AGENDA

Monday, February 1, 2016

Meetings of Standing Committees
Council Conference Room
6:45 P.M.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00 P.M.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of the Minutes of the Previous Regular Meeting**

   January 18, 2016

5. **Petitions, Communications, Remonstrance and Memorials**

   Appeal No. 2016-03 Use Variance to allow for Indoor/Outdoor Warehousing & Display of Vehicles - 411 S. Main St.

   Petition No. 2016-05 Rezone from S-2PUD to C-1 for Additional Parking for Adjacent Hotel - Vacant Land East of 1220 E. Douglas Rd.

   Outstanding and Unpaid checks for a period of 2 years to be voided

6. **Report of Special Committee**
7. **Ordinances on First Reading**
8. **Resolutions**

   R2016-02 Declaratory Resolution - Patrick Industry - 1141 and 1241 E. 12th St.

9. **Ordinances on Second Reading**

   P.O. NO. 2016-01 Authorizing the Purchase of Blanket Bonds covering Officials and Employees of the City(Assigned to Budget and Finance Committee)

   P.O. NO. 2016-02 Rezone from C-1 Commercial to R-1 Residential 516 E. Mishawaka Ave.(Assigned to Land Use Planning Committee)

   P.O. NO. 2016-03 Rezone property from C-1 Commercial to S-2PUD for Residential Use - North of 124 Cedar Rd (Assigned to Land Use Planning Committee)

10. **Privilege of the Floor – Non-Agenda Items**
11. **Unfinished Business**
12. **New Business**
13. **Adjournment**

At this time I know of no other business to come before the Council.
Deborah S. Block, IAMC, MMC, City Clerk

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
January 18, 2016

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday January 18, 2016, at 7:00 p.m. The meeting was called to order by City Clerk Deborah Block all were asked to stand for the Pledge of Allegiance.

Chief Deputy Mary Ellen Hazen's roll call showed the following, **Roll Call.**
Present: Mrs. Voelker, Mr. Compton, Mr. Mammolenti, Mr. Deal, Mr. Roggeman, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Banicki.

Others present; Council Attorney Mike Trippel, Mary Ellen Hazen Chief Deputy I, and Linda Dotson Chief Deputy II

The minutes from the January 4, 2016 meeting were approved as received from the City Clerk's Office.

Clerk Block read a letter from the Mishawaka City Plan Commission Recommendations from their January 12, 2016 meeting.

PETITION #15-39 A petition submitted by Mark Hughes requesting to rezone 516 East Mishawaka Avenue from C-1 General Commercial District to R-1 Single Family Residential District.

The Commission, with a vote of 6-0, recommended approval.

PETITION #16-03 A request submitted by John Ward requesting to rezone property north of 124 Cedar Road from C-1 General Commercial District to S-2 Planned Unit Development District for use as duplex residential units.

The Commission, with a vote of 6-0, recommended approval subject to the following developmental standards and conditions of approval:

Uses:

1. Uses shall be limited to two-family residential (duplexes) as identified in the petition for rezoning.

Sanitary Sewer:

1. The developer shall connect to City of Mishawaka sanitary sewer as directed by applicable codes and the City Director of Engineering. The costs associated with the extension/connection shall be the responsibility of the applicant/developer.

Right-of-Way Dedication / Private Access Drive:

1. A 40' half right-of-way must be dedicated from the centerline of Cedar Road.

2. The private access drive (cul-de-sac) shall be designed as directed by applicable codes and the City Director of Engineering.

Parking:

1. Each driveway shall be a minimum of 25’ in length from the edge of pavement to the façade of each garage.

Stormwater Management Infrastructure:

1. The type of stormwater facilities proposed on the site shall be designed in accordance with applicable codes and as directed by the City Director of Engineering.

Pedestrian Access/Circulation

1. A sidewalk shall be installed along the east side of Cedar Road within the dedicated right-of-way to provide a pedestrian connection from the development extending southerly to the gas station/convenience store at the northeast corner of Cedar Road and Lincolnway East.

Other:

1. All other developmental standards not identified shall comply with the R-2 Two-Family Residential standards.

Pursuant to I.C. 36-7-4-605 the Mishawaka Plan Commission hereby certifies to the Mishawaka Common Council the attached proposed Ordinances regarding the above matters.

The following proposed ordinances were given first reading, and assigned to committee, to be set for public hearing at the next regular meeting.

PROPOSED ORDINANCE NO. 2016-01

AN ORDINANCE AUTHORIZING THE MISHAWAKA CITY CONTROLLER TO PURCHASE BLANKET BONDS COVERING OFFICIALS AND EMPLOYEES OF THE CITY OF MISHAWAKA

Authorizing the Purchase of Blanket Bonds covering Officials and Employees of the City
(Assigned to Budget and Finance Committee)

PROPOSED ORDINANCE NO. 2016-02

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 Commercial to R-1 Residential 516 East Mishawaka Avenue
(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2016-03

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 property from C01 Commercial to S-2 PUD for Residential Use N orth of 124 Cedar Rd.
(Assigned to Land Use Planning Committee)

Clerk Block read **RESOLUTION NO. 2016-01** opening it for public hearing.

RESOLUTION NO. R2016-01

A RESOLUTION APPROVING APPOINTMENTS TO THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF MISHAWAKA, INDIANA

Mayor Wood said he would like to re-appoint two advisory members to the Historic Preservation Commission, Cliff Zenor and Shirley Mc Alister and appoint two new advisory members Jason Stoller and Thomas Morris to serve for a three-year terms through December 31, 2016 to December 31, 2018.

Question was called for at 7:05 p.m. on **RESOLUTION NO. R2016-01 Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9). **Yes:** Mr. Banicki, Mr. Bellovich, Mr. Canarecci, Mr. Compton, Mr. Deal, Mr. Emmons, Mr. Mammolenti, Mr. Roggeman, Mrs. Voelker.

PRIVILEGE OF THE FLOOR

Randy Orak 114 East 8th Street said he would like to own chickens, just as he would a cat or a dog and wanted to know why Mishawaka did not allow that. Mr. Deal asked where he was from originally. Mr. Orak stated he was from Pennsylvania and they were allowed to have chickens where he came from.

Mr. Compton said the Council had been approached before on this topic and chickens were allowed in the city years ago but it is looked at differently now, but he was not necessarily opposed to it.

Mr. Mammolenti asked how many chickens he was considering. Mr. Orak said 4 to 6. Mr. Mammolenti asked him if he knew what it takes to raise chickens Mr. Orak stated he did.

Ms. Voelker suggested he take a look at ordinances in other cities and talk with groups such as Back Yard Chickens to see what they have found out.

Mr. Canarecci asked if he would be willing to consider guidelines such as inspections, permits or fees, to keep it regulated. Mr. Orak said he wouldn't rule that out.

Mr. Banicki made the point that there was the fear of the unknown, realtors are afraid it would bring down property values. He said there was a fine line on does it or does it not work, South Bend has only been on board 1-2 years and there has been no feedback on how it is working.

NEW BUSINESS

Mr. Banicki asked to suspend Council Rules and move the Mayor's State of the City from February 15th, to March 7th. Mr. Roggeman made a motion to move the Mayor's State of the City Report to March 7, with a second by Mr. Deal the motion carried.

Mr. Mammolenti said there would be a Twin Branch neighborhood meeting on Wednesday January 20th at 7:00 p.m. at Twin Branch School and Tim Ryan, Street Commissioner would be the speaker.

There being no further business to come before the Council, President Banicki adjourned the meeting at 7:23 p.m.

Deborah S. Block ______________________	Woody Emmons ________________
Deborah S. Block, IAMC, MMC, City Clerk	Woody Emmons, Presiding Officer

RECEIVED
DEBORAH S. BLOCK, MMC

JAN 21 2016

CITY CLERK
MISHAWAKA, IN

RECEIVED

JAN 19 2016

BUILDING, PLANNING
COMMUNITY DEVELOPMENT

January 19, 2016

AP 16-03

BOARD OF ZONING APPEALS
City of Mishawaka, Indiana

We are the owners of a property with an address of 411 South Main Street in Mishawaka Indiana 46544. On January 19th, 2016 we entered into a Purchase Agreement with Maurice Bokhart from Bokhart Properties LLC. We understand that Mr. Bokhart's desired use will require a Special Use Variance from the Board of Zoning. We support his efforts to go before the Board of Zoning Appeals in order to obtain formal approval.

Thank you for your consideration.

Kenneth A. Eby

Kenneth A. Eby

Diana K. Eby

Diana K. Eby

The undersigned appellants respectfully show the Board:

1. I, Maurice Bokhart have entered into a Binding Purchase Contract for the following described real estate located in the City of Mishawaka, St. Joseph County, Indiana, to-wit: Parcel 1: 79.5' W Side Main Street X 308' Dp E & W N & Adj Dodge Mfg Co Add in the Office of the Recorder of St. Joseph County, Indiana. Common Address 411 S. Main Street, Mishawaka, Indiana, 46544.

2. The above described real estate presently has a zoning classification of Light Industrial I-1 District under the Zoning Ordinance of the City of Mishawaka.

3. The previous owners, Mr. Kenneth A. Eby and Mrs. Diana K. Eby are retiring and closing down their business, and therefore desire to sell the property. The Eby's operated K & D Catering for many years at this location, and occupied the above described property in the following manner: Indoor and Outdoor storage of catering vehicles and associated kitchen and related food preparation equipment. Appellant owns an adjacent business and desires to utilize the building and property for the warehousing and display of high-end, luxury automobiles along with providing customer parking on the paved lot located behind the building. No painting, detailing or mechanical work (oil changes, etc.) will take place at this location. Hours of operation are expected to be from 10 a.m. to 6 p.m. Wednesday through Friday, and 8 a.m. to 2:00 p.m. on Saturday. Signage will be attached to the East side of the building facing Main Street, and will be modest in nature. There will not be any lighting installed behind the building that would be typical of a car sales location. Currently, there is a vehicle entry gate for the property located off of 6th Street and Mill Street. This gate will be locked and will no longer be utilized for access to the property. Access to the rear of the building and the paved parking area will take place via the Appellants adjacently owned properties at 403 S. Main Street and 410 S. Spring Street. Tasteful privacy panels will be installed on the existing fencing located on the South Side of the property so that the residential neighbors will no longer have to look at parked vehicles. Please note that a portion of the building is currently configured to function as a commercial kitchen. Appellants' intention is to locate a tenant to lease this portion of the building. The general public would NOT be able to enter the facility to order food and eat – no restaurant type of activity. The envisioned use is for the preparation of food – that

will then be transported to another location for consumption. This type of use is currently permitted by the zoning ordinance for an I-1 property.

4. Appellant desires for you to allow for the indoor and outdoor warehousing and display of high-end, luxury automobiles along with paved parking for customers. Please note that no customer parking will take place on Main Street. The parking will take place on the paved lot located behind the building – on the westernmost portion of the property.

5. The Zoning Ordinance of the City of Mishawaka requires: it is our understanding that any automotive use will require a special use variance from existing zoning.

