr. Rimelspach and his colleagues for their presentations as they were all very well done and the Council joined the Administration in encouraging the community to support the Youth Council's Thanksgiving food drive. Mr. Hixenbaugh stated what they were doing was meaningful for the community and to let them know if there was anything that they could do to support them as they brought the project home.

Clerk Block read the following appeals and petitions by title.

Appeal No. 2025-35	Use Variance to allow a Second Residential Unit – 1123 S. Spring St.
Appeal No. 2025-38	Use Variance to allow Outside Storage for Landscaping Contractor – SE corner of State Rd. 23 & Toll Rd.
Petition No. 2025-17	Annex & Rezone to R-3 Multi-Family Residential for Apartment Complex – 53000 Block of Fir Rd.
Petition No. 2025-18	Rezone from R-4 to S-2 PUD Development for Single-Family, Attached Single-Family, and Multi-Family dwellings and Clubhouse – SW corner of Byrkit & McKinley
Petition No. 2025-19	Annex & Zone to C-1 General Commercial District for Landscaping Contractor – SE corner of State Rd 23 & Toll Road
Petition No. 2025-20	Rezone from C-1 General Commercial to C-10 Filling Station Commercial for Fuel Kiosk and Pumps – 3016 w. Indian Ridge Blvd.

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

PROPOSED ORDINANCE NO. 2025-22

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

PUD Amendment to allow for Shooting Range – 3717 & 3729 Bremen Hwy

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

John Piraccini, Coldwell Banker Real Estate at 633 Windy Cove Court Mishawaka, IN 46544, spoke in favor of **PROPOSED ORDINANCE NO. 2025-22**. Mr. Piraccini stated the area of Mishawaka in question had been annexed into the city about 30 years ago, so they had been dealing with it for a long time as the city grew up against the county. Mr. Piraccini stated they made a commitment with the city, the mayor, and Planning back in the day about trying to improve access to the property. Mr. Piraccini stated the seller of the property committed to monies buying land and donating land to get access through Meijer Drive and up into the far south end where the storage facilities were. Mr. Piraccini stated they also purchased that property, because they were worried about somebody coming in there, buying it, and holding up getting the road done because they really

wanted the road to get through so they could cut off access to that. Mr. Piraccini provided the Council with maps showing what road was going to be cut off. Mr. Piraccini stated what happened through the process was that once developments go the initial part with the help of the city, then Taco Bell and Wendy's had to construct that road, so it did not cost the city any funds and with the last phase, the developer of the indoor gun range would finish the road. Mr. Piraccini stated he was asked about the facility, and it would be about 13,000 square feet. Mr. Piraccini stated they met with the neighbors in the area, and they were quite a few of them present and there were a lot of concerns that had been there for years about traffic and closing off the road. Mr. Piraccini stated he did not think anybody was against closing off Elmwood, but it was not the city's decision to make because it was the county's decision and a county issue. Mr. Piraccini stated the general contractor was online to explain more about the issues and what they would be doing to address those issues. Mr. Piraccini stated he thought it was interesting that one of the owners who did attend the meeting talked about constructing it and when they built it years ago, they learned from it and changed over the years. Mr. Piraccini stated it was a block building with a vault building, so they collected the shells, the dust, and the noise and you could not hear any of it from outside of the building, which made it very secure. Mr. Piraccini stated the building would also be on the south end of the highway against the bypass and most people were not going to even be able to see the building from Elmwood and he did not know how many could with the way it would be situated. Mr. Piraccini stated he would answer any questions the Council had.

Mrs. Voelker asked what one of the handouts was displaying. Mr. Piraccini stated it was the new access that they were going to construct.

Tim Rohde, President of SFV Services and general contractor associated with the project, spoke in favor of **PROPOSED ORDINANCE NO. 2025-22**. Mr. Rhode stated the building was a completely self-contained building with a building inside of a building, so there were no noise or contaminants of any of that type of thing that would cause any danger to the public. Mr. Rohde stated it was not an open range, and it would be constructed out of base-grains and structural steel, so it was going to be an asset to the community as far as appearance was concerned. Mr. Rohde stated they would be extending Elmwood Road, which would eliminate all the traffic on that other side street so all traffic would now be routed to the storage area, which was originally intended, and he believed that they met all of the requirements as he saw necessary to have the project approved. Mr. Rohde stated he welcomed any questions the Council had.

Mr. Mammolenti thanked Mr. Rohde for his comments as well as being present that evening and asked if he could explain how many bays would be available at the range. Mr. Rohde stated he believed there were two bays with various lanes, but David Sabo, the CEO of Midwest Shooting Center, had the specific details on that.

Mr. Hixenbaugh asked if this was the first facility that they had been involved with for this developer in terms of the construction process. Mr. Sabo stated yes it was. Mr. Hixenbaugh stated he read their staff report as indicating that this building, if approved, would be subject to their general commercial development standards and asked if that

was his understanding as well. Mr. Rohde stated that was correct. Mr. Hixenbaugh asked from the schematics he had seen with the plans and the discussions he had with the developer to the passerby on Bremen Highway, if they would be able to discern that this was a shooting range as opposed to any other type of commercial development. Mr. Rohde stated he did not believe so.

Mr. Mammolenti asked Mr. Sabo how long the typical session was and if every session and every bay were filled with customers, how many cars would that bring to their location in one day. Mr. Sabo stated to answer Mr. Mammolenti's original question, there would be two bays, and each bay contained ten lanes. Mr. Sabo stated they only allowed two individuals per lane at any given time and the average occupancy as far as length of stay was concerned was about forty-five minutes. Mr. Sabo stated the occupancy rate throughout the week hovered around 40% and weekends, particularly Saturdays, were busier. Mr. Sabo stated they got 120 visitors during the week on any given day and on the weekend, which doubled to about 250. Mr. Sabo stated they were a seasonal business, and their busier season was Memorial Day to Labor Day so through the summer months, they intended to reduce the traffic on a weekly basis.

Mr. Carroll stated in the past, he had gone to shooting ranges in the area that he had a lot of public safety concerns about and wanted to address them publicly. Mr. Carroll asked if he could talk to them about the clientele he would be catering to, as well as the safety precautions for the shooting range especially where live fire would be going on and what someone would need to have in order to participate there. Mr. Carroll asked also if it would be something where anybody could walk off the street and be handed a gun they never had before with no instruction or were there safety procedures already in place and then also what their goals were as far as educating people and the community as far as this went. Mr. Sabo stated their primary audience was 30 to 50-year-old middle class individuals and these were clientele that would be considered beginner and novice in nature. Mr. Sabo stated they had a training program within their business among the seven stores they currently operated that trained 2,500 to 3,000 individuals on a weekly basis and they were one of the largest firearm training companies in the country in that regard, so there was a ton of emphasis on safety. Mr. Sabo stated they served well over one million individuals since the inception of the business six years ago and they were very proud that they had not had any safety-related incidents on record at that time. Mr. Sabo stated as far as who could come in and use the range was concerned, they followed all ATF rules and regulations and if you were old enough to own a firearm and could legally possess them, you could come into their range and shoot. Mr. Sabo stated in terms of renting the lanes, there was no required ATF background check to rent a lane to an individual but with that said, they would not rent firearms to any single shooters and that was a safety protocol they had in place, and it served them remarkably well. Mr. Carroll asked for clarification if any person who came into the shooting range must provide their own firearm. Mr. Sabo stated no but anybody who was a single shooter must provide their own firearms, and they had a buddy system as it was related to the rental of the firearms. Mr. Sabo stated in terms of safety out on the range, they had an RSO active on their ranges and at many moment in time where they had at least one person active on the range, they were actively patrolling the inside of the live fire bays, so they had a constant

