

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

April 13, 2026

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 April 13, 2026, at 6:00PM. The meeting was called to order by Council President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance.

City Clerk Debbie Ladyga-Block called roll.

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

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.

Minutes for the Regular Meeting on March 16, 2026, were approved as received from the Clerk's Office.

Clerk Block read the following appeals, petitions, and vacations by title and opened the public hearings for the vacations.

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| Appeal No. 2026-11 | Use Variance to allow a Drive-Thru Restaurant in C-1 General Commercial District – 4340 N. Main Street |
| Appeal No. 2026-13 | Conditional Use for Underground Fuel Storage Tank – NW corner of E. Cleveland Road & Capital Avenue |
| Petition No. 2026-08 | Rezone from C-1 General Commercial to C-4 Automobile Oriented Commercial for Auto Body Shop – Vacant lot South of 3610 Bremen Highway (Meijer) |
| Petition No. 2026-09 | Rezone from C-1 General Commercial to C-7 Automobile Oriented Restaurant Commercial to allow a Drive-Thru Restaurant – 3630 Bremen Highway |
| Petition No. 2026-10 | Annex and Rezone to R-1 Single Family Residential – 13511 E. 6 th Street |

Petition No. 2026-11 PUD Amendment to allow Portable Storage Shed and Metal Garage/Carport Sales – 801 W. Douglas Road

Petition No. 2026-15 Annex and Rezone to R-3 Multi-Family Residential Housing and C-1 General Commercial for Grocery Store – 1622, 1628, 1640, and 1706 E. McKinley Avenue

A public hearing on Vacation 2026-01 required by State Statute on behalf of Josette M. Shannon has filed a petition for vacation of the public right-of-way described: Right-of-Way Vacation located at 209 Towle Avenue

Terry Lang, Wightman Office, spoke in favor of **Vacation 2026-01**. Mr. Lang stated he was representing the petitioner and at the end of Towle Avenue was a parcel of land that was extra right-of-way for Front Street when it was extended from the old Mill over towards the 100 Center and that right-of-way of that location exceeded 100 foot wide and after discussing with the Plan Commission, there was a surplus piece of right-of-way there that the adjacent petitioner was interested in acquiring to extend the driveway in the rear of the property as well as to put a future garage there. Mr. Lang stated the petition before them was about 2,000 square feet of right-of-way that was not being used at that time at all and he was happy to answer any questions.

The public hearing on **Vacation 2026-01** was closed at 6:07PM and further action would be taken on the proposed ordinance related to the matter later on in the agenda.

A public hearing on Vacation 2026-02 required by State Statute on behalf of the Estate of Helen Zeggerman has filed a petition for vacation of the public right-of-way described: Right-of-Way Vacation of 2.65 Acres on the East side of Fir Road, North of University Drive, and South of Cleveland Road

Andy Heltzel, Danch Harner & Associates Inc., spoke in favor of **Vacation 2026-02**. Mr. Heltzel stated he was representing the petitioner and the right-of-way that was proposed to be vacated was being used at that time as a drainage retention area and the proposed use was to continue to use it as a drainage retention or detention area depending on the engineering to the site. Mr. Heltzel stated the site that surrounded it was proposed to be a multi-family apartment type of use.

The public hearing on **Vacation 2026-02** was closed at 6:09PM and further action would be taken on the proposed ordinance related to the matter later on in the agenda.

Presentment of Encumbered Funds

Presentment of 2-year Voided Checks

Presentment of RDC Report on 2025 Activities

Mr. Hixenbaugh stated the record would reflect that all three of the above items had been submitted to the Council and presented to them consistent with state law.