6. Without the Variance allowing for the indoor and outdoor warehousing and display of high-end, luxury automobiles along with paved parking for customers, the executed purchase agreement between Maurice Bokhart and the Eby's will be null and void – due to the inability to obtain appropriate zoning.

7. A. This variance will not in any way be injurious to the public health, safety, morals or general welfare of the community.

   B. It should have no adverse affect to any adjoining properties as the intended use will not in any significant way change the character of the building.

   C. The need for the variance does not arise from some condition peculiar to the property.

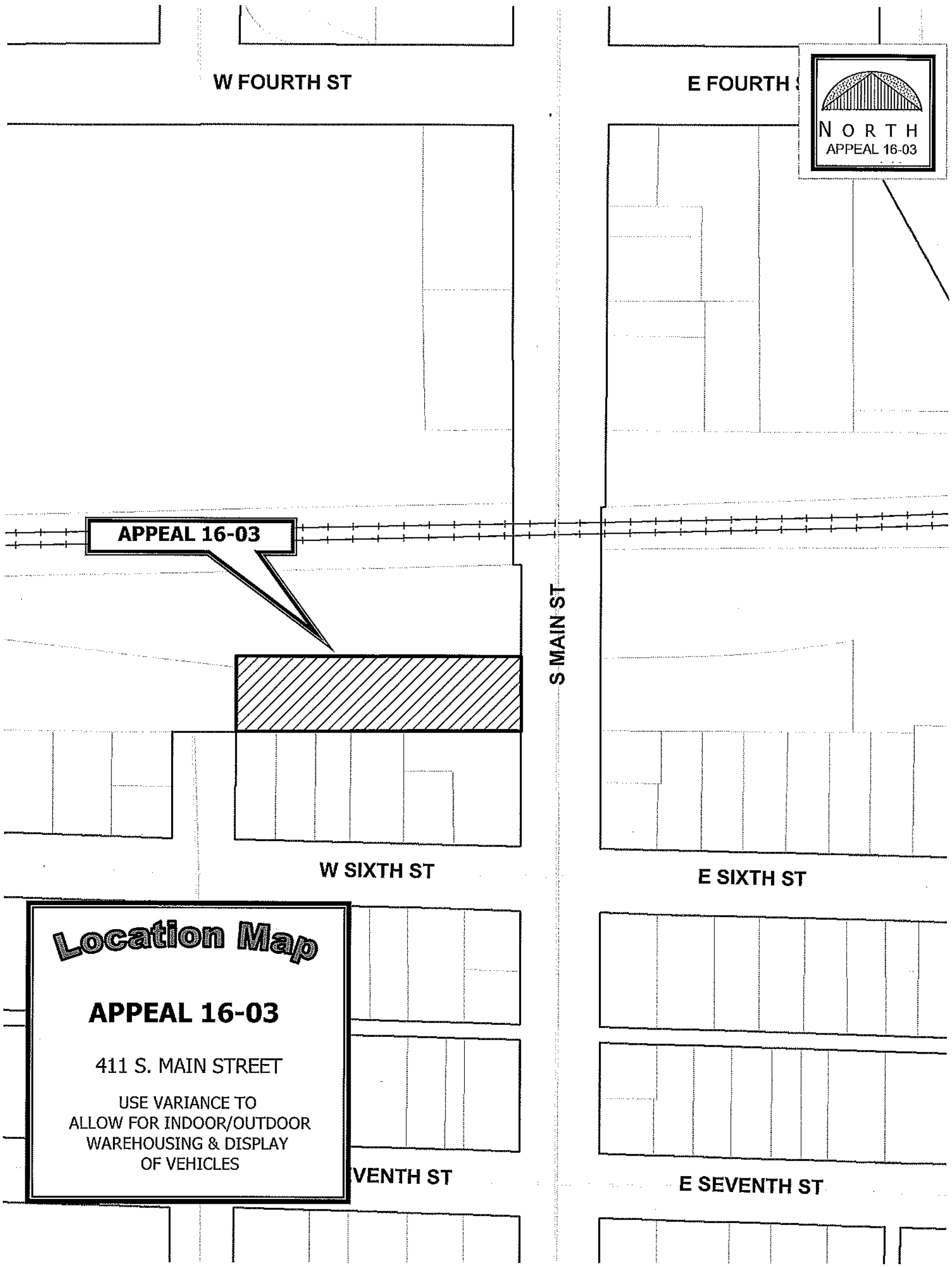
   D. It is our belief that strict adherence severely restricts our ability to utilize the space for the intended purposes, and the requested variance will allow for the vacant space to be utilized.

   E. We do not believe that approval of the Variance will substantially interfere with the Mishawaka 2000 Comprehensive Plan. There will be minimal change in the nature and character of the internal or external building and minimal impact on traffic or visual aesthetics of the building.

Wherefore, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing the Board grant the requested variance.

By: Maurice E. Bokhart – President of Bokhart Properties LLC

16400 Kern Road
Mishawaka, IN 46544
(574) 254-0497
mebokhart@gmail.com


W FOURTH ST
E FOURTH S
NORTH
APPEAL 16-03
APPEAL 16-03
S MAIN ST
W SIXTH ST
E SIXTH ST
Location Map
APPEAL 16-03
411 S. MAIN STREET
USE VARIANCE TO
ALLOW FOR INDOOR/OUTDOOR
WAREHOUSING & DISPLAY
OF VEHICLES
VENTH ST
E SEVENTH ST

December 23, 2016

RECEIVED
DEBORAH S. BLOCK, MMC

JAN 27 2016

CITY CLERK
MISHAWAKA, IN

To The Honorable Members of the
City Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

Re: Petition for Rezoning

The undersigned, BJ Hospitality LLC respectfully show they are the owners of the following described real estate located in the City of Mishawaka, Harris Township, Indiana:

A parcel of land being a part of Lot 1 Miller's Douglas Road Minor Subdivision as shown on Instrument number 8508040 in the Office of the Recorder of St. Joseph County, Indiana and being more particularly described as follows: Beginning at the northwest corner of said Lot 1; thence north 90°00'00" East along the North line of said Lot 1, a distance of 245.67 feet to the Northeast corner of said Lot 1; thence South 00°05'50" West along the east line of said Lot 1, a distance of 197.66 feet, thence South 90–00'00" West, a distance of 245.67 feet to the West line of said Lot 1, thence North 00°05'50" East along the west line of said Lot 1, a distance of 197.66 feet to the place of beginning containing 1.11 acres more or less.

The above described parcel of land is presently zoned S-2 Planned Unit Development District.

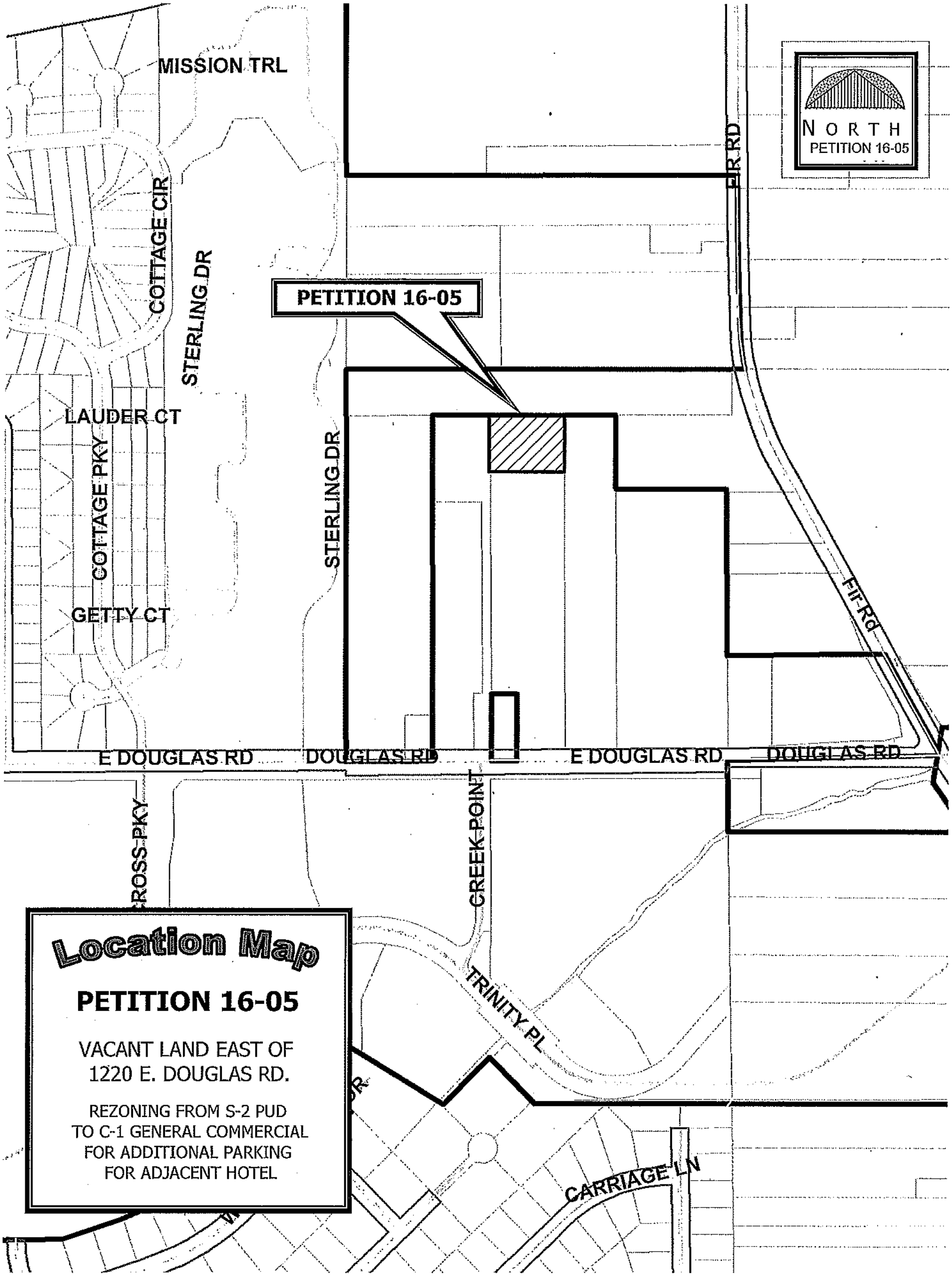
Petitioners desire said real estate to be rezoned to C-1 General Commercial District classification. This shall allow for additional parking to serve the adjacent hotel area.

Wherefore, the petitioners pray and respectfully request that the common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of real estate located in the City of Mishawaka.