physical presence. Mr. Sabo stated they also had a security tower that he could get in contact with by phone if he did not have a visual of what was being shared, but on their plans there was a security tower that straddled the two bays and they had an employee inside of the tower at all times when they were open. Mr. Sabo stated they had cameras within each lane so they could actively see from that central point any and every individual that was within their bays to see whether or not they were acting in the correct manner. Mr. Carroll stated what he would not like to see in their city was a place where there was a culture of misbehavior with lives firearms and asked how he would address anybody who went in there and was misbehaving in some way or was not following what would be acceptable safety procedures. Mr. Sabo stated that type of situation would be managed and handled before the individual got out on the range and the individuals that checked the shooters onto their bays were trained to assess whether or not an individual was a beginner or not and whether or not they needed a more hands-on approach as they checked into the range. Mr. Sabo stated if they witnessed unsafe behavior out on the range, they would go in and address that in a respectful way and they would remove the individuals from their range.

Ms. Hahn asked if he could tell them if the monitoring tower would be monitoring anything outside of the facility like the parking lot and be able to see people maybe not packing and storing their guns correctly while they were leaving the facility and putting them in their cars. Ms. Hahn also asked if they had any security outside in the parking lot or outside of the building. Mr. Sabo stated in terms of security, the central security tower was primarily for the range itself and the facility as a whole was actively monitored via a 360-degree security system and theft was a primary reason for that. Mr. Sabo stated in terms of monitoring customers in the parking lot, they did not have an individual specifically stationed to monitor the behaviors of the individuals as they left the facility but with that being said, all firearms that came into their facility had to be cased so they could not walk into their facility with a firearm that was uncased and typically, the firearms were leaving in the same capacity that they came to them in.

Mr. Hixenbaugh asked what he anticipated the hours of operation would be. Mr. Sabo stated they would be closed on Mondays year-round but would be open Tuesday through Thursday from 10AM until 8PM then Friday to Saturday, they would be open from 10AM to 9PM, and on Sunday they would be open from 11AM to 6PM. Mr. Hixenbaugh asked if this would be a corporate-owned and operated facility as opposed to a franchise. Mr. Sabo stated that was correct. Mr. Hixenbaugh asked if this was not their first corporate-owned store. Mr. Sabo stated it was not as this would be their eighth location with one other location in Indiana in Fort Wayne.

Doug Groll, resident of Elwood, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mr. Groll stated Mr. Piraccini said earlier that this had been going on for 30 years and he personally had been involved in it for 30 years. Mr. Groll stated when this was initially presented, the original PUD called for complete isolation of the residential from the commercial and that all traffic would enter from the highway and it showed Elmwood was being closed. Mr. Groll stated due to the nature of acquiring land and the failure to find it developed to purchase the whole thing it was not possible and it

had to be piecemealed with the storage units being the first thing to go in which was several years ago. Mr. Groll stated a lot of amendments were made at that time to get the storage units in and that was when they got an issue, and he knew it was going to happen. Mr. Groll stated they had speeding, they had a lot of trash, they had a lot of theft. Mr. Groll stated he did not necessarily oppose to the shooting range, and he attended the neighborhood meeting and they sounded like they knew what was going on and they knew how to build it and it sounded like it would be safe and environmentally friendly, so he was not totally opposed to it but then he knew in the back of his mind that it would complete the road and then allow for the DOT access to be abandoned which did contribute to a lot of traffic. Mr. Groll stated when the storage units went in, he talked to the county representative at the time, and he was totally opposed to closing Elmwood. Mr. Groll stated Elmwood was a nice, peaceful road and every time a new business went in there, they got more traffic as well as more trash and more problems. Mr. Groll stated he knew the city had done a good job of enforcing a privacy barrier with Evergreens as a sound barrier but unfortunately when people were sitting in the drive thru of Wendy's or Taco Bell and their music was loud and bumping, it came right up to the neighborhood. Mr. Groll stated as far as the businesses were concerned, they did their part and were good thinkers but the problem was that the customers were not good thinkers and he thought that was why the original PUD showed separation to solve that and the other thing was that from the neighborhood meeting, one of the comments was made that they had talked to several residents and there was no consensus and he said that nobody asked him or his neighbor and they took it upon themselves to make their concerns heard. Mr. Groll stated he obviously liked having two entrances and liked being able to come and go and all of the neighbors felt the same way, but they had not been able to talk to everybody, but they talked to almost everybody and they had 100% of their residents in favor of closing Elmwood. Mr. Groll stated he was not really asking the Council to not vote for the gun range, but to consider the neighbors in their decision and to come down their road sometime. Mr. Groll stated it was a very peaceful road, and their new county representative came down the road with his wife, and he chose what he considered a good time, because he encountered heavy traffic. Mr. Groll stated the road was only twenty feet wide and it was considered a one-way road, which caused passing and the road was not intended for that. Mr. Groll stated there were a lot of solutions that did not make sense but putting a closure on one end to the other could be a consideration and something that he asked the Council to keep in their mind. Mr. Groll asked on behalf of himself and neighbors for help from the Council with the solution, one way or another whether it was closed on the city's end or the county's end and their new county representative was not totally opposed to it.

Mr. Hixenbaugh thanked Mr. Groll for the information and stated he went down Elmwood midday and it was a very nice neighborhood, and he could understand the concerns that he and his neighbors had, but his experience was not the same as what he had described probably because of the type of day and time of day that he chose. Mr. Hixenbaugh stated he appreciated his comments that he made a couple of different times with regards to his concerns and what he had heard from his neighbors as well, but it was not as easy as other situations that came before the Council because of the adjacent county component that was not totally within their control. Mr. Hixenbaugh stated going

back to the neighborhood meeting that he was at and many councilmembers were at, the developer spoke to him about it, and he believed Mr. Prince did a great job of stating some of the realities. Mr. Hixenbaugh stated he thought the city was willing to engage in any conversations with the county with regard to what an appropriate remedy was there but it was not the city's position to be able to fund it and at the end of the day it was a county road but that was different from saying that they should not have ongoing dialogue and that they should not try to coordinate it with them to the extent that they could. Mr. Hixenbaugh stated since it was not a road in the City of Mishawaka, it was not up to the Council as a legislative body or their department heads to be able to close it irrespective of what they were doing with the PUD amendment that was in front of them that evening, but he did believe it made sense for them to continue to talk to their friends in the county if it were approved. Mr. Hixenbaugh stated they had a conversation about it and he reached out to some of his colleagues in the county and they would continue to do so to ask them to look at the situation from their perspective to see if there was anything that could be done. Mr. Hixenbaugh stated his points were well taken but it was just that there was a limitation on what the nine council members could do with regard to a road closure that was not in the City of Mishawaka, and he wished he had a better answer, but that was the answer. Mr. Hixenbaugh appreciated Mr. Groll's comments and his advocacy for himself as well as his neighbors.

