AGENDA

Tuesday, September 6, 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**

   August 15, 2016

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

   Appeal No. 2016-33 Use Variance for Temporary Food Truck Trailer Located in Front Yard (Drive Way) - 220 E. Mishawaka Ave. Indiana Rug Co.

   Petition No. 2016-26 Rezone from C-1 to R-3 for an Existing House to be used for Multi-Family Residential 1217 LWW (4 Units)

   Petition No. 2016-27 Amendment to allow Multi-Family Residential Uses 516 Units and Club House - Ridgemont Crossing PUD NE corner of Fir Rd & Dragoon Tr.

   Petition No. 2016-28 Vacation of Right of Way all Platted & Dedicated Streets Ridgemont Crossing Section Two Final PUD

   Petition No. 2016-29 Annex and Rezone to S-2 PUD for Watermark Apartments PUD proposed 380 Units & Club House - 53555 Fir Rd

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

   P.O. NO. 2016-19 Elected Officials Salary Ordinance for 2017

   P.O. NO. 2016-20 City Employees Salary Ordinance for 2017

8. **Resolutions**

   R2016-25 Fiscal Plan Annex and Zone 1732 E. McKinley Ave. - Auto Oriented

   R2016-26 Approving Renewing the Waste Removal Contract with BFI - 1-1-2017 through 12-31-2020

9. **Ordinances on Second Reading**

   P.O. NO. 2016-16 Annex and Zone to C-4 Automobile Oriented 1732 E. McKinley Ave. **NO VOTE**

   P.O. NO. 2016-17 Rezone from R-1 to C-1 for parking lot for 1617 Milburn Blvd (Pone Express) (Assigned to Land Use Planning Committee)

P.O. NO. 2016-18 Amend the PUD for Beacon Health Systems, Inc. and Memorial Health Systems, Inc. and Site Signage 3221 Beacon Parkway (Assigned to Land Use Planning Committee)

10. Privilege of the Floor – Non-Agenda Items

11. Unfinished Business

Ord No 5537(PO 16-15)   Additional Funds - Public Safety LOIT $10,000, Park Non-Reverting $32,500, Rainy Day $450,000, LOIT Special Dist. $950,000

R2016-23 Use Variance for Used Auto Parts Services - 1732 E. McKinley Ave.

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

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Geoffrey Spiess, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

August 15, 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 August 15, 2016, at 7:00 p.m. The meeting was called to order by President Ron Banicki all were asked to stand for the Pledge of Allegiance.

Roll Call.
Present: Mrs. Voelker, Mr. Compton, Mr. Mammolenti, Mr. Deal, Mr. Tanner, Mr. Bellovich, Mr. Canarecci, Mr. Banicki. **Absent:** Mr. Emmons.

Others present; Mike Triple Council Attorney, Mary Ellen Hazen Chief Deputy I, Linda Dotson Chief Deputy Clerk II.

The minutes from the August 1, 2016 meeting were approved as received from the City Clerk's Office.

A regular meeting of the Mishawaka Board of Zoning Appeals was held on August 9, 2016 at which time the following Use Variances were considered:

APPEAL NO. 2016-27 An appeal submitted by Michael Niedbalski requesting a Use Variance for 1732 East McKinley Avenue to permit the fowling: used auto parts sales, auto wrecking and dismantling, possessing two or more inoperable cars, storing, disposing, salvaging or recycling vehicles.

The Board, with a vote of 4-0 recommended approval.

APPEAL NO. 2016-29 An appeal submitted by Habitat for Humanityof St. Joseph County Inc., requesting a Use Variance for 5225 Grape Road to permit a 140' communications tower on C-45 Automobile Oriented Commercial zoned property**.**

The Board, with a vote of 3-1, recommended approval subject to the following conditions.

1 (The monopole tower shall not exceed more than 140 ft. in height (does not include height of attached antenna apparats and lighting rod.)

2) A fence of no higher than 7 foot will be allowed around the base of the tower and equipment building. Barbed wire is not permitted.

3) An Administrative Site Plan shall be submitted for the property. The site plan shall be consistent with the schematic site plan submitted.

4) The proposed 12' access drive between the existing asphalt parking area and the access gate into the compound shall be paved.

5) A storm water drainage plan shall be submitted to include an adequate system and means to capture all runoff from the new impervious surface areas.

6) A row of evergreen trees shall be planted 10' on center along the northern 84' fence enclosure, and along the western 25' fence enclosure to screen the compound area. The evergreen trees shall be 6' in height at the time of planting.

A regular meeting of the Mishawaka Plan Commission was held on August 9, 2016 at which time the following proposed Ordinances were considered:

PETITION NO. 2016-22 A petition submitted by Michael Niedbalski requesting to annex and zone property at 1732 East McKinley Avenue to C-4 Automobile Oriented Commercial District.

The Commission, with a vote of 9-0, recommended approval.

PETITION NO. 2016-23 A petition submitted by Lila M. Filippone requesting to rezone 1613 Milburn Boulevard from R-1 Single Family Residential District to C-1 General Commercial District

The Commission, with a vote of 9-0, recommended approval.

PETITION NO. 2016-24 A petition submitted by Beacon Health Systems, Inc., and Memorial Health Systems, Inc., (3221 Beacon Parkway) requesting to amend the Walker Planned Unit Development to modify the previously approved sign program.

The Commission, with a vote of 9-0, recommended approval.

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. 2016-16

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLASSIFICATION THEREFORE
(Annex and Zone to C-4 Automobile Oriented 1732 E. McKinley Avenue)
(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2016-17

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 R-1 to C-1 for parking lot for 1617 Milburn Blvd. (Pone Express)
(Assigned to Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2016-18

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
(Amend the PUD for Beacon Health Systems, Inc. and Memorial Health Systems, Inc. and Site Signage 3221 Beacon Parkway)
(Assigned to Land Use Planning Committee)

Clerk Block read **RESOLUTION NO. 2016-23** opening it for public hearing.

RESOLUTION NO. 2016-23

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA, BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:

1718 East McKinley Avenue and 1732 East McKinley Avenue, Mishawaka, Indiana

Mike Niedbalski 1732 East McKinley said he has been at this location for 38 years and it was an IDEM Certified Yard. He said it was a very clean yard and they recycle everything properly.

Mr. Compton said it was good information and he knows what has been done there, he would like to postpone this Resolution until Mr. Prince was available to answer questions pertaining to this.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8). **Yes:** Mr. Banicki, Mr. Bellovich, Mr. Canarecci, Mr. Compton, Mr. Deal, Mr. Mammolenti, Mr. Tanner, Mrs. Voelker.

Clerk Block read **RESOLUTION NO. 2016-24** opening it for public hearing.

RESOLUTION NO. 2016-24

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:

5225 Grape Road, Mishawaka, Indiana

Andy Fitza, Mastec Network Solutions 1351 Irving Park Road, Itasca, Illinois said they would like to put up a monopole for 3 carriers to use at this location. He said they would landscape and put in an access drive

Mr. Deal asked what the height was of other structures; Mr. Fitza said there was a 10ft. Hgt. by 12ft. width shelter. He said they would landscape with stone cover on the ground and the neighbors would not see traffic there on a daily basis.

Mr. Canarecci asked if there was fiber location there. Mr. Fitza said yes it was underground; they would pull it from the road as well as power to the site. Mr. Canarecci asked when this would be constructed. Mr. Fitza said fall of 2016 or early spring of 2017.

Ms. Voelker asked if AT&T was leasing the land from the owner. Mr. Fitza said yes, his company was the sub-contractor they would build it and turn it over to AT&T and they would pay Habitat for leasing the land.

Question was called for at 7:19 p.m. the Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8). **Yes:** Mr. Banicki, Mr. Bellovich, Mr. Canarecci, Mr. Compton, Mr. Deal, Mr. Mammolenti, Mr. Tanner, Mrs. Voelker.

Clerk Block read **PROPOSED ORDINANCE NO. 2016-14** opening it for public hearing.

PROPOSED ORDINANCE NO. 2016-14

ESTABLISHING A LOCAL OPTION INCOME TAX (LOIT) SPECIAL DISTRIBUTION FUND

Mr. Compton reported the Budget and Finance Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Deal the motion carried.

Ms. Miller, City Controller stated this fund would be set up to track the 1.8 million dollars awarded by the state from the Local Option Income Tax (LOIT) for distributions of the fund.

Mr. Compton said this account would be specifically for LOIT Funds only. Ms. Miller said yes a total of $1,871,070.58 was received from the State as part of the plan to fund street repairs. Approximately 25% would go into a rainy day fund it would be a onetime account for distribution of LOIT Funds.

Question was called for on PROPOSED ORDINANCE NO. 2016-14 at 7:23 p.m. Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8). **Yes:** Mr. Banicki, Mr. Bellovich, Mr. Canarecci, Mr. Compton, Mr. Deal, Mr. Mammolenti, Mr. Tanner, Mrs. Voelker.

Clerk Block read **PROPOSED ORDINANCE NO. 2016-15** opening it for public hearing.

PROPOSED ORDINANCE NO. 2016-15

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2016
(Additional Funds – Public Safety LOIT $10,000, Park Non-Reverting $32,500, Rainy Day $450.000, LOIT Special Dist. $950,000

Mr. Bellovich reported the Budget and Finance Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Deal the motion carried.

Ms. Miller stated an additional $10,000 in Public Safety LOIT is to appropriate grant money that was received in 2015, these funds are being used to buy the Kidprint Child Photo ID Card System and Radar Equipment, also Free Finger Printing and ID's, Park Non-Reverting, consulting $250,000, Capital outlay, Battell Center Stage upgrade, floor scrubber, child size Basketball Hoops, and a Rainy Day Fund of $750,000 for street repair. She said she was asking to appropriate $450,000 of it for employee health insurance, Park's property/liability insurance, and their utilities.

Mr. Deal asked about street repairs. Ms. Miller said $750,000 Street repairs. Mr. Deal said in regards to a consultant what would that entail. Ms. Miller said the consultant fee would be $200,000.00 and they would be looking at Dragoon Trail and Grape Road. Mr. Deal said he would like to see 12 Street in that mix.

Ms. Voelker asked what would happen next year after the Battell Center Project was done. Ms. Miller stated the new Park Director has ideas to make the programs self-sustaining.

Mr. Tanner said he thought $200,000.00 for consulting fees was a lot for State Requirements of assessing roads.

Mr. Canarecci asked if there were any park liability claims. Ms. Miller said there were none.

Mr. Mammolenti said he thought the Police ID/Fingerprinting Program was a great program they had it at the neighborhood night out meeting at Twin Branch Park, he feels it is money well spent.

Question was called for at 7:35 p.m. on **PROPOSED ORDINANCE NO. 2016-15 Vote:** Motion carried by unanimous roll call vote (summary: Yes = 8). Yes: Mr. Banicki, Mr. Bellovich, Mr. Canarecci, Mr. Compton, Mr. Deal, Mr. Mammolenti, Mr. Tanner, Mrs. Voelker.

<u>PRIVILEGE OF THE FLOOR</u>

George Wright 751 Bugle Lane, Mishawaka, said he feels like there should be signs saying DO NOT FEED the GEESE or WILD ANIMALS.

City Clerk Deborah Block said there is an ordinance already in the books.

Clerk Block said the next Council meeting would be September 6, 2016.

NEW BUSINESS

Mr. Mammolenti said there would not be a Twin Branch Meeting in August and the next meeting would be at Fire Station No. 4 at 12th Street September 21st.

Mr. Tanner thanked Sally Johnson of Battell Center for the tour of the building at his last meeting of the Oaks Neighborhood.

ADJOURNMENT 7:38 p.m.

Deborah S. Block ________________ /s/	Ronald S. Banicki ________ /s/
Deborah S. Block, IAMC, MMC, City Clerk	Ronald S. Banicki, President

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 31 2016

CITY CLERK
MISHAWAKA, IN

AUG 24 2016

№ 16-33

August 17, 2016

To: Board of Zoning Appeals
City of Mishawka, Indiana

The undersigned appellant respectfully shows the board:

1. I, Pam Richardes, am the owner of the following described real estate located within the city of Mishawaka, Penn Township, St. Joesph County, State of Indiana to-wit: Land situated in the county of St. Joesph, State of Indiana, is described as follows: A lot or parcel land twenty-seven feet in width, east and west, taken off of and from the entire length of the west side of Lot Numbered Eighteen (18), and another lot or parcel of land six feet in with, east and west, taken off of and from the entire length of the east side of Lot Numbered Nineteen (19), all in Block 29 as shown on the plat of Lawrence and Battle's Addition to the town, now City of Mishawaka, formerly known as Indiana City, recorded April 24, 1860 in the Office of the Recorder of St. Joesph County, Indiana, in Plat Book 1, page 34. Common address of 220 E. Mishawaka Avenue Mishawaka, Indiana 46545.

2. The above described real estate presently has a zoning classification of C-5 Neighborhood Commercial District under the Zoning Ordinance of the City of Mishawaka.

3. Appellant presently occupies the above described property in the following manner: custom studio and gift shop.

4. Appellant desires to park a temporary food truck trailer on our driveway. In the Zoning Ordinance, it states " Outside storage, display, or sales shall not be permitted outside a completely enclosed, substantially constructed, and weathertight building." Indiana Rug Co. requests the use of our driveway to park a temporary food trailer. Operational hours will be contingent with our studio hours excluding special events. This will be esthetically pleasing as this will only enhance the community shopping experience.

5. The Zoning Ordinance of the City of Mishawaka requires that the commercial C-5 district is a very limited retail and service category intended for small commercial lots and small commercial buildings of up to 8,000 square feet in total area in residential neighborhood crossroad areas, for the purpose of supplying day-to-day retail and service needs of the residents, such as food, drugs, and personal services. Outside storage, display, or sales shall not be permitted outside a completely enclosed, substantially constructed, and weathertight building. (Section 137-404)

6. Answers to necessary questions for a use variance:

(1) Will the approval be injurious to the public health, safety, morals, or general welfare of the community? No. It is to enhance the community. We want to help grow

and build within in our neighborhood a thriving small business community where we love to live, eat, work, and play in. With our close proximity to the wonderful landscape of the Mishawaka Parks and St. Joseph River, we love our location as a custom studio and gift shop. We take pride in our building and the upkeep of it. When our neighbors (and clients) visit our gift shop and custom studio we go above and beyond to offer them a shopping experience. Old fashioned custom service, one of a kind handmade (many by us!) gifts, and a desire to want to return and do business with us again. The approach we take with our store, will also be taken with our food trailer to help enhance the quality of life in the city of Mishawka.

(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? No. We have a good relationships with our neighbors. Being an ambassador to our neighborhood is something we take seriously as we live and work in this community as well.

(3) Does the need for the variance arise from some condition peculiar to the property involved. No, because it is our driveway that belongs to our property. We are just going to use it to park our food trailer on.

(4)Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought? No, it will enhance the property as well as the neighborhood. In our C-5 neighborhood commercial district, there are many properties that are under developed. We hope by adding this food trailer to our driveway it will help spur more development in our C-5 area. We are very excited to be a part of Mishawaka Avenue businesses near Central Park.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan? No, we are encouraged by the plan set forth for the river area enhancement. We love the goals in the plan. We also want diverse neighborhoods, and a high quality of life. We think our variance coincides with the goals and ideas of the Mishawaka 2000 Comprehensive Plan.

7. Answers to necessary questions for the sign variance:

(1) Will approval be injurious to the public health, safety, morals, or general welfare of the community? No, the signage will be very low key.

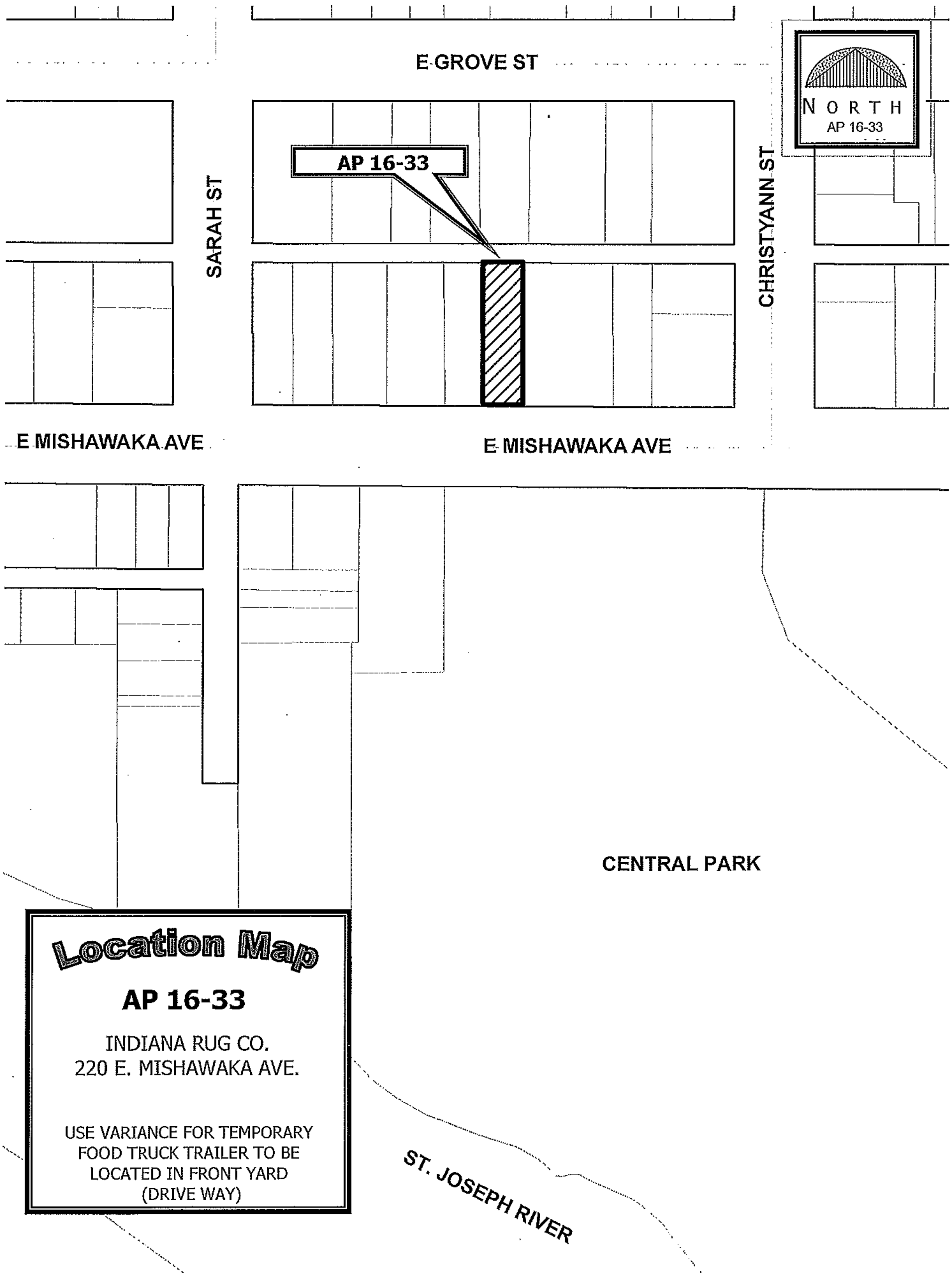
(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? No, absolutely not. We would never do anything to hinder the landscape of Central Park. We celebrate the beauty of Central Park, and would never do anything that would hinder it in any negative way.