BJ Hospitality LLC
AJ Patel
247 Dixie Way North
South Bend, Indiana 46637

CONTACT PERSON:
Lang, Feeney & Associates, Inc.
Terance D. Lang
715 South Michigan Street
South Bend, Indiana 46601
Phone: 574-233-1841

Pet 16-05


MISSION TRL
NORTH
PETITION 16-05
FIR RD
COTTAGE CIR
STERLING DR
PETITION 16-05
LAUDER CT
COTTAGE PKY
STERLING DR
GETTY CT
FIR RD
E DOUGLAS RD
DOUGLAS RD
E DOUGLAS RD
DOUGLAS RD
CROSS PKY
CREEK POINT
TRINITY PL
CARRIAGE LN
Location Map
PETITION 16-05
VACANT LAND EAST OF
1220 E. DOUGLAS RD.
REZONING FROM S-2 PUD
TO C-1 GENERAL COMMERCIAL
FOR ADDITIONAL PARKING
FOR ADJACENT HOTEL

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Misti D. Horvath, Deputy Controller

Date: January 11, 2016

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: **Presentment of voided two year old checks**

Pursuant to IC 5-11-10.5, all checks outstanding and unpaid for a period two years as of December 31st of each year are voided and receipted back into their original fund. This list is to be presented to the fiscal body by March 1st of each year.

Please contact me with any questions.

c: David A. Wood

City Hall • 600 East 3rd Street • Mishawaka, Indiana 46544
Telephone: (574) 258-1622 • FAX (574) 258-1724 • www.mishawaka.in.gov

CITY OF MISHAWAKA

Payment Register

From Payment Date: 1/1/2013 - To Payment Date: 12/31/2013

send Jenn
give copy c

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
KBGN-KB General - KeyBank General									
Check									
94450	04/16/2013	Open			Accounts Payable	CROOK, EUGENE	$50.00	MISG	Refund of overpayment EMS Run
	Paying Fund: 101 - General			Cash Account: 101.101 (Cash Balance)		Amount: $50.00			
94929	05/01/2013	Open			Accounts Payable	BUREAU OF MOTOR VEHICLES	$15.00	MISG	2012 Johnston Sweeper
	Paying Fund: 201 - Motor Vehicle Highway			Cash Account: 201.101 (Cash Balance)		Amount: $15.00			
97570	08/16/2013	Open			Accounts Payable	INDIANAPOLIS MARRIOTT	$91.00	MISG	#87357191/Lodging 8/21-8/22/13
	Paying Fund: 210 - Law Enforcement Train Edu			Cash Account: 210.101 (Cash Balance)		Amount: $91.00			
97891	08/20/2013	Open			Accounts Payable	WORKING FORCE OUTFITTERS	$284.00	MISG	Motorcycle Rain Suit
	Paying Fund: 101 - General			Cash Account: 101.101 (Cash Balance)		Amount: $284.00			
99308	10/15/2013	Open			Accounts Payable	SWEETSER, TODD, H	$13.71	MISG	Refund of overpayment EMS
	Paying Fund: 101 - General			Cash Account: 101.101 (Cash Balance)		Amount: $13.71			
100606	12/10/2013	Open			Accounts Payable	DAVIS, MARVIN, L	$100.00	MISG	Refund of overpayment EMS
	Paying Fund: 101 - General			Cash Account: 101.101 (Cash Balance)		Amount: $100.00			
100709	12/10/2013	Open			Accounts Payable	SWEETSER, TODD, H	$28.06	MISG	Refund of overpayment EMS
	Paying Fund: 101 - General			Cash Account: 101.101 (Cash Balance)		Amount: $28.06			
						GENERAL	$581.77	MISG	
92043	01/08/2013	Open			Accounts Payable	BURKHART, THOMAS, R	$11.75		
	Paying Fund: 610 - Electric O&M			Cash Account: 610.101 (Cash Balance)		Amount: $11.75			
92251	01/22/2013	Open			Accounts Payable	ALMEHMADI, MAJED, ABDULLAH	$11.07		
	Paying Fund: 610 - Electric O&M			Cash Account: 610.101 (Cash Balance)		Amount: $11.07			
92261	01/22/2013	Open			Accounts Payable	D L BERRY ENTERPRISES LTD	$64.26		

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name		Transaction Amount	Reconciled Amount	Difference
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$64.26			
92298	01/22/2013	Open			Accounts Payable	RIOS, BONNY, J		$0.09		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$0.09			
92315	01/22/2013	Open			Accounts Payable	WEBB, MEGAN, B		$70.56		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$70.56			
92644	02/05/2013	Open			Accounts Payable	CROSS, ALISHA, M		$3.56		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$3.56			
92685	02/05/2013	Open			Accounts Payable	MEYERS, LYDIA, A		$8.54		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$8.54			
92710	02/05/2013	Open			Accounts Payable	WELSCH, BRANDON, P		$0.34		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$0.34			
92711	02/05/2013	Open			Accounts Payable	WESTERFIELD, NORMAN		$29.43		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$29.43			
93199	02/19/2013	Open			Accounts Payable	FERRELL, DVEDA, R		$39.68		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$39.68			
93313	03/05/2013	Open			Accounts Payable	BRISCOE, RYAN, C		$2.67		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$2.67			
93943	04/03/2013	Open			Accounts Payable	GARRETT, KATHALEEN, M		$44.33		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$44.33			
93963	04/03/2013	Open			Accounts Payable	LEE, SANG-SUP		$44.46		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$44.46			
93999	04/03/2013	Open			Accounts Payable	WAMBU, PETER, W		$0.99		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$0.99			
94258	04/16/2013	Open			Accounts Payable	BUYCO		$152.27		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$152.27			
94373	04/16/2013	Open			Accounts Payable	SELLERS, SHARON, L		$1.87		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$1.87			
95255	05/28/2013	Open			Accounts Payable	HOWARD, THOMAS		$47.83		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$47.83			
95269	05/28/2013	Open			Accounts Payable	MOELLER, KEITH, ERIC		$1.95		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$1.95			
95644	08/12/2013	Open			Accounts Payable	ATTALURI, RAJASEKHARAM		$17.78		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$17.78			

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
95748	06/12/2013	Open			Accounts Payable	MOORE, DANIEL, C	$44.95		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$44.95			
95777	06/12/2013	Open			Accounts Payable	SHELLEY, JOHN, L	$0.78		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.78			
96096	06/25/2013	Open			Accounts Payable	KLARNER, ERIN, L	$37.15		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$37.15			
96104	06/25/2013	Open			Accounts Payable	MARTIN, BRY, J	$63.54		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$63.54			
96444	07/10/2013	Open			Accounts Payable	CALOV, KAITLIN, M	$65.81		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$65.81			
96473	07/10/2013	Open			Accounts Payable	HERNANDEZ, OLIVIA, S	$0.41		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.41			
96554	07/10/2013	Open			Accounts Payable	WATKINS, KATIE, A	$52.32		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$52.32			
96822	07/23/2013	Open			Accounts Payable	FARRELL, LIAM, J	$11.72		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$11.72			
96860	07/23/2013	Open			Accounts Payable	NELSON, DIANNA, LYNN	$12.24		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$12.24			
96872	07/23/2013	Open			Accounts Payable	REINHARD, BEN, J	$0.68		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.68			
96878	07/23/2013	Open			Accounts Payable	SHAQUEL, CALIPH, R	$2.50		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$2.50			
96881	07/23/2013	Open			Accounts Payable	SIGUENZA, LUTGARDO, E	$68.67		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$68.67			
97222	08/06/2013	Open			Accounts Payable	BAYAREH, SEYEDMORTEZA	$63.12		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$63.12			
97265	08/06/2013	Open			Accounts Payable	LOPREST, MATTHEW, JAMES	$100.00		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$100.00			
97628	08/20/2013	Open			Accounts Payable	HOFFMAN, JOHN, P	$23.39		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$23.39			
97671	08/20/2013	Open			Accounts Payable	PARCHER, CORRI, K	$11.57		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$11.57			
97964	09/04/2013	Open			Accounts Payable	BROWN, VICKI, LEE	$17.45		
	Paying Fund			Cash Account		Amount			

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	610 - Electric O&M			610.101 (Cash Balance)		$17.45			
97966	09/04/2013	Open			Accounts Payable	CHADWELL, CHRIS, J	$0.39		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.39			
97981	09/04/2013	Open			Accounts Payable	HORVATH, M A	$0.33		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.33			
98010	09/04/2013	Open			Accounts Payable	SPRINGER, ELIZABETH, M	$7.06		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$7.06			
98016	09/04/2013	Open			Accounts Payable	VAIL, JUSTIN	$39.02		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$39.02			
98306	09/17/2013	Open			Accounts Payable	DANKO, PATRICK, J	$47.84		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$47.84			
98327	09/17/2013	Open			Accounts Payable	HILL, CAMERON, D	$94.20		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$94.20			
98339	09/17/2013	Open			Accounts Payable	KELHAM, ANDREW, J	$169.63		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$169.63			
98348	09/17/2013	Open			Accounts Payable	MEYERS, DONALD, A	$73.20		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$73.20			
98354	09/17/2013	Open			Accounts Payable	MYERS, O'BRIAN, T	$0.99		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.99			
98390	09/17/2013	Open			Accounts Payable	TRINITY REAL ESTATE INV & MGMT	$58.94		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$58.94			
98392	09/17/2013	Open			Accounts Payable	WEIKEL, WILLIAM, A	$76.75		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$76.75			
98685	10/01/2013	Open			Accounts Payable	DIRST, TINA, J	$1.49		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$1.49			
98687	10/01/2013	Open			Accounts Payable	DONATHEN, DENNIS, R	$143.77		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$143.77			
98702	10/01/2013	Open			Accounts Payable	FRAZIER, ASHLEY, D	$23.40		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$23.40			
98750	10/01/2013	Open			Accounts Payable	MC CORMACK, MICHAEL	$0.85		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.85			
98765	10/01/2013	Open			Accounts Payable	ORR, MELANIE, M	$23.18		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$23.18			
98787	10/01/2013	Open			Accounts Payable	SHARP, MONA, F	$1.13		

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name		Transaction Amount	Reconciled Amount	Difference
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$1.13			
98820	10/01/2013	Open			Accounts Payable	WILLIAMS, JR., DAVID, T		$0.03		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$0.03			
99090	10/15/2013	Open			Accounts Payable	SAMP, KATHY, D		$43.55		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$43.55			
99673	10/29/2013	Open			Accounts Payable	JAMES, KEVIN, J		$4.76		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$4.76			
99685	10/29/2013	Open			Accounts Payable	KUNZ, KENNETH		$42.21		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$42.21			
99699	10/29/2013	Open			Accounts Payable	MENYARD, KRISTA, L		$26.98		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$26.98			
99707	10/29/2013	Open			Accounts Payable	NEAL, FELICIA		$7.37		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$7.37			
99718	10/29/2013	Open			Accounts Payable	PHILLIPS, CINDY		$47.76		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$47.76			
99864	11/12/2013	Open			Accounts Payable	BIRD, BLAKE, LEE		$23.37		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$23.37			
100008	11/12/2013	Open			Accounts Payable	PASCUAL, JACKLYN, D		$67.50		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$67.50			
100106	11/26/2013	Open			Accounts Payable	BRAZIER, MONICA		$26.56		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$26.56			
100120	11/26/2013	Open			Accounts Payable	DENIS, DREW, M		$1.00		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$1.00			
100153	11/26/2013	Open			Accounts Payable	KINGORI, PATRICK, M		$85.26		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$85.26			
100211	11/26/2013	Open			Accounts Payable	TRAXLER, SANDRA, J		$48.13		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$48.13			
100523	12/10/2013	Open			Accounts Payable	CLEM, RYAN, T		$78.25		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$78.25			
100558	12/10/2013	Open			Accounts Payable	SCHELSTRAETE, URIAH		$26.31		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$26.31			
100567	12/10/2013	Open			Accounts Payable	WARD, JR., BOBBY, C		$46.41		
	Paying Fund			Cash Account			Amount			
	610 - Electric O&M			610.101 (Cash Balance)			$46.41			