Steve Fralish, resident of Elwood Road, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mr. Fralish stated it was not only up to the county to close the road, and any local government could close the road. Mr. Fralish stated that part of Elmwood that resided inside the community was under city control, and it was not under county control. Mr. Fralish stated he did not know where the understanding came from, that the Council could not do anything about it and they could close the road off. Mr. Fralish stated as far as Midwest Shooting Center was concerned, he was guessing with a 13,000 square foot facility and all of the concrete that would be going in there and all of the tradesmen and craftsmen that were going to build it, they would be spending somewhere between \$800,000 and \$1.2 million which was a lot of money as well as another \$150,000 to \$180,000 between asphalt, sewer and water extensions, the lighting, the landscaping, the sidewalks, and the curbs included in extending the road. Mr. Fralish stated he was a registered professional civil engineer and a former city attorney for a municipality in Lake County as well as a voting member for their Planning Commission for five years and whether it was a shooting range or a Starbucks, he would like to have it, and the real issues were traffic, noise, and speeding. Mr. Fralish stated the issue was road closure. Mr. Fralish stated it did not take an expensive cul-de-sac to do it and it might take two concrete traffic barriers or maybe a guardrail and a sign that said no outlet and the issue would be resolved and everyone would be happy. Mr. Fralish stated between Taco Bell and Wendy's, there were forty-eight parking spaces, and the shooting range was looking to add another eighty-seven parking spaces, which would be a 181% increase. Mr. Fralish stated he hears vehicles at late hours of the night going up and down their street and it made perfectly good sense that anybody going to the shooting range or Taco Bell or Wendy's from the west would not go down Ireland Road to Bremen Highway and go through the stoplight and then turn south on Bremen Highway and go through another stoplight to get there. Mr. Fralish stated if you were coming from the west, the shortest and

quickest way would be to go down east on Ireland Road, go south on the half block of Ireland Trail, and then go speed down Elmwood and go right in the back door with no stoplights. Mr. Fralish stated he took issue with Mr. Piraccini's comments when he mentioned that the October 13th meeting had a realty study done that stated home values would go down an average of about 4% and Mr. Piraccini stated that was only true because they were looking at outdoor shooting ranges but it turned out the study did not only include outdoor shooting ranges and there were indoor shooting ranges included in that study as well, showing that indoor and outdoor shooting ranges led to a decrease in home values, roughly 3.74% across the board. Mr. Fralish asked for the road to be closed. Mr. Fralish stated they had twenty-two children below the age of twelve who lived on Elmwood and the mothers did not feel safe having their children out on the street anymore. Mr. Fralish stated this had been going on for thirty years and they really did not have a problem until the last couple of years as soon as Wendy's and Taco Bell went in. Mr. Fralish stated noise, traffic, and speeding had gone up. Mr. Fralish stated the people on Elmwood Road purchased their homes there because it was nice and quiet and it would not take much to make it nice and quiet again.

Hannah Buschi, 16284 Elmwood Avenue, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mrs. Buschi stated she lived there with her husband and her two sons who were four and two. Mrs. Buschi stated the cars went incredibly fast down their road and in the year, they had lived there, they had seen an increase in speed even since the speed limit signs went in. Mrs. Buschi stated the signs had not seemed to make an impact on how quickly the cars came down their road and the speeding was very concerning as well as trash and other things.

Andrew Force, 16300 Elmwood Avenue, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mr. Force stated he wanted to point out that when the gentlemen representing the shooting range spoke via online to them, he was shocked to hear that they expected 250 cars a day coming to their range as that was a potentially big increase going down their street with a lot of little kids there, but he was encouraged to hear that council members had been down the street to see what it was like. Mr. Force stated he was encouraged to hear that they were recognizing the city and county to get together on the issue, and he was hoping they would pursue that. Mr. Force stated he was really not against the shooting range, but he was concerned about the amount of traffic going down the street after hearing potentially 250 cars a day.

Joseph Cooper, 321 West 13th Street, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mr. Cooper stated he wanted to know if there would be a retail outlet attached for the firearms, because he had never known or heard of just a shooting range being built somewhere and in addition to that, he wanted to know if there would be an abatement involved in the exchange of building the property on that. Mr. Cooper stated according to the Mayor, they needed to change their way of doing business and have residents support new business that got an abatement on the taxes while they were in a situation where no one knew what was going to happen in the next year or two. Mr. Cooper stated the same was true of tax abatements and he knew why tax abatements were done but he did not know why tax abatements were done if people were looking at raising income taxes in the city to make up for a shortfall in the property

taxes that were passed by the state. Mr. Cooper stated making sure residents got the exact same benefit as any other resident, business, or person in the city was important. Mr. Hixenbaugh stated there had not been a request by the developer for a tax abatement and they had nothing in front of them that asked for that, and he had no reason to believe that it was going to be requested and if so, they would look at it in just the spirit he had articulated. Mr. Hixenbaugh stated he appreciated his comments, but he could confirm for the record that there was no tax abatement being considered by the Council with regard to the development in question. Mr. Hixenbaugh stated he did not know if there was a retail component, but he would ask that question when it came time for the Council to ask additional questions.

Barb Fralish, resident of Ireland Trail, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mrs. Fralish stated she was opposed to having a gun range in their neighborhood and to make matters worse, she had been out of the road during the summer, and her four-year-old grandson was riding his bike, and a speeder came by and did not stop and practically hit her grandson. Mrs. Fralish stated it was not a two-lane highway and there were quiet times but there was way more disturbance than there used to be and you could not walk on the road safely. Mrs. Fralish stated widening the road and building some sidewalks for the neighbors would make a difference, but she was not sure if that would get done. Mrs. Fralish stated she was concerned about safety and she was worried about a child being killed in the road at some point and specifically with the gun range, her understanding was that people would be bringing their own guns to the range, and she believed that would ruin the neighborhood. Mrs. Fralish stated she was not well versed in who would be responsible to fix the roads, but they needed to care more about the neighborhoods in the county and in Mishawaka. Mrs. Fralish stated after more than thirty years of living there, their neighborhood was being ruined and, in this day and age, they just did not need guns. Mrs. Fralish stated she was worried about the kids and worried about someone getting killed. Mrs. Fralish stated they needed to build the gun range away from a residential area and asked the Council to close their road off.