(3) Will strict application of the terms of the On-Premise Sign Standards Ordinance result in practical difficulties in the use of the property? No. I do not like large, loud, or offensive signage. Less is better as far as I am concerned.

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

[signature]

Contact Person:
Name: Pam Richardes
Address: 220 E. Mishawaka Avenue Mishawaka, Indiana 46545
Day Phone Number: 574.303.8820
Fax Number: 574.252.4653
Email: service.indianarugco@gmail.com


E GROVE ST
NORTH
AP 16-33
AP 16-33
SARAH ST
CHRISTYANN ST
E MISHAWAKA AVE
E MISHAWAKA AVE
CENTRAL PARK
ST. JOSEPH RIVER
Location Map
AP 16-33
INDIANA RUG CO.
220 E. MISHAWAKA AVE.
USE VARIANCE FOR TEMPORARY
FOOD TRUCK TRAILER TO BE
LOCATED IN FRONT YARD
(DRIVE WAY)

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 31 2016

CITY CLERK
MISHAWAKA, IN

Erik & Linda Wälchli
52037 Woodridge Dr.
South Bend, IN 46635
+1 (574) 621-0096
Erik.USA@juno.com

August 11, 2016

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

AUG 12 2016

RE: PETITION TO REZONE

Pet 16-26

We, the undersigned petitioners, Erik and Linda Waelchli, respectfully show the Board to hopefully be the future owners (see enclosed authorization from Current Owner Susan L. Ganser) of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

- **Lot 109 Ex N Pt For St Adam S Bakers 1st 03-04**
  Split To State For St Per Tr 11793 1-6-03
- Parcel ID 71-09-16-155-002.000-023
- Address 1217 Lincoln Way West
- Tax Key 016-1021-0851

The petitioners, given this rezoning petition is granted, plan to own one hundred (100%) percent of the above described property and parcel of land which carries a zoning classification of **C-1 Commercial** District. Said property is currently used as a private resident and apartments, and is already laid out for four (4) apartments.

The petitioners desire said real estate to be rezoned to **R-3 Multi Family** District. Petitioners further state that they intend to utilize said property and land to operate four (4) premier rental apartments; which is the reason for the rezoning request.

WHEREFORE, we the petitioners prays 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.

Erik Waelchli

Linda M. Waelchli

CONTACT PERSON:

Name:	Erik Waelchli
Address:	52037 Woodridge Dr., South Bend, IN 46635
Day Phone Number:	+1 574 621 0096
Fax Number:	+1 574 272 3943
Email:	erik.waelchli@IBDConnection.com

Susan L. Ganser
1217 Lincolnway West
Mishawaka, IN 46544

~~**August**~~ July 29, **2016**

Board of Zoning Appeals City of Mishawaka, Indiana
and
Common Council of Mishawaka, Indiana
Mishawaka, IN 46545

Re: RE-ZONING Filling AUTHORIZATION for
Property at 1217 Lincoln Way West, Mishawaka, IN
Legal Description: Lot 109 Ex N Pt For St Adam S Bakers 1st 03-04 Split To State For St Per Tr 11793 1-6-03

To Whom I may concern:

I, Susan L. Ganser, the owner and title holder of the property at 1217 Lincoln Way West, Mishawaka - IN, authorize Erik and Linda Waelchli to file a "RE-ZONING - Application" for the above mentioned property. This, because I am in negation with them on the sale of said property and their desire to purchase said property only if the requested variances is granted by your board.

RE-ZONING Application requested by Erik and Linda Waelchli:

- **Current zoning of the property is C-1 Commercial**
- **Desired zoning of the property is R-3 Multi-Family**

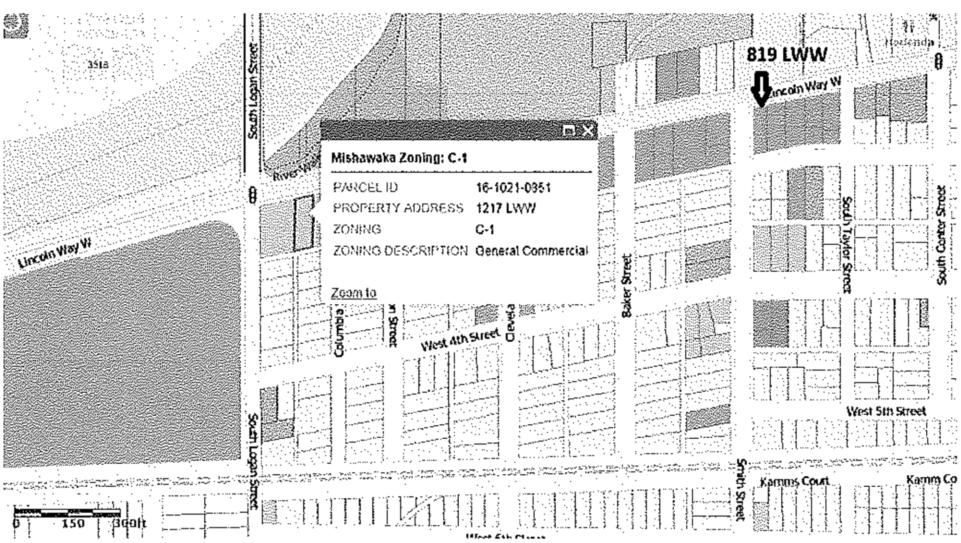
Respectfully

Susan Lynn Ganser
Susan Lynn Ganser

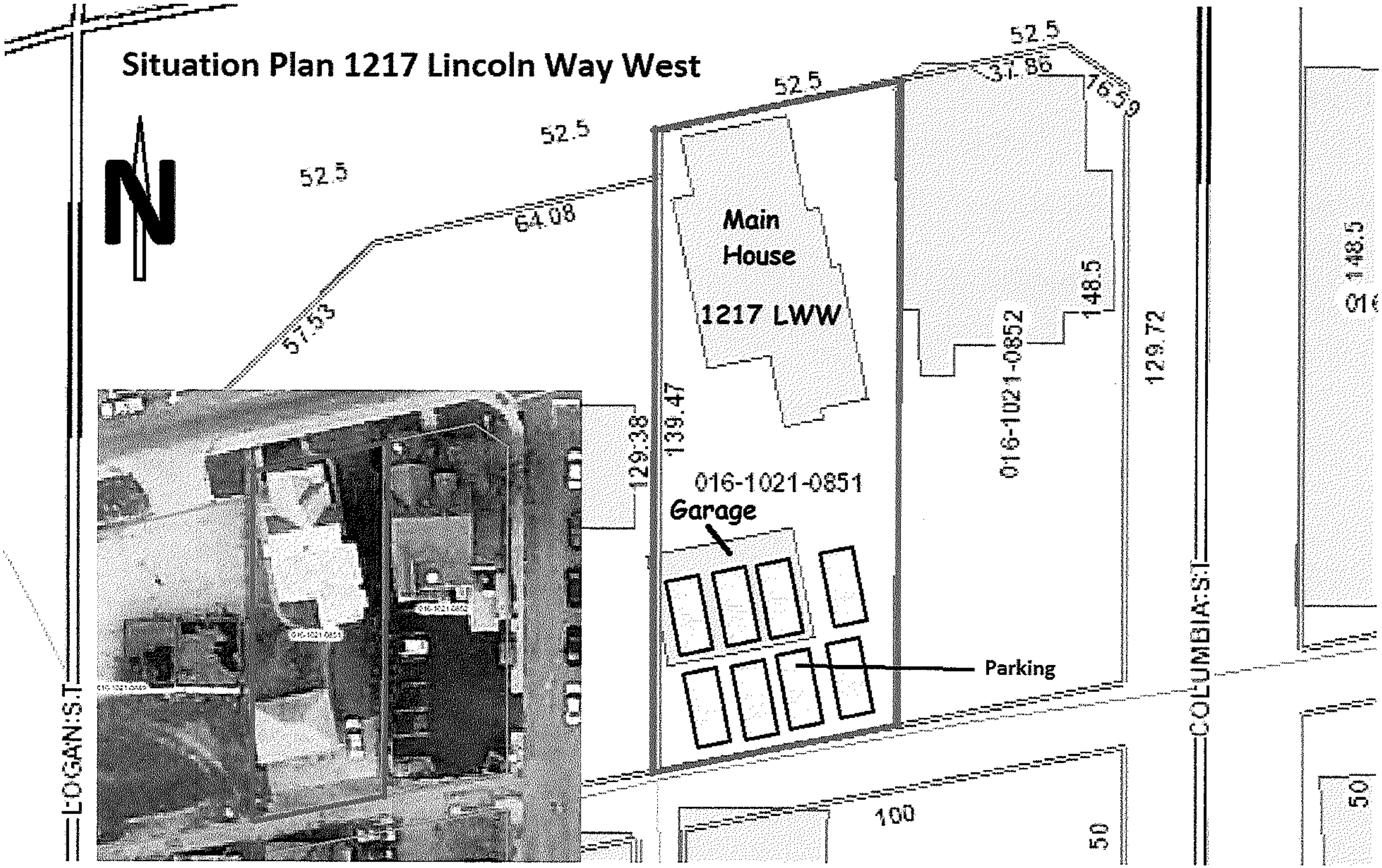
1217 Lincoln Way West Mishawaka

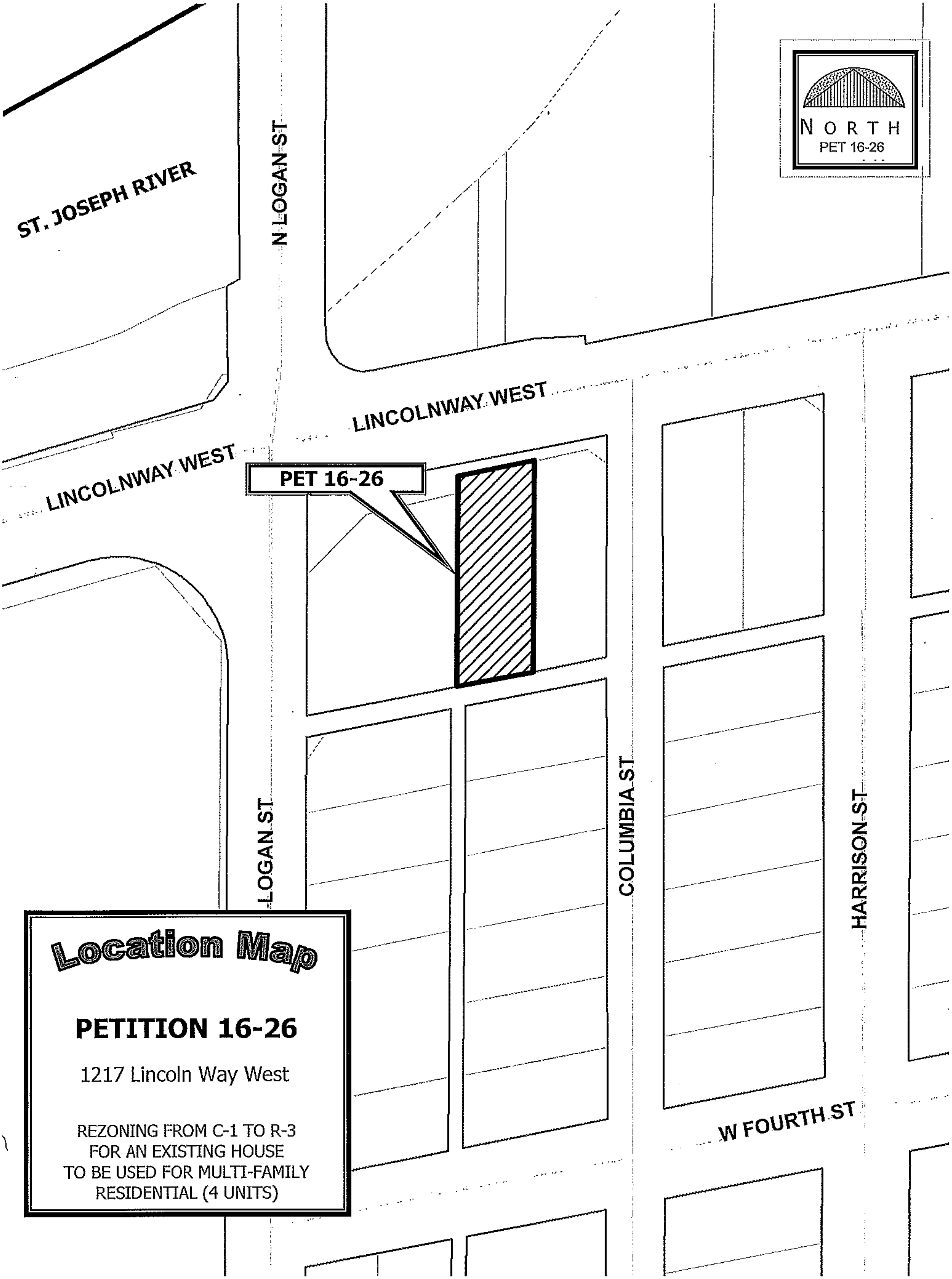
Property Outline

This building does not exist anymore, vacant lot



Situation Plan 1217 Lincoln Way West





NORTH
PET 16-26
ST. JOSEPH RIVER
N LOGAN ST
LINCOLNWAY WEST
LINCOLNWAY WEST
PET 16-26
LOGAN ST
COLUMBIA ST
HARRISON ST
W FOURTH ST
Location Map
PETITION 16-26
1217 Lincoln Way West
REZONING FROM C-1 TO R-3
FOR AN EXISTING HOUSE
TO BE USED FOR MULTI-FAMILY
RESIDENTIAL (4 UNITS)

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 31 2016

CITY CLERK
MISHAWAKA, IN

To The: Honorable members of the
Common Council of the
City of Mishawaka, Indiana

August 19, 2016

RE: Approval of an Amended PUD for
The 12th Street Planned Unit Development:

The undersigned, H & G Real Estate, LLC, respectfully shows that they are the owners of the following described real estate located in the City of Mishawaka, St. Joseph County, Indiana:

A PARCEL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 37 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, A PORTION OF SAID PARCEL BEING LOTS ONE (1) THROUGH TWENTY-FIVE (25), ONE HUNDRED FIFTEEN (115) AND ONE HUNDRED SIXTEEN (116) AND ONE HUNDRED TWENTY-SIX (126) THROUGH ONE HUNDRED THIRTY-ONE (131) AS SHOWN ON THE RECORDED PLAT OF RIDGEMONT CROSSING SECTION TWO FINAL P.U.D. RECORDED AUGUST 15, 2006 AS DOCUMENT NO. 0635283 AND AMENDED BY AFFIDAVIT RECORDED NOVEMBER 19, 2007 AS DOCUMENT NO. 0745276 IN THE OFFICE OF THE RECORDER OF SAINT JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE NORTH 00°00'30" WEST ALONG THE WEST LINE OF SAID SECTION 23, 726.25 FEET; THENCE NORTH 89°59'30" EAST, 40.00 TO THE EAST RIGHT-OF-WAY LINE OF FIR ROAD AND THE SOUTHWEST CORNER OF SAID LOT 12, AND THE POINT OF BEGINNING; THENCE NORTH 00°00'30" WEST ALONG THE SAID EAST RIGHT-OF-WAY, 643.83 FEET (REC. NORTH 00°05'01" EAST, 644.46 FEET) TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE NORTH 89°38'04" EAST, 216.11 FEET (REC. NORTH 89°43'36" EAST, 216.11 FEET); THENCE NORTH 84°21'55" EAST, 144.59 FEET (REC. NORTH 84°27'38" EAST, 144.61 FEET); THENCE NORTH 89°39'48" EAST, 229.52 FEET (REC NORTH 89°43'36" EAST, 229.50 FEET); THENCE SOUTH 05°46'04" WEST, 42.12 FEET (REC. SOUTH 05°46'04" WEST, 42.24 FEET); THENCE NORTH 89°38'05" EAST, 120.38 FEET (REC. NORTH 89°43'36" EAST, 120.38 FEET) TO THE WEST RIGHT-OF-WAY LINE OF CANE RIVER DRIVE; THENCE NORTH 57°14'52" EAST, 68.84 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANE RIVER DRIVE; THENCE NORTH 88°54'03" EAST, 127.72 FEET (REC. NORTH 88°57'58" EAST, 128.70 FEET); THENCE NORTH 13°21'11" WEST, 7.68 FEET (REC. NORTH 13°21'49" WEST); THENCE NORTH 88°57'08" EAST, 130.88 FEET (REC. NORTH 89°02'39" EAST); THENCE NORTH 13°44'23" EAST, 29.87 FEET (REC. NORTH 13°49'54" EAST, 29.87 FEET); THENCE NORTH 61°11'39" EAST, 109.70 FEET (REC. NORTH 61°17'10" EAST, 109.70 FEET); THENCE NORTH 13°52'32" WEST, 123.31 FEET (REC. NORTH 13°47'01" WEST, 123.31 FEET) TO THE SOUTH RIGHT-OF-WAY LINE OF GAULEY RIVER DRIVE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE WITH A CURVE TURNING TO THE RIGHT WITH

Pet 16-27

AN ARC LENGTH OF 12.96 FEET, WITH A RADIUS OF 470.00 FEET, WITH A CHORD BEARING OF NORTH 80°24'33" EAST (REC. NORTH 80°30'04" WEST), WITH A CHORD LENGTH OF 12.96 FEET; THENCE NORTH 08°42'23" WEST, 60.00 FEET (REC. NORTH 08°48'03 WEST, 60.00 FEET) TO THE NORTH RIGHT-OF-WAY LINE OF GAULEY RIVER DRIVE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE OF GAULEY RIVER DRIVE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 37.54 FEET, WITH A RADIUS OF 530.00 FEET, WITH A CHORD BEARING OF SOUTH 79°10'13" WEST (REC. SOUTH 79°15'44" WEST), WITH A CHORD LENGTH OF 37.53 FEET; THENCE NORTH 00°21'54" WEST, 196.46 FEET (REC. NORTH 00°16'23" WEST, 196.46 FEET); THENCE NORTH 89°36'58" EAST, 452.00 FEET (REC. NORTH 89°42'29" EAST, 452.00 FEET; THENCE NORTH 00°24'08" WEST, 185.00 FEET (REC. NORTH 00°18'37" WEST, 185.00 FEET) TO THE SOUTH RIGHT-OF-WAY LINE OF WALNUT CANYON COURT; THENCE NORTH 89°36'58" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE, 5.00 FEET (REC. NORTH 89°42'29" EAST, 5.00 FEET); THENCE NORTH 00°23'02" WEST, 60.00 FEET (REC. NORTH 00°17'31" WEST, 60.00 FEET) TO THE NORTH RIGHT-OF-WAY LINE OF WALNUT CANYON COURT; THENCE SOUTH 89°36'58" WEST (REC. SOUTH 89°42'29" WEST) ALONG SAID NORTH RIGHT-OF-WAY LINE OF WALNUT CANYON COURT, 5.00 FEET; THENCE NORTH 00°21'55" WEST, 295.25 FEET (REC. NORTH 00°16'24" WEST); THENCE SOUTH 89°59'17" EAST, 228.14 FEET; THENCE SOUTH 00°04'41" EAST, 138.60 FEET; THENCE SOUTH 89°59'17" EAST, 236.91 FEET; THENCE SOUTH 00°08'06" EAST, 1569.93 FEET TO THE CENTERLINE OF DRAGOON TRAIL; THENCE ALONG SAID CENTER LINE FOR THE NEXT TWO (2) COURSES, AND WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 261.30 FEET, WITH A RADIUS OF 1091.88 FEET, WITH A CHORD BEARING OF NORTH 84°41'30" WEST, WITH A CHORD LENGTH OF 260.68 FEET, AND THENCE SOUTH 89°17'06" WEST, 787.53 FEET; THENCE NORTH 00°43'30" WEST, 40.00 FEET (REC. NORTH 00°37'59" WEST) TO THE NORTH RIGHT-OF-WAY LINE OF DRAGOON TRAIL; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, SOUTH 89°16'30" WEST, 853.54 FEET, AND WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 75.73 FEET, WITH A RADIUS OF 4754.08 FEET (REC. 4759.29 FEET), WITH A CHORD BEARING OF NORTH 89°48'26" WEST (REC. SOUTH 89°48'49" WEST), WITH A CHORD LENGTH OF 75.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 44.77 ACRES MORE OR LESS.

SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

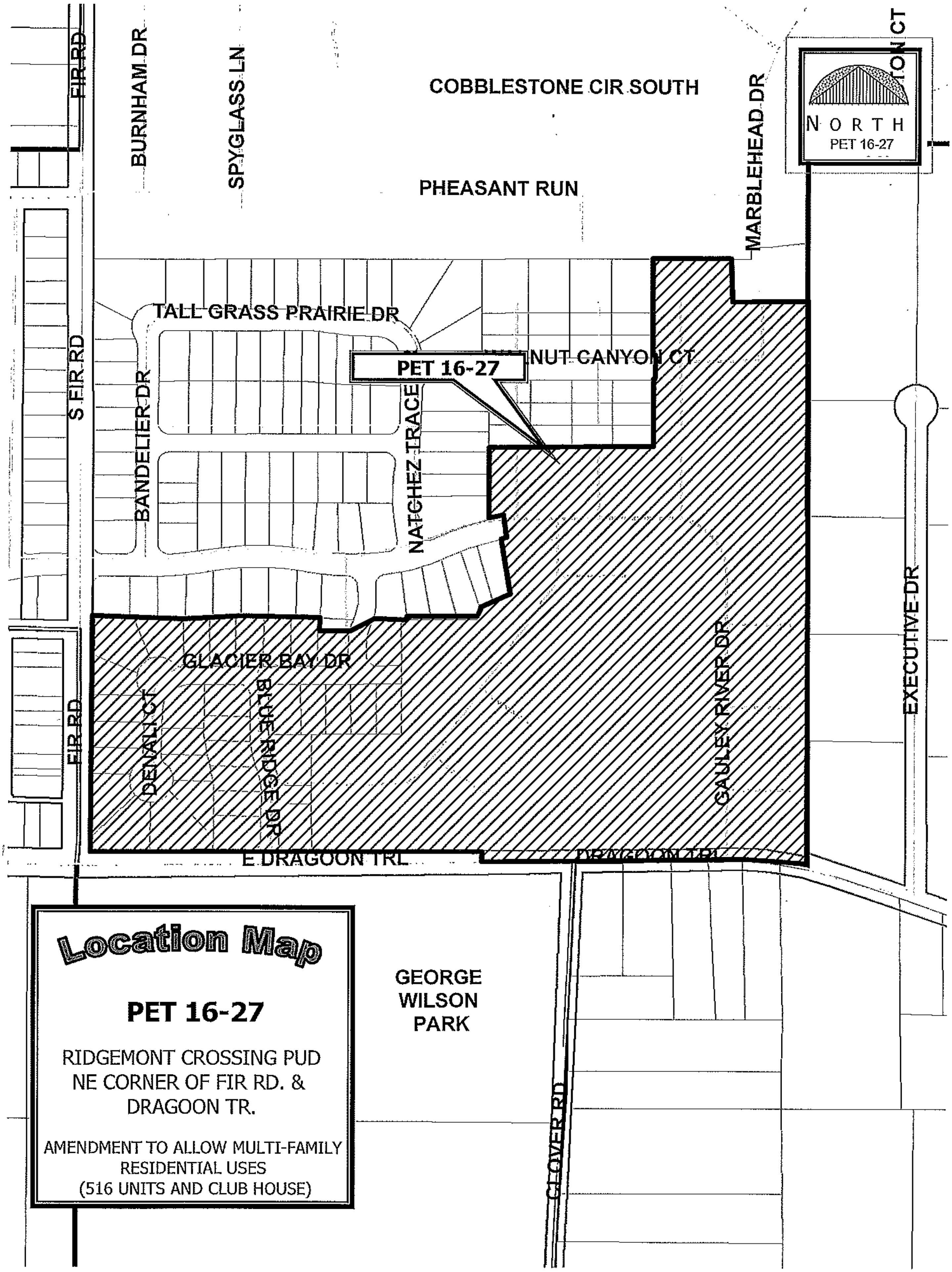
Also commonly known as property located at the northeast corner of Fir Road and Dragoon Trail, Mishawaka, Indiana 46544. The above described parcel of land is presently zoned "S-2" Planned Unit Development district and was approved to allow single-family residential uses.

The Petitioners of said real estate desire to amend the existing "S-2" Planned Unit Development district to allow for multi-family residential uses in the existing Planned Unit Development District with "R-3" Development standards. The purpose for this amended Planned Unit Development would allow for the construction of a multi-family development with a club house.

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 allowing for the requested amended "S-2" Planned Unit Development with the proposed "R-3" Residential District Use.

For H & G Real Estate LLC
828 E. Jefferson Blvd.
South Bend, IN 46617

Contact person:
Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628
(574) 234-4003



FIR RD
BURNHAM DR
SPYGLASS LN
COBBLESTONE CIR SOUTH
MARBLEHEAD DR
NORTH
PET 16-27
PHEASANT RUN
TALL GRASS PRAIRIE DR
PET 16-27
NUT CANYON CT
S FIR RD
BANDELIER DR
NATCHEZ TRACE
EXECUTIVE DR
GLACIER BAY DR
FIR RD
DENALI CT
BLUE RIDGE DR
GAULEY RIVER DR
E DRAGOON TRL
Location Map
PET 16-27
RIDGEMONT CROSSING PUD
NE CORNER OF FIR RD. &
DRAGOON TR.
AMENDMENT TO ALLOW MULTI-FAMILY
RESIDENTIAL USES
(516 UNITS AND CLUB HOUSE)
GEORGE
WILSON
PARK
CLOVER RD

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 31 2016
CITY CLERK
MISHAWAKA, IN

Date: August 19, 2016

To: The Honorable Members of the
Common Council of the
City of Mishawaka, Indiana
And
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Petition for vacation of Public Right of Way:

The undersigned for H and G Real Estate LLC, respectfully request the Mishawaka Common Council and the Mishawaka City Plan Commission vacate the following described public right of way(s) located in the City of Mishawaka, St. Joseph County, Indiana:

Part of the Southwest Quarter of Section 23, Township 37 North, Range 3 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana, which is described as:

1) The 60-foot right-of way running North-South for approximately 505.11-feet, commonly known as Blue Ridge Drive, as platted within the Ridgemont Crossing Section Two Final P.U.D. Plat, Document No. 0635283.

2) A portion of 50-foot right-of-way running East-West between Denali Court and Cane River Drive for approximately 546-feet, commonly known as Glacier Bay Drive, as platted within the Ridgemont Crossing Section Two Final P.U.D. Plat, Document No. 0635283.

3) A portion of 50-foot right-of-way running East from the centerline of Cane River Drive approximately 123.92-feet, commonly known as Glacier Bay Drive, as platted within the Ridgemont Crossing Section Two Final P.U.D. Plat, Document No. 0635283.

4) The varied width right-of-way running North-South for approximately 259-feet, commonly known as Denali Court, as platted within the Ridgemont Crossing Section Two Final P.U.D. Plat, Document No. 0635283.

5) A portion of 50-foot right-of-way running North from the centerline of Glacier Bay Drive for approximately 130.57-feet, commonly known as Cane River Drive, as platted within the Ridgemont Crossing Section Two Final P.U.D. Plat, Document No. 0635283.

6) A portion of 60-foot right-of-way running East from the centerline of Blue Ridge Drive for approximately 115.00-feet, commonly known as Muir Woods Drive, as platted within the Ridgemont Crossing Section Two Final P.U.D. Plat, Document No. 0635283.

Subject to all legal right-of-ways, easements, and restrictions of record.

Pet 16-28

Petitioners further state they are the owners of the property immediately adjacent to the above-described right of way(s).

Wherefore, the Petitioner(s) 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 vacating the above described right of way(s) located in the City of Mishawaka.

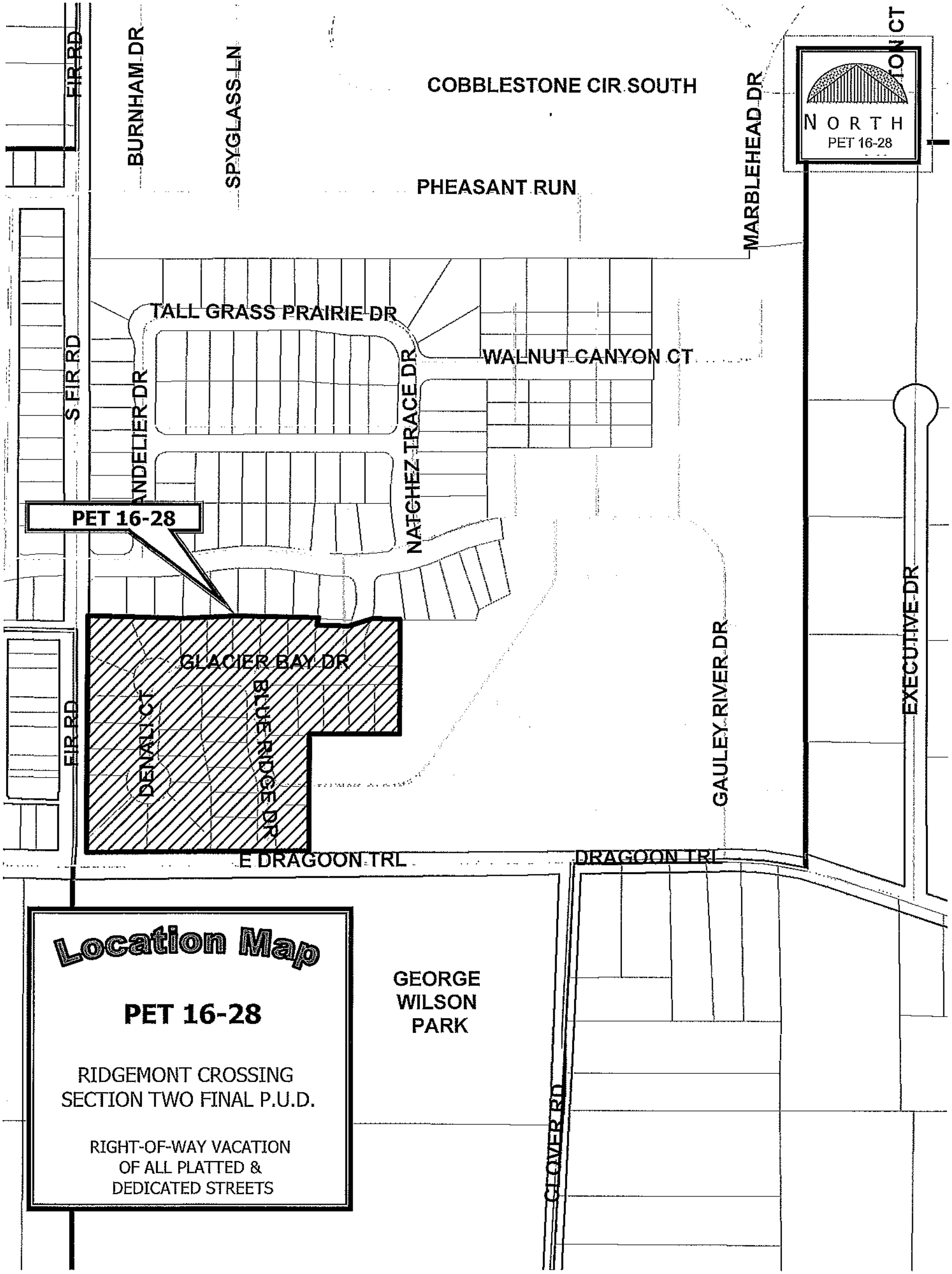
______________________________(Signature)

John Green ____________________(Printed Name)

For H and G Real Estate LLC
828 E. Jefferson Blvd.
South Bend, IN 46617

Contact Person:

Michael J. Danch
Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628
574-234-4003, Fax 574-234-4119



NORTH
PET 16-28
FIR RD
BURNHAM DR
SPYGLASS LN
COBBLESTONE CIR SOUTH
MARBLEHEAD DR
PHEASANT RUN
TALL GRASS PRAIRIE DR
WALNUT CANYON CT
S FIR RD
ANDELIER DR
NATCHEZ TRACE DR
PET 16-28
GLACIER BAY DR
DENALI CT
BLUE RIDGE DR
GAULEY RIVER DR
EXECUTIVE DR
FIR RD
E DRAGOON TRL
DRAGOON TRL
GEORGE WILSON PARK
CLOVER RD
Location Map
PET 16-28
RIDGEMONT CROSSING
SECTION TWO FINAL P.U.D.
RIGHT-OF-WAY VACATION
OF ALL PLATTED &
DEDICATED STREETS

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 31 2016

CITY CLERK
MISHAWAKA, IN

DATE: August 24, 2016

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

RE: **PETITION FOR ANNEXATION AND ZONING CLASSIFICATION**
SEGGERMAN PROPERTY
53555 Fir Road, Granger, Indiana
(Tax Key No. 71-04-27-400-001.000-011)

The undersigned Terry L. Seggerman respectfully shows that she is the owner of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

The North Half of the Northwest Quarter of the Southeast Quarter of Section 27, Township 38 North, Range 3 East, containing 20 acres, more or less.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

A tract of land described as follows: Beginning at a point in the center of Fir Road, which point is the Southeast corner of said North Half of the Northwest Quarter of the Southeast Quarter of said Section 27; running thence West along the South line of said North Half of the Northwest Quarter of the Southeast Quarter of Section 27, 871.20 feet; thence North 100 feet; thence East 871.20 feet to the center of Fir Road; thence South 100 feet to the place of beginning, containing 2 acres, more or less.

ALSO, the Southwest Quarter of the Northeast Quarter of Section No. 27, Township No. 38 North, Range 3 East, lying South of the Indiana Toll Road.

ALSO, all that easterly right-of-way lying east of, and commencing at the southerly right-of-way of the Indiana Toll Road and the east line of the west half of the northeast quarter and the east line of the west half of the southeast quarter of Section 27; thence running southerly along said east lines, 1,240 feet, more or less, to the point of termination.

Said described parcel subject to any easements, covenants, and right-of-way of record.

AUG 24 2016

Pet 16-29

Petitioner owns One Hundred (100%) percent of the above described parcel of land located within Section 27 Township 38 North, Range 3 East, Harris Township, St. Joseph County, and that the Petitioner desires the same to be annexed to the City of Mishawaka, Indiana, with a "S-2" Planned Unit Development District zoning classification. Petitioner further states they intend to utilize said land for a multiple building residential apartment complex.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate and conceptual development plan.