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
100823	12/26/2013	Open			Accounts Payable	ASH, GREGORY, L	$26.63		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$26.63			
100851	12/26/2013	Open			Accounts Payable	ERNSPERGER, MISTY, D	$49.97		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$49.97			
100881	12/26/2013	Open			Accounts Payable	KRCELICH, NICHOLAS, W	$13.48		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$13.48			
100886	12/26/2013	Open			Accounts Payable	LI, HUI	$66.06		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$66.06			
100897	12/26/2013	Open			Accounts Payable	MAYFIELD, JORDAN, D	$55.86		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$55.86			
100900	12/26/2013	Open			Accounts Payable	MC GREGOR, ERIC, C	$45.14		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$45.14			
100920	12/26/2013	Open			Accounts Payable	RUCKER, JILLIAN, B	$0.67		
	Paying Fund			Cash Account		Amount			
	610 - Electric O&M			610.101 (Cash Balance)		$0.67			

OVERPAYMENT REFUNDS **$2,725.16** ELOR

GRAND TOTAL **$3,306.93**

Type Check Totals: 83 Transactions $3,306.93

KBGN-KB General - KeyBank General Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	83	$3,306.93	$0.00
	Total	83	$3,306.93	$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	83	$3,306.93	$0.00
	Total	83	$3,306.93	$0.00

Grand Totals:

Checks	**Status**	**Count**	**Transaction Amount**	**Reconciled Amount**
	Open	**83**	**$3,306.93**	**$0.00**
	Total	**83**	**$3,306.93**	**$0.00**

All	**Status**	**Count**	**Transaction Amount**	**Reconciled Amount**
	Open	**83**	**$3,306.93**	**$0.00**
	Total	**83**	**$3,306.93**	**$0.00**

February 1, 2016

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Ross Deal, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Joe Canarecci, At-Large City Council
Mr. Matt Mammolenti, At-Large City Council
Vacant, At-Large City Council
Mrs. Deborah Block, City Clerk

RECEIVED
DEBORAH S. BLOCK, MMC
JAN 27 2016
CITY CLERK
MISHAWAKA, IN

Re: Declaratory Resolution 2016-02
Personal Property Tax Abatement for Patrick Industries, Inc.

Dear Council Members and Clerk:

Attached is Declaratory Resolution 2016-02 for a tax abatement request that has been filed for consideration at your February 1, 2016 meeting. The request is for Patrick Industries, Inc., which will initially be leasing one of the two vacant industrial buildings located at 1141 and 1241 E. 12th Street, in the City of Mishawaka. Because the properties are located within the City's TIF District boundary, the Redevelopment Commission had to consider and approve the tax abatement request prior to proceeding to the Common Council. The Redevelopment Commission approved this request at their January 25, 2016 meeting.

Patrick Industries, Inc., manufactures various building components used primarily by the recreational vehicle and manufactured housing industries and other industrial markets. While the company has a large presence in northern Indiana and southwest Michigan with facilities in Elkhart (headquarters), Wakarusa, Middlebury, Bremen, Ligonier, Warsaw, Syracuse, Goshen, and Edwardsburg (MI), this will be the company's first operations in the City of Mishawaka. The company also has additional facilities across the U.S. with locations in Valdosta, GA; Mount Joy, PA; Waco, TX; Bensenville, IL; Fontana, CA, Tualatin, OR; Decatur, AL; and Tolleson, AZ. The business plans to occupy and equip only the approximate 99,000 sq. ft. building at 1241 E. 12th Street with the adjacent 40,000 sq. ft. building to the west (1141 E. 12th Street) available for future expansion.

Patrick Industries, Inc., has approached the City with plans to make a capital investment of $915,000 in personal property including new manufacturing and information technology equipment. With this investment, the company will purchase new general woodworking equipment, CNC routers, a vinyl forming press, an air compressor, and a dust collection system. Further investments will be made in improvements to the existing electrical system and new technology infrastructure to support the new manufacturing equipment. The installation of the new equipment is expected to begin in late March 2016, and will be completed by the end of October 2016.

In addition to the personal property improvements, the company will invest less than $100,000 in real property improvements to the facility. It was determined that this minimal amount in real property investment does not warrant consideration for a real property tax abatement.

As a direct result of this investment, the applicant estimates that 84 new jobs will be created with a pay range of $11.78 per hour for semi-skilled positions up to $37.60 per hour for salaried positions. The blended hourly wage rate for all employees, excluding benefits and overtime, is $16.91 per hour. The 84 new positions will result in an estimated $2,953,900 in new wages. Additional benefits that are available to employees include health insurance, including dental and vision, sick leave, 401(k), long and short term disability, health club membership reimbursement, and an employee assistance program.

According to representation at the Redevelopment Commission meeting, Patrick Industries, Inc. has a minimum 5 year lease on the property with the right of first refusal on negotiating a subsequent 5 year lease. The company has stated that the addition of this facility and new equipment will allow for continued revenue growth and ensure that they remain competitive in the marketplace. The company anticipates that they will continue to have a presence in the City of Mishawaka dependent upon continued market growth.

In addition to the Declaratory Resolution, attached is the applicant's SB-1 form for personal property (SB-1/PP), and the tax abatement application with supporting information for your review. Based upon the Council's approval of previous and similar projects, the size of capital investment and the number of jobs created, and additionally, with the new facility and equipment, the company's potential for future growth, we are recommending a three-year phase-in of the personal property taxes on the manufacturing and technology equipment. Furthermore, we recommend that the graduated scale of the abatement be increased from the standard percentages due to the number of jobs created and the fact the building has been vacant for an extended period of time.

Below is the estimated tax impact based upon the anticipated assessed value of $375,900 for the new personal property, as indicated in the SB-1/PP, if the 3-year tax phase-in is approved. The estimates factor in the property tax cap rates for St. Joseph County:

Personal Property:

Year	Year / Year Payable	Percent Abated	Taxes Abated	Taxes Paid
1	2016 / 2017	100%	$12,666[a]	$0
2	2017 / 2018	75%	$9,500	$3,166
3	2018 / 2019	50%	$6,333	$6,333
		TOTALS	**$28,499**	**$9,499**
4[b]	2019 / 2020	0%	$0	$12,666

[a]Property taxes are abated on new machinery and IT equipment only.

[b]Applicant begins paying full property taxes upon the new machinery.

We feel that investment of $915,000 should allow Patrick Industries, Inc. to be competitive in the national and global economy, continue to expand and improve production efficiencies, while creating good-paying jobs and benefits for local workers. Therefore, we recommend utilizing the economic development tool of tax abatement as an incentive to bring this new capital investment into the city.

City Hall • 600 East Third Street • Mishawaka IN • 46544-2241
Community Development • Redevelopment • Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999
Planning • Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999
E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

As you are aware, Tax Abatement requests before the Common Council are considered in two steps. The first step is the Declaratory Resolution where the abatement is essentially accepted for consideration. Once the Declaratory Resolution is approved, the Clerk's Office has specific advertising requirements to notify other taxing entities within the jurisdiction that could be impacted by the abatement. This allows for input from those other taxing units prior to the Council's consideration and vote on the request. The second step is the hearing and consideration of a confirming resolution where the merits of the request are considered. The only item being considered at the February 1st meeting is the declaratory resolution, which staff is recommending approval of to allow the appropriate advertising to take place. If the declaratory resolution is approved, a confirming resolution will be prepared for consideration at your February 15th meeting.

Please do not hesitate to contact our department with any questions.

Sincerely,

Derek Spier

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: David A. Wood, Mayor
Kenneth B. Prince, ASLA, AICP

RESOLUTION NO. 2016-02

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA DECLARING CERTAIN AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS:

1141 & 1241 EAST 12TH STREET, MISHAWAKA, IN 46544

TO BE AN ECONOMIC REVITALIZATION AREA
AND ECONOMIC DEVELOPMENT TARGET AREA
FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR

PATRICK INDUSTRIES, INC. (LESSEE)

WHEREAS, a petition for real property tax abatement has been filed with the City Clerk of the City of Mishawaka, Indiana for consideration by the Common Council of the City of Mishawaka, Indiana requesting 1141 & 1241 East 12th Street, Mishawaka, Indiana 46544 to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A PARCEL OF LAND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 22, THENCE SOUTH 0°00'00" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 759.00 FEET; THENCE SOUTH 89°58'40" WEST, A DISTANCE OF 330.00 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 89°58'40" WEST, A DISTANCE OF 1122.53 FEET; THENCE NORTH 0°00'19" WEST, A DISTANCE OF 759.00 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE NORTH 89°58'40" EAST ALONG SAID NORTH LINE, A DISTANCE OF 957.60 FEET; THENCE SOUTH 0°00'00" WEST PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 495.00 FEET; THENCE NORTH 89°58'40" EAST, A DISTANCE OF 165.00 FEET; THENCE SOUTH 0°00'00" WEST PARALLEL WITH SAID EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 264.00 FEET TO THE PLACE OF BEGINNING.

WHEREAS, the City, through its Redevelopment Commission has conducted an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area and Economic Development Target Area under Indiana Code § 6-1.1-12.1-1 et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Redevelopment Commission has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area and Economic Development Target Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby determines and finds that the Petition for Personal Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements under the Act for tax abatement;

2. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

3. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

4. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

5. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

6. That the other benefits are sufficient to justify the requested deduction, all of which satisfy the requirements of the Act;

7. The Common Council hereby accepts the report and recommendation of the Redevelopment Commission that the area herein described be designated as an Economic Revitalization Area and Economic Development Target Area, and hereby adopts a Resolution designating this area as an Economic Revitalization Area and Economic Development Target Area for purposes of personal property tax abatement;

8. The designation as an Economic Revitalization Area and Economic Development Target Area shall be limited to three (3) calendar years from the date of the adoption of this Resolution by the Common Council;

9. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for the Personal Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration; AND

10. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, this ____ day of February, 2016.