Riley Galloway, resident living at Elmwood, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mr. Galloway stated he was most concerned about safety as he and his wife had three young kids and they used to like walking up and down the street every not but now you had to have your head on a swivel. Mr. Galloway stated he had to make sure he got his kids out of the way, because the cars were going at an average speed of forty miles per hour at least when the speed limit was twenty-five miles per hour down Elmwood. Mr. Galloway stated he had also seen people driving by and throwing trash out of their window as well as eighteen wheelers driving down the street late at night delivering things to Taco Bell and Wendy's. Mr. Galloway stated it was a growing problem, and it seemed that nobody knew who was in charge of the solution. Mr. Galloway stated the Council had mentioned that it was a county road which would make it a county problem, but Mishawaka was allowing the business that was creating the problem in the first place. Mr. Galloway stated he highly disagreed with the notion that traffic would decrease by 80% when the new All Secure entrance was complete, because anybody who would be already going to All Secure would be going the same way and now adding another business would just create more traffic, especially on the weekends. Mr.

Galloway stated all of the residents wanted an easy solution and he would not be opposed to the road being closed off.

Mr. Hixenbaugh stated before the next speaker that although the Council wanted to hear from all of the neighbors in attendance, to try to add new comments to the record and not repeat what others had already addressed and that it would be very helpful to the Council.

Ben Domonkos, 16384 Elmwood Avenue, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mr. Domonkos stated he wanted to know where the 80% figure came from when discussing traffic decrease whether it was from a traffic study or elsewhere. Mr. Domonkos stated he also was curious if the shooting range was a gateway business that the city wanted to come in and if there had been research done on the correlation of crime rate with a shooting range coming into an area. Mr. Domonkos stated they had huge ditches where it was hard to get off of the road, so there was that aspect of the tight road conditions as well. Mr. Domonkos stated he appreciated the Council conducting a conversation with the neighbors and supporting the dialogue that was occurring that evening. Mr. Domonkos stated there were twenty-five in the neighborhood and they had some great conversations with each other, and he appreciated the opportunity to talk with them all.

Sarah Domonkos, 16384 Elmwood Avenue, spoke in opposition to **PROPOSED ORDINANCE NO. 2025-22**. Mrs. Domonkos stated her and her husband had four kids and her oldest was 12 years old and her youngest was six. Mrs. Domonkos stated she was an educator and her husband was also an educator and they tried really hard to make sure their children were staying active and participating in things that were not connected to screens. Mrs. Domonkos stated this proposal was a problem that would make that really hard to accomplish on Elmwood Avenue. Mrs. Domonkos stated the ditches were bad and there was nowhere for her children to go when they needed to get off of the street. Mrs. Domonkos stated at the east end of Elmwood, there was a hill and it was just steep enough that when you rode your bike or went for a walk, you had to make sure you got off to one side of the road and off of the road, because cars coming from the west side to the east side could not see them at the bottom of the hill at all. Mrs. Domonkos stated the cars would come down the road at forty miles an hour and their children would be dead if they did not get out of the way. Mrs. Domonkos stated she did not feel safe enough and did not feel like she could trust the traffic or the people coming down their road enough that she could allow her children to independently ride their bikes up and down their road. Mrs. Domonkos stated it should not have to be that way and it was a serious concern of hers. Mrs. Domonkos stated they personally knew people close to them who had been killed just going to their mailbox and being struck by a car even though it was not on their street, but they personally knew of this occurring. Mrs. Domonkos stated she could see their street being at risk for that kind of tragedy. Mrs. Domonkos stated as someone who loved the city and respected beautiful lives like childhood, she hoped they could be problem solvers. Mrs. Domonkos stated she was a teacher and she told her kids all the time that they had to be problem solvers and not problem whiners so she respected that there were limitations involved, but they needed to work together to move forward and find out what was possible and what could be done. Mrs. Domonkos stated

as some residents had suggested, they were not asking for an expensive solution and she asked if they could do that. Mrs. Domonkos stated in terms of the gun range, she did not think any of the mothers completely loved that idea, but they were not asking for it not to be developed and were only asking to keep their residential area residential and to close off the proximity to the commercial development. Mrs. Domonkos stated she heard some safety measures that the developer talked about, but it sounded like it essentially stopped inside of their walls and everything outside of their business and in the parking lot was not their concern and that was her concern.

Mr. Banicki stated this was something that they heard all of the time with traffic and things of that nature. Mr. Banicki stated they already had a couple of gun stores in their area with one being a shooting range and both of them were in his district. Mr. Banicki stated security-wise, he watched one of them close up daily and it was very secure. Mr. Banicki stated neither building had a firing range and it had been there for quite a few years and they did not have an issue at all whatsoever as there were no accidental shootings reported or anything of the sort. Mr. Banicki stated they did a very good job with security and it was not the legal gun owners causing problems in that day and age, it was the illegal gun owners and the people that were leaving guns in their cars and when the cars were broken into, the guns would then get stolen and who knew where they would end up after that. Mr. Banicki stated as far as traffic was concerned, a lot of the people who would be going to the shooting range facilities were already in the area as they were likely using the businesses in that area. Mr. Banicki stated he had been on the traffic commission for over twenty years and they frequently had people talking about speed limits and things like that but the biggest thing they saw was that people were not smart and you could make the speed limit three miles per hour and they were still going to drive however they pleased, which was something they could not control. Mr. Banicki stated they tried their best, but they could not control it. Mr. Banicki stated being on the traffic commission, when questions were raised about closing down a road, you had to factor public safety into the decision, because it could take longer for fire trucks, for example, to get around ambulances. Mr. Banicki stated it would not be an issue until it became one and that was why you could not just close the road without knowing the ramifications of it. Mr. Banicki stated there needed to be studies done to determine how long it took for response times and things like that. Mr. Banicki stated with that being said, he would be in support of the proposed ordinance that evening.

Mr. Mammolenti stated at the meeting on November 13th, they heard a lot of similar comments and concerns and he thought towards the end of the meeting, the business owner was going to look into some other options and some cost issues and some estimates. Mr. Mammolenti stated he wanted to follow up on that and asked the business owner or the general contractor if he had done any research on cost of some of the solutions the residents had proposed. Mr. Rohde stated he started to look at the solutions and he drove through the road, and it was not as simple as it was made out to be. Mr. Rohde stated this would take some studies with respect to fire and life safety and he believed any road over 1200 feet had to have a cul-de-sac so fire trucks could get in and out and get around, so it was not just about putting barricades up. Mr. Rohde stated he was more than happy to look into all of the proposals made by the neighbors, but he did not feel it

was a responsibility of Midwest Shooting at that point in time to implement them. Mr. Rohde stated if they were directed to look into those solutions any further, they would be happy to do so but with respect to who paid for the work, that needed to be resolved prior to investigating much further.

Mr. Carroll stated he sympathized with the residents of Elmwood Avenue and he knew that if his neighborhood was being affected, he would want to take every opportunity to find a proper solution and he believed that it did make sense for this proposal to be looked at by the appropriate groups such as the traffic commission, the city planners, the county, and folks along that line. Mr. Carroll stated what he did not see was a link between the proposal the question before them, which was to allow a PUD amendment for the shooting range. Mr. Carroll stated it seemed to him that holding a private business hostage and telling them what they could and could not do with their private property for something that had something more to do with a city-county issue was the issue and that was where he fell along those lines. Mr. Carroll stated as much as he sympathized with all of the residents present that evening and could agree with them on certain things and disagree with them on others, the question before him and the rest of the Council was whether or not to allow the private business to do what it wanted with private land, so he would be supporting it. Mr. Carroll stated having said that, he would love to see some kind of collaboration for a solution that made the neighborhood a desirable neighborhood to be in.

