REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

July 27, 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 July 27, 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.

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

City Clerk Debbie-Ladyga Block called roll.

Present: Mrs. Hazen (P), Mrs. Voelker (A), Mr. Carroll (P), Mr. Banicki (P), Mr. Emmons (P), Ms. Hahn (P), Mr. Mammolenti (E), Mr. Violi (P), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Minutes for the Regular Meeting on July 6, 2026, were approved as received from the Clerk's Office.

Clerk Block read a letter from the City Plan Commission regarding their recommendation from their July 14, 2026, meeting.

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

PROPOSED ORDINANCE NO. 2026-25

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLASSIFICATION THEREFORE AND 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.
Annex & Rezone north 220' to C-1 General Commercial & south 310' to I-1 Light Industrial – southside of Lincolnway E. approximately 665' east of Bittersweet Rd. – 12340 Lincolnway E.
(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2026-26

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2026
Additional Appropriations: County Economic Development Income Tax: Capital Outlays: 2209-50-445-15 Training Center Improvements $500,000.00 Public Safety Local Income Tax: Capital Outlays: 2240-50-443-93 Fire Station Improvements $500,000.00 Total: $1,000,000.00
(Assigned to Budget & Finance Committee)

PROPOSED ORDINANCE NO. 2026-27

AN ORDINANCE DECLARING AND DETERMINING THE REDUCTION OF BUDGET APPROPRIATIONS FOR THE YEAR ENDING DECEMBER 31, 2026
Reduction of Budgeted Appropriations: County Economic Development Income Tax: Capital Outlays: 2209-50-445-17 Park Improvements $500,000.00 Total: $500,000.00
(Assigned to Budget & Finance Committee)

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

RESOLUTION R2026-26

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 the Revolving Fund & Authorizing a Downtown Forgivable Loan Program

Ken Prince, Director of Planning and Community Development for the City of Mishawaka, spoke in favor of **RESOLUTION R2026-26**. Mr. Prince stated the nature of the request was a minor modification of the program. Mr. Prince stated at the July Historic Preservation Commission meeting, they were specifically asked by the commission including Councilwoman Voelker and Councilwoman Hahn regarding what they could do specifically for historic structures like the Beiger Mansion. Mr. Prince stated as they could recall when they created the program, although it referenced the core city as being historic and placing a higher value on historic, the very nature of the program was a redevelopment proposal and not a historic proposal. Mr. Prince stated they went back and looked at the program and then rather than trying to break out specifically historic properties, they thought from the Administration perspective it was more equitable to increase the percentage specifically in two categories. Mr. Prince stated it increased it for fire suppression and fire building code life safety improvements and exterior façade improvements in the C-3 area, and it increased it from 20% to 30% and if this was approved, that would then match what was approved for the West End area. Mr. Prince stated it would be equitable between areas and would provide additional opportunities for historic structures in the overall C-3 area. Mr. Prince stated to refresh their memory, the C-3 area included other historic properties than the Beiger Mansion, specifically the 100 Center, and McCartney Insurance. Mr. Prince stated the other thing they were sensitive to was there was only about half of the roughly $250,000 left of funds in the program, so they wanted to extend those as far as possible. Mr. Prince stated although they would like to see radical improvements on everything, there were limitations to the funds that they had. Mr. Prince stated, with that, he was happy to answer any questions the Council had.

Mr. Violi asked when they originally started the program. Mr. Prince stated the program was approved by the Redevelopment Commission at the end of 2024 and by the Council in the beginning of 2025. Mr. Violi asked the amount that they appropriated. Mr. Prince stated $500,000. Mr. Violi stated they were only halfway through that appropriation at that time, so expanding the eligibility was to try to use the money up and get it to the right cause that they set out to do in the first place and asked if that was correct. Mr. Prince stated that was correct and earlier that year, the Council modified it to include a broader area, so they were hopeful to have the maximum impact as desired through the program. Mr. Violi thanked Mr. Prince.

Ms. Hahn thanked Mr. Prince and the Administration for moving so quickly on putting this item before the Council so they could get the grants to those who needed them.