____
Ronald S. Banicki, President

ATTEST:

____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _______ day of February, 2016.

____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me this _____ day of February, 2016, at _____ o'clock ____.M.

____
David A. Wood, Mayor

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *~~For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed.~~ For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer	Patrick Industries, Inc.
Name of contact person	Mathew Davis
Address of taxpayer *(number and street, city, state, and ZIP code)*	107 W Franklin St, PO Box 638, Elkhart, IN 46515-0638
Telephone number	(574) 294-7511 Ext 7750

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	City of Mishawaka Common Council
Resolution number (s)	
Location of property	1241 E 12th St, Mishawaka, IN 46544
County	St. Joseph
DLGF taxing district number	71022

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. *(Use additional sheets if necessary.)*

General woodworking equipment, CNC routers, vinyl forming press, air compressor, and dust collection baghouse.

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	03/21/2016	10/31/2016
R & D Equipment		
Logist Dist Equipment		
IT Equipment	03/21/2016	10/31/2016

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
0	0	0	0	84	$2,953,900

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the **COST** of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	0	0	0	0	0	0	0	0
Plus estimated values of proposed project	895,000	375,900	0	0	0	0	20,000	8,400
Less values of any property being replaced	0	0	0	0	0	0	0	0
Net estimated values upon completion of project	895,000	375,900	0	0	0	0	20,000	8,400

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted *(pounds)* ____________ Estimated hazardous waste converted *(pounds)* ____________

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Joshua Boone
Date signed *(month, day, year)*	
Printed name of authorized representative	Joshua Boone
Title	EVP - Finance / CFO

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed ____________ calendar years * *(see below)*. The date this designation expires is ______________________________. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☐ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☐ No
3. Installation of new logistical distribution equipment. ☐ Yes ☐ No
4. Installation of new information technology equipment; ☐ Yes ☐ No

☐ Enhanced Abatement per IC 6-1.1-12.1-18 *Check box if an enhanced abatement was approved for one or more of these types.*

C. The amount of deduction applicable to new manufacturing equipment is limited to $ ________________ cost with an assessed value of $ __________________. *(One or both lines may be filled out to establish a limit, if desired.)*

D. The amount of deduction applicable to new research and development equipment is limited to $ ________________ cost with an assessed value of $ __________________. *(One or both lines may be filled out to establish a limit, if desired.)*

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ ________________ cost with an assessed value of $ __________________. *(One or both lines may be filled out to establish a limit, if desired.)*

F. The amount of deduction applicable to new information technology equipment is limited to $ ________________ cost with an assessed value of $ __________________. *(One or both lines may be filled out to establish a limit, if desired.)*

G. Other limitations or conditions *(specify)*____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

☐ Enhanced Abatement per IC 6-1.1-12.1-18
Number of years approved: ___________
(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: *(signature and title of authorized member of designating body)*	Telephone number ( )	Date signed *(month, day, year)*
Printed name of authorized member of designating body	Name of designating body	
Attested by: *(signature and title of attester)*	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

City of Mishawaka
Building - Community Development - Planning

APPLICATION FOR DESIGNATION AS AN ECONOMIC REVITALIZATION AREA

PERSONAL PROPERTY TAX ABATEMENT

Indiana State law requires that the designation application and statement of benefits form (SB-1/PP) be submitted prior to the initiation of the project. Additionally, **final approval of the Economic Revitalization Area designation must be obtained before starting the installation of the new manufacturing equipment for which tax abatement is being requested.**

Prior to submitting the attached application to the City's Department of Planning & Community Development, all questions must be answered as completely as possible and must be signed on the Statement of Benefits Form (SB-1/PP) and last page of the application. Incomplete or unsigned applications will not be accepted. A **non-refundable application fee** of $300.00 is required when making an application for Economic Revitalization Area designation and is payable to the **City of Mishawaka** at the time of submission.

All firms requesting Economic Revitalization Area designation are required to conduct an initial site visit with city staff members prior to a public hearing on the tax abatement request. During that visit, the company shall reveal the capital investment levels, job creation and/or retention levels and hourly wage rates the applicant has committed to the City of Mishawaka in order to receive consideration for Economic Revitalization Area designation and tax abatement deduction.

Additionally, the City of Mishawaka, by and through the Common Council, reserves the right to rescind or "claw back" an Economic Revitalization Area designation and the associated tax abatement deductions if it determines that the applicant has not made reasonable efforts to substantially comply with all of the commitments, as well as the applicant's failure to substantially comply with all of the commitments, and the applicant's failure to substantially comply with the commitments was not due to factors beyond its control.

If the City rescinds the Economic Revitalization Area designation and associated tax abatement deductions, it may require the applicant to repay the City all or a portion of the tax abatement savings received through the date of such termination. Additional details relative to the repayment of tax abatement savings shall be determined at the time of the "claw back."

Questions, applications, and fees should be directed to the:
City of Mishawaka
Building - Community Development - Planning
600 East Third Street
Mishawaka, Indiana 46544
Attention: Kenneth B. Prince, City Planner
574-258-1625
kprince@mishawaka.in.gov

1. Name of the firm for which tax abatement is being requested:
   Patrick Industries, Inc.

2. State the name, title, address and telephone number of a company representative(s) who may be contacted concerning this application:

Name and Title: JOSHUA BOONE - EVP FINANCE / CFO

Address: PO BOX 638, ELKHART, IN 46515-0638

Telephone: 574-294-7511

3. State the name, title, address and telephone number of a company representative(s) who may be sent annual compliance forms. Please note that the **annual forms will determine if your company is compliant with the terms of the abatement and whether the abatement will continue or be terminated**, so the contact should be made aware of the form's importance.

Name and Title: Mathew Davis, Tax Manager

Address: PO BOX 638, ELKHART, IN 46515-0638

Telephone: 574-294-7511 EXT 7750

4. Location of property for which personal property tax abatement is being sought (this information is available through the Township Assessor's Office):

   a) Street Address: 1241 E. 12th St, MISHAWAKA, IN

   b) Township: PENN

   c) Taxing District Number: 022

   d) Council District Number: 2

   e) Tax Parcel Number(s): 71-09-22-226-002.000-022

5. What is the amount of the most recent assessment attributable to (this information is available on the most recent property tax form):

   Land: 105,700

   Improvements: 1,795,300

   Inventory: - 0 -

Equipment: -0-

6. Has this project/tax abatement request been discussed with City of Mishawaka Staff and has a site visit been conducted? ______Yes X No

7. Does your firm currently conduct manufacturing operations at this location? If so, how long has your company been at this location? NO

a) Please provide your firm's North American Industry Classification System (NAICS) Code Classification. 321900 Other Wood Product manufacturing

b) Please list any special certifications/designations.
None

8. Does your firm have other operations in the US? In Indiana? If so, please list the location of other operations. Also please indicate the location of your firm's headquarters if not located in Mishawaka.

Yes. Elkhart, Wakarusa, Middlebury, Bremen, Ligonier, Warsaw, Syracuse, & Goshen, IN, Edwardsburg, MI, Valdosta, GA, Mount Joy, PA, Waco, TX, Bensenville IL, Fontana, CA, Tualatin, OR, Decatur, AL, & Tolleson, AZ. Headquarters in Elkhart, IN.

9. What is the size of the existing facility in which the equipment will be installed?

98,738 SF

a) What is your facility currently zoned? I-1 b) Do you need rezoning? No

10. Briefly describe the product(s) manufactured by your company. Manufacture various building components used mainly by the Recreational Vehicle and Manufactured Housing Industries and by industrial markets.

11. Briefly describe the equipment to be installed by your company. General Woodworking equipment, CNC Routers, vinyl forming press, air compressor & dust collection baghouse.

12. Has new manufacturing equipment been installed (Please note that state statute requires petitioner to delay installation until after abatement has been granted)? ______Yes X No

13. What is the anticipated date for installation to begin? March 21, 2016

14. What is the anticipated date for project completion? Final phase by October 31, 2016

***(If installation will occur over a multi-year/phased-in period or involve multiple pieces of equipment, please provide a separate detailed installation timetable an note when equipment will be ready to use in production and attach this information to the SB-1/PP.)**

15. Does the equipment being installed serve the same function as the equipment currently in place at the facility? N/A. No current equipment in place. ______Yes ______No

    a) If no, please describe the new functions to be performed by the new manufacturing equipment:

    ____

    ____

    ____

    ____

    b) What is the estimated value of the equipment to be purchased for which personal property tax abatement is being requested? (If possible, please provide a written quote or estimate attached to this application.) $915,000 (See attached)

16. Profile of firm that will occupy the property for which tax abatement is being requested:

    a) Are your employees represented by a union? If so, by whom? No

    b) Number of current full time permanent hourly employees by skill level (include average hourly wage rate **excluding benefits and overtime**) No current employees in Mishawaka

Skilled	0	Average hourly wage rate for skilled positions	____
Semi-skilled	0	Average hourly wage rate for unskilled positions	____
Clerical	0	Average hourly wage rate for clerical positions	____
Salaried	0	Average salary (per hour) for salaried positions	____

TOTAL NUMBER OF TEMPORARY/ON-CALL EMPLOYEES (if any) 0

TOTAL NUMBER OF EXISTING EMPLOYEES (permanent and full-time) 0

    c) What benefits are offered to your company's employees? (i.e. sick time, vacation, health insurance, 401(k), other retirement benefits, profit sharing, etc.) Sick time, medical insurance, 401(K), LT/ST disability, dental and vision insurance, health club reimbursement, employee assistance program.

    d) Approximate value of benefits for existing and new employees on a per hour basis (i.e. benefits are valued at an additional $3.00 per hour, etc.) $0.87

    e) What is the total dollar amount spent on retained salaries? 0

f) Number of newly created full-time permanent hourly employees by skill level (include average hourly wage rate **excluding benefits and overtime**)

Skilled	61	Average hourly wage rate for skilled positions	$ 15.73
Semi-skilled	14	Average hourly wage rate for unskilled positions	$ 11.78
Clerical	2	Average hourly wage rate for clerical positions	$ 16.25
Salaried	7	Average salary (per hour) for salaried positions	$ 37.60

TOTAL NUMBER OF NEW EMPLOYEES (permanent and full-time) 84

g) What is the total dollar amount to be spent on new salaries? $ 2,953,900

h) What is the blended hourly wage rate (the blended rate of hourly and salaried employees), excluding benefits and overtime, for:

Current hourly employees	N/A
Retained hourly employees	N/A
New hourly employees	$ 16.91

f) What is the usual market for goods produced by the company? List the percentage of the company's product that reaches it:

Inside St. Joseph County:	0.0 %
Outside St. Joseph County, but inside Indiana:	89.9 %
Outside Indiana, but within 500 miles	4.1 %
Outside of 500 miles	5.9 %
Outside of the United States:	0.0 %

g) Where do your company's raw materials/supplies come from? List the percentage of the supplies that are acquired from each category:

Inside St. Joseph County:	1.6 %
Outside St. Joseph County, but inside Indiana:	12.8 %
Outside Indiana, but within 500 miles:	39.0 %
Outside 500 miles of Indiana:	39.1 %
Outside of the United States:	7.5 %

h) List the name and location (City and State) of your five largest vendors or suppliers:

1. Omnova Solutions, Chicago, IL USA
2. Flakeboard America LTD, Charlotte, NC USA
3. Carpenter Co. VR, Charlotte, NC USA
4. Uniboard Canada, Laval QU CAN
5. MJB Wood Group, Irving, TX USA

17. Please give a detailed description of what the impact on your business will be if the new manufacturing equipment is not installed (e.g. loss of jobs, contract cancellations, loss of production, change in location, etc.).