Former City Hall Update

Duane Wilson, CEO of Boys and Girls Club in the Northern Indiana Corridor, spoke before the Council regarding their project. Mr. Wilson stated he was very excited to discuss the movement that was occurring with the old City Hall building which was formerly called One Roof and they were not sure at that time what it regularly would be called, but it would still be under that same vein and it would be a community center that benefited the City of Mishawaka. Mr. Wilson stated he was excited, because this was a reflection of the partnership with United Way and they had carried it up to 75% completion at that point and he and the former CEO of United Way had worked together to bring the project to completion and their goal was to be fully completed by the end of 2026. Mr. Wilson stated he would have liked to be finished by the beginning of the school year as they were working with Dr. Theodore Stevens, the Superintendent of School City of Mishawaka, and the School City of Mishawaka and they would be part of it, but it likely would not be completed until the end of the calendar year. Mr. Wilson presented a floor plan for the proposed building that would be in the former City Hall building. Mr. Wilson stated on the first floor of the building, there would be a common space for people to use, and they would also have the Club, in partnership with Dr. Stevens and School City of Mishawaka where they would have an alternative to suspension program as well as an alternative to expulsion program. Mr. Wilson stated there would be an entry way for a lobby that would be accessible to the community to come in and the Club would be separated for the afternoon space, so it would be accessible and beneficial for the entire community. Mr. Wilson stated upstairs, there would be more access to community spaces for a WIC program, REAL Services, and Mental Health Services of Michiana would be available as well. Mr. Wilson stated they would have some other open space to be able to use upstairs and they would define that later on as they would be starting what they were calling a blue ribbon committee. Mr. Wilson thanked Councilwoman Voelker for accepting the invitation to be on that committee and stated they wanted community input and they wanted to know how they could best serve the community. Mr. Wilson stated this was a project that had been three to four years in the making and thanked United Way for all of the work they had done up to that point and handing it over to them and they would have the project done by the end of the year. Mr. Wilson stated he would entertain any questions the Council had.

Ms. Hahn asked if they had thought about tapping into the building trades program that School City of Mishawaka had to offer to potentially help them with the construction that would be coming up. Mr. Wilson stated he had not thought of that, but he believed that would be great and he and Dr. Stevens would have to discuss that in the future. Ms. Hahn stated she did not know all of the ins and outs, but she thought that it could be a great opportunity. Ms. Hahn asked if there would be childcare services in the new proposed plan. Mr. Wilson stated there was nothing at that time that was available, because the vouchers had hurt a lot of the early childhood and

daycare but there was room upstairs if they needed that. Mr. Wilson stated they had not just begun to explore that yet.

Mr. Hixenbaugh thanked Mr. Wilson for his presentation and the information. Mr. Hixenbaugh stated as they had discussed, he believed that there was some interest not only in the community at large, but in that neighborhood in particular with regard to the status of the project and what the future held. Mr. Hixenbaugh stated his sense of it was that the information that he had shared was going to be comforting to the people who were concerned about the status of the building. Mr. Hixenbaugh stated from his perspective, he found what he had described to be very consistent with what they heard from United Way and some other community partners back at the inception of the project. Mr. Hixenbaugh stated he was pleased to hear that they were still heading in the original direction, but under new ownership and the fact that the school corporation was going to be involved also was of benefit to the community. Mr. Hixenbaugh stated the city's involvement to that point had been with regard to the transfer of the building to United Way and with regard the Council's approval as well as the Administration's of the use of some ARPA money with regard to the cost of rehabilitation of the building and asked at that point in time if he anticipated asking the city for any more financial contribution in the project moving forward. Mr. Wilson stated at that particular point he had not and the city had been incredibly generous in allowing them to continue the project and they were extremely excited about it, but it was not their anticipation of asking the city for more financial support. Mr. Wilson stated they had made other requests to community foundations and United Way of Indiana was being very generous as well, so there was no ask to the city. Mr. Hixenbaugh stated he appreciated that clarification and thanked Mr. Wilson once again for the information. Mr. Hixenbaugh stated he agreed with his recognition of United Way for the significant work that they had done to bring the project forward and the fact that they were going to be able to build on their good work through a modification in the leadership structure he thought was pleasing to all of them. Mr. Hixenbaugh stated one thing that he would ask that they did either by attending council meetings or as it was appropriate, if they could provide the Council with updates that they could share with the community with regard to the status of the project, he thought that would help alleviate some questions and concerns that the community had with regard to where they were at and where they would be going. Mr. Wilson stated he absolutely agreed with that and the official kick off to the project became official when they received the approval for the matching grant from United Way of Indiana, which would take place at the very beginning of May. Mr. Wilson stated once they had the matching grant of \$1.5 million, then they would have all of the funds available to complete the project. Mr. Wilson stated they would be up and running in a month with all of the updates, timelines, and everything that the Council needed. Mr. Hixenbaugh stated they looked forward to hearing more and wished Mr. Wilson nothing but the best in terms of their ability to move the project forward.