Question was called for at 6:08PM for **RESOLUTION R2026-26 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 8-0.

<u>RESOLUTION R2026-27</u>

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA AUTHORIZING THE INVESTMENT OF PUBLIC FUNDS PURSUANT TO INDIANA CODE 5-13-9-5
Authorizing Investment of Public Funds

Rebecca Maguire, City Controller, spoke in favor of **RESOLUTION R2026-27**. Mrs. Maguire stated this was an annual item, and it was required that the Common Council authorized the investment of public funds outside of their municipality, anywhere in the State of Indiana.

Joseph Cooper, 321 W. 13th Street Mishawaka, IN 46544, spoke in opposition to **RESOLUTION R2026-27**. Mr. Cooper stated they all got a surprise announcement about the increase in utility bills, but be that as it may, sending money outside of the municipality for someone else as a forgivable loan seemed to counter the intent of their interests, because that money being loaned and forgiven would fall on the taxpayer to make up. Mr. Hixenbaugh stated the previous item on the agenda was for the forgivable loan program that was directed toward

Mishawaka residents and Mishawaka residents only. Mr. Hixenbaugh stated the matter that Madame Controller just talked about was an authorization from the State of Indiana for the city to be able to look at those institutions throughout the state that would provide the most favorable return on their investment, not a loan, but investing those funds that the city held, so this was not a loan program, this was their ability to be able to maximize the benefit for their taxpayers and invest their funds were they would receive the greatest rate of return. Mr. Hixenbaugh stated the matter that was now in front of them that Mr. Cooper was speaking on was not a loan program. Mr. Cooper stated he would still be opposed to that and he was opposed to sending any of their tax dollars outside of the municipality, was opposed to taking money for the benefit of the developers, was opposed to creating tax abated areas for the developers and was opposed to the situation that occurred with the development of whatever was happening up on Cleveland Road.

Mr. Carroll stated due to a professional conflict of interest he would have to abstain from voting on the matter.

Mr. Hixenbaugh stated in response to Mr. Cooper’s question whether she heard his explanation as to what the resolution entailed that was in front of them at that time. Mrs. Maguire stated yes and outside of their municipality, their banking advisor Baker Tilly went out for public bids, and they were investing in the highest rates possible throughout the State of Indiana. Mr. Hixenbaugh asked if his summary was accurate in terms of the flexibility that the state law allowed them to look for those institutions that would provide them the highest rate on their investment if they so deposited the funds with them and if that was correct. Mrs. Maguire stated that was correct. Mr. Hixenbaugh asked if there was anything else that she wanted to clarify in order for the public to have all of the information that they needed to understand what it was that the Council was being asked to vote on. Mrs. Maguire stated they had a public bid and they requested anywhere from six to ten institutions for their bids and rates and they always went with the highest rate. Mr. Hixenbaugh thanked Mrs. Maguire for the clarification.

Question was called for at 6:15PM for **RESOLUTION R2026-27 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, 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. 2026-23

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2026
Additional Appropriation – Public Safety LIT Capital Outlays 2240-50-445-08 Police Equipment: $3,000,000.00 Total: $3,000,000.00

Mr. Violi reported the Budget & Finance Committee recommended that this proposed ordinance be adopted. Upon a second by Mr. Banicki, the motion carried. Clerk Block polled the Council on the committee report.

Motion passed by unanimous roll call vote (summary: Yes = 8).
Yes: Mrs. Hazen, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The committee report passed unanimously.

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2026-23**. Mrs. Maguire stated the request was for an approval of a $3 million additional appropriation for police and public safety radios, vehicle radios, body cameras, and in-vehicle camera system upgrades. Mrs. Maguire stated the item was being discussed in the prior year for the 2026 budget and the previous IT Director was working on it and when he left earlier in the year, the IT staff let them know that it was not going to be able to wait to another budget cycle due to the end of support status on the radios, so that was the reason they were bringing it forward during the middle of the year. Mrs. Maguire stated Chief Arendt was also available that evening if there were any questions for him.