If we do not have this property to add the new equipment and install other operations, we will place constraints on our revenue growth. We will also be at risk to lose business to our competition. We would need to look elsewhere in Elkhart to expand.

18. Please briefly describe how and why the manufacturing equipment to be replaced or the facility in which equipment will be added is currently technologically, economically, or energy obsolete and how and why that obsolescence may lead to a decline in employment and tax revenues.

The facility where the equipment will be placed has been vacant for a number of years reducing tax revenues 56% compared to 6 years ago. The facility will continue to degrade if it remains unoccupied which will lead to further decline in tax revenue.

19. Will you require any additional assistance from the City of Mishawaka?

No

20. Have you applied for any assistance from the State of Indiana?

No

21. Miscellaneous Attachments Required:

- Attach the legal description of the property where the equipment is to be located, marked Exhibit A, and hereby incorporated herein.
- Attach a map and/or a plan of the property where the equipment is to be located, marked Exhibit B, and is hereby incorporated herein.

I hereby certify that the information and representations on this application for Personal Property Tax Abatement are true and complete.

I understand that if this request for property tax abatement is granted that I will be required to participate in a mandatory annual compliance process. The survey will measure compliance with the project description, job creation and retention figures (and associated salaries), investment, and other information contained in the final resolution authorizing the property tax abatement. I also acknowledge that failure to respond to the mandatory annual compliance or failure to achieve investment, job creation, retention, and salary levels contained in the final resolution may result in a loss of tax abatement deductions, and may result in the repayment of tax abatement savings received.

Signature of Owner or Authorized Representative

EVP FINANCE / CFO

Title

1/19/16

Date

Supplement 15(b)

2016 Capital Expenditures - 1241 E. 12th Street Expansion

		Asset Description	Priority	Approved	Reason	Proj. Cost	
New		2 Air Make up Units Installed	1			$ 105,000	
New		Compressed Air system	1			$ 230,000	
New		Dust Collection System	1			$ 250,000	
New		Electrical System Production Equipment Infrastructure	1			$ 80,000	
New		Computer Network Infrastructure	1			$ 20,000	
New		CNC Panel saw	1			$ 230,000	
New		**Total Proposed Capital**				$ 915,000	

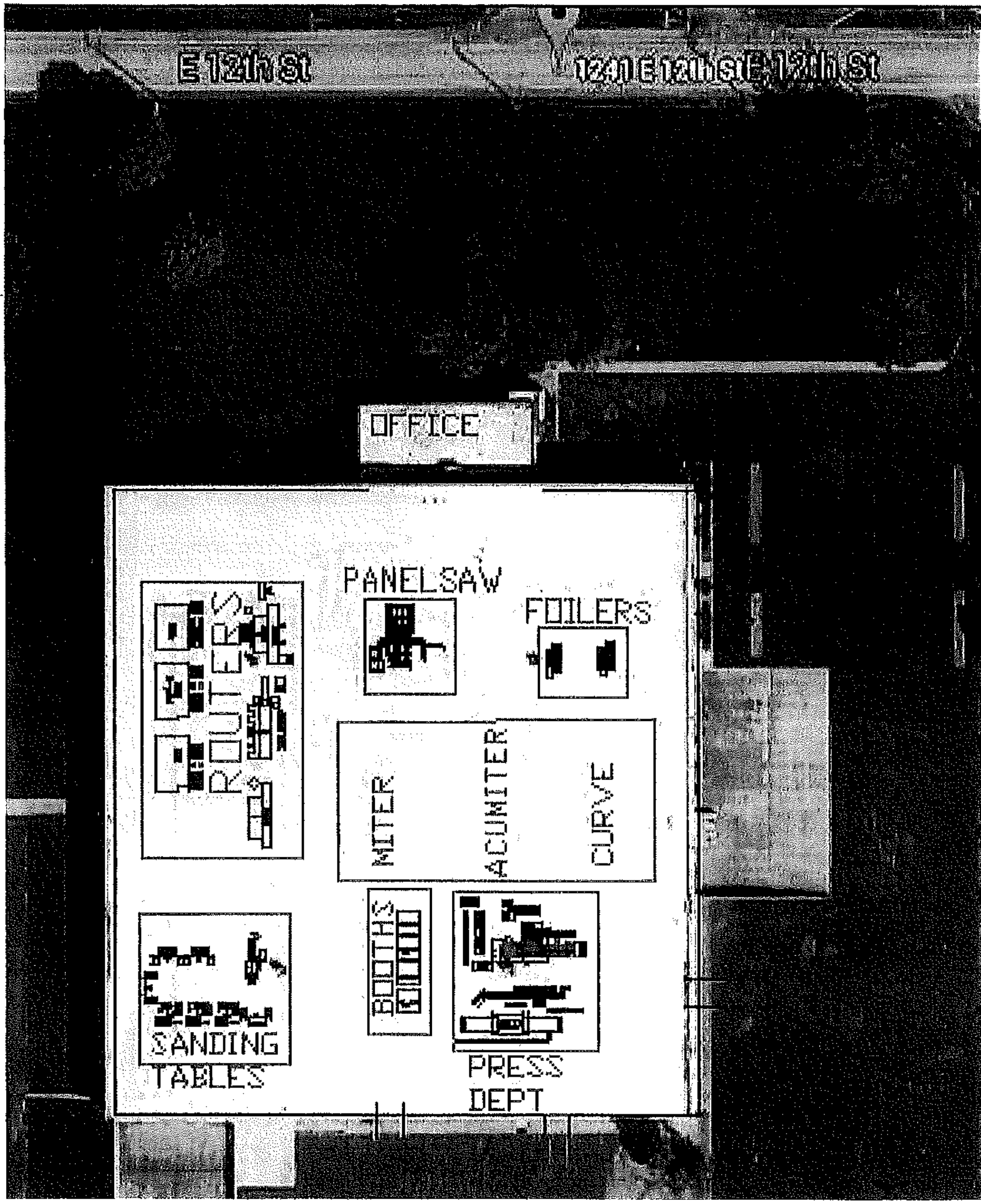
Exhibit A

A parcel of land being a part of the northeast quarter of section 22, township 37 north, range 3 east, Penn Township, St. Joseph County, Indiana and being more particularly described as follows:

Commencing at the northeast corner of said section 22, thence south 0°00'00" west along the east line of said northeast quarter, a distance of 759.00 feet; thence south 89°58'40" west, a distance of 330.00 feet to the place of beginning; thence continuing south 89°58'40" west, a distance of 1122.53 feet; thence north 0°00'19" west, a distance of 759.00 feet to the north line of the northwest quarter of said section 22; thence north 89°58'40" east along said north line, a distance of 957.60 feet; thence south 0°00'00" west parallel with the east line of said northeast quarter, a distance of 495.00 feet; thence north 89°58'40" east, a distance of 165.00 feet; thence south 0°00'00" west parallel with said east line of said northeast quarter, a distance of 264.00 feet to the place of beginning.

More Commonly Known As: 1141 and 1241 E. 12th Street, Mishawaka, IN 46544

Exhibit B



E 12th St
1241 E 12th St E 12th St
OFFICE
PANELSAW
FOILERS
ROUTERS
MITER
ACUMITER
CURVE
BOOTHS
SANDING
TABLES
PRESS
DEPT

1st Reading 1-18-16
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC
JAN 11 2016
CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2016-01

ORDINANCE NO. ________

AN ORDINANCE AUTHORIZING THE MISHAWAKA CITY CONTROLLER TO PURCHASE BLANKET BONDS COVERING OFFICIALS AND EMPLOYEES OF THE CITY OF MISHAWAKA

WHEREAS, Indiana Code 5-4-1-18 provides that bonds are required for individuals (A) who are employees or contractors of a city and (B) whose official duties include receiving, processing, depositing, disbursing or otherwise having access to funds that belong to a political subdivision; and

WHEREAS, the Indiana State Board of Accounts will not take audit exception to the statutory minimum amount of $5,000.00 per covered individual and will not take audit exception to an annual bond as long as the minimum amount of coverage is provided each year; and

WHEREAS, Indiana Code 36-7-14-7(c) provides that a bond is required for each commissioner of a redevelopment commission in the penal sum of fifteen thousand dollars ($15,000.00); and

WHEREAS, Indiana Code 5-4-1-18 further provides that the fiscal body of a city may by ordinance authorize the purchase of a blanket bond that is endorsed to include faithful performance to cover the faithful performance of; and includes aggregate coverage sufficient to provide coverage amounts specified for; all employees, commission members, and persons acting on behalf of the local government unit, including the officers, employees and contractors who are required by Indiana Code to file a bond; and

WHEREAS, the Mishawaka City Common Council is the fiscal body of the City of Mishawaka and is authorized to take the action stated herein; and

WHEREAS, the Common Council desires to authorize the City Controller to purchase blanket bonds pursuant to Indiana Code 5-4-1-18; and

WHEREAS, the Common Council desires to authorize the coverage amounts for each individual covered by the blanket bond at the amount of

$5,000.00 as provided for by Indiana Code 5-4-1-18(e)(2); and

WHEREAS, the Common Council desires to authorize the coverage amounts for each Commissioner of the Redevelopment Commission at the amount of $15,000.00 as provided for by Indiana Code 36-7-14-7(c).

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA:

Section 1. The City Controller is authorized to purchase a blanket bond as provided for by Indiana Code 5-4-1-18 with coverage in the following amounts established by Indiana Code:

POSITION	AMOUNT	AUTHORITY
Each individual under the Blanket Bond	$5,000.00	Indiana Code 5-4-1-18(e)(2)

Section 2. The City Controller is authorized to purchase a blanket bond as provided for by Indiana Code 5-4-1-18 with coverage in the following amounts established by Indiana Code 36-7-14-7(c):

POSITION	AMOUNT	AUTHORITY
Each Commissioner of the Redevelopment Commission	$15,000.00	Indiana Code 36-7-14-7(c)

Section 3. Each blanket bond shall be endorsed to include faithful performance to cover the faithful performance of; and shall include aggregate coverage sufficient to provide coverage amounts specified for; all employees, commission members, and persons acting on behalf of the City of Mishawaka, including the officers, employees and contractors who are required by Indiana Code to file a bond.

Section 4. This Ordinance shall be in full force and effect from and after its passage, signing, and attestation.

PASSED by the Common Council of the City of Mishawaka, Indiana, this this _______ day of ________________, 2016 at ______ o'clock, P.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _______ day of _______________, 2016, at ________ o'clock ___M.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this ________ day of _________________, 2016 at _______ o'clock___M.

____
David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Misti D. Horvath, Deputy Controller

Date: January 11, 2016

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: **Blanket Bond Ordinance**

Spearheaded by the State Board of Accounts, numerous changes have been made to laws and policies governing bonds, materiality thresholds, and internal control to deter fraud and theft at the municipal level.