Petitioner further shows this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

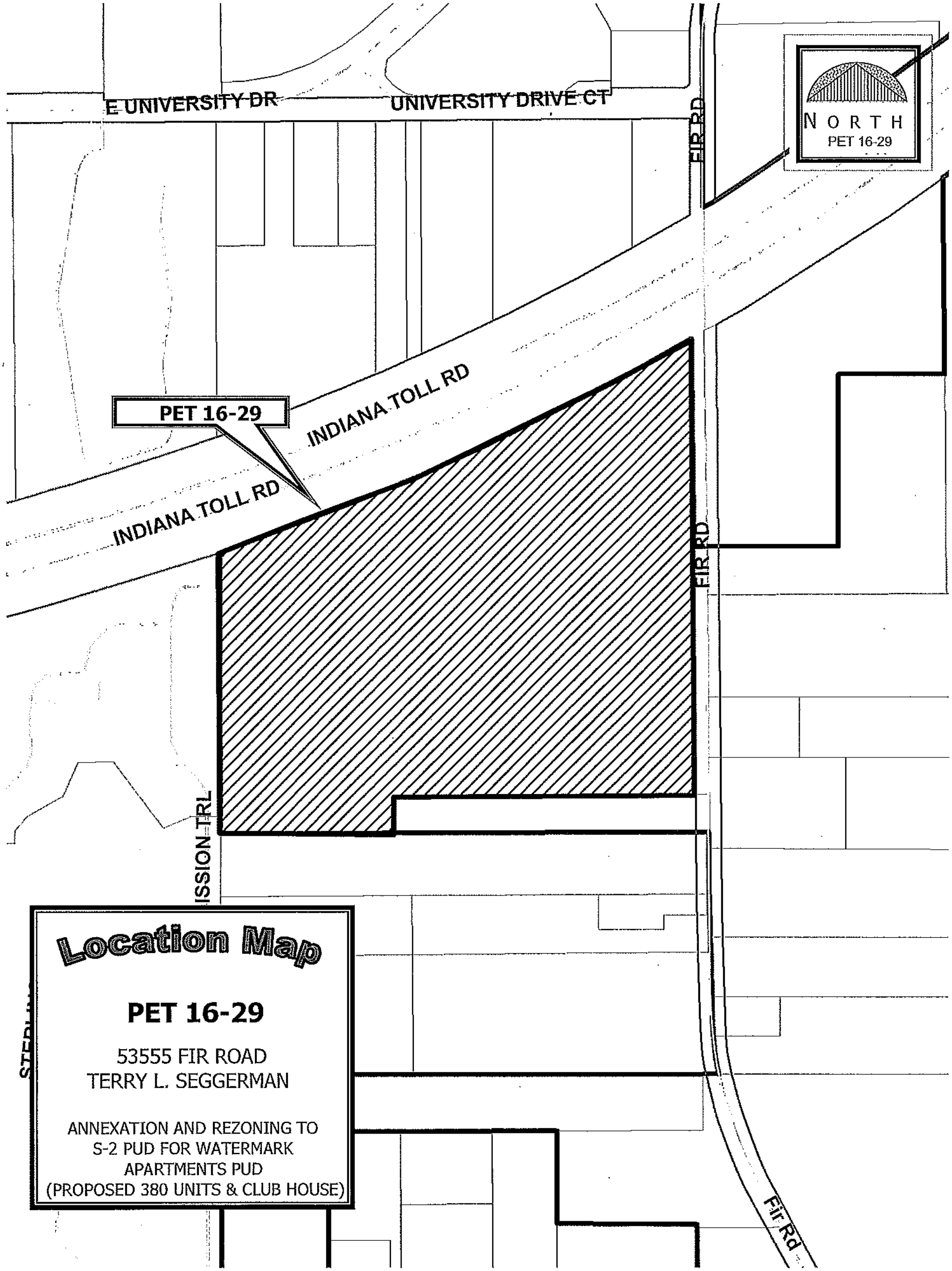
Wherefore, Petitioner prays and respectfully requests that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with an "S-2" Planned Unit Development District zoning classification.

Terry L. Seggerman

Terry L. Seggerman, Owner

CONTACT PERSON:

Bradley E. Mosness, PE
Abonmarche Consultants, Inc.
750 Lincoln Way East
South Bend, Indiana 46601
(574) 232-8700
bmosness@abonmarche.com


E UNIVERSITY DR
UNIVERSITY DRIVE CT
FIR RD
NORTH
PET 16-29
PET 16-29
INDIANA TOLL RD
INDIANA TOLL RD
FIR RD
ISSION TRL
Fir Rd
Location Map
PET 16-29
53555 FIR ROAD
TERRY L. SEGGERMAN
ANNEXATION AND REZONING TO
S-2 PUD FOR WATERMARK
APARTMENTS PUD
(PROPOSED 380 UNITS & CLUB HOUSE)

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 01 2016

CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2016 –19

ORDINANCE NO. - ____

AN ORDINANCE FIXING THE SALARIES
OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017

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

Section 1. The biweekly salaries of the following elected officials of the City of Mishawaka, Indiana, for the fiscal year beginning January 1, 2017 shall be payable in 26 equal biweekly pay periods beginning January 13, 2017 in the following amounts:

	Biweekly salary
Mayor	$ 2,926.39
Clerk	2,055.50
Council member	369.75

Section 2. Any prior ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage, signing and due attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on

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

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 01 2016

CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2016 - 20

ORDINANCE NO.________________

AN ORDINANCE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA, FOR THE YEAR BEGINNING JANUARY 1, 2017.

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

Section 1. The biweekly salaries of all employees of the City of Mishawaka except the Mishawaka Park Department, Elected Officials and the Mishawaka Utilities for the year beginning January 1, 2017 and shall be payable in 26 bi-weekly pay periods commencing on January 13, 2017.

	BIWEEKLY SALARY
MAYOR'S ADMINISTRATIVE ASSISTANT	1,494.92
MAYOR'S SECRETARY	1,248.01
CONTROLLER	2,852.40
DEPUTY CONTROLLER	1,939.13
ACCOUNTANT	1,531.60
PAYROLL CLERK	1,391.38
BOOKKEEPER A	1,426.02
BOOKKEEPER B	1,230.79
BOOKKEEPER C	1,148.75
PURCHASING AGENT	1,441.44
CPA CERTIFICATION FT	192.31
CHIEF DEPUTY CLERK I	1,478.09
CHIEF DEPUTY CLERK II	1,431.95
HR DIRECTOR	2,078.53
ASST DIRECTOR	1,440.77
HR OFFICE MANAGER	1,248.01
DIRECTOR OF IT	2,404.49
SYSTEM SPECIALIST IV SERVER ADMIN.	1,975.97
SYSTEM SPECIALIST IV NETWORK ENG.	1,648.68
SYSTEM SPECIALIST III WEB	1,670.36
SYSTEM SPECIALIST II DESKTOP ENG.	1,588.01
GIS COORDINATOR	1,889.74
CORPORATE COUNSEL/HR DIRECTOR	2,149.23
1st DEPUTY CITY ATTORNEY	2,253.08
2nd DEPUTY ASST CITY ATTORNEY	627.75
PART TIME SECRETARY	288.46
COUNCIL ATTORNEY	627.75

DIRECTOR OF ENGINEERING	2,852.40
ASSISTANT DIRECTOR	2,358.67
TRAFFIC MANAGER	1,939.60
PROJECT MANAGER	1,990.57
CONSTRUCTION COORDINATOR	1,738.68
TECHNICIAN	1,727.03
PROJECT COORDINATOR	1,431.16
LOCATOR/INSPECTOR	1,470.12
OFFICE MANAGER	1,248.01
PE BONUS FT	192.31
IDEM REVIEW BOARD BONUS	153.85
DIRECTOR OF CODE ENFORCEMENT	2,142.45
OFFICE MANAGER	1,248.01
CODE ENF OFFICER A	1,734.09
CODE ENF OFFICER B	1,446.82
BUILDING COMMISSIONER	2,193.33
ASSISTANT BUILDING COMMISSIONER	2,063.86
ADMINISTRATOR	1,266.92
OFFICE MANAGER	1,248.01
INSPECTOR A	2,099.21
INSPECTOR B	1,901.66
FIRE CHIEF	2,657.60
ASSISTANT CHIEF	2,449.77
CHIEF FIRE PREVENTION	2,305.19
BATTALION CHIEF	2,395.31
CAPTAINS	2,277.80
SHIFT SUPERVISOR	2,216.52
LIEUTENANT	2,214.60
FIRE INSPECTOR	2,194.78
PARAMEDIC	2,194.78
DRIVER OPERATOR	2,152.76
MASTER FIREFIGHTER	2,124.12
1^{st} CLASS FIREFIGHTER	2,047.20
PROBATION - FF/EMT	1,859.29
FIRE EXECUTIVE SECRETARY	1,258.80
FIRE OFFICE MANAGER	1,248.01
POLICE CHIEF	2,674.66
ASSISTANT CHIEF	2,466.76
CAPTAIN	2,255.32
LIEUTENANT	2,211.89
SERGEANT	2,169.83
1^{st} CLASS PATROLMAN	2,141.19
2^{nd} CLASS PATROLMAN	2,064.26
PROBATION	1,875.18
POLICE RECRUIT	1,638.44
PROPERTY MANAGER	1,387.61
EXEC SECRETARY	1,258.80
ADMIN SECRETARY	1,248.01
SERVICES ADMINISTRATOR	1,434.22
PROPERTY CLERK	1,217.53

SECRETARY	1,230.95
PARKING PERSONNEL	1,230.95
CROSSING GUARDS	21 pays@ 344.99
CITY PLANNER	2,852.39
SENIOR PLANNER/ECON DEVEL SPLIST	1,930.34
SENIOR PLANNER	1,753.71
ASSOCIATE PLANNER	1,662.17
ADMINISTRATIVE PLANNER	1,478.40
OFFICE MANAGER	1,248.01
DIRECTOR COMMUNITY DEVELOPMENT	2,413.36
TIF CONSTRUCTION MANAGER	2,284.20
PROGRAM CONSTRUCTION MANAGER	2,068.57
PROGRAM COORDINATOR	1,448.90
GRANT MANAGER	1,892.32
GRANT SPECIALIST	1,271.67
CENTRAL SERVICES ASSISTANT	1,940.21
STREET COMMISSIONER	2,309.51
OFFICE MANAGER	1,248.01
SECRETARY	1,230.95

	BIWEEKLY HOURLY
PART-TIME HELP	7.25-25.00
CENTRAL SERVICES:	
FLEET MAINTENANCE TECHNICIAN	20.11
CENTRAL SERVICES/MVH:	
GROUP 1	19.08
GROUP 2	18.05
GROUP 3	17.28
NIGHT BONUS/SHIFT DIFFERENTIAL	.55/.60
PROJECT COORDINATOR	1.00

		ANNUAL/MISC
FIRE:		
SPECIALTY PAY:		
	TIER 1	TIER 2
ADVANCED EMT	1,000	3,000
PARAMEDIC	2,000	4,000
LEAD PARAMEDIC	4,000	6,000
WATER RESCUE/RECOVERY LEADER	1,050	
WATER DIVE/RESCUE TEAM MEMBER	950	
SELF-CONTAINED BREATHING APPARATUS TEAM TECHNICIAN	1,000	
MECHANIC	2,500	
INFORMATION TECHNOLOGY	1,500	
UNIFORM ALLOWANCE		1,250

OUT OF RANK PAY:	PER OCCURRENCE
FIREFIGHTER TO DRIVER	10
DRIVER TO OFFICER	25
OFFICER TO HIGHER RANKING OFFICER	25
FIREFIGHTER TO OFFICER	25
FIRE APPARATUS ASSIGNED TO AMBO	30

POLICE:	
IDACS SPECIALIST	370
PARKING PERSONNEL CLOTHING	600
CROSSING GUARD SUBSTITUTE	20 per day
SUMMER SCHOOL CROSS GUARD	20 per day
UNIFORM ALLOWANCE	2,050
EQUIPMENT MAINT ALLOWANCE	271.43
PLAN COMMISSION	600
BZA MEMBER	375

Section 2. The City will contribute the employee portion of 3% to the Public Employees Retirement fund for all employees eligible for participation in the Public Employees Retirement Fund

Section 3. The City will contribute 3% of the employee portion to the 1977 Fire Pension for all employees eligible for participation in the 1977 Fire Pension Fund.

Section 4. The City will contribute 2% of the employee portion to the 1977 Police Pension for all employees eligible for participation in the 1977 Police Pension Fund.

Section 5. Longevity Bonus will be provided annually to the Central Service and Motor Vehicle Highway Teamster employees (as amended). The Longevity Bonus will be offered to the employees as additional pay. The Longevity Bonus shall be payable annually on the first paycheck following each employees anniversary date with the regular payroll. The annual Longevity Bonus will be based on the following schedule. Said schedule is based upon completed years of service.

Years of Service	Annual Increments	Bonus
5	0	150
6	75	225
7	75	300
8	75	375
9	75	450
10	75	525

An additional $80.00 will be added for each year of service after the 10th year.

Section 6. The Administration may pay up to 15% less than annual salaries listed to new employees during the first twelve month period, except for those public safety salaries which have been negotiated by the Common Council and all other salaries negotiated as part of a Collective Bargaining Agreement.

Section 7. This ordinance shall be in full force and effect from and after its signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on

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 on this ___ day of _____, 2016,

at_____o'clock, p.m.

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

APPROVED BY ME this ___ day of______, 2016, at _____o'clock, p.m.

____
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 30 2016

CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. 2016-25

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

Property located north and adjacent to 1718 and 1732 E McKinley Ave.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of City Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of City Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

LEGAL

Section II. Following the review of documents prepared by the Department of City Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

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

City of Mishawaka

Niedbalski Annexation

Property located at the rear of 1718 & 1732 E McKinley Ave

September 2016

Prepared by:
City of Mishawaka
Department of Building, City Planning & Community Development
600 E. Third Street
Mishawaka, IN
46544-2241

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

David A. Wood, Mayor

Mishawaka City Council

Dale Emmons	1st District
Mike Bellovich	2nd District
Ross Deal	3rd District
Kate Voelker	4th District
Michael Compton	5th District
Ron Banicki	6th District
Joe Canarecci	At Large
Matt Mammolenti	At Large
Bryan Tanner	At Large

NIEDBALSKI 1718 & 1732 E MCKINLEY AVE
ANNEXATION FISCAL PLAN

TABLE OF CONTENTS

A PARCEL OF LAND IN THE SOUTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SECTION NO. 2, TOWNSHIP NO. 37 NORTH, RANGE NO. 3 EAST, DESCRIBED AS FOLLOWS:BEGINNING AT A POINT 869.7 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2, RUNNING THENCE EAST A DISTANCE OF 90 FEET; THENCE NORTH 242 FEET; THENCE WEST 91.69 FEET; THENCE SOUTH 242 FEET TO THE PLACE OF BEGINNING; AND BEING KNOWN AS LOT NUMBERED 1 ON THE RECORDED PLAT OF SULTS BABY FARMS OF PENN TOWNSHIP.

ALSO: PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION NO. 2, TOWNSHIP 37 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 660 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2; THENCE NORTH 237 FEET; THENCE EAST 209.7 FEET; THENCE SOUTH 237 FEET; THENCE WEST 209.7 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT LAND PREVIOUSLY ANNEXED WITHIN THE CITY LIMITS OF THE CITY OF MISHAWAKA, INDIANA.

TAB A- CITY OF MISHAWAKA ANNEXATION POLICY

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

<u>SUMMARY</u>

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.

- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.

- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.

- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

A PARCEL OF LAND IN THE SOUTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SECTION NO. 2, TOWNSHIP NO. 37 NORTH, RANGE NO. 3 EAST, DESCRIBED AS FOLLOWS:BEGINNING AT A POINT 869.7 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2, RUNNING THENCE EAST A DISTANCE OF 90 FEET; THENCE NORTH 242 FEET; THENCE WEST 91.69 FEET; THENCE SOUTH 242 FEET TO THE PLACE OF BEGINNING; AND BEING KNOWN AS LOT NUMBERED 1 ON THE RECORDED PLAT OF SULTS BABY FARMS OF PENN TOWNSHIP.

ALSO: PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION NO. 2, TOWNSHIP 37 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 660 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2; THENCE NORTH 237 FEET; THENCE EAST 209.7 FEET; THENCE SOUTH 237 FEET; THENCE WEST 209.7 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT LAND PREVIOUSLY ANNEXED WITHIN THE CITY LIMITS OF THE CITY OF MISHAWAKA, INDIANA.

TAB B- BASIC DATA & FISCAL ANALYSIS

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aerials. This area is legally described as follows:

A parcel of land in the South West Quarter of the South West Quarter of Section No. 2, Township No. 37 North, Range No. 3 East, described as follows:

Beginning at a point 869.7 feet East of the Southwest corner of said Section No. 2, running thence East a distance of 90 feet; thence North 242 feet; thence West 91.69 feet; thence South 242 feet to the place of beginning; and being known as Lot Numbered 1 on the recorded plat of Sults Baby Farms of Penn Township.

ALSO: Part of the Southwest Quarter of the Southwest Quarter of Section No. 2, Township 37 North, Range 3 East, described as follows:

Beginning at a point 660 feet East of the Southwest corner of said Section No. 2; thence North 237 feet; thence East 209.7 feet; thence South 237 feet; thence West 209.7 feet to the place of beginning.

Excepting therefrom that land previously annexed within the City limits of the City of Mishawaka, Indiana.

Annexation Area

The property to be annexed is located north of 1718 and 1732 E McKinley Highway. The area includes two separate parcels. The property is bounded by property incorporated into the City to the south. The property is currently zoned "C" Commercial within unincorporated St. Joseph County. If annexed, the Petitioner desires to zone the property to C-4 Automobile Oriented Commercial.

Contiguity with the Existing City Limits

The land to be annexed into the City is approximately 0.44 acres. The perimeter of the annexation area measures approximately 1,959 linear feet. A total of approximately 600 linear feet is contiguous with the corporate boundary of the City of Mishawaka. The border of the contiguous area is 31% of the total perimeter area. This is equal to in excess of the 12.5% or (1/8) of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The area is characterized as being flat with minimal to no relief across the site. The property is currently used as an automobile salvage yard. Onsite improvements include two buildings, spanning the City Limit line and car storage.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed is currently zoned C Commercial within unincorporated St. Joseph County. The property consists of two buildings and car storage currently operating as an automobile salvage yard. If the Mishawaka Common Council approves the annexation request, the area will be rezoned to C-4 Automobile Oriented Commercial with the intentions of continuing the automobile salvage yard with a use variance.

D. ASSESSMENT

The territory to be annexed consists of two parcels. The Land and Imp. Valuations are shown below based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres	Land & Imp. Valuation
014-1018-022307	NIEDBALSKI REAL ESTATE LLC	0.42	$10,000
014-1134-5217	NIEDBALSKI REAL ESTATE LLC	.02	$17,700

E. CURRENT TAX RATE

The City's tax rate 2015 payable 2016 was $1.9977 per $100 of assessed valuation. For property owners in Harris Township, in which this proposed annexation is located, the total taxes will be $4.0784 per $100 of assessed valuation. Property owners in this area currently pay $2.2912 per $100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Actual tax rates may vary.

Tax District	**Existing Tax Rate**	**Tax Rate after Annexation**
Penn Township	2.2912	4.0784

The City's tax rate has remained relatively stable over the years:

2016	$1.9977
2015	$1.8750
2014	$2.0062
2013	$1.9086
2012	$1.8186
2011	$1.7362
2010	$1.6741
2009	$1.6557
2008	$1.5283
2007	$1.3326
2006	$1.3899
2005	$1.3382
2004	$1.3313
2003	$1.2476
2002	$1.8627
2001	$5.5007 [1]
2000	$5.2417

[1] *Change in Tax Code*

F. NEW ADDRESSES

If the proposed annexation is approved, the property will be zoned C-4 Automobile Oriented Commercial. The property will continue to operate as an automobile salvage yard after a use variance is approved by the Common Council in accordance with the requirements of the City of Mishawaka Zoning Ordinance. Since these properties have no frontage on McKinley Highway, they will keep the addresses previously assigned by the City of Mishawaka Engineering Department to the front properties.