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

PROPOSED ORDINANCE NO. 2026-12

**AN ORDINANCE AMENDING ORDINANCE 5950, FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT FOR THE MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS, AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE YEAR BEGINNING
JANUARY 1, 2026**

**Amending Ordinance 5995 Civil City Salary for 2026
(2nd Reading Requested)**

The chair entertained a motion based upon the request of the Administration to suspend their council rules and hold first and second reading that evening on the amendment to Ordinance 5995, the civil city salary ordinance for 2026. Mr. Banicki moved the motion and with a second from Mrs. Voelker, Clerk Block polled the Council on the motion.

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 motion passed 8-0.

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2026-12**. Mrs. Maguire thanked the Council for suspending their rules for this item and stated they were currently interviewing for a new IT Director and through their market research in comparing salaries of neighboring communities and their interviewees, they realized that to be competitive they needed to raise that salary. Mrs. Maguire stated currently it was \$87,795 for the IT Director and they were looking to have a range of \$95,000 to \$105,000. Mrs. Maguire stated this also compared to the cohort of numerous department heads as well and they felt like they needed to speed up the process so they could advertise the position at a higher rate as soon as they could.

Mr. Hixenbaugh thanked Mrs. Maguire for the information not only regarding the position she had discussed but regarding what they had done with salaries across the board in recent memory. Mr. Hixenbaugh stated he appreciated the fact that the Administration had been very diligent about not just looking at the abstract but aligning it to some of the salary studies that she mentioned and market comparisons so that they could be competitive with regard to recruiting and retaining the best possible employees they could. Mrs. Maguire thanked Mr. Hixenbaugh

Question was called for at 6:20PM for **PROPOSED ORDINANCE NO. 2026-12 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. 5977**.

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

RESOLUTION R2026-10

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, EXPANDING A REVOLVING FUND PURSUANT TO INDIANA CODE 5-1-14-14, AUTHORIZING A DOWNTOWN FORGIVABLE LOAN PROGRAM UNDER SUCH REVOLVING FUND, AND CERTAIN RELATED MATTERS

Expanding Revolving Fund and Authorizing Downtown Forgivable Loan Program

Ken Prince, Director of Planning and Community Development for the City of Mishawaka, spoke in favor of **RESOLUTION R2026-10**. Mr. Prince stated at the end of 2024, the city went through the process of adopting a downtown grant and forgivable loan program. Mr. Prince stated at that point in time, they did not know how successful that program was going to be. Mr. Prince stated he was pleased to report that they had five loans in 2025 that amounted to about \$133,000 of the \$500,000 allocated. Mr. Prince stated what that led them to believe was that there were some tweaks to the program that could be made at that time and that they were recommending to the Council for adoption. Mr. Prince stated one was that the area eligible for the grant could be enlarged to include neighborhood destination locations and also not-for-profit locations. Mr. Prince stated the examples he cited in his communication included the Mishawaka History Museum, The Elks, BK Club, Diloreto Club, De Amicis Club, The Main Stage, and The Acting Ensemble. Mr. Prince stated they all would now be eligible for the program. Mr. Prince stated the area was enlarged by a significant area, but that was only to pick up the commercial businesses or mixed-use buildings. Mr. Prince stated other changes were requesting to the program including the ability for the city to pay for murals up to \$2,000, they defined property types excluded improvements that were just done to comply with Code Enforcement, so with a window replacement, for example, if you had a window that was broken that Code had been on you to replace, that would not be eligible. Mr. Prince stated however, if they were looking to redo an entire façade in conjunction with Code Enforcement to go beyond just the fix recommended by Code Enforcement, that would be eligible and that was a distinction that had been made in the program. Mr. Prince stated another thing was exempting the ability to or requirement to have multiple bids when the work was less than \$2,000 in cost and one of the challenges they knew in the program was getting multiple bids, particularly for small work. Mr. Prince stated if you bid some electrical work, you could find it difficult to get contractors to bid that work. Mr. Prince stated they thought this was a good threshold to allow for that one bid for a lower dollar amount. Mr. Prince stated the last point he wanted to discuss was the window replacement for the historic core. Mr. Prince stated they were not sure if this was going to fix the problem or not, but he used the example of a building like the Beiger Mansion and they were looking at doing replacement windows and they had existing historic windows that were part of it and it was very difficult to find a contractor, let alone multiple contractors, to restore the windows and it was easier to replace them and working with the Historic Preservation, they would much rather have them restore the windows than to replace the windows. Mr. Prince stated what they did was they decreased the percentage for replacement and they increased the percentage for the restoration as part of the modifications to the program. Mr. Prince stated he was happy to answer any questions that the Council had.