Mr. Mammolenti stated he greatly appreciated the business owners, the contractor, and Mr. Piraccini hosting the meeting on the 13th that was previously mentioned to gather the neighbors and listening to their comments and concerns. Mr. Mammolenti stated he shared a lot of the comments that Mr. Carroll made and suggested that the residents of Elmwood explore all of the avenues that they could whether it was the traffic commission, the county engineer, or the city engineer just to continue the dialogue and make their concerns heard further. Mr. Mammolenti thanked all of the residents for their participation.

Mrs. Voelker complimented the residents on their work as a community and working together and complimented Mr. Fralish specifically on all of the work he did and for the materials he provided the Council. Mrs. Voelker stated she lived on Lincolnway, and she understood traffic concerns as traffic was very busy in her area on a consistent basis which was similar to Elmwood. Mrs. Voelker stated she did drive down Elmwood and it must have been during a quiet time and Mrs. Fralish happened to be walking down the street at that time, but there was no other traffic other than her vehicle. Mrs. Voelker stated she understood that traffic had its ebbs and flows but she wanted to compliment the residents and encouraged them to continue to work towards their goal and pursue different avenues that needed to be pursued, including working with the city like Mr. Mammolenti had mentioned. Mrs. Voelker thanked the residents once again for their work and cohesion.

Mr. Hixenbaugh thanked all of the neighbors for their advocacy for their neighborhood and thanked Mr. Fralish specifically for the information that he provided the Council on multiple occasions and stated he, like Mrs. Voelker, read through all of it. Mr. Hixenbaugh stated

unfortunately, this was not an uncommon situation where the city grew and they started to be in close proximity to their neighbors in St. Joseph County. Mr. Hixenbaugh stated he liked to think that there was a benefit to all of them of the growth of their city, whether it was shopping at Meijer or some of the other things that they had done in Mishawaka and his hope was that it would be of benefit for them and striking the proper balance between respecting the desires of their neighbors to keep their neighborhood as was and allowing the city to grow as it needed to for the benefit of their residents was a difficult balance to strike. Mr. Hixenbaugh stated they always took seriously what they heard from people, such as themselves, and they did everything they could to try to integrate that into their decision-making process. Mr. Hixenbaugh stated they had a lot of discussion about traffic for obvious reasons and having driven down that road, he could understand. Mr. Hixenbaugh stated his position was that with regard to the closure of the street, it was a much more complicated legal matter than what had been presented by some that evening. Mr. Hixenbaugh stated there was a separate legal process to vacate a public street which was not in front of them that evening and this was purely a decision as to whether the proposed use should be added to the other proposed uses that had long been in place with regard to the area of development. Mr. Hixenbaugh stated there would be a separate process if that were to take place and not everybody was going to agree with him, but he was convinced in his opinion as an attorney that there was a legal impediment to the city doing some of the things that had been suggested that evening. Mr. Hixenbaugh stated even if there was not a legal impediment, which he believed there was, their job was to look out with regard to what was happening in the next couple of years with regard to their finances and they were going to need every dollar that they had available to them to be spent very wisely. Mr. Hixenbaugh stated perhaps there was a use there that could benefit the city, but to implement traffic control in a county road at a time where they had similar issues that they heard in all of their neighborhoods, he questioned the wisdom, if not the legality of that. Mr. Hixenbaugh stated with regard to the traffic concern, he appreciated the few comments that they heard that were specific to the proposed indoor shooting range, but the reality was that as currently zoned, there were 134 commercial uses that without the Council taking any action could be developed on the property. Mr. Hixenbaugh stated the safety concerns that had been expressed were all taken to heart by the Council, particularly those concerns by the two mothers who spoke and everybody's concerns were valid, but that really resonated with them. Mr. Hixenbaugh stated he had not been presented, in his opinion, with evidence that led him to believe that the traffic concern that was related to the proposed development would be any different from the other 134 commercial developments that could take place without further action from the Council. Mr. Hixenbaugh stated he believed it made sense for them to continue to try to identify any opportunities for partnership in St. Joe County to address the situation. Mr. Hixenbaugh stated he did not know what that would look like and it would take good will on the part of the entire Council. Mr. Hixenbaugh stated as he mentioned earlier, he was committed to continuing to advocate for those in political office to be open to the concerns of the residents and he had not had a chance to speak with the sheriff, but when they talked about speeding and things like that, it would not be the Mishawaka Police Department that would be on Elmwood, it would be the County Sheriff's Department. Mr. Hixenbaugh stated they had limited resources just like they did in Mishawaka, but he thought that some coordination with the County would be necessary. Mr. Hixenbaugh appreciated the passion and

information that was provided and stated they were open to continuing to look for opportunities that would provide the Council with a chance to partner with their friends in the County on the issue, but based on the evidence that had been presented to them, he agreed with the recommendation that was in the staff report and he believed that the proposal qualified under the statutory criterion that they were obligated to look at. Mr. Hixenbaugh stated it was not what they wanted to do, it was what the law obligated them to do to follow the statutory criteria, and he believed the record reflected ample evidence to support the approval of the project.

Question was called for at 7:24PM for **PROPOSED ORDINANCE NO. 2025-22 Motion passed by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5944.**

PROPOSED ORDINANCE NO. 2025-25

CIVIL CITY BUDGET & TAX LEVY FOR 2026

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

The record reflected the fact that in conjunction with state law, they held a public hearing on the proposed budget at their previous council meeting.

Mr. Hixenbaugh thanked the City Controller, Rebecca Maguire, for the work that she did to put the budget together and to meet with them in a series of meetings, including department heads. Mr. Hixenbaugh stated it was a long week, but it was always a valuable conversation, and they appreciated the assistance that she and the department provided to them. Mr. Hixenbaugh also acknowledged the work the Budget & Finance Committee chaired by Mr. Violi did and members of the committee put in the same amount of time and asked good questions, and it was a valuable experience for all of them. Mr. Hixenbaugh stated he believed it was safe to say that this was the most challenging budget that he was aware of them having to work through in recent memory and certainly during his time on the Council. Mr. Hixenbaugh stated they had talked just about every time they had approved a budget about a budget being about their priorities and just like it had been in the past, the current budget was about service in general, but public safety in particular, as about 60% of their budget was spent on public safety for good reason and that was life-saving and life-changing for their residents. Mr. Hixenbaugh stated he was pleased that they were continuing to make the commitment to public safety that they had always made in Mishawaka as part of the budget. Mr. Hixenbaugh stated they were facing challenges in terms of recent changes state law and while they were all in favor of property tax relief, the minimal property tax relief that most of their residents, if not all, would receive had to be balanced against the significant loss of revenue that they were going experience, not only with regard to 2026, but 2027 was going to be worse and 2028 was projected to be even worse than that. Mr. Hixenbaugh stated he was concerned about what the future held for them but he was not

panicked because of the work that they had always been able to do between the Administration and the Council to work through other challenging, difficult issues and he was confident they would be able to do everything that they could to try to minimize the impact on the community, but he believed that while the budget was a balanced budget that had a minimal increase built into it, it would become tougher and tougher in the future years for them to be able to continue to provide the quality services that they provided to their community at that time. Mr. Hixenbaugh stated they would do their best they could to work through it, but he thought it was incumbent on all of them who resided in Mishawaka to advocate for themselves and their neighbors with the powers that be in Indianapolis to ask for all of them to be given the opportunity to continue to maintain their community the way that they wanted to. Mr. Hixenbaugh thanked everyone for their work on the budget once again and stated he was certainly in favor of it, but as tough as the year was, he thought their work was going to become even tougher in the future.