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Each proposed annexation area of the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab B. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. It is the responsibility of the property owner/future developer to bear any expense required to connect to existing City services. Given the location of the proposed annexation area, adjacent to the existing city limits, and, considering the size of the area, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2016 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area, the size of the area, and the presence of existing infrastructure, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

Analysis:

The property proposed to be annexed is currently being used as an automobile salvage yard. It contains a portion two buildings and car storage. As such, the annexation will likely not change the assessed valuations since no new development is taking place.

If commercial development were to occur on this property, there may in fact be positive impacts to other taxing units based on a significant increase in assessed valuation.

The current political subdivisions and their associated tax rate were determined by the geography of the property and the attached "Tax Rate Chart for the year 2015 payable 2016". (See Tab "D" / Appendix "C") This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed Valuation:

1718 E McKinley Highway - $10,000
1732 E McKinley Highway - $17,700

Current Property Taxes being Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing the State of Indiana Department of Local Government Finance Gateway website calculator located at https://gateway.ifionline.org/CalculatorsDLGF/TaxCalculator.aspx

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is homesteaded, residential, agricultural or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation, then following annexation identifying the property as now being subject to the City tax rate.
The estimated property tax value for the property is as follows:

Prior to annexation: $635
1718 E McKinley $229
1732 E McKinley $406

Following annexation: $904
1718 E McKinley $326
1732 E McKinley $578

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue

- St. Joseph County (30.4%) $193.04
- Penn Township (15.7%) $99.69
- PHM School Corporation (45%) $285.75
- Mishawaka Penn Harris Library (7 %) $44.45
- Airport Authority (1.9%) $12.07

The current tax rate of all of these entities combined is 2.2912.

The tax rate will increase to 4.0764 upon annexation to the City, however, the Commercial cap is at 3%. The revenue will not increase significantly considering all the improvements exist and the property is currently close to the tax cap. Thus, the distribution of property tax revenue will decrease for existing taxing entities based on getting a smaller percentage of revenue when the City tax rate, and to a very minor extent, the South Bend Transpo rate is added to the overall rate. This decrease is due almost exclusively to the property tax caps. The following estimate is based on no new development occurring.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue including estimated annual decreases for existing taxing units upon annexation

- St. Joseph County (17.1%) $154.59 ($-38.45 per year)
- Penn Township (0.8%) $7.23 ($-92.46 per year)
- PHM School Corporation (25.3%) $228.71 ($-57.04 per year)
- Mishawaka Penn Harris Library (4%) $36.16 ($-8.29 per year)
- Airport Authority (1.0%) $9.04 ($-3.03 per year)
- South Bend Transpo (2.8%) $25.31
- City of Mishawaka (49%) $442.96

<u>Four Year Projection of Property Tax Revenue following Annexation: (above numbers x4)</u>

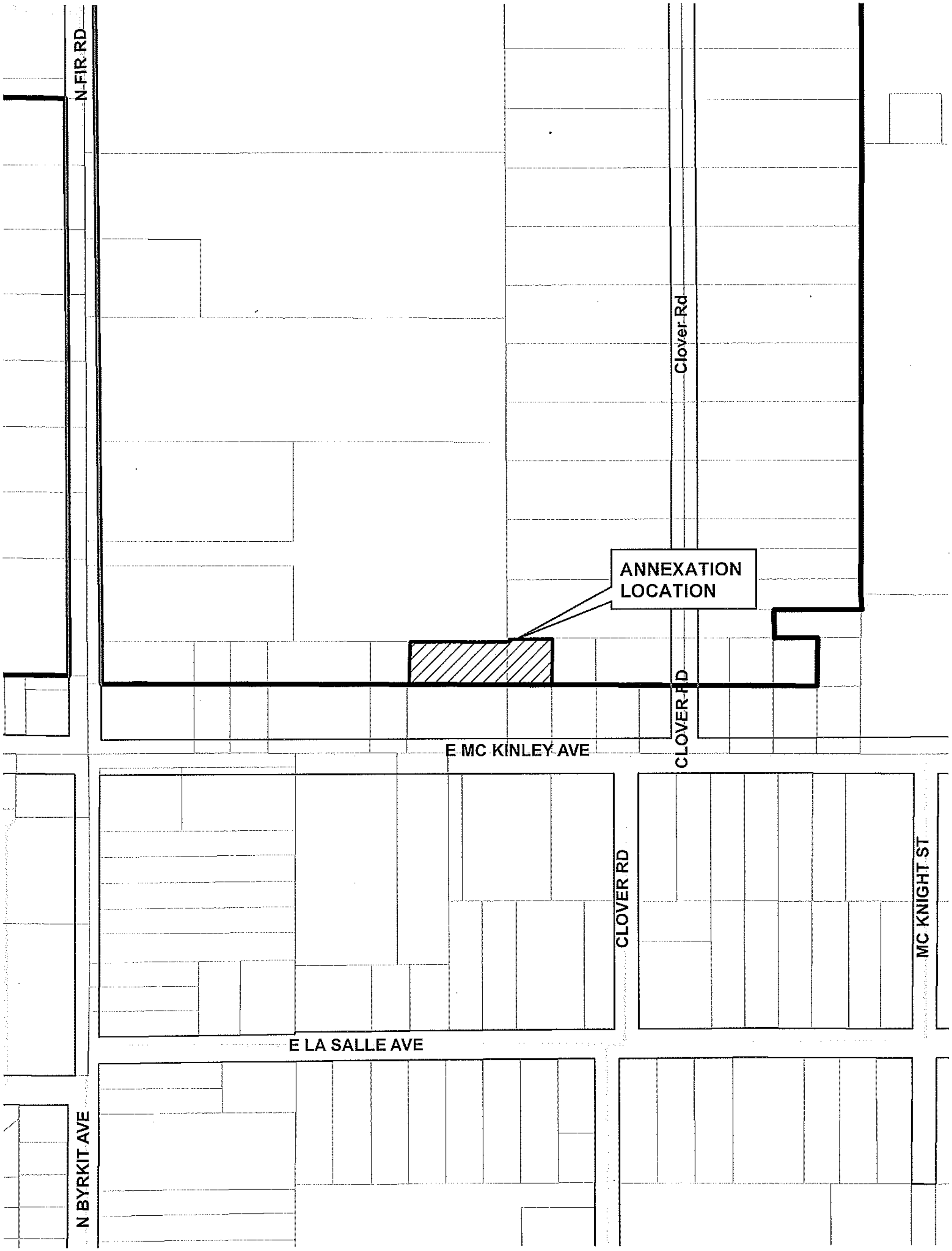
Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

- St. Joseph County $618.36
- Penn Township $28.92
- PHM School Corporation $914.84
- Mishawaka Penn Harris Library $144.64
- Airport Authority 36.16
- South Bend Transpo $101.24
- City of Mishawaka $1,771.84

J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

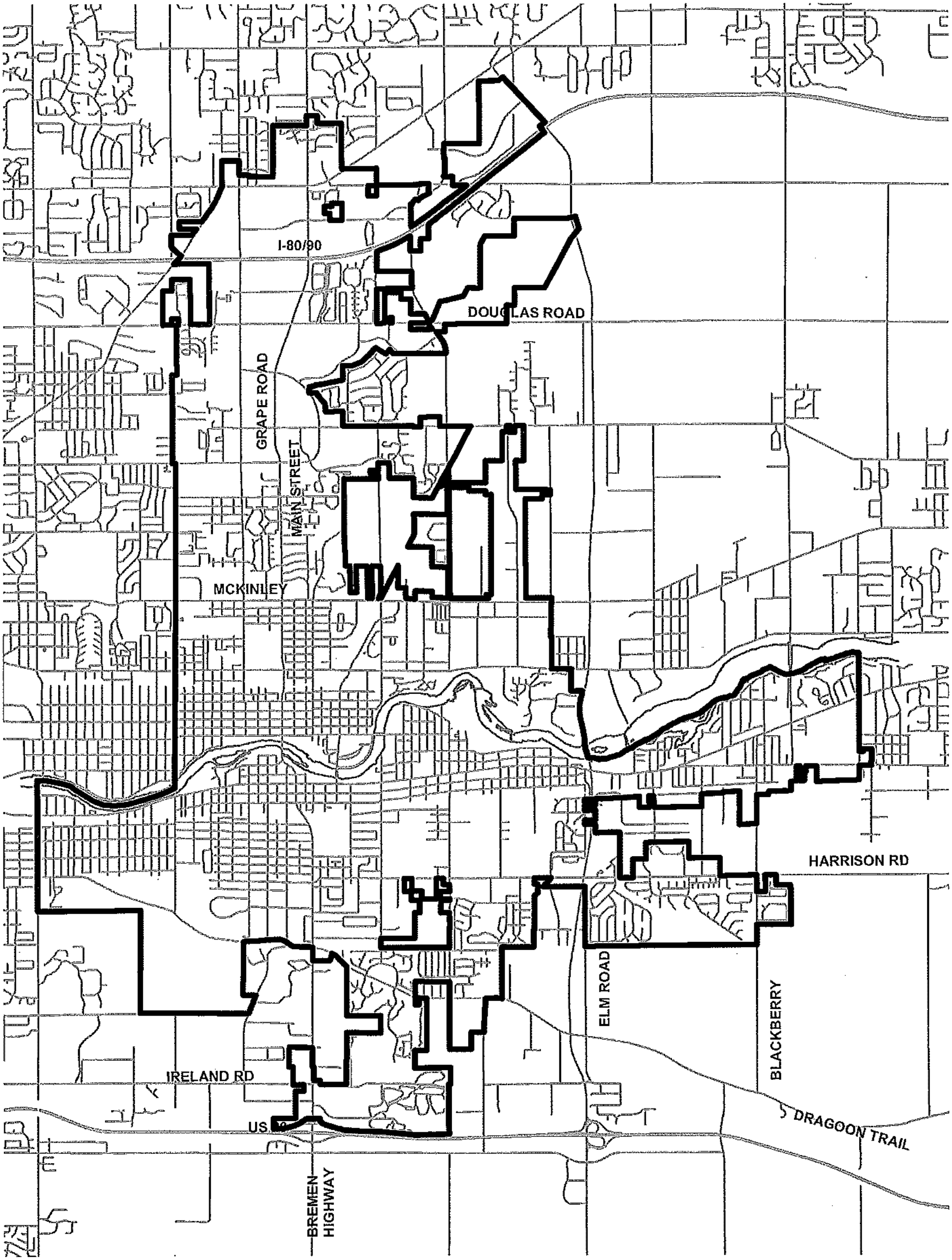
Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

Upon reviewing the site and the information identified in Tab "D" / Appendix "D", there is no County infrastructure debt associated with the proposed annexation, nor is there any income tax revenue being generated from the area.