Ms. Hahn stated she loved this program and she was so happy that the city was doing it. Ms. Hahn stated one of the restrictions was that you could only apply for it every year, so a business

like The Phoenix, for example, got a grant, they did their work, and they had to wait a year. Ms. Hahn asked if they had thought about lifting that restriction since there was not a ton of businesses taking advantage of the program at that time. Mr. Prince stated they had not just for the ability to spread the work around and they thought the one year was a good rule to make that okay and it went pretty quickly, so The Phoenix would be eligible again that coming winter to apply again. Mr. Prince stated it was one year from the completion of their project, so they would be able to apply quickly. Ms. Hahn stated she knew this was a forgivable grant loan and asked if there was any thought into maybe giving people the money up front who could not come out of pocket while the work was being done and then apply to be refunded and if there was any way they could get that money to them upfront. Mr. Prince stated they specifically did not do that because they did not want to be in the business of funding a part of a project and then worried about collecting, so if the Council wanted to revisit that they could, but he thought that it was problematic for an administration standpoint. Ms. Hahn thanked Mr. Prince.

Mr. Emmons stated he believed they had done a fabulous job on redoing the Phoenix building on the outside, totally from the sign to the painting and the redevelopment of that building. Mr. Emmons stated it really looked like it was an additive to the downtown area compared to what it was before. Mr. Prince thanked Mr. Emmons for his comment and stated he thought it was a good example for the program, because it was hard to come up with funds, particularly a local business owner, to do the improvements. Mr. Prince stated those were improvements that he thought were necessary and he thought they drafted the program to try to tackle businesses like that. Mr. Emmons asked if they went over and above the amount for the program. Mr. Prince stated it was just under the \$50,000 amount and the number of improvements definitely exceeded the \$50,000 amount, but the amount eligible maxed out at \$50,000. Mr. Prince stated the project was closer to \$90,000 in total. Mr. Emmons thanked Mr. Prince.

Mrs. Voelker stated she was really pleased that they were expanding the program and expanding the area that people would be able to apply in and it would make the City of Mishawaka that much more vibrant.

Mr. Hixenbaugh stated this was obviously a successful program and he believed they were all proud to support it when it was initially proposed, but Mrs. Voelker hit the nail on the head with her comments and the expansion further added to the benefit of the community of the program. Mr. Hixenbaugh thanked Mr. Prince and his staff for having the vision to bring the proposed set of changes and amendments to the Council.

Question was called for at 6:28PM for **RESOLUTION R2026-10 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 resolution passed 8-0.

RESOLUTION R2026-11

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS Tax Abatement Compliance Reports

Clerk Block read the list of companies who were recipients of the tax abatements.

Front Street LLC (The Avalon – Mixed Use Building)

Helios Hydraulics Americas LLC

United PetFood Producers USA Inc.