Mr. Violi thanked Mrs. Voelker and Mr. Emmons as they were also part of the Budget & Finance Committee as well as Mrs. Maguire and Mrs. Yoder from the Controller's Office who were both great helps as well as all of the department heads sitting through the meetings and the concern that everybody had to do the right thing for the budget and for the future budgets was evident and everyone took it very seriously. Mr. Violi thanked all of the department heads as well as President Hixenbaugh and Mayor Wood for their leadership at the meetings and he appreciated all of the work they helped put in with them to get the budget before the Council.

Question was called for at 7:30PM for **PROPOSED ORDINANCE NO. 2025-25** Motion passed by unanimous roll call vote (summary: Yes = 8).

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5945.**

PROPOSED ORDINANCE NO. 2025-26

AN ORDINANCE AMENDING PART 1 CHAPTER 62 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED

Amending Mishawaka Utilities Wastewater Rates & Charges (Requesting Postponement)

The chair entertained a motion to postpone second reading and public hearing on **PROPOSED ORDINANCE NO. 2025-26** until their regularly scheduled meeting of November 17th, 2025, all at the request of the Administration. 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 matter was postponed until the regularly scheduled council meeting on November 17th, 2025.

PROPOSED ORDINANCE NO. 2025-27

**AN ORDINANCE AMENDING ORDINANCE 5907 AS AMENDED FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT THE MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS, AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2025
Amending 2025 Salary Ordinance**

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

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2025-27**. Mrs. Maguire stated this was an amendment to the 2025 salary ordinance. Mrs. Maguire stated they had an IDACS Coordinator on staff and they currently had an employee who had been performing in the Assistant Coordinator position, and it was the Police Department's opinion that that assistant should also receive a stipend. Mrs. Maguire stated IDACS stood for Indiana Data and Communications System. Mrs. Maguire stated it was a computerized law enforcement system and it was information and storage and retrieval, and it also interfaced with the national crime database. Mrs. Maguire stated this would be \$1,000 for the assistant.

Question was called for at 7:34PM for **PROPOSED ORDINANCE NO. 2025-27 Motion passed by unanimous roll call vote (summary: Yes = 8)**.

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5946**.

PROPOSED ORDINANCE NO. 2025-28

**AN ORDINANCE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT ELECTED OFFICIALS, SWORN PUBLIC SAFETY, MISHAWAKA PARK DEPARTMENT, AND MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2026
Civil City Salary Ordinance for 2026**

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

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2025-28**. Mayor Wood began by thanking President Hixenbaugh for really explaining some of the conditions that would impact the city really for the next several years to come. Mayor Wood stated it was brought up here that evening that the city was going to have to do business differently, and that was certainly the case and for the record, tax abatements are extremely rare. Mayor Wood stated they had not, in his knowledge, given one to a retail shop, and they certainly did not to gun ranges, so he could

not imagine that starting. Mayor Wood stated what they were facing was a significant decrease in their revenue. Mayor Wood stated their accountants, which they had done business with for many decades, had projected a \$15 million deficit by the year 2028, and that was equivalent to about 20 percent of their budget. Mayor Wood stated sixty percent of their budget went to public safety. Mayor Wood stated they provided the services there at the local level that most impacted their residents. Mayor Wood stated it was the police response, fire response, patching of potholes, plowing of streets and it was the services that if they did not do them, then that would have a very negative impact on their city. Mayor Wood stated all of their employees, they're just like them and they had households, they had kids, and they liked to work an honest day's work and get paid, and they liked to get raises and just like their homes, costs had been going up, and so that made this a very precarious time because just as their costs were going up, their revenue would be decreasing significantly. Mayor Wood stated they were going to have to do business differently and they always had valued the outstanding work of their employees. Mayor Wood stated they compensated them, they tried to keep them within what the market would typically bear for other kinds of positions, and in fact, in some cases where they had struggled to hire, they always tried to make it so that people wanted to work for the city of Mishawaka and he commended their staff for providing, really at all levels, outstanding service. Mayor Wood stated any service they wanted to look at; he would compare the services that their citizens of Mishawaka received to any community you cared to look at, and he would put theirs at the top. Mayor Wood stated that was because they had dedicated people who not only cared about the jobs they performed, they loved where they worked, and he thought that made a significant difference. Mayor Wood stated while they had always given raises, that year was going to look just a little bit different because as 2028 was looming, they were already starting to have to make decisions based on what they knew was coming. Mayor Wood stated their salary ordinance looked a little bit different that year. Mayor Wood stated there were twenty-six pays typically on an annual basis and every eleventh year, they had a twenty-seventh pay. Mayor Wood stated the following year was one of every eleven years circumstances, and so their employees would actually get an extra paycheck the following year. Mayor Wood stated it used to be in the past that they would take whatever was approved in their salary ordinance and divided that up by whether it be twenty-six or twenty-six pays, and then that's what their employees would receive. Mayor Wood stated that was difficult to budget for if you were one of their employees, and all of a sudden in eleventh year, your paychecks were smaller every month. Mayor Wood stated they may get the extra one at the end of the year, but their paychecks were going to be smaller and it was an accounting nightmare to try to figure that out and calculate it, but it was certainly a pretty significant inconvenience and so they had adopted a principle where they kept the paychecks the same, and then every eleventh year, they had to budget for an extra pay period. Mayor Wood stated that was equivalent to about a 3.85% average increase for their staff, and so that would hit in the following year. Mayor Wood stated they had to budget it like it was a pay raise, because they did not have that in their budget and on top of that, not only was it an extra paycheck, but it was also additional funds that they had to find to pay into the PERFs and to the benefit packages for their staff. Mayor Wood stated next year, when they factored that in, they were proposing that essentially to be the raise. Mayor Wood stated that was for their salaried employees, and for their hourly employees that operated under different conditions, they were proposing a \$2,000 stipend, so they carried no legacy costs with those, and they were proposing that it be paid out in quarters. Mayor Wood stated with that the first three quarters would be paid out at \$250, and the final quarter, which was towards the end of the year, would be paid out at \$1,250 towards the

year end. Mayor Wood stated they appreciated their good relationship and good interaction with the Council for helping them to come up with something that they thought their employees would value and it was worth noting that they had always been very generous, not only for their employees who worked there, but for those who made their careers in public service. Mayor Wood stated they always wanted them to retire and have their retirement be something that was somewhat equivalent to what you would find out in the marketplace. Mayor Wood stated over the past few years, they had done a deferred compensation match program and they did that based on the condition of their budget, so over the last handful of years, they were doing a 2% match where if employees put 2% towards their retirement, the city would match that 2%. Mayor Wood stated the budget was not going to support that going forward, so they are asking that to be reduced to 1% for the coming year and that would essentially show about a \$205,000 general fund budget reduction. Mayor Wood stated they really did not want to do those things, but they were in a condition where they had to start making difficult decisions. Mayor Wood stated as difficult as it was that year, unless there were fixes down at the state, they were very actively engaged with their legislators. Mayor Wood stated they knew that a lot of things had to be fixed because they were not workable, so they were very active in trying to make sure that the impact on local government and especially on their citizens was as minimal as possible.