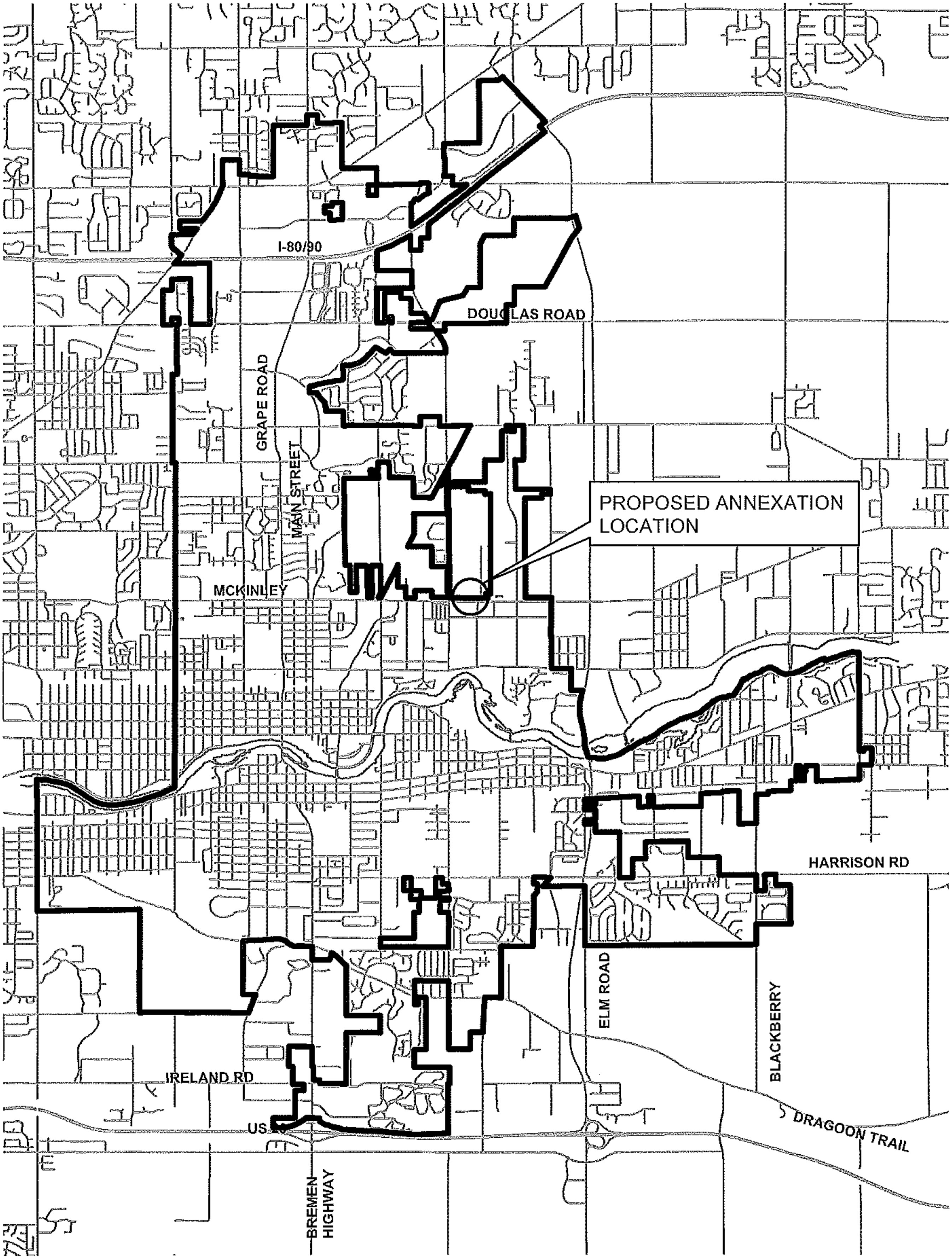


LOCATION MAP

MAP OF EXISTING CITY LIMITS

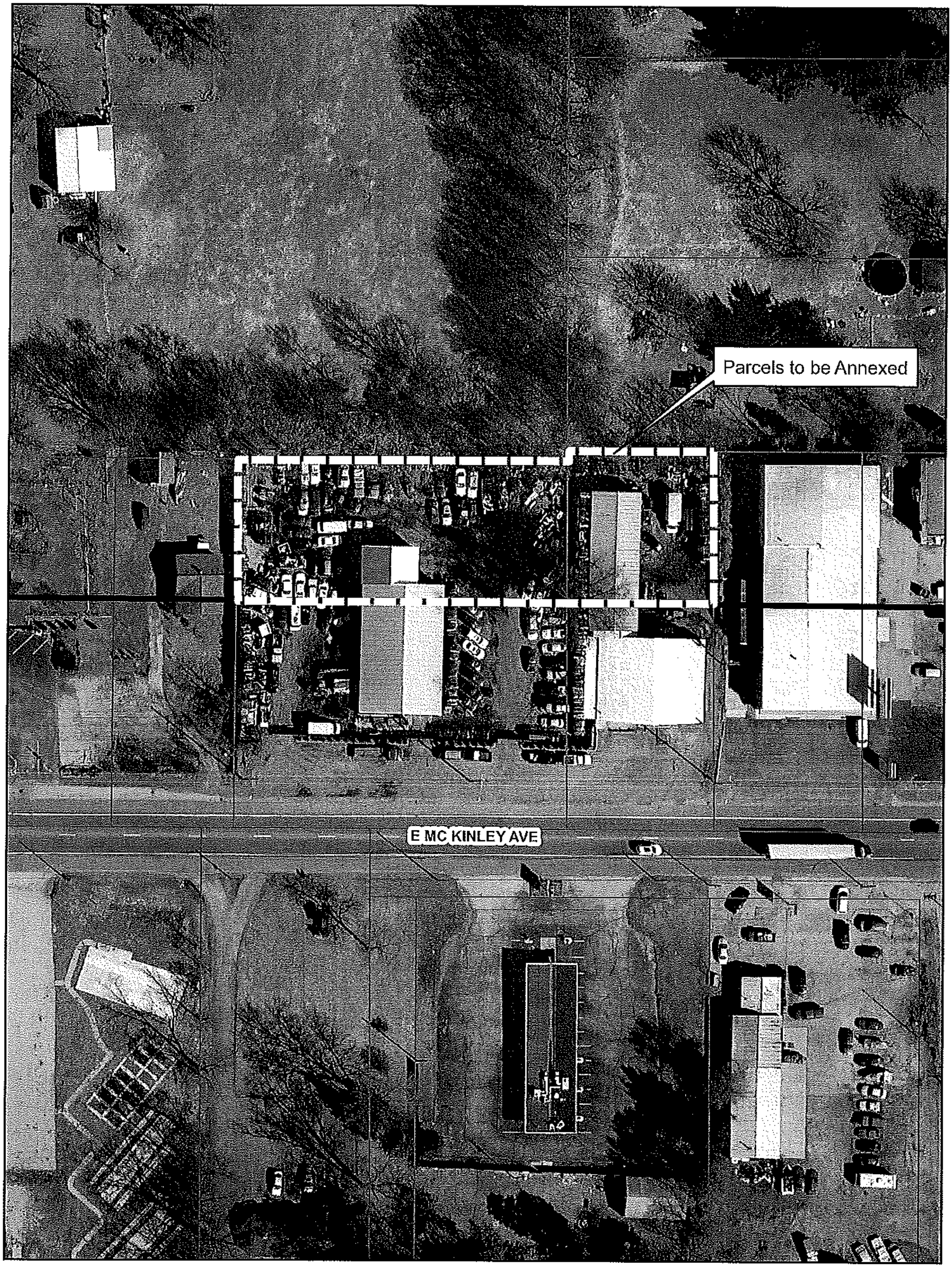


MAP OF PROPOSED CITY LIMITS

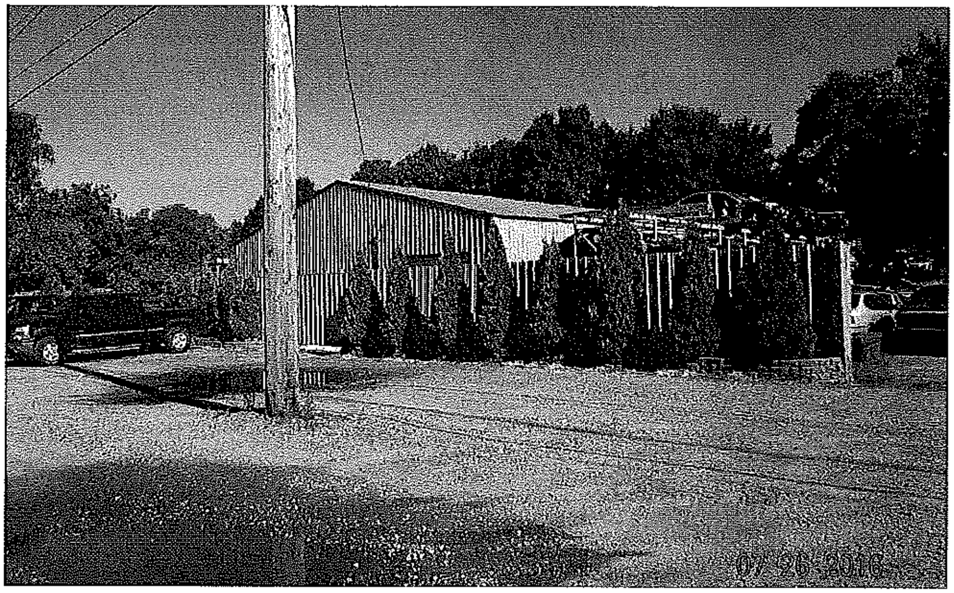


AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED

AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED

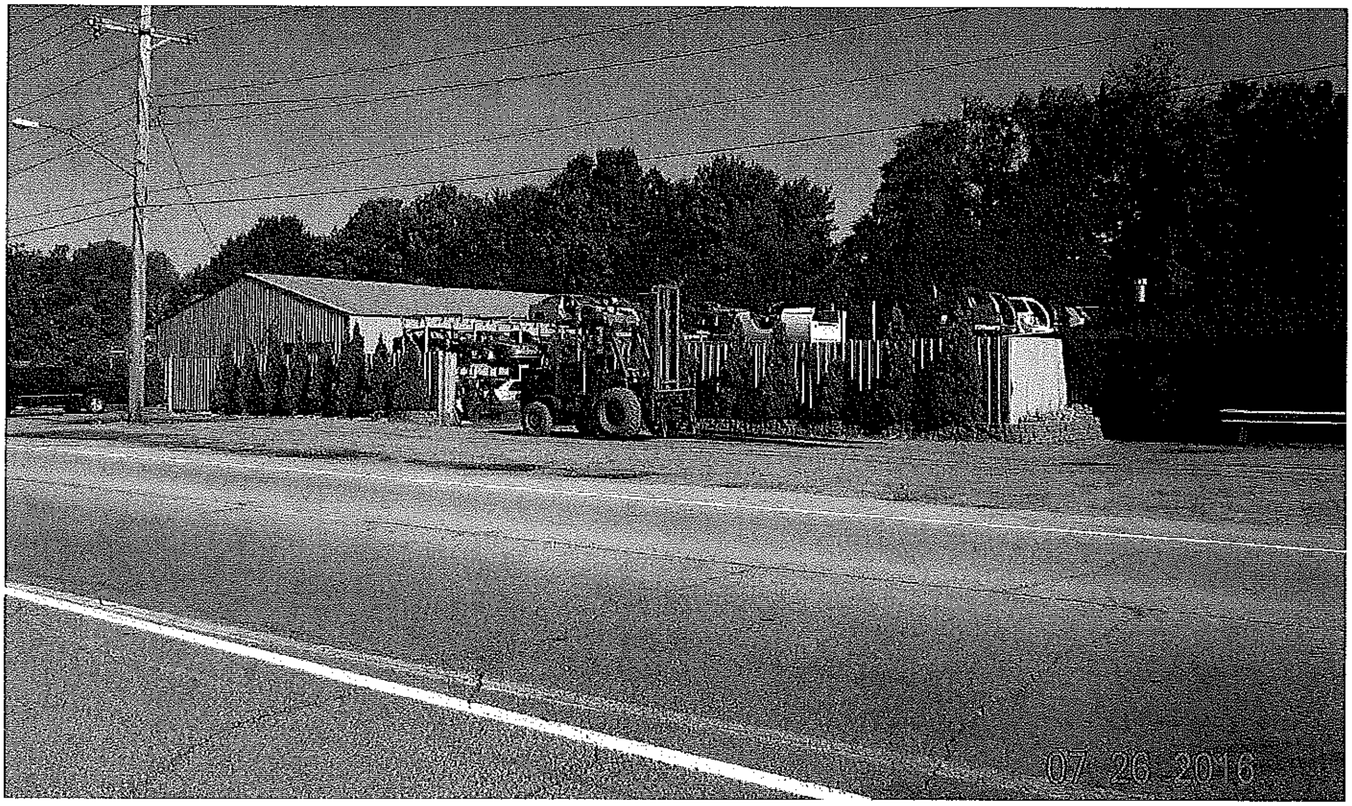


PHOTOS OF LAND TO BE ANNEXED



A VIEW OF THE BUILDING AT 1718 E McKINLEY

A VIEW OF THE BUILDING AT 1732 E McKINLEY



AN OVERALL VIEW OF THE SITE

July 15, 2016

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

Re: Petition for Annexation and Zoning Classification

The undersigned appellant, Michael Niedbalski, respectfully shows that he is the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

> A parcel of land in the South West Quarter of the South West Quarter of Section No. 2, Township No. 37 North, Range No. 3 East, described as follows:
>
> Beginning at a point 869.7 feet East of the Southwest corner of said Section No. 2, running thence East a distance of 90 feet; thence North 242 feet; thence West 91.69 feet; thence South 242 feet to the place of beginning; and being known as Lot Numbered 1 on the recorded plat of Sults Baby Farms of Penn Township.
>
> ALSO:
>
> Part of the Southwest Quarter of the Southwest Quarter of Section No. 2, Township 37 North, Range 3 East, described as follows:
>
> Beginning at a point 660 feet East of the Southwest corner of said Section No. 2; thence North 237 feet; thence East 209.7 feet; thence South 237 feet; thence West 209.7 feet to the place of beginning. 1732 E. McKINLEY AVE.

Petitioner owns One Hundred percent (100%) of the above-described parcel of land which is located at 1732 E. McKinley Avenue, Mishawaka, Indiana 46545, and that the petitioner desires the same to be annexed to the city of Mishawaka, Indiana, with a zoning classification of C-4. Petitioner further states he intends to utilize said land as it has been used for the past 38 years, as an automobile recycling facility conforming to state and local rules and regulations.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate.

Petitioner further shows this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed, which is urban in character and is an economic and social part of the City of Mishawaka, providing necessary services to the City of Mishawaka and State of Indiana by the proper dismantling and responsible disposal of end-of-life vehicles, the fluids they contain and components that may contain mercury. Our facility is certified by the Indiana Department of Environmental Management (IDEM) as an Indiana Clean Yard.

Wherefore, petitioner prays and respectfully requests that the Common Council of the City Mishawaka refer this matter to the Mishawaka City Plan Commission, and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a C-4 zoning classification.

Property Owner Signature

Michael Niedbalski
Print Property Owner Name

Contact Person:

Michael Niedbalski
1732 E McKinley Avenue
Mishawaka, Indiana 46545
Phone: (574) 259-4644 ext.3
Fax: (574) 259-4688
Email: mike@mikesautosalvage.com

A PARCEL OF LAND IN THE SOUTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SECTION NO. 2, TOWNSHIP NO. 37 NORTH, RANGE NO. 3 EAST, DESCRIBED AS FOLLOWS:BEGINNING AT A POINT 869.7 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2, RUNNING THENCE EAST A DISTANCE OF 90 FEET; THENCE NORTH 242 FEET; THENCE WEST 91.69 FEET; THENCE SOUTH 242 FEET TO THE PLACE OF BEGINNING; AND BEING KNOWN AS LOT NUMBERED 1 ON THE RECORDED PLAT OF SULTS BABY FARMS OF PENN TOWNSHIP.
ALSO: PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION NO. 2, TOWNSHIP 37 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 660 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2; THENCE NORTH 237 FEET; THENCE EAST 209.7 FEET; THENCE SOUTH 237 FEET; THENCE WEST 209.7 FEET TO THE PLACE OF BEGINNING.
EXCEPTING THEREFROM THAT LAND PREVIOUSLY ANNEXED WITHIN THE CITY LIMITS OF THE CITY OF MISHAWAKA, INDIANA.

TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of nearly 50,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A $40 million expansion of the wastewater treatment plant was completed in June 2008.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed a $26 million capital improvement project in 2003. Several improvements to the overall system were made including the addition of a new well field, the replacement of water mains, and the extension of services to some areas that previously did not have water service.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The Department maintains a Class 3 fire rating with the Insurance Services Office. The lower the rating, the lower a resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within three minutes to a call for 90 percent of the city.

The Mishawaka Police Department, with approximately 110 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations, Street Crimes Units, and Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responds to approximately 6,700 calls in 2015. The City, with its population of nearly 50,000, responds to about 50% more calls than the County ambulance service does, with its population of over 100,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 27 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch, on Church Street in downtown Mishawaka, and the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at $13.77. For senior citizens, the rate is $11.22. The rates include the cost of recycling, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 10 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sewer Infrastructure

An existing 10" diameter gravity sanitary sewer main is parallel to the north right-of-way line for McKinley Avenue and is completely extended though the parcel frontage on McKinley Avenue. The 10" diameter gravity sanitary sewer main terminates west of the parcel and includes 6" gravity wye/laterals installed from 7 to 8 feet deep for each parcel to connect at edge of right-of-way. All costs associated with sanitary sewer connections are the developer's responsibility. The existing gravity system connects to a gravity system that ultimately discharges to the City of Mishawaka's Waste Water Treatment Plant. Capacity is available in the current sanitary sewer system to easily accommodate the proposed commercial use from this proposed development.

Existing Road/Transportation Infrastructure

McKinley Avenue is a two lane section, one travel lane in each direction. The Parcel's take their only access from the McKinley Avenue Frontage. The developer is required to dedicate, if not already dedicated, any right-of-way for a total of 40LF measured from centerline for the length of the McKinley Avenue frontage. With any proposed additional development to the parcel, a deceleration lane and passing blister may be required to be constructed by the developer. However, these requirements will be evaluated once the site configuration and drive approach location with respect to existing neighboring parcels is submitted for review and comment with proposed site plan development.

Existing Storm Sewer/Drainage Infrastructure

Regarding any new development or redevelopment, sites are required to retain the stormwater generated by the development on site at the rate of the 100-year return storm frequency. This requirement provides significant protection to both existing properties and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and Tr-55 Method are also acceptable and tend to be more advanced, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. The choice of one method over another typically is due to factors of site size, soil type, and design preference.

Specifically, this area historically has high groundwater that typically fluctuates and therefore will make the percolation methods of stormwater management more critical. This means that management methods utilizing drywells and aggregate-perforated pipe may not be acceptable. Also, there is a potential that wetlands exist in this area that may need to be identified. Therefore, the designer will need to evaluate these unique features when determining the stormwater storage requirements for any proposed site improvements and corresponding management system. Finally, the developer is required to bear all costs associated with stormwater management.

Planned Capital Expenditures, Staff and Rates

If annexed, the City of Mishawaka Engineering and Sewer Maintenance Departments will not be responsible for maintenance of streets, storm sewers, or sanitary sewer systems within this development. However, any planned improvements of the adjacent streets and/or sewer infrastructure that are constructed within the public right of way and meet the City's Construction Standards, will be accepted by the Board of Public Works for public maintenance. The Engineering and Sewer Maintenance Departments do not require any additional funds than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

<u>Personal Service Programs</u>

The Engineering Department works closely with the Mishawaka Utilities Sewer Maintenance Department regarding the maintenance of the City sewer system. We maintain construction records for all sanitary and storm sewers and providing technical and administrative assistance on sewer repairs and for the Sewer Lateral Insurance Program that was initiated in 1986.

Specifically, the Sewer Lateral Insurance Program covers each single-family residential homeowner on the public sewer system within the City of Mishawaka. For a $1.50 monthly fee (included on homeowner's Mishawaka Utilities sewer bill), the homeowner is protected from paying catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area proposes a commercial use, and therefore is not eligible for this program.

CITY OF MISHAWAKA
2016 BUDGET

ENGINEERING DEPARTMENT
101-13

1 PERSONAL SERVICES			
Salaries and Wages			314,292.00
411-01	Director of Engineering	2,824.15	
411-02	Assistant Director	2,335.31	
	Project Coordinator	1,416.99	
	Project Manager	1,970.86	
	Traffic Manager	1,920.40	
	Office Manager	1,235.66	
Other Personal Services			
411-65	PE Certification	192.31	
2 SUPPLIES			
Office Supplies			
421-90	General Supplies	4,000.00	
			4,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-06	Consulting	5,000.00	
Communication and Transportation			
432-03	Travel and Training	1,750.00	
Repairs and Maintenance			
436-01	Equipment Repair	3,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	500.00	
			10,250.00
			328,542.00

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division *currently serves the proposed annexation area as it is already in our franchise boundary.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 44 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

Engineering:	Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
Construction:	Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeymen, Apprentices and Linemen).
Metering:	Consists of Metering Department Manager and support metering personnel.
Operations:	Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

MISHAWAKA ELECTRIC UTILITY
COMPARATIVE BUDGET-OPERATING REVENUE

	2015 Budget	2015 Estimated	2016 Budget
OPERATING REVENUE:			
Residential Sales	$18,500,000	$18,071,323	$18,500,000
Customer Charge	2,400,000	$2,303,561	$2,400,000
Commercial Sales	4,700,000	$4,358,424	$4,700,000
Commercial Heating	854,870	$474,474	$600,000
Commercial Power	30,900,000	$30,496,103	$30,900,000
Municipal Sales	1,500,000	$1,356,255	$1,500,000
Municipal Street Lighting	425,000	$430,418	$425,000
Outdoor Protective Lighting	204,000	$202,578	$204,000
Cablevision	2,030	$2,028	$2,030
I&M Cost Adjustment Revenue	0	$600,000	$2,400,000
Penalty	250,000	$217,256	$250,000
Interest Income	1,800	$8,735	$1,800
Miscellaneous Revenues	1,000,000	$434,541	$1,000,000
Total Operating Revenues	**$60,737,700**	**$58,955,694**	**$62,882,830**
Purchased Power	($43,500,000)	($46,281,072)	($48,000,000)
Net Revenue	**$17,237,700**	**$12,674,622**	**$14,882,830**
% of Revenue	28.4%	21.5%	23.7%

MISHAWAKA ELECTRIC UTILITY
COMPARATIVE BUDGET-OPERATING EXPENSES

	2015 Budget	2015 Estimated	2016 Budget
OPERATING EXPENSES:			
Salaries & Wages	$2,670,750	$2,523,128	$2,753,760
Social Security Taxes	204,312	$193,020	210,663
Pension Benefits	425,243	$403,200	425,243
Fringe Benefits	1,103,374	$1,021,191	1,174,369
Structures	15,000	$13,655	15,000
Substation Equipment	41,000	$62,765	47,000
Overhead Lines	90,000	$53,895	90,000
Underground Lines	100,000	$20,987	50,000
Transformers	15,000	$1,643	5,000
Street Lights	50,000	$53,250	50,000
Meters, Meter Testing	30,000	$25,308	25,000
General Equipment/Services	85,000	$80,851	85,000
Stores Equipment	1,000	$0	1,000
Uniforms, Safety Equipment	50,000	$99,584	90,000
Plant Operation Expense	135,000	$200,000	140,000
Computer Expenses	20,000	$11,123	15,000
Distribution Construction	15,000	$20,500	15,000
Small Tools Equipment/Repair	54,000	$65,000	50,000
Transportation Expense	120,000	$117,669	125,000
Office Supplies/Equipment	5,000	$9,980	5,000
Motorola Lease	74,395	$74,400	77,403
Legal/Professional Fees	75,000	$35,516	75,000
Consulting Expense	2,500	$0	2,500
Apprentice Program	25,000	$1,329	25,000
Education/Travel	25,000	$27,327	30,000
Dues, Fees, Subscriptions	40,000	$44,802	40,000
Insurance - Property, Auto, WC	192,000	$192,000	195,800
Contracted Services - Line Clearing	225,000	$225,000	225,000
Contracted Services - OH Lines	325,000	$372,933	300,000
Contracted Services - UG Lines	150,000	$469,733	350,000
Contracted Services - Substations	303,000	$208,355	293,000
Indiana Gross Income Tax	809,750	$790,923	900,000
PiLoT	529,732	$529,728	541,030
Transfer to City	1,000,000	$1,000,000	1,000,000
Total Operating Expenses	**$9,006,056**	**$8,948,790**	**$9,426,768**
% of Revenue	14.8%	15.2%	15.0%
Support Services Allocation	$1,598,584	$1,335,725	$1,736,247
% of Revenue	2.6%	2.3%	2.8%
Total Net Expense	**$10,604,640**	**$10,284,514**	**$11,163,015**
% of Revenue	17.5%	17.4%	17.8%

MISHAWAKA ELECTRIC UTILITY
COMPARATIVE BUDGET-CAPITAL EXPENDITURES

	2015 Budget	2015 Actual	2016 Budget
CAPITAL EXPENDITURES:			
Structures/Improvements	$180,000	$6,240	$150,000
Substation Equipment	285,000	$89,064	893,000
Transformers	500,000	$161,726	500,000
Distribution Lines	1,200,000	$640,051	1,200,000
Meters	60,000	$50,916	261,250
Office Furniture, Equipment	10,000	$0	5,000
Computer Equipment/GIS	148,500	$37,178	75,000
Transportation Equipment	177,000	$292,558	350,000
Power Operated Equipment	240,000	$0	80,000
Tools/Garage/Shop Equipment	0	$0	10,000
Testing Equipment	0	$0	10,000
Fiber Optic Network & Communications Equip	50,000	$0	0
Move Pole Yard/Training Center	50,000	$0	0
		$0	
Total Capital Expenditures	**$2,900,500**	**$1,277,733**	**$3,534,250**
% of Revenue	4.8%	2.2%	5.6%

MISHAWAKA ELECTRIC UTILITY
COMPARATIVE BUDGET-DIVISION SUMMARY

	2015 Budget	2015 Estimated	2016 Budget
Gross Revenue	$60,737,700	$58,955,694	$62,882,830
Less: Purchased Power	(43,500,000)	(46,281,072)	(48,000,000)
Net Revenue	**$17,237,700**	**$12,674,622**	**$14,882,830**
% of Gross Revenue	28.4%	21.5%	23.7%
Net Expense	$10,604,640	$10,284,514	$11,163,015
Capital	2,900,500	1,277,733	3,534,250
Total Net Budget	**$13,505,140**	**$11,562,247**	**$14,697,265**
% of Gross Revenue	22.2%	19.6%	23.4%
Net Surplus/Deficit	**$3,732,561**	**$1,112,375**	**$185,565**
% of Gross Revenue	6.1%	1.9%	0.3%

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 29 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department responds to calls within three minutes for 90 percent of the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Seagrave pumper truck, one aerial truck, a 105' Sutphen aerial/pumper combination), one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit.