Mr. Hixenbaugh stated he wanted to add the Council's thanks to the comments that Mrs. Maguire made earlier and it would have been great if this had been known at the time that they put the budget together, but he appreciated the diligence on those who had followed up to make sure that they were able to make an investment that protected not just their citizens, but their officers with regard to effective, workable public safety communication items. Mr. Hixenbaugh stated he appreciated the work of everybody involved, including the police and fire chief.

Question was called for at 6:19PM for **PROPOSED ORDINANCE NO. 2026-23 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, 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. 5993**.

<u>PROPOSED ORDINANCE NO. 2026-24</u>

AN ORDINANCE TRANSFERRING FUNDS FROM THE MOTOR VEHICLE HIGHWAY RESTRICTED FUND OF THE CITY OF MISHAWAKA TO THE LOCAL ROAD AND BRIDGE MATCHING GRANT FUND OF THE CITY OF MISHAWAKA FOR THE CALENDAR YEAR ENDING DECEMBER 31, 2026 AND AN ORDINANCE APPROPRIATING FUNDS FOR THE YEAR ENDING DECEMBER 31, 2026 Transfer & Additional Appropriation: Motor Vehicle Highway Restricted Fund FROM: <u>Capital Outlays</u> 2203-50-442-01 Local Bridge and Road Matching Grant Fund TO: <u>Other Services and Charges</u> 2404-50-436-03 Street Repair $899,550.00 Additional Appropriation – Local Bridge and Road Matching Grant Fund TO: <u>Other Services and Charges</u> 2404-50-436-03 Street Repair $899,550.00 Total: $1,799,100.00

Mr. Emmons reported the Budget & Finance Committee recommended that this proposed ordinance be adopted. Upon a second by Mr. Banicki, the motion carried. Clerk Block polled the Council on the committee report.

Motion passed by unanimous roll call vote (summary: Yes = 8).
Yes: Mrs. Hazen, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The committee report passed unanimously.

Rebecca Maguire, City Controller, spoke in favor of **PROPOSED ORDINANCE NO. 2026-24**. Mrs. Maguire stated this supported their award of the community crossing grant of $899,550. Mrs. Maguire stated as required by the state, they needed to match it with motor vehicle highway restricted fund monies and together, the two items totaled $1,799,100 and that was what they would be appropriating with the Council's approval that evening for street repair.

Question was called for at 6:22PM for **PROPOSED ORDINANCE NO. 2026-24 Motion passed by unanimous roll call vote (summary: Yes = 8).**
Yes: Mrs. Hazen, 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. 5994**.

PRIVILEGE OF THE FLOOR

Joseph Cooper, 321 W. 13th Street Mishawaka, IN 46544, spoke under **PRIVILEGE OF THE FLOOR**. Mr. Cooper stated he had about 25 years working in local, state, and federal government dealing with expenses, finances, and things that mattered including the writing and evaluation of RFPs, solicitation and selection of vendors, and dealing with all of the money that went with that. Mr. Cooper stated the departments that he was basically deputy director of for finance and operations totaled around $500 million. Mr. Cooper stated it was quite a surprise when he noticed a blurb that the utility fees were going to go up by 25% and he understood how critical it was to keep up with those type of things, but this came out in February of 2026 and he did not recall anybody on the Council holding any type of community discussions and awareness about what was going to happen. Mr. Cooper stated maybe that had happened, he did not know for sure but he did not hear about it until after the second reading and the vote. Mr. Cooper stated to do the rate increase, you had to issue an RFP and that had to come out in maybe 2024, but 2025 definitely and you had to have a consultant come in. Mr. Cooper stated you had to provide the documents that they used to form the report and then in January or maybe late December of the prior year, someone wrote the resolution that got filed in February for the first reading about raising the rates, so between February and June, not a statement was issued by the Governor or by the Mayor or by any of the councilmembers that he knew of about the intended rate increase, not only 25% that year but increases for the next three years after that. Mr. Cooper stated he was curious what happened and if someone said they should not discuss it with the public because they would just raise the rabble up about their fees going up and not their income and for anyone that sat in a state that paid $7.25 an hour as a wage to anybody, it was an insult to people on fixed incomes, social security, disability, and other aspects of not being able to just go get a second job because there were not any second jobs. Mr. Cooper stated he understood how it worked and he did not get where he was in his positions without how this worked, so it was not too early to start talking about what those increases were going to be. Mr. Cooper stated they adopted the resolution that had a four-year plan of increased fees for utilities. Mr. Cooper stated it was not too early to start letting people know and get accustomed to what they were doing or tell the facts. Mr. Cooper stated it was interesting that after the vote when people went online to take a look at their pending bill, it was not functional and you could not go online to see what your July bill was until it showed up in the mail. Mr. Cooper stated to people who lived in conspiracy theories, that just meant there was just another way of keeping people from understanding what was happening and what they were doing. Mr. Cooper stated it was not too early to start letting people know and while the utility executive congratulated all of them on their bravery, it was not bravery when it came up out of cowardness and hiding it for five months, if not longer because they had the report from the consultant by at least December.