Jamil Packaging Corporation

Derek Spier, City Planner, spoke in favor of **RESOLUTION R2026-11**. Mr. Spier stated property owners who had applied for and had been granted a tax abatement for either real or personal property must file a report with the Council and then also the St. Joseph County Auditor's Office. Mr. Spier stated they currently had four projects with five active abatements in the city, all which require reporting for the year, and all of the companies had submitted compliance with the statement of benefits forms. Mr. Spier stated all four of the projects which received abatements complied with and had exceeded, nearly met, or were working toward expectations. Mr. Spier stated since the prior year, they had not had any of the abatements that had expired. Mr. Spier stated these forms were also due to the County Auditor's Office no later than May 15th of each year. Mr. Spier stated the first abatement was for Front Street, specifically The Avalon. Mr. Spier stated this abatement was approved in October of 2022 for a mixed-use building including apartments and first floor retail space on Front Street. Mr. Spier stated construction began in November of 2022 and was completed by July of 2024. Mr. Spier stated total employment for the project when it began was zero and when the abatement was filed, an estimated two to three new jobs were anticipated. Mr. Spier stated two new jobs were created with a combined annual salary of \$90,000. Mr. Spier stated there were also three commercial spaces on the first floor and they were currently vacant, but the applicant said that they had received interest in them being leased. Mr. Spier stated the additional employees in those spaces would result in exceeding the number of jobs as projected on the original abatement when filed. Mr. Spier stated the occupancy rate for the apartments was 97% with 108 total apartments in the building. Mr. Spier stated the estimated and actual value of the construction was \$25 million and the current assessed valuation based on 100% completion was \$9.2 million. Mr. Spier stated since the improvements had been made, the cost projection was met, and additional employees had been hired; they should be considered in compliance. Mr. Spier stated the next one was for Helios Hydraulics of Americas and they received a real and personal property tax abatement in October of 2022 for a building expansion and installation of new equipment. Mr. Spier stated in 2022, the company acquired Daman Products located on North Home Street. Mr. Spier stated the real property improvements included a \$4.8 million building expansion. Mr. Spier stated construction began in late 2022 with the building and site improvements completed by the end of 2024. Mr. Spier stated the actual real estate investment was \$9.4 million. Mr. Spier stated

personal property improvements included \$11.5 million for new equipment and actual personal property investment was over \$15 million. Mr. Spier stated when the abatement was filed, the total existing employment was listed at 139 with 73 jobs to be added over the life of the abatement. Mr. Spier stated by the end of last year, they added an additional 44 employees, which was 29 less than envisioned. Mr. Spier stated it should be noted that in the prior year's compliance report, they had an additional 62 employees by the end of 2024, meaning that there were 18 less employees at the end of the last year. Mr. Spier stated one thing they did not include was in their 108 employees reported at the end of 2025, it did not include 17 full-time employees that were technically considered temporary workers, so their workers had to go through a 90-day temporary process before they were considered full-time employment. Mr. Spier stated the company also had an additional 6 to 10 job openings for new employees and they were expecting some additional the remainder of the year. Mr. Spier stated even though there were less employees than last year, the payroll was \$12.5 million, which was more than the \$10.2 million listed on the original abatement request. Mr. Spier stated given that the investment and the payroll was higher than projected amounts with employment anticipated to increase that year, they were considering this in substantial compliance. Mr. Spier stated the next one was United Petfood Producers and it was a real property tax abatement approved for June of last year for a new 69,000 square foot warehouse facility. Mr. Spier stated in June of 2024, United PetFood Producers acquired the former Wellness Pet Company. Mr. Spier stated the real property improvements included \$5.4 million for the new building and associated improvements. Mr. Spier stated construction began last year and after the approval of the abatement in June and was nearing completion. Mr. Spier stated actual real estate investment was \$6.1 million. Mr. Spier stated when the abatement was filed, employment was listed at 101 with 19 additional jobs to be added. Mr. Spier stated the total employment was reported at 124, so this was an increase of 23 positions which was 4 greater than the 19 additional envisioned Mr. Spier stated total payroll was \$7.5 million which was close to what they originally envisioned. Mr. Spier stated given this was nearing completion with current employment exceeding the projected amounts, they considered it to be in substantial compliance. Mr. Spier stated lastly, they had Jamil Packaging Corporation. Mr. Spier stated this was an abatement for personal property approved in 2025 for new manufacturing equipment on Industrial Drive. Mr. Spier stated originally, they had estimated \$4.8 million and the equipment had been purchased and was anticipated to be in operation by the second quarter of the year. Mr. Spier stated when it was filed, total employment was 131 with 9 jobs to be added. Mr. Spier stated total employment reported was 144 and this was an increase of 13 positions which was 4 greater than what was originally envisioned in 2025 when they filed for the abatement request. Mr. Spier stated total payroll was \$7.7 million, higher than the \$6.7 million listed. Mr. Spier stated given the equipment had been purchased and would be soon operational and payroll exceeded the projected amounts; they considered it to be in substantial compliance. Mr. Spier stated he was happy to answer any questions.