Among other requirements, an ordinance is necessary to obtain blanket bonds for certain covered individuals who handle money (IC 5-4-1-18) and the Redevelopment Commission (IC 36-7-14-7(c)).

I request approval of the attached ordinance to authorize the purchase of these two blanket bonds.

The City Clerk, Controller, and General Manager of the Utilities all have had and will continue to have individual bonds. An ordinance is not required.

Please contact me with any questions.

RECEIVED
DEBORAH S. BLOCK, MMC

JAN 11 2016

CITY CLERK
MISHAWAKA, IN

c: David A. Wood

RECEIVED
DEBORAH S. BLOCK, MMC

JAN 19 2016

CITY CLERK
MISHAWAKA, IN

1st Reading 1-18-16
2nd Reading
Passed
Failed
Continued To

PETITION 15-39

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2016-02

ORDINANCE NO. _______

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.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

Lot 7, GWR Fowler's, 1st Addition

COMMON ADDRESS: 516 East Mishawaka Avenue

which real estate is now classified as C-1 General Commercial District shall hereafter be within and a part of that District known as R-1 Single Family Residential District designated in "The Zoning Ordinance of 1966" as amended.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. While properties adjacent to the subject parcel fronting Mishawaka Avenue are zoned commercial, a majority of the existing structures along the Mishawaka Avenue corridor are currently used for residential purposes. Additionally, the properties to the north along Grove Street are occupied as single or two family residences. Therefore, the continued used of the site as a single family dwelling would be compatible to the area;

2. Use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because given the context of its location, its relationship to surrounding properties, and the history as a single family residence, staff feels that the most desirable use for this property is its continued single family use;

3. Because the parcel is located in an area of primarily residential uses, the rezoning to R-1 Single Family Residential is a desirable use for this property;

4. As opposed to the types of potential commercial development that could occur with its current zoning, rezoning this property to the R-1 Single Family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood and will allow the property owner to continue to use the property as a single family residence; and,

5. The Comprehensive Plan for the City of Mishawaka indicates Low Density Residential (Single Family Homes) for this part of Mishawaka Avenue. Many of the properties along Mishawaka Avenue are, and in all likelihood will continue to be, predominantly residential in their use.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this __________day of ______________________, 2016, at _________ o'clock ____.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _________ day of ____________________, 2016, at _________ o'clock _____.M.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this ________ day of ___________________, 2016, at _________o'clock ____.M.

____
David A. Wood, Mayor

no show plan com

November 6th 2015

RECEIVED
DEBORAH S. BLOCK, MMC

DEC 02 2015

CITY CLERK
MISHAWAKA, IN

NOV 03 2015

Pet 15-39

Honorable Members of the
Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: PETITION TO REZONE

The undersigned Mark Hughes respectfully shows they are the owner of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

Address: 516 East Mishawaka Avenue, Mishawaka Indiana

Legal Description: Lot 7 G W R Fowlers 1st Add

Parcel Number: 71-09-10-360-011.000-023

Tax Id: 016-2082-2771

Taxing District: 023 Mishawaka-Penn

Petitioner owns one hundred (100%) percent of the above described parcel of land which carries a zoning classification of C-1 District. Said Property is a Single Family Residence.

Petitioner desires said real estate to be rezoned to R-1 District. Petitioner further states that they intend to utilize said land for a Single Family Residence.

Wherefore, the petitioner prays and respectfully requests that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of land located in the City of Mishawaka.

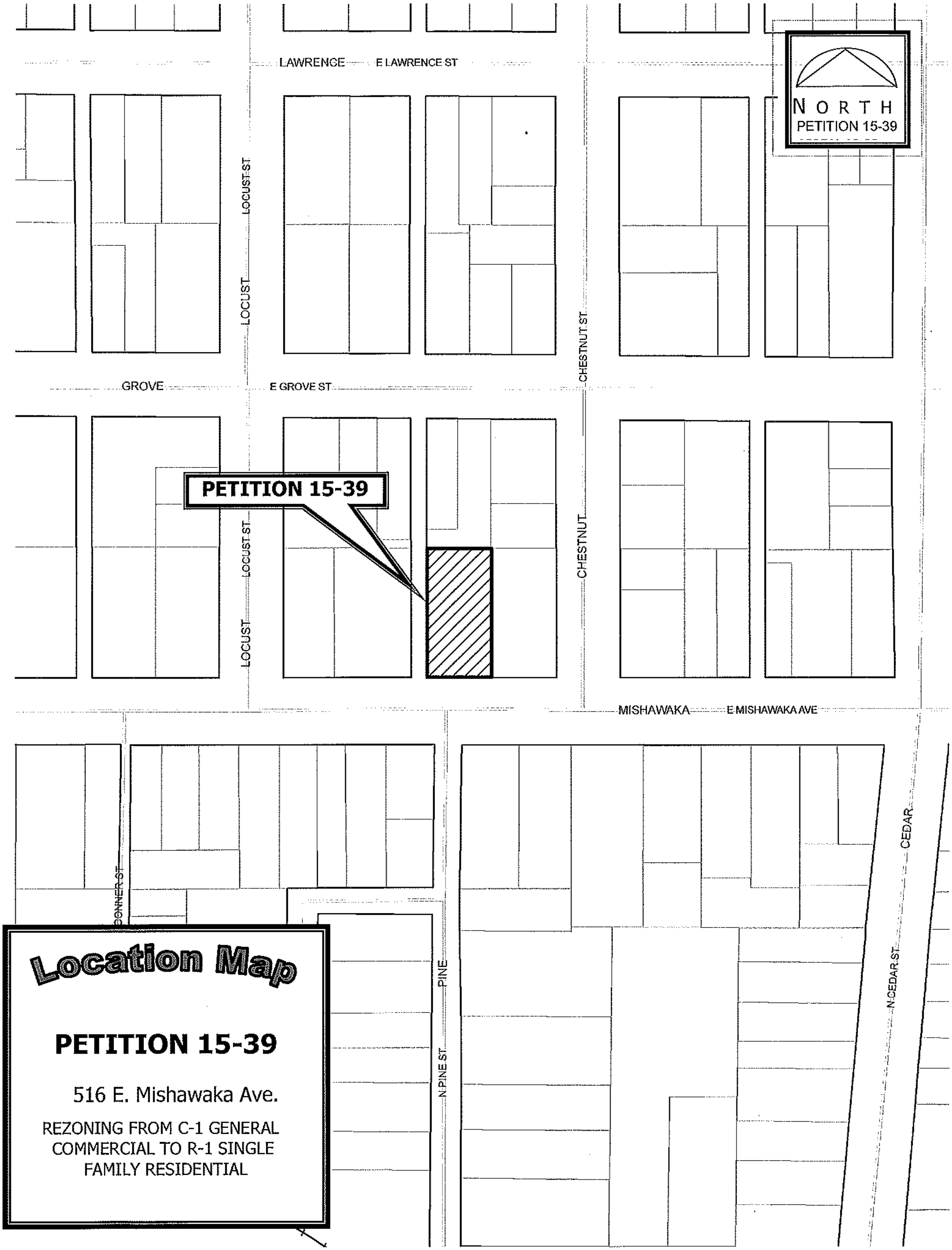
Signature(s) of Property Owner(s

Mark Hughes

CONTACT PERSON:

Mark Hughes

516 East Mishawaka Avenue


NORTH
PETITION 15-39
LAWRENCE
E LAWRENCE ST
LOCUST ST
LOCUST
GROVE
E GROVE ST
CHESTNUT ST
CHESTNUT
PETITION 15-39
MISHAWAKA
E MISHAWAKA AVE
CONNER ST
PINE
N PINE ST
CEDAR
N CEDAR ST
Location Map
PETITION 15-39
516 E. Mishawaka Ave.
REZONING FROM C-1 GENERAL COMMERCIAL TO R-1 SINGLE FAMILY RESIDENTIAL

RECEIVED
DEBORAH S. BLOCK, MMC

JAN 13 2016

CITY CLERK
MISHAWAKA, IN

1st Reading 1-18-16
2nd Reading
Passed
Failed
Continued To

PETITION 16-03

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2016-03

ORDINANCE NO. ______

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.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

Part of the Northwest Quarter of Section 17, Township 37 North, Range 3 East, St. Joseph County, Indiana, described as beginning at point on the West line of said Section 17, 603.75 feet South of the Northwest corner thereof; thence running east 168 feet; thence North 102 feet; thence East 266 feet; thence South 286 feet; thence West 464 feet to the West line of said Section 17; thence North on said West line 183.45 feet, more or less to the place of beginning. Together with the West ½ of the vacated alley lying East of and adjacent to the above described real estate.

COMMON ADDRESS: North of 124 Cedar Road

which real estate is now classified as C-1 General Commercial District shall hereafter be within and a part of that District known as S-2 Planned Unit Development designated in "The Zoning Ordinance of 1966" subject to the following developmental standards and conditions of approval:

Uses:

1. Uses shall be limited to two-family residential (duplexes) as identified in the petition for rezoning.

Sanitary Sewer:

1. The developer shall connect to City of Mishawaka sanitary sewer as directed by applicable codes and the City Director of Engineering. The costs associated with the extension/connection shall be the responsibility of the applicant/developer.

Right-of-Way Dedication / Private Access Drive:

1. A 40′ half right-of-way must be dedicated from the centerline of Cedar Road.
2. The private access drive (cul-de-sac) shall be designed as directed by applicable codes and the City Director of Engineering.

Parking:

1. Each driveway shall be a minimum of 25′ in length from the edge of pavement to the façade of each garage.

Stormwater Management Infrastructure:

1. The type of stormwater facilities proposed on the site shall be designed in accordance with applicable codes and as directed by the City Director of Engineering.

Pedestrian Access/Circulation

1. A sidewalk shall be installed along the east side of Cedar Road within the dedicated right-of-way to provide a pedestrian connection from the development extending southerly to the gas station/convenience store at the northeast corner of Cedar Road and Lincolnway East.

Other:

1. All other developmental standards not identified shall comply with the R-2 Two-Family Residential standards.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions - The subject parcel is vacant land located within an area of existing residential, commercial/office, and agricultural uses.

2. Character of Buildings – The character of the buildings within the surrounding area is mixed with residential (north) and commercial/office (south and west).

3. The most desirable/highest and best use – Because of the parcel's proximity to both single-family residential uses to the north and east and commercial and office uses to the south and west, the most desirable use for the property is a higher density residential use. Such a use will act as a buffer between the adjacent commercial/office and residential uses.

4. Conservation of property values - The proposed zoning will not be injurious to property values in the surrounding area because two-family residential is consistent and compatible with the adjacent land uses.

5. Comprehensive Plan - This specific property was not identified in the City of Mishawaka Comprehensive Plan as it was recently annexed. However, the petition is reasonably consistent with the goals, objectives, and policies of the Comprehensive Plan.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this __________day of ______________________, 2016, at _________ o'clock ___.M.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _________ day of ____________________, 2016, at _________ o'clock ____.M.