Mr. Hixenbaugh thanked Mayor Wood for the work he and Mrs. Maguire did to be able to deal with the twenty-seventh pay issue in the best way they possibly could for their employees. Mr. Hixenbaugh stated not every employer did that, but he appreciated the work that they had done in conjunction with the Council to do that. Mr. Hixenbaugh stated although this was somewhat related to the salary ordinance, he also wanted to applaud the effort that Mayor Wood and his administration made going back to the budget to not to lay off any of their employees. Mr. Hixenbaugh stated any reductions in staff had been through attrition, and that was not only good for those families, but he suspected that he would agree with him that what they did to maintain employment and what they did to fairly compensate their employees were community benefits because those dollars that they earned were reinvested in their community, in their restaurants, their stores, and in their homes. Mr. Hixenbaugh thanked Mayor Wood once again for the work that he did in order to help them navigate through a difficult time as best as they possibly could. Mayor Wood thanked President Hixenbaugh.

Question was called for at 7:45PM for **PROPOSED ORDINANCE NO. 2025-28 Motion passed by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5947.**

PROPOSED ORDINANCE NO. 2025-29

**AN ORDINANCE FIXING THE SALARIES OF ALL SWORN POLICE EMPLOYEES
OF THE CITY OF MISHAWAKA FOR THE CITY OF MISHAWAKA, INDIANA FOR
THE YEAR BEGINNING JANUARY 1, 2026**

All Sworn Police Employee Salary Ordinance for 2026

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

The chair entertained a motion to delete the ordinance as presented to them and replace it in its entirety with an amended ordinance that made a technical correction to the ordinance that they would then vote on. Mr. Banicki moved the motion and with a second from Mr. Mammolenti, a voice vote was held. The motion passed unanimously, and the amendment was made.

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2025-29**. Mayor Wood stated this was trickier because they were currently in the process of collectively bargaining between the FOP, the Council, and the Administration. Mayor Wood stated that process was in place, and so what they were requesting was the twenty-seventh pay with a 1% deferred comp match and that was subject to the collective bargaining process.

Question was called for at 7:49PM for **PROPOSED ORDINANCE NO. 2025-29 Motion passed by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5948.**

PROPOSED ORDINANCE NO. 2025-30

AN ORDINANCE AMENDING ORDINANCE 5910 AS AMENDED FIXING THE SALARIES OF ALL SWORN FIRE EMPLOYEES OF THE CITY OF MISHAWAKA FOR THE CITY OF MISHAWAKA, INDIANA, FOR THE YEAR BEGINNING JANUARY 1, 2026

All Sworn Fire Employee Salary Ordinance for 2026

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

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2025-30**. Mayor Wood stated this was for their sworn fire employees. Mayor Wood stated they were again requesting a twenty-seventh pay with a 1% deferred comp match and fire was a little unique compared to the rest of the city in that particular year because they had their collective bargaining process completed last year and what was negotiated and was part of that process was a 4.5% increase for 2026 and that was again approved last year with a multi-year contract that was in the contract. Mayor Wood stated that 4.5% usually was what had been approved for the body they would typically do that for the chiefs and the assistant chiefs but they were proposing not to do that additional 4.5% for the chiefs and assistant chiefs, so they would be essentially police chief and assistant chiefs in that department as well as their department and other similar positions.

Question was called for at 7:52PM for **PROPOSED ORDINANCE NO. 2025-30 Motion passed by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5949.**

PROPOSED ORDINANCE NO. 2025-31

AN ORDINANCE FIXING THE SALARIES OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2026

Elected Official Salary Ordinance for 2026

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

Mayor Wood spoke in favor of **PROPOSED ORDINANCE NO. 2025-31**. Mayor Wood stated this was the elected officials salary ordinance and similar to other non-fire departments, they were not asking for an additional percentage increase in their salary, so it would be held to the same as it was before, with the exception that, like every other department, they would have a twenty-seventh pay by quirk of calendar and the same 1% reduction in deferred comp.

Question was called for at 7:54PM for **PROPOSED ORDINANCE NO. 2025-31 Motion passed by unanimous roll call vote (summary: Yes = 8).**

Yes: Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The proposed ordinance passed 8-0, thus it became **ORDINANCE NO. 5950.**

PRIVILEGE OF THE FLOOR

Joseph Cooper, 321 W 13th Street in Mishawaka, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Cooper stated the issue he wanted to bring attention to was the fact that with the major data center that was approved for going up in the, around Fir Road somewhere, that recent studies, had shown that the residents in areas where major data centers went in saw an increase in water and utility fees in excess of 20% every year once that building became operational. Mr. Cooper stated there was nothing you could do about the fact that they had already approved it, and probably gave a nice abatement to that facility, but they could control how those costs for excessive energy and water usage were passed along to the current residents of the city. Mr. Cooper stated it showed up on our bills now, but it's not that much of the bill, so he wanted to bring that to their attention, especially the water, because there was a process called subsidization when water was withdrawn from an aquifer to the land above it and the land above it sank, and it was occurring in the city and in various other areas. Mr. Cooper stated his driveway had actually stayed stable, but the sidewalk in front of his driveway had dropped probably three inches, so there was now a noticeable increase going up into his driveway and across his driveway. Mr. Cooper stated this was going to happen to many, many buildings in the city because of the water draw off, whether it was going into the reservoir up off Ireland Trail, or whether it was going off into the new developments in the city. Mr. Cooper stated you were already seeing the need for electrical upgrades solely because one big component was because they added one thousand