Mr. Hixenbaugh thanked Mr. Spier for the work that went into compiling the information and stated he thought it was valuable to them throughout the year and not just when it came to the approval of the compliance reports. Mr. Hixenbaugh stated with regard to the five active abatements that they had currently, at a recent council meeting they talked about the number of

abatements that historically Mishawaka had in place and his recollection was that they had as many as 10 or more abatements active at any point in time in the past and asked if that was accurate. Mr. Spier stated that was correct and he believed as recent as 7 or 8 years ago, they had 7 or 8 companies with 9 abatements that had been active, so yes, it had dwindled over the years as far as what they had active. Mr. Hixenbaugh stated they had said for years that they were judicious with regard to their approval of tax abatements in Mishawaka and he believed that to have been true even when they had more active abatements. Mr. Hixenbaugh asked Mr. Spier if he would agree with him that the abatements had been scrutinized very closely by both the Administration and the Council and they were hitting the mark in terms of investments in jobs and benefited the community as documented in the reports. Mr. Spier stated yes.

Question was called for at 6:37PM for **RESOLUTION R2026-11 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 resolution passed 8-0.

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

PROPOSED ORDINANCE NO. 2026-07

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.

Vacation of Right-of-Way North of property located at 209 Towle Avenue

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

Terry Lang, Wightman Office, spoke in favor of **PROPOSED ORDINANCE NO. 2026-07**. Mr. Lang stated he would like to reiterate his previous presentation from earlier in the meeting and if there were any additional questions, he would answer them.

Question was called for at 6:40PM for **PROPOSED ORDINANCE NO. 2026-07 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. 5978**.

PROPOSED ORDINANCE NO. 2026-08

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

**Annex Right-of-Way extending Veterans Parkway North to Cleveland Road
Public Hearing – No Vote**

Ken Prince, Director of Planning and Community Development, spoke in favor of **PROPOSED ORDINANCE NO. 2026-08**. Mr. Prince stated as they recalled from previous items that had come before them that year, Gurley Leep was building an auto mall at the intersection of Cleveland and Capital and as part of that process, they needed to extend utilities from the location of Veterans Parkway going north to Cleveland. Mr. Prince stated they asked that they purchase right-of-way to make the improvements happen and this right-of-way was connecting the Penn Farm to the Wright Farm to Cleveland Road. Mr. Prince stated what the annexation did was that it would bring Veterans Parkway into the city so they were under one jurisdiction, and they were about to start construction of the project and they did not want to go through the steps of asking the county for approval for a city project. Mr. Prince stated this just brought it under the city's jurisdiction so that they would be the sole approving entity of the projects.

The public hearing on **PROPOSED ORDINANCE NO. 2026-08** was closed at 6:42PM. Consistent with the requirements of state law, the Council would take final action on the matter at their next regularly scheduled council meeting.