____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _________ day of ___________________, 2016, at _________o'clock ____.M.

____
David A. Wood, Mayor

December 23, 2015

RECEIVED
DEC 22 2015
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Pet 16-03

To The Honorable Members of the
City Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

Re: Petition for Rezoning

The undersigned, John Ward respectfully show they are the owners of the following described real estate located in the City of Mishawaka, Penn Township, Indiana:

Part of the Northwest Quarter of Section 17, Township, 37 North, Range 3 East, St. Joseph County, Indiana, described as beginning at point on the West line of said Section 17, 603.75 feet South of the Northwest corner thereof; thence running east 168 feet; thence North 102 feet; thence East 266 Feet; thence South 286 feet; thence West 464 feet to the West line of said Section 17; thence North on said West line 183.45 feet, more or less to the place of beginning. Together with the West ½ of the vacated alley lying East of and adjacent to the above described real estate.

Petitioner owns one hundred (100%) percent of the above described parcel of land which carries a zoning classification of C-1 Commercial District. Said property is currently vacant.

Petitioner desires said real estate to be rezoned to S-2 Planned Unit District Petitioner further states that they intend to utilize said land for residential use. Said property shall have a private cul-de-sac with 10 duplex residential units.

Wherefore, the petitioners pray and respectfully request that the common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of land located in the City of Mishawaka.

John Ward

CONTACT PERSON:
Lang, Feeney & Associates, Inc.
Terance D. Lang
715 South Michigan Street
South Bend, Indiana 46601
Phone: 574-233-1841

RECEIVED
DEBORAH S. BLOCK, MMC
DEC 30 2015
CITY CLERK
MISHAWAKA, IN

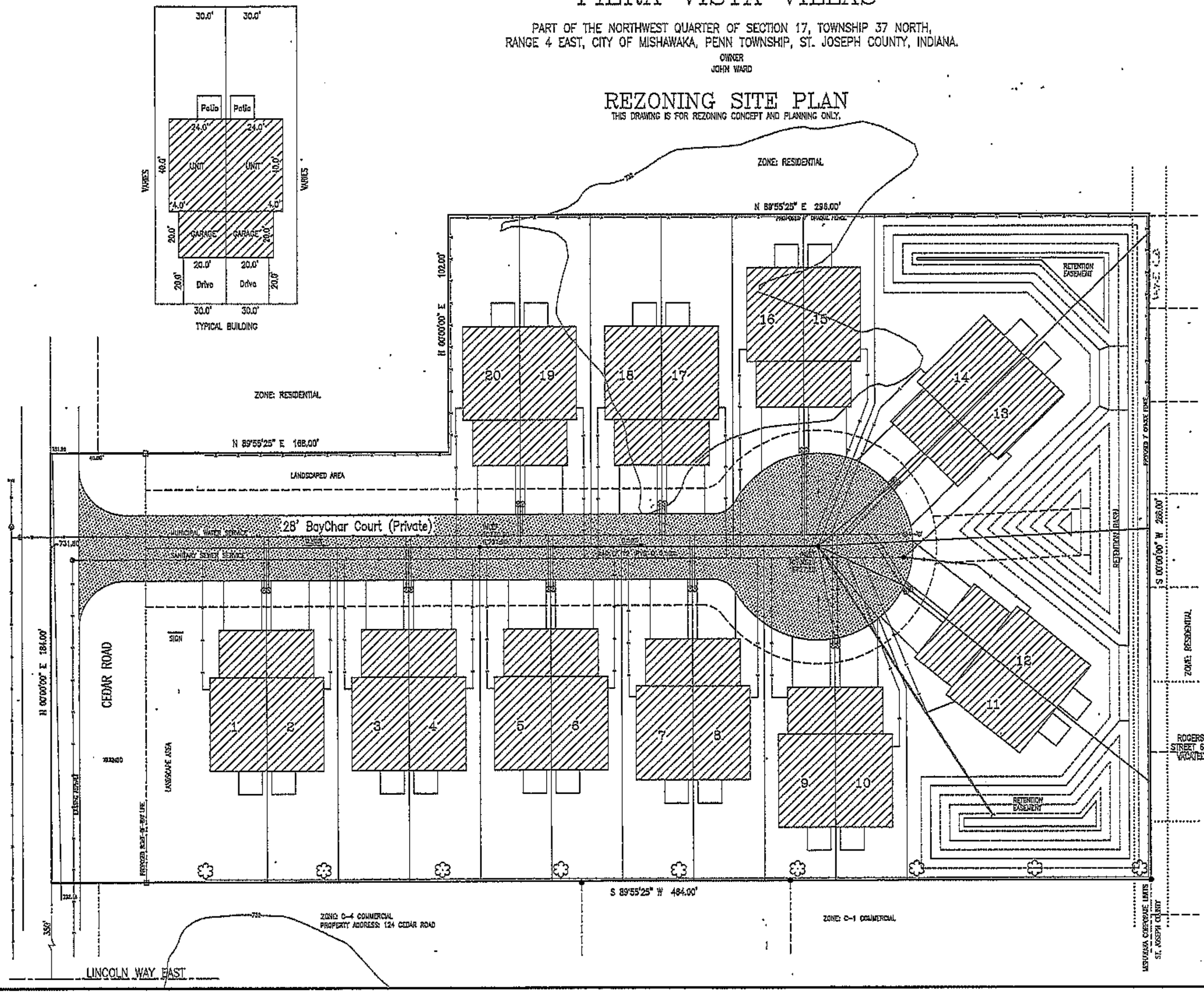
FIERA VISTA VILLAS

PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH,
RANGE 4 EAST, CITY OF MISHAWAKA, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.

OWNER
JOHN WARD

REZONING SITE PLAN

THIS DRAWING IS FOR REZONING CONCEPT AND PLANNING ONLY.



Pet 16-03

NOTES

1. TOTAL AREA: 2.65 ACRES
2. CURRENT ZONING: C-1 COMMERCIAL
3. CURRENT USE: VACANT LAND
4. PROPOSED USE: 10 RESIDENTIAL DUPLEX UNITS
5. SERVED BY MUNICIPAL WATER AND SANITARY SEWER.

TABULATED DATA

	SF	ACREAGE	%
BUILDING	27,200	0.62	23.54
ASPH/CONC	19,503	0.45	16.88
OPEN AREA	68,864	1.58	59.58
TOTAL	115,567	2.65	100.00

TERANCE D. LANG, RLS No S-0523

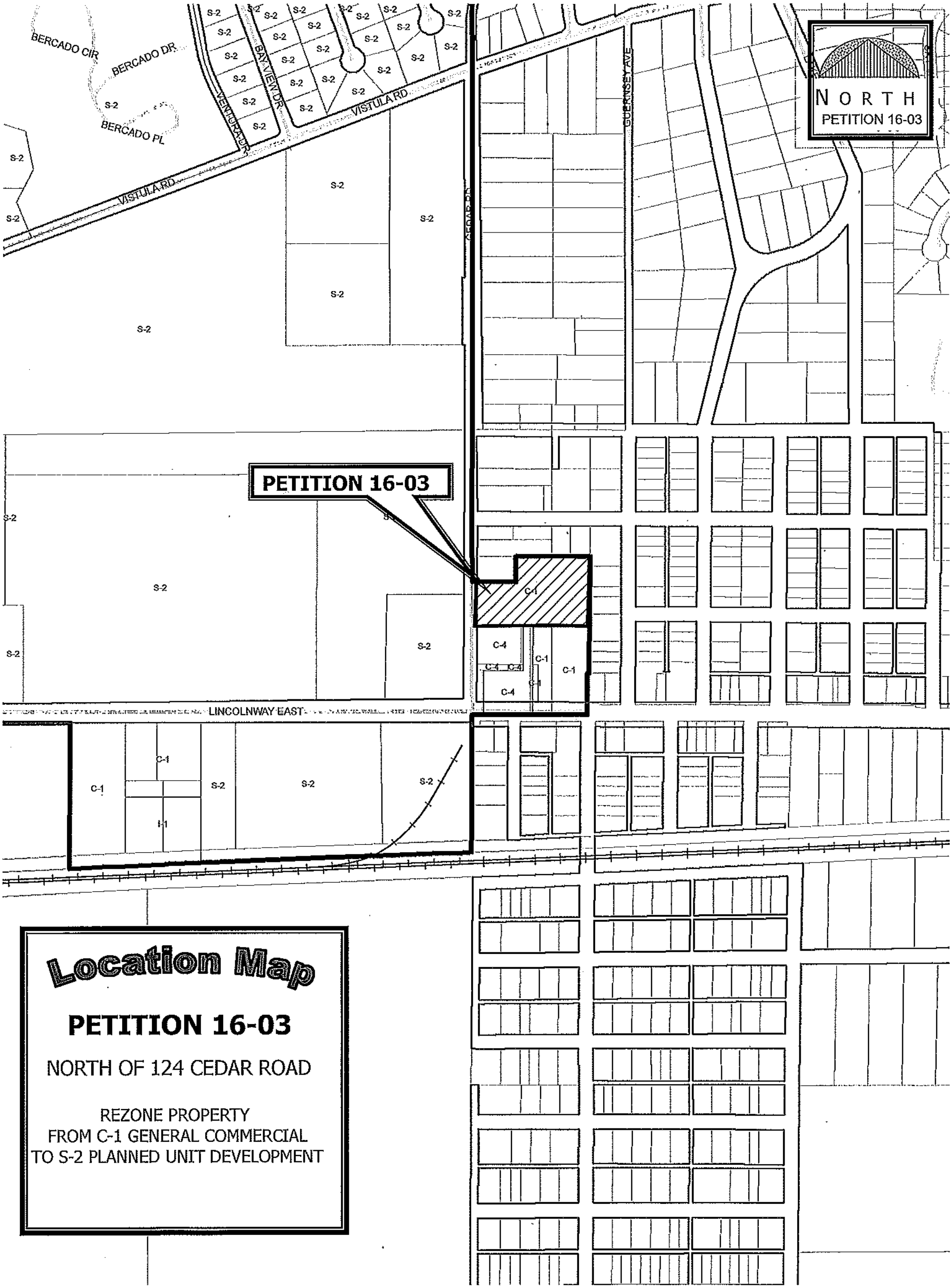
TERANCE D. LANG REGISTERED No. S-0523 STATE OF INDIANA LAND SURVEYOR

0' 20' 40' 60'
SCALE: 1" = 20'

Lang, Feeney & Associates, Inc.
715 S. Michigan Street
South Bend, Indiana 46601
Phone (574) 233-1841

Land Surveyors • Soil Scientists

Scale	1" = 20'	Drawn	TDL/jmo
Date	12-4-15	Job Name	FieraVistaVillas-RezonePlan
Rev.	–	Job No.	130-54
Rev.	–		



Location Map

PETITION 16-03

NORTH OF 124 CEDAR ROAD

REZONE PROPERTY
FROM C-1 GENERAL COMMERCIAL
TO S-2 PLANNED UNIT DEVELOPMENT