living units along the river, and they all needed electricity. Mr. Cooper stated every one of the units had one hundred and ten amperage when you did not need that much amperage down there, so they had their electric bills increased to pay for the upgrade to the power lines in the core city area, which was handled very well for over one hundred years, and did not need any adjustment until The Mill, The Mill Phase Two, The Avalon, and anything else going on down there in terms of condos started going on. Mr. Cooper stated they needed to be aware of that because they were going to come and ask them to increase their electrical and water bills at a time in which people did not have a lot of money, excess money, or any money to go around and pay those bills and they did not have food either and Medicare and Medicaid were suffering as well. Mr. Cooper stated there was no money coming into local municipalities. Mr. Cooper stated as far as taxing citizens were concerned, if there was going to be a tax, there should be a very clear discussion of that and notification to all the residents of the city. Mr. Cooper stated he lived in a city in Ohio that had a city income tax and they did not tax just the residents of the city, they also taxed the people who worked in the city and the people who worked in the city, there were a lot of federal and state employees that lived there and they worked in the Capitol, or for the Department of Defense at the Defense Logistics Agency, or they worked for another entity outside of this city. Mr. Cooper stated if they worked in the city, they paid that tax, so it did not matter where you lived and you would pay a city tax if you even worked in the city, but there should not be a need for a city tax. Mr. Cooper stated they had approved budgets and his honest opinion with some experience, because he spent thirteen years in the county of Milwaukee in fiscal affairs and doing budget work, was that you would get rid of the extra pay period and you would go to a once-a-month pay period, not every other week. Mr. Cooper stated with that they would know exactly what was coming out every month and people could budget their income because they knew what was coming. Mr. Cooper stated that was all he wanted to say. Mr. Hixenbaugh stated for the second time that evening he had some good news to share with him. Mr. Hixenbaugh stated the data center that he referred to was located in St. Joe County and it was not a part of the City of Mishawaka and there was no tax abatement that they had granted, nor could they grant them because they were not part of the City of Mishawaka. Mr. Hixenbaugh stated they had the ability to be able to serve utilities outside of their city boundaries and he did not know what was going to happen with that, but not only did the Council oversee the operation of their utilities but the Utility Board did as well as the Administration and they always looked to see not what a developer wanted to do but what was in the best interest of Mishawaka and residents like him and all of them so that they were treated fairly. Mr. Hixenbaugh stated it could not just be focused on the developer and it had to be what was best for all of them within the community and what was fair. Mr. Hixenbaugh stated with that being said, he did not have a crystal ball and could not predict what was going to happen in the future, but he wanted to share that good news with him that it was not part of Mishawaka. Mr. Hixenbaugh stated he did not know what was going to happen in the future but there was no tax abatement that could be granted to them. Mr. Cooper stated that was good to hear and he was always interested in who got an abatement and who did not. Mr. Hixenbaugh stated they really had been judicious throughout the history of the City of Mishawaka, and he believed they had five current tax abatements. Mr. Hixenbaugh stated Mr. Cooper may feel like that that was too many and he would respect that opinion, but it was far fewer than they had in the past. Mr. Hixenbaugh stated they had subjected those requests to an enhanced level of scrutiny particularly as their finances became more challenging and they had to make sure that, once again, it was not just good for the developer, but it was good for the community. Mr. Hixenbaugh stated he could not promise him

that they were never going to consider it again, but it was on a case-by-case basis, and it had to be carefully scrutinized to make sure that it was good for all of them.

Ken Prince, Director of Planning and Community Development, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Prince stated regarding the data center and water usage, he wanted to make sure the right information was on record. Mr. Prince stated they were actually a very low user of water because they used cooling gel to cool their facilities, so it was much less than what a comfortable residential development would pull from it. Mr. Prince stated the other question that was brought up was regarding their electric system and as the Council knew, it was the age of their infrastructure that caused that increase when you thought of what used to be there. Mr. Prince stated Uniroyal generated a whole lot more demand for electricity than what the residential was there. Mr. Prince stated it was the conversion from 4 kV to 12 kV and the outdated nature. Mr. Prince stated they could not even get parts for that system that had warranted that upgrade, so he just wanted to state that for the record and he was happy to answer any questions that they had.

Raya Quick, 2512 River Avenue in Mishawaka, spoke under **PRIVILEGE OF THE FLOOR**. Mrs. Quick stated on February 25th, her grandson was coming to get his dog because she babysat the dog and he went out and he turned around and came in and as he was doing that, they heard a big noise coming down the road from Martin's. Mrs. Quick stated you could hear it gearing up and it was a big crash, and she was at her front door and the man hit a car three houses away in a driveway, came up across the lawn of the next house, hit her grandson's car, spun it around, went through her fence and almost went into the next yard. Mrs. Quick stated there was a lady there watching it, and the police never talked to her or asked her anything and she wanted a police report. Mrs. Quick stated the man was not drug tested, did not do a sobriety test, and walked away from it. Mrs. Quick stated he tried to leave the scene and drop something off at's neighbor's home. Mrs. Quick stated the individual had had four prior accidents and his license was suspended before his most recent accident. Mrs. Quick wanted to know what could be done to stop this individual. Mrs. Quick stated nobody asked her about her property and she had to pay for all of the damage herself. Mrs. Quick stated she could have gone to small claims court, but that would have cost her to go through that process as well. Mrs. Quick states she did not have a fence for a month and a half. Mrs. Quick wanted to know where the police were for all of this and what could be done. Mr. Hixenbaugh stated the Council understood and appreciated her frustration and anybody who had that type of situation would share the same concerns she had. Mr. Hixenbaugh stated it was not a matter that they could solve on the floor of a legislative meeting, but he encouraged her to speak to someone, specifically Chief Arendt, the Mishawaka Police Chief, if she had not already to make him aware of the situation. Mr. Hixenbaugh stated he had always known Chief Arendt to be very responsive to the concerns that their residents raised and he may not be able to answer all of her questions, but he knew he would be happy to talk to her. Mr. Hixenbaugh stated the other party that had a role to play when it was someone like this, the driver of the other vehicle, and he was not going to state any conclusions on whether he thought it should or should not happen, but it was not always up to the police department whether somebody was charged with a crime, even when it involved a vehicular matter such as this. Mr. Hixenbaugh stated the county prosecutor had a big role to play in those types of decisions as well, so his suggestion to her was to start with Chief Arendt, but since there was another governmental entity that was involved, it may be time well spent for her to talk to

the prosecutor's office as well. Mr. Hixenbaugh stated she should first start with Chief Arendt to see if he could do anything to try to address her concerns and if there was anything the Council could do, they would be happy to help.

Mayor Wood spoke under **PRIVILEGE OF THE FLOOR**. Mayor Wood stated they were not aware of any subsistence caused by Mishawaka's wellfields anywhere in the city of Mishawaka. Mayor Wood stated they had three wellfields in the city with two of them on the north side of the river and one of them on the east side just south of the river and many miles from the West End. Mayor Wood stated they were not pulling any water out of the ground anywhere near the West End that would cause any kind of subsistence. Mayor Wood stated typically what happened there was that was previous to development and that was what they called Mishawaka muck. Mayor Wood stated that was ground that was in some cases very soft and it did heave and it did shift and it did move. Mayor Wood stated he just wanted to make that clear for the record that any pumping of water from a Mishawaka aquifer was not causing subsistence anywhere that they knew in the City of Mishawaka. Mr. Hixenbaugh thanked Mayor Wood for that clarification.

NEW BUSINESS

Mr. Carroll stated Chief Arndt would be available at the 2nd District meeting on Thursday November 13th if anyone would like to come mee with him and speak with him.

ADJOURNMENT 8:15PM

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.