Station No. 2, located at 2332 N. Main St., is staffed by six (6) firefighters at all times, manning one Pierce pumper truck, and one A.L.S. Paramedic ambulance unit.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Pierce pumper truck, one 105' Pierce Quint aerial/pumper combination, and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 4, located at 3000 Harrison Road, is staffed by 5 firefighters manning one Sutphen pumper truck, and one Battalion Chief Vehicle.

All engine Companies are certified advanced life support non-transport.

For the year 2015 out of 6,701 runs 5,306 or roughly 79% were medical in nature. The Mishawaka Fire Department restructured going to a three platoon system. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. This and the availability of paramedics on some engine companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having 29-36 firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at all times with the third being a reserve. Depending upon the location, some volunteer departments utilize mutual aid agreements in the event of the need for an aerial device.

The City maintains an eighteen (18) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at three additional levels. Advanced EMT, (IV therapy, cardiac monitoring), EMT-Intermediate, (addition of advanced airway skills and the administration of certain medications), Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2015 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 3 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance.

During the last audit in November of 2012 Mishawaka's rating improved from 72.25% out of a maximum of 100% in 2003 to 78.65% out of 100% in 2012.

We are currently only 1.35% away from a Class two (2) designation of which there are only three (3) in the State of Indiana.

We are waiting for improvements as a result of the ongoing Public Safety Answering Point mergers and some other internal improvements to occur before we asked to be reevaluated by the I.S.O.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the same as the City of South Bend, which is a two (2).

Future Plans

Additional personnel will become necessary in the future as the City grows. This increase is due in part to the increased role the department plays as the first responder unit for medical and accident calls. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone.

The next Station slated for major improvements is Station #2 located at 2332 North Main Street. Planning and funding are being researched now.

Plans are also underway to place a fourth A.L.S. Paramedic ambulance in service as future growth of the department allows.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases are not needed in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2015 the Fire Prevention Bureau performed 1,658 fire inspections of new and existing buildings in Mishawaka.

In 2014 the City's Building Department began assisting the fire department in business inspections throughout the City. They currently do at least 200 additional inspections a year as well.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, car seat installations and clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2016 budget has been included for reference.

CITY OF MISHAWAKA
2016 BUDGET

FIRE/EMS DEPARTMENT
101-19

1 PERSONAL SERVICES

Salaries and Wages			6,390,890.00
411-01	Fire Chief	2,631.28	
411-02	Assistant Chief	2,425.52	
	Chief Fire Prevention	2,282.37	
	Battalion Chief	2,371.60	
	Captain	2,255.25	
	Shift Supervisor	2,194.57	
	Lieutenant	2,192.67	
	Fire Inspector	2,173.05	
	Paramedic	2,173.05	
	Driver Operator	2,131.45	
	Master Firefighter	2,103.09	
	1st Class Firefighter	2,026.19	
	Civilian		
	Executive Secretary	1,246.34	
Other Personal Services			
411-02	Specialty Pay	180,000.00	
411-02	Out of Rank Pay	50,000.00	
411-60	Overtime	700,000.00	
411-66	Uniform Allowance 113 @ 1250	141,250.00	
411-67	Pension Equalization	26,800.00	
			1,098,050.00
Employee Benefits			
413-01	Social Security	35,000.00	
413-02	Medicare	110,000.00	
413-03	PERF-14.2%	70,000.00	
413-05	Health Insurance	2,000,000.00	
413-06	Life/Disability Insurance	12,000.00	
413-09	77 Pension 22.7%	1,292,000.00	
			3,519,000.00
			11,007,940.00

CITY OF MISHAWAKA
2016 BUDGET

FIRE/EMS DEPARTMENT
101-19

2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	6,000.00	
Operating Supplies			
422-01	Operating Supplies	175,000.00	
422-03	Medical Supplies	125,000.00	
Other Supplies			
429-10	Public Education Training/ Seminar Supplies/Refreshments	6,000.00	
			312,000.00
3 OTHER SERVICES AND CHARGES			
Repairs and Maintenance			
436-01	Building/ Equipment Repair	97,500.00	
436-91	Laundry Maintenance	3,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	3,000.00	
			103,500.00
			11,423,440.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 27 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports, including a very popular softball program. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, Program Coordinator, and Secretary. There are 4 Park Divisions (Recreation/Special Events, Golf, Aquatics/Ice Rink, and Landscape). 3 Have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2016 budget has been included for reference.

CITY OF MISHAWAKA
2016 BUDGET

PARK AND RECREATION
204-50

1 PERSONAL SERVICES

Salaries and Wages			1,082,409.00
411-01	Department Head	2,443.35	
411-02	Regular Employees	464,502.00	
	Group 1	18.89/hr	
	Reimburse CS Assts. 1.25	62,437.00	
	Reimburse MVH director 5%	2,973.00	65,410.00
411-03	Temporary/Summer Help	377,000.00	377,000.00
			1,524,819.00
Other Services Personal			
411-60	Overtime	66,000.00	
411-62	Night Bonus .60/hr	5,000.00	
411-63	Longevity	18,225.00	
411-64	FTO	15,000.00	104,225.00
Employee Benefits			
413-01	Social Security	100,000.00	
413-02	Medicare	24,000.00	
413-03	PERF 14.2%	169,000.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	310,000.00	
413-06	Life Insurance	1,500.00	609,500.00
			2,238,544.00

2 SUPPLIES

Office Supplies			
421-90	Office Supplies	8,000.00	
Operating Supplies			
422-02	Gas, Oil, Parts, etc.	73,000.00	
Other Supplies			
429-09	Merrifield Complex Supplies	30,000.00	
429-14	Maintenance Supplies	60,000.00	
429-15	Program Supplies	30,000.00	
429-18	Athletic Event Supplies	20,000.00	
429-20	Golf Course Supplies	30,000.00	
429-21	Concessions	60,000.00	
			311,000.00

CITY OF MISHAWAKA
2016 BUDGET

PARK AND RECREATION
204-50

3 OTHER SERVICES AND CHARGES

Professional Services			
431-09	Health Screenings/Vaccines	8,000.00	
Communication and Transportation			
432-02	Postage	2,000.00	
432-03	Travel and Training	3,000.00	
432-04	Telephone	7,000.00	
Printing and Advertising			
433-01	Printing/Newsletter etc.	11,500.00	
Insurance			
434-90	Insurance Premiums/Deductibles	120,000.00	
Utility Services			
435-01	MU/AEP Charges	335,000.00	
435-02	NIPSCO	50,000.00	
Repairs and Maintenance			
436-01	Equipment/Facility Repair	60,000.00	
436-90	Service Contracts	90,000.00	
Rentals			
437-05	Uniforms/Port-o-lets	11,500.00	
Other Services and Charges			
439-03	Subscription, Dues, etc.	1,400.00	
439-09	Miscellaneous/Charges	1,000.00	
439-18	Instructor Fees	28,000.00	
439-19	Official/Referee Fees	5,000.00	
439-21	Recreation Event/Entertainment	28,000.00	
439-93	Sales Tax	25,000.00	
			786,400.00
			3,335,944.00

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 7 full time civilians within the Mishawaka Police Department, and are budgeted for 106 sworn officers. The Department has 23 officers on the day shift, 25 on the afternoon shift, and 23 on midnights, making for a total of 71 officers in the Uniform Division.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 9 officers in the Investigative Division and 6 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 15 week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 64 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 103 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, Tasers. and body armor. All officers have been provided with digital cameras for recording accident and crime scenes. In addition, 22 cars are equipped with video cameras to record events on patrol. The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for $9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos, and participating in Tri-Ad Senior Citizens Organization. The unit is partnered with Nixle.com (a California-based Internet messaging-service provider). This provider offers a standardized, secure, and certified communication platform for local police departments, municipalities, and their agencies to communicate important, neighborhood-level information to the residents of their communities. This has been a great success with improving how we get crime information and other important information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

Riverwalk Beat

A "Riverwalk beat" was implemented in 2015 and determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrols have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes will also be installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

Mishawaka crime rates in general continue to remain low for cities of comparable sizes. Serious crimes such as rapes, assaults and auto thefts have dropped from 2014 to 2015. There were slight increases in robberies and auto thefts between 2014 and 2015. Overall there was a 2% decrease in crime in 2015. Mishawaka had 2 homicides in 2015. In 2014 there were 0 homicides. The Mishawaka Police Department responded to 41,892 calls for service in 2015.

For general information purposes, a copy of the year 2016 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2016 BUDGET

POLICE DEPARTMENT
101-20

1 PERSONAL SERVICES			
Salaries and Wages			6,314,554.00
411-01	Police Chief	2,648.18	
411-02	Assistant Chief	2,442.34	
	Captain	2,232.99	
	Lieutenant	2,189.99	
	Sergeant	2,148.35	
	1st Patrol Officer	2,119.99	
	2nd Patrol Officer	2,043.07	
	Civilians		
	Executive Secretary	1,246.34	
	Administrative Secretary	1,235.66	
	Secretary	1,218.76	
	Parking Personnel	1,218.76	
	Property Manager	1,373.87	
	Services Administrator	1,420.02	
	Crossing Guards 21 pays	341.57	
411-03	Substitute Crossing Guard	$20/hr	
	Temporary Help/Part-time	$7.25-$25.00	0.00
Other Personal Services			
411-60	Overtime/ Court-time Officer-Non Officer	471,228.00	
411-66	Uniform Allowance		
	1 @ 500, 106 @ 2050	217,800.00	
	Equipment Allowance	28,772.00	
			717,800.00
Employee Benefits			
413-01	Social Security	26,000.00	
413-02	Medicare	102,000.00	
413-03	PERF 14.2%	35,000.00	
413-05	Health Insurance	2,000,000.00	
413-06	Life Insurance	6,250.00	
413-10	77 Pension 21.7%	1,327,000.00	
			3,496,250.00
			10,528,604.00

CITY OF MISHAWAKA
2016 BUDGET

POLICE DEPARTMENT
101-20

2 SUPPLIES			
Operating Supplies			
422-01	Operating Supplies	35,000.00	
Other Supplies			
429-11	Seminars/ Community Relations	1,000.00	
			36,000.00
3 OTHER SERVICES AND CHARGES			
Communication and Transportation			
432-03	Travel and Training	2,000.00	
Printing and Advertising			
433-01	Printing	1,800.00	
Repairs and Maintenance			
436-01	Building Repair/ Maintenance Service Contracts	90,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	3,000.00	
439-11	Special Expense	13,000.00	
439-12	Canine Expenses	3,000.00	
439-16	Crime Stoppers Program	5,000.00	
			117,800.00
			10,682,404.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street re-opened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south and east by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2016 budget has been included for reference.

CITY OF MISHAWAKA
2016 BUDGET

MOTOR VEHICLE HIGHWAY
201-50

1 PERSONAL SERVICES			
Salaries and Wages			1,466,350.00
411-01	Street Commissioner	2,286.64	
411-02	Office Manager	1,235.66	
	Secretary	1,218.76	
	Group 1: 32 @ 18.89*2092	18.89/hr	
	CS reimburse 1.55 for assts.	77,421.00	
Other Services Personal			
411-60	Overtime	81,500.00	
411-62	Night Bonus .60/.55/hr	8,000.00	
411-63	Longevity	21,000.00	
411-64	FTO (Flexible Time Off) Plan	8,000.00	
			118,500.00
Employee Benefits			
413-01	Social Security	94,000.00	
413-02	Medicare	23,000.00	
413-03	PERF 14.2%	215,000.00	
413-04	Unemployment	5,000.00	
413-05	Employee Ins Benefits	470,000.00	
413-06	Life Insurance	2,000.00	
			809,000.00
			2,393,850.00
2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	1,500.00	
Operating Supplies			
422-02	Gas, Oil, etc.	200,000.00	
Repair and Maintenance Supplies			
423-03	Equipment/ Parts, Supplies	160,000.00	
Other Supplies			
429-08	Uniform Supplies	8,000.00	
429-13	Traffic Supplies	36,000.00	
			405,500.00

CITY OF MISHAWAKA
2016 BUDGET

MOTOR VEHICLE HIGHWAY
201-50

3 OTHER SERVICE AND CHARGES

Professional Services			
431-04	Snow Removal	5,000.00	
431-09	Health Screenings/ Vaccines	6,000.00	
Communication and Transportation			
432-03	Travel and Training	5,000.00	
432-04	Telephone/ Paging	10,000.00	
Printing and Advertising			
433-02	Publications	600.00	
Insurance			
434-90	Insurance Premiums/Deductibles	150,000.00	
Utility Service			
435-01	MU Charges	135,000.00	
435-02	NIPSCO	100,000.00	
Repairs and Maintenance			
436-01	Building/ Equipment Repair	225,000.00	
Rentals			
437-05	Uniforms	8,000.00	
Other Services and Charges			
439-09	Miscellaneous Charges	3,000.00	
			647,600.00
			3,446,950.00

CITY OF MISHAWAKA
2016 BUDGET

LOCAL ROAD AND STREET
202-50

4 CAPITAL OUTLAYS

Improvements other than Buildings

442-01	Street Repair/Summer Program	500,000.00	
			500,000.00

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services
Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is $13.77. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of $11.22 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses vary widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility, waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and Fifth Street recycling center
The leaf pick-up and Christmas tree pick-up programs are done through the City's street department. The Fifth Street recycling center is run by the Solid Waste Management District. It is open to all residents and non-residents for disposal of hazardous materials, such as paint and household chemicals. Tires, magazines, and cardboard/office paper also are collected there for recycling.

WASTEWATER

Services

Services are provided by the Mishawaka Wastewater Division 24-hours a day. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The thirty remote sewage lift stations are continuously monitored by radio telemetry.

Facilities

Mishawaka's wastewater treatment plant is a Class IV facility that was recently expanded to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual. The dechlorinated effluent is aerated to add dissolved oxygen.

For the year 2015 an average flow of 9.35 MGD was treated. The average cBOD removal was 98% and the average suspended solids removal was 98%.

Staff

Twenty six people staff the wastewater utility. There are 5 managers/supervisors, 4 chemists, 9 operators, 6 maintenance technicians, 1 biosolids technician, and 1 pretreatment technician. At least two operators are on duty at all times.

Support Personnel

The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Planned Capital Improvements for 2016 and Beyond

A $42 million upgrade was completed in mid 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows. Construction began in November 2005 and was substantially complete in June 2008.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements include the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Influent Pump Station Expansion
- Additional Fine Screen
- New Grit Separation and Washing Equipment
- New Scum Concentrating Equipment
- Addition of Two New Grit Removal Tanks
- Addition of Two New Primary Clarifiers
- Addition of Two New Aeration Tanks
- Addition of Two New Final Clarifiers
- Addition of Chlorine Contact Tank
- Conversion From Gaseous Chlorine and Sulfur Dioxide to Liquid Sodium Hypochlorite and Sodium Bisulfite Disinfection
- Rehabilitation of Ferrous Chloride Storage and Feed System
- Addition of two WAS Gravity Belt Thickener

- Addition of a second belt filter press for biosolids dewatering
- New Anaerobic Digester and Rehabilitation of Existing Digesters Including New Covers
- Modifications to the Plant Electrical Feed
- Installation of a high efficiency turbo aeration blower
- New Process Air Blower Equipment
- Administration Building Modifications
- Expansion of Maintenance Facilities
- Site Landscaping

Future capital improvements are focused on the Combined Sewer Overflow Long Term Control Plan and will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation and a 7,000 foot long in-line storage and conveyance tunnel from the treatment plant east to Merrifield Ave.

Statistical Information

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2015 the average removals and effluent concentrations were as follows:

	Percent Removal	Effluent Concentration mg/l
CBOD	98%	<2.0
Total Suspended Solids	98%	<2.6
Phosphorus	85%	0.56
Ammonia Nitrogen	96%	<0.8

During 2015 there were no exceedances of NPDES permit effluent limitations.