Mr. Hixenbaugh stated he appreciated Mr. Cooper's comments and he wished that they lived in world where the need to invest and reinvest in their municipally owned utilities did not require rates to be paid by all residents throughout the community in order to make sure the services that people expected were reliable and were available when they and their family needed them. Mr. Hixenbaugh stated, but again, they did not live in that world where there was not the ability to be able to fund those utilities and other services that they provided to the community without there being rates that were paid to fund them. Mr. Hixenbaugh stated while he appreciated the comments, as the old saying went, they were all entitled to their opinion, not to their own version of the facts. Mr. Hixenbaugh stated he wanted to clarify that there was not a 25% increase in any given year over the course of the five-year plan and the rate increase actually was approximately 5.9%. Mr. Hixenbaugh stated he wished it was a 0% increase, but it was not anywhere near 25%, so to portray it as being a one-year increase of 25% over the course of a five-year plan was not accurate. Mr. Hixenbaugh stated with regard to the informational component of Mr. Cooper's, remarks, he believed it always behooved them to make sure that they had the maximum amount of notice that could go out to their residents and their ratepayers anytime that they were considering rate increases. Mr. Hixenbaugh stated the record as documented by the Clerk's Office reflected the fact that publication took place as was required. Mr. Hixenbaugh stated there were first and second readings on the proposed ordinance as was required under the statute and they even as a Council in between the first and second reading held an additional informational meeting that was publicized to the community and they had members of the public attend to provide enhanced notice with regard to what was being proposed, so he wished that everybody had received direct notice and that was difficult for any governmental entity to be able to pull off, but the records would reflect the fact that the Council went beyond the requirements of Indiana law with regard to the notice that they provided to the community. Mr. Hixenbaugh stated last but not least, an important part of what they discussed that evening, and it was a companion piece to the rate increase, was the approval of their rate assistance program for those members of the public who Mr. Cooper accurately identified requiring some additional assistance. Mr. Hixenbaugh stated that program provided an opportunity for people to enjoy as much as a 5% discount on their utility bill and that was not just unique to the water rate increases, that was across the board. Mr. Hixenbaugh stated once again that he wished that they did not have to ever raise rates, and he did not think from his perspective that would be the responsible thing to do because he wanted to always vote in favor of reliable services that people could count on for themselves and their families. Mr. Hixenbaugh stated he appreciated the comments, but he thought that all the facts were important when they discussed these types of issues, including those facts that he highlighted.

Mr. Mammolenti stated he wanted to echo Mr. Hixenbaugh's comments and also share the fact that he did host a Twin Branch Neighborhood Watch meeting where their guest speaker Matt Lentsch came and presented the proposed rates increases to the public as well with all of the public being welcome and the meeting was very well attended. Mr. Hixenbaugh thanked Mr. Mammolenti.

Mr. Carroll stated to add onto Mr. Mammolenti's comments, they had three different months' worth of District 2 meetings at Blair Hills where they had speakers including the Director of Mishawaka Utilities speaking on the rate increases for utilities and then additionally when they did water and sewer, they had folks come and speak on that as well. Mr. Carroll stated that was all advertised online and were open to the public as they always were. Mr. Hixenbaugh thanked Mr. Carroll.

ADJOURNMENT 6:34PM

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

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