PROPOSED ORDINANCE NO. 2026-09

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

Rezone from C-1 General Commercial District to R-1 – 822 W. Fourth Street

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

Josh Stewart, Granger, IN 46530, spoke in favor of **PROPOSED ORDINANCE NO. 2026-09** remotely. Mr. Stewart stated he and his wife purchased the property on 822 W. 4th Street in 2025 with the intent of utilizing it as a rental property. Mr. Stewart stated they purchased it and had put \$40,000 worth of rehabilitation into it and it was currently being rented out as a single-family home. Mr. Stewart stated they would like to request that it be rezoned to its more appropriate use. Mr. Stewart stated from what he understood, several years ago there was a storefront

attached to the property that had been gone for years and they were attempting to align the zoning to how it was currently being used. Mr. Hixenbaugh thanked Mr. Stewart.

Question was called for at 6:46PM for **PROPOSED ORDINANCE NO. 2026-09 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. 5979.**

PROPOSED ORDINANCE NO. 2026-10

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.

Vacate 2.65 Acres of Right-of-Way – East side of Fir Road, North of University Drive, and South of Cleveland Road

Mr. Mammolenti reported the Land Use Planning Committee recommended that this proposed ordinance be adopted. Upon a second by Mr. Banicki, the motion carried. The committee report passed unanimously.

Andy Heltzel, Danch Harner & Associates Inc., spoke in favor of **PROPOSED ORDINANCE NO. 2026-10.** Mr. Heltzel stated if the Council had any questions, he would be happy to answer them as he gave his presentation on this matter earlier in the meeting.

Question was called for at 6:48PM for **PROPOSED ORDINANCE NO. 2026-10 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. 5980.**

PROPOSED ORDINANCE NO. 2026-11

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

**Annex and Rezone to C-1 General Commercial – 15008 Grande Vista Drive
Public Hearing – No Vote**

Andy Heltzel, Danch Harner & Associates Inc., spoke in favor of **PROPOSED ORDINANCE NO. 2026-11.** Mr. Heltzel stated this was a proposed commercial use for a four-tenant building. Mr. Heltzel stated C-1 only allowed for two tenants, so they would need to go back and ask for a developmental variance to allow them to have four tenants. Mr. Heltzel stated their ideal use was

a four-tenant commercial space. Mr. Heltzel stated they knew at that time at least one of the tenants would be a chiropractor's office and the other three were up in the air with one potentially being a financial services office. Mr. Heltzel stated they believed they were meeting and/or exceeding parking requirements on site with their current design and, pending engineering review, would have plenty of space for retention area. Mr. Heltzel stated they believed that C-1 was an appropriate use for this.

The public hearing on **PROPOSED ORDINANCE NO. 2026-11** was closed at 6:51PM. Consistent with the requirements of state law, the Council would take final action on the matter at their next regularly scheduled council meeting.

NEW BUSINESS

Mr. Emmons made an announcement that the First District Meeting would be Thursday, April 16th and the guest speaker would be Tim Ryan who would be discussing the city cemetery. Mr. Emmons stated he was surprised to know that not a lot of people really knew that they had a city cemetery in Mishawaka, how it was developed, and who took care of it. Mr. Emmons stated Mr. Ryan was a very knowledgeable person regarding the cemetery and he would be present at St. Bavo's on Thursday, April 16th at 7PM to speak on it and answer any questions. Mr. Emmons stated all were welcome and he looked forward to seeing everyone.

Mr. Mammolenti made an announcement that due to some conflicts, they would not have their Twin Branch Neighborhood Watch meeting in April, however they booked Mayor Dave Wood for their next meeting in May on May 20th and he would be giving his annual State of the City Address to the residents. Mr. Mammolenti stated all were welcome at Fire Station #4 on Harrison Road on May 20th at 7PM.

Mr. Hixenbaugh announced that the Mishawaka Police Department would be holding an awards ceremony on Sunday April 19th at 2PM in the Council Chambers and the ceremony would honor officers, civilian employees, and community partners whose actions over the past year had demonstrated commitment to public safety and the core values of the Mishawaka Police Department.

ADJOURNMENT 6:59PM

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.