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. 2005 was the first full year of construction of the Wastewater Treatment Plant Upgrade and Expansion. The project was completed in June of 2008. The City financed $41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which will save considerable interest expense throughout the twenty year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and will cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of $3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County who have access to city sanitary sewer pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served by the utility and are located within the City limits shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues. City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

MISHAWAKA WASTEWATER UTILITY
COMPARATIVE BUDGET - OPERATING REVENUE

1:31 PM11/17/2015

	2015 Budget	2015 Estimated	2016 Budget
OPERATING REVENUE:			
Commercial/Industrial Sales	$6,209,275	$5,899,022	$5,900,000
Residential Sales	5,970,276	$5,935,091	5,935,090
Municipal Sales	297,000	$270,615	270,615
Commercial Pretreatment Sales	97,241	$89,070	89,070
Industrial Pretreatment Sales	24,569	$28,205	28,205
Municipal Pretreatment Sales	2,399	$2,087	2,087
Penalty	187,000	$179,705	179,705
Penalty/Pretreatment	689	$494	494
Interest Income	45,000	$44,429	44,289
Connection Fees	84,502	$61,610	57,672
Inspection Fees	807	$0	3,938
T. I. F. Credit	3,360,000	$3,360,000	3,360,000
Miscellaneous Revenue	12,000	$3,738	3,738
Transfer	0	$0	1,200,000
Total Operating Revenues	**$16,290,758**	**$15,874,062**	**$17,074,903**

	2015 Budget	2015 Estimated	2016 Budget
OPERATING EXPENSES:			
Salaries & Wages	$1,398,414	$1,381,314	$1,439,844
Social Security Taxes	106,979	$105,671	110,148
Pension Benefits	241,413	$222,600	241,860
Fringe Benefits	659,465	$609,326	700,724
Operation Supplies/Maintenance	60,000	$62,192	60,000
Electricity	500,000	$450,555	450,000
Natural Gas	80,000	$73,148	70,000
Water	90,000	$69,347	80,000
Lab Supplies/Equipment	27,000	$27,162	27,000
Outside Lab Analysis	13,000	$10,721	13,000
Hypochlorite Solution	50,000	$37,524	35,000
Sodium Bisulfite	50,000	$50,237	50,000
Polymer	80,000	$82,841	80,000
Ferrous Chloride & Parts	50,000	$36,246	40,000
Transportation Expense	10,000	$7,751	10,000
Pretreatment Materials	1,000	$33	500
Disinfection Equipment	3,000	$6,750	3,000
Digester System	10,000	$3,146	7,000
Primary Tank	5,000	$4,538	5,000
Secondary Tank	5,000	$1,253	2,500
Grit System	5,000	$5,658	5,000
Screening Equipment	5,000	$3,728	4,000
Blowers	1,000	$585	2,000
Pumps & Motors	20,000	.$11,502	15,000
Buildings & Grounds	25,000	$30,780	25,000
Equipment	15,000	$1,436	8,000
Sludge Thickening	2,500	$3,473	2,500
Biosolids Dewatering	7,500	$26,535	15,000
Biosolids Land Application	100,000	$56,169	90,000
Lift Station Maintenance	10,000	$21,576	10,000
SCADA - Telemetry System	25,000	$150	10,000
Office Supplies/Equipment Maint.	5,000	$3,896	5,000
Permit Fees	14,750	$11,700	14,750
Legal/Professional/Contract Svcs	150,000	$149,176	125,000
Safety Equipment/Expense	3,000	$4,913	3,000
Education /Travel / Dues & Fees	11,000	$2,495	11,000
Uniforms	10,000	$8,472	10,000
Motorola Lease	17,620	$16,044	18,332
Property Insurance	196,500	$196,500	200,400
Debt Service	6,937,732	$7,261,674	6,902,641
PiLoT	1,546,525	$1,546,524	1,671,763
Miscellaneous General Expense	4,000	$6,209	5,000
Total Operating Expenses	$12,552,398	$12,611,542	$12,578,962
% of Revenue	77.1%	79.4%	73.7%
Support Services Allocation	$799,292	$724,293	$868,124
% of Revenue	4.9%	4.6%	5.1%
Total Net Expenses	$13,351,690	$13,335,835	$13,447,086
% of Revenue	82.0%	84.0%	78.8%

	2015 Budget	2015 Estimated	2016 Budget
CAPITAL EXPENDITURES:			
Lift Station Structures	0	$90,603	200,000
Plant Structures and Improvements	50,000	$0	0
Digester Mechanism	0	$0	0
Primary Tank Mechanism	90,000	$90,000	100,000
Secondary Tank Mechanism	0	$0	320,000
Laboratory Equipment	0	$0	0
Pretreatment Equipment	0	$0	0
Plant Auxiliary Equipment	0	$0	0
Safety Equipment	50,000	$0	35,000
Computer Equipment	0	$0	0
Computer Software	15,000	$0	0
Transportation Equipment	0	$0	0
Total Capital Expenditures	**$205,000**	**$180,603**	**$655,000**
% of Revenue	1.3%	1.1%	3.8%

MISHAWAKA WASTEWATER UTILITY
COMPARATIVE BUDGET - DIVISION SUMMARY

1:31 PM11/17/2015

	2015 Budget	2015 Estimated	2016 Budget
Gross Revenue	**$16,290,758**	**$15,874,062**	**$17,074,903**
Wastewater Operating Expenses	$13,351,690	$13,335,835	$13,447,086
Sewer Operating Expenses	2,422,595	1,502,333	2,609,396
Net Expenses	**$15,774,285**	**$14,838,168**	**$16,056,482**
Capital	$379,000	$258,240	$1,005,000
Total Net Budget	**$16,153,285**	**$15,096,408**	**$17,061,482**
% of Gross Revenue	99.2%	95.1%	99.9%
NET Surplus/Deficit	**$137,473**	**$777,654**	**$13,422**
% of Gross Revenue	0.8%	4.9%	0.1%

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

An existing twelve (12) inch distribution main is located on the North side of East McKinley Avenue fronting the proposed annexation and rezoning area which includes 1718 and 1732 East McKinley. There is a (8) inch water main on Clover road heading South just to the east of the Annexation Fiscal Plan site.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developers/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to the house and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of twenty-nine (29) employees in the Water Division consisting of twenty (20) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (27) vehicles and eight (8) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

Services to Residents – (Cont.)
The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services
Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

MISHAWAKA WATER UTILITY
COMPARATIVE BUDGET-OPERATING EXPENSES

	2015 Budget	2015 Estimated	2016 Budget
OPERATING EXPENSES:			
Salaries & Wages	$1,568,634	$1,592,600	$1,633,500
Social Security Taxes	120,000	$120,693	124,962
Pension Benefits	259,904	$252,000	272,200
Fringe Benefits	679,000	$624,744	718,455
Electricity	650,000	$513,101	700,000
Natural Gas Purchases	70,000	$38,919	70,000
Chemicals/Water Treatment	250,000	$196,238	250,000
Materials & Supplies	304,200	$301,979	337,000
Contractual Svcs/Accounting	4,000	$0	3,000
Contractual Svcs/Legal	4,000	$0	3,000
Contractual Svcs/Professional	595,000	$719,418	650,000
Equipment Rental	5,000	$0	7,000
Transportation Expense	150,000	$52,718	100,000
Insurance: Property, Auto, WC	173,000	$173,000	176,500
Motorola Lease	64,606	$64,606	67,218
Education/Travel	6,000	$3,480	6,000
Dues, Fees, Subscriptions	35,000	$27,540	38,000
Indiana Gross Income Tax	115,000	$114,697	100,000
PiLoT	607,028	$607,028	597,790
Debt Service	2,013,390	$2,013,390	2,015,372
Miscellaneous Expenses	28,413	$10,898	0
Total Operating Expenses	**$7,702,175**	**$7,427,046**	**$7,869,997**
% of Revenue	81.4%	86.8%	82.4%
Support Services Allocation	$799,292	$724,293	$868,124
% of Revenue	8.5%	8.5%	9.1%
Total Net Expense	**$8,501,467**	**$8,151,339**	**$8,738,121**
% of Revenue	89.9%	95.3%	91.5%

MISHAWAKA WATER UTILITY
COMPARATIVE BUDGET-CAPITAL EXPENDITURES

	2015 Budget	2015 Actual	2016 Budget
CAPITAL EXPENDITURES:			
Structures & Improvements	$25,000	$9,650	$100,000
Wells & Springs/Supply Mains	30,000	$0	25,000
Pumping Equipment	100,000	$0	45,000
Water Treatment Equipment	52,000	$23,899	37,000
Trans/Distribution Mains	175,000	$61,415	160,000
Meters/Meter Installations	125,000	$122,894	135,000
Hydrants	30,000	$21,985	30,000
Other Plt & Misc. Equip-Water Treat	25,000	$0	25,000
Office Furn/Equip/Computer	5,000	$1,500	5,000
Transportation Equipment	25,000	$0	80,000
Tools, Shop, Garage	25,000	$0	25,000
Laboratory Equipment	20,000	$0	10,000
Power Operated Equipment	0	$0	67,000
Communication Equipment	5,000	$0	5,000
Miscellaneous Equipment	8,000	$0	7,000
Total Capital Expenditures	**$650,000**	**$241,343**	**$756,000**
% of Revenue	6.9%	2.8%	7.9%

MISHAWAKA WATER UTILITY
COMPARATIVE BUDGET-DIVISION SUMMARY

	2015 Budget	2015 Estimated	2016 Budget
Gross Revenue	**$9,457,896**	**$8,552,807**	**$9,552,921**
Net Expense	$8,501,467	$8,151,339	$8,738,121
Capital	650,000	241,343	756,000
Total Net Budget	**$9,151,467**	**$8,392,682**	**$9,494,121**
% of Gross Revenue	96.8%	98.1%	99.4%
Net Surplus/Deficit	**$306,429**	**$160,125**	**$58,801**
% of Gross Revenue	3.2%	1.9%	0.6%

A PARCEL OF LAND IN THE SOUTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SECTION NO. 2, TOWNSHIP NO. 37 NORTH, RANGE NO. 3 EAST, DESCRIBED AS FOLLOWS:BEGINNING AT A POINT 869.7 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2, RUNNING THENCE EAST A DISTANCE OF 90 FEET; THENCE NORTH 242 FEET; THENCE WEST 91.69 FEET; THENCE SOUTH 242 FEET TO THE PLACE OF BEGINNING; AND BEING KNOWN AS LOT NUMBERED 1 ON THE RECORDED PLAT OF SULTS BABY FARMS OF PENN TOWNSHIP.
ALSO: PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION NO. 2, TOWNSHIP 37 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 660 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION NO. 2; THENCE NORTH 237 FEET; THENCE EAST 209.7 FEET; THENCE SOUTH 237 FEET; THENCE WEST 209.7 FEET TO THE PLACE OF BEGINNING.
EXCEPTING THEREFROM THAT LAND PREVIOUSLY ANNEXED WITHIN THE CITY LIMITS OF THE CITY OF MISHAWAKA, INDIANA.

TAB D - APPENDICES

PETITION #16-22

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2016-16

ORDINANCE NO. ________

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A parcel of land in the South West Quarter of the South West Quarter of Section No. 2, Township No. 37 North, Range No. 3 East, described as follows:

Beginning at a point 869.7 feet East of the Southwest corner of said Section No. 2, running thence East a distance of 90 feet; thence North 242 feet; thence West 91.69 feet; thence South 242 feet to the place of beginning; and being known as Lot Numbered 1 on the recorded plat of Sults Baby Farms of Penn Township.

ALSO: Part of the Southwest Quarter of the Southwest Quarter of Section No. 2, Township 37 North, Range 3 East, described as follows:

Beginning at a point 660 feet East of the Southwest corner of said Section No. 2; thence North 237 feet; thence East 209.7 feet; thence South 237 feet; thence West 209.7 feet to the place of beginning.

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of C-4 Automobile Oriented Commercial District.

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

1. Existing Conditions- The property has been used in this fashion for almost 40 years, but in two different jurisdictions.

2. Character of Buildings – The character of the buildings along McKinley Highway is commercial, a number of them automobile oriented.

3. The most desirable/highest and best use – Because of the parcels' location along the corridor and the property's historical use, the most desirable use for the property is automobile oriented commercial.

4. Conservation of property values- The proposed zoning will not be injurious to property values in the surrounding neighborhood, because commercial uses already exist along the McKinley Highway corridor, in close proximity to annexation area.

5. Comprehensive Plan- The Mishawaka 2000 Comprehensive Plan identified the McKinley Highway corridor as general commercial. The petition to annex and zone to C-4 Automobile Oriented Commercial is consistent with 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

Tax Rate Chart for the year 2015 payable 2016

Notice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2015 payable 2016, are now in the hands of the St. Joseph County Treasurer, who is ready to receive the Taxes charged thereon. The following table shows the rate of taxation on each $100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2016. Second installment will be delinquent after November 10, 2016. Michael J. Kruk, Treasurer of St. Joseph County.

Fund	Fund Name	71001 Centre Township	71002 S. Bend - Centre	71003 Clay Township	71004 S. Bend - Clay	71005 Mish - Clay	71006 Indian Village	71007 Roseland (Clay)	71008 German Township	71009 S. Bend - German	71010 Greene Township	71011 Harris Township	71014 Lincoln Township	71015 Walkerton (Lincoln)
101	County General	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530
124	Cumulative Reassessment	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114
188	Bond & Int/ Debt Serv Ex CB	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385
702	Highway													
706	LR & S													
700	Cumulative Bridge	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098
702	Major Cumulative Bridge	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190
801	Health	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220
822	Medical Center													
1301	Park & Recreation	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247
2391	Cumulative Capital Development	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190
711	Total COUNTY	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974
61	Township Rainy Day													
101	Township General Fund	0.0054	0.0054	0.0223	0.0223	0.0223	0.0223	0.0223				0.0063	0.0641	0.0641
601	Twp Community Bldg										0.0068			
840	Twp Poor Relief/Twp Assistance	0.0054	0.0054	0.0087	0.0087	0.0087	0.0087	0.0087	0.0069	0.0069		0.0035	0.0033	0.0033
685	Twp Poor Relief Debt													
1101	Twp EMS Fund													
1111	Twp Fire										0.2935			
1181	Twp Fire Bldg Debt Fund													
1182	Twp Fire Equipment Debt													
1187	Twp Emerg Fire Loan													
1190	Twp Cum Fire													
1312	Twp Recreation								0.0066	0.0066			0.0065	0.0065
1481	Twp Fire Bldg Debt Ex CB								0.0376					
1482	Twp Fire Equip Debt Ex CB													
8604	Twp Fire Territory General	0.5282		0.3040			0.3040	0.3040	0.3040			0.3040		
8692	Twp Fire Territory Equip Replc	0.0301		0.0297			0.0297	0.0297	0.0297			0.0297		
712	Total TOWNSHIP	0.5691	0.0108	0.3647	0.0310	0.0310	0.3647	0.3647	0.3850	0.0135	0.3003	0.3435	0.0739	0.0739
0	City Bond/Debt													
61	City/Town Rainy Day													
101	City General		2.8703		2.8703	1.7041	0.0068	0.5681		2.8703				1.0462
180	City Debt Service													
181	City/Town Debt Payment													
182	City/Town Bond #2													0.1181
188	City Debt Serv Ex CB													
280	BOND-GEN SINKIN													
341	City Fire Pension													
342	City Police Pension													
381	City Debt Payment Ex CB													
706	City/Town LR & S													
708	City MVH					0.0283		0.0733						0.0748
720	City/Town Major Moves Spc													
1101	City Ambulance/EMS													
1191	City Cum Fire Special													
1301	City Park & Rec		0.5754		0.5754	0.1607				0.5754				0.2052
1303	City/Town Park							0.0442						
1330	Park Bond													0.1047
1385	City Park Bond Exempt CB													
2100	City Cemetery													
2379	City/Town CCI													
2391	City Cum Cap Development		0.0321		0.0321	0.0500		0.0152		0.0321				0.0487
0290	City Cum Sewer					0.0346								
8604	City Town Fire Territory Gen												0.3386	0.3386
8692	City Town Fire Terr Eqp Replac												0.0331	0.0331
713	Total CITY/TOWN	0.0000	3.4778	0.0000	3.4778	1.9777	0.0068	0.7008	0.0000	3.4778	0.0000	0.0000	0.3717	1.9694
61	School Rainy Day													
101	School General													
180	School Debt Service	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.2922	0.0684	0.0684
186	School Retirement/Pension Debt													
188	School Debt Service Exempt CB	0.4378	0.4378	0.4378	0.4378	0.4378	0.4378	0.4378	0.4378	0.4378	0.4378	0.1659	0.3802	0.3802
189	School Pension Debt Ex CB	0.0700	0.0700	0.0700	0.0700	0.0700	0.0700	0.0700	0.0700	0.0700	0.0700	0.0311	0.0240	0.0240
605	School Historic Society	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050		
1214	School Capital Projects	0.2958	0.2958	0.2958	0.2958	0.2958	0.2958	0.2958	0.2958	0.2958	0.2958	0.2686	0.2540	0.2540

Fund	Fund Name	71016 Madison Township	71017 Olive Township	71019 New Carlisle	71022 Mish - PHM	71023 Mish - Penn	71025 Portage Township	71026 S. Bend Portage	71027 Union Township	71028 Lakeville - Union	71029 Warren Township	71030 Osceola (Penn)	71031 Penn Twp - PHM	71032 Penn Twp - Mish Schls	71033 S. Bend - Penn	71034 Liberty Township	71035 North Liberty	71036 Mish - Harris	71037 S. Bend - Warren
101	County General	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530	0.5530
124	Cumulative Reassessment	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114	0.0114
188	Bond & Int/ Debt Serv Ex CB	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385	0.0385
702	Highway																		
706	LR & S																		
700	Cumulative Bridge	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098	0.0098
702	Major Cumulative Bridge	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190
801	Health	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220	0.0220
822	Medical Center																		
1301	Park & Recreation	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247	0.0247
2391	Cumulative Capital Development	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190	0.0190
711	Total COUNTY	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974	0.6974
61	Township Rainy Day																		
101	Township General Fund	0.0086	0.0286	0.0286	0.0128	0.0128	0.0125	0.0125	0.0953	0.0953	0.0353	0.0128	0.0129	0.0129	0.0128	0.0805	0.0805	0.0063	0.0353
601	Twp Community Bldg																		
840	Twp Poor Relief/Twp Assistance	0.0021			0.0203	0.0203	0.0387	0.0387	0.0100	0.0100	0.0070	0.0203	0.0203	0.0203	0.0203			0.0036	0.0070
685	Twp Poor Relief Debt																		
1101	Twp EMS Fund		0.0536																
1111	Twp Fire	0.0583	0.0779								0.3174		0.2649	0.2649		0.0844	0.0844		
1181	Twp Fire Bldg Debt Fund																		
1182	Twp Fire Equipment Debt								0.0186	0.0186									
1187	Twp Emerg Fire Loan												0.0295	0.0295					
1190	Twp Cum Fire	0.0060	0.0177								0.0317		0.0314	0.0314		0.0252	0.0252		
1312	Twp Recreation		0.0002	0.0002															
1481	Twp Fire Bldg Debt Ex CB																		
1482	Twp Fire Equip Debt Ex CB																		
8604	Twp Fire Territory General						0.5282		0.1180	0.1180									
8692	Twp Fire Territory Equip Replc						0.0301		0.0358	0.0358									
712	Total TOWNSHIP	0.0861	0.1780	0.0288	0.0331	0.0331	0.6095	0.0512	0.2777	0.2777	0.3914	0.0331	0.3590	0.3590	0.0331	0.1901	0.1901	0.0099	0.0423
0	City Bond/Debt																		
61	City/Town Rainy Day																		
101	City General			0.8293	1.7041	1.7041		2.8703		0.8150		0.2693			2.8703		1.2350	1.7041	2.8703
180	City Debt Service			0.0870															
181	City/Town Debt Payment																		
182	City/Town Bond #2																		
188	City Debt Serv Ex CB																		
280	BOND-GEN SINKIN																0.1400		
341	City Fire Pension																		
342	City Police Pension																		
381	City Debt Payment Ex CB																		
706	City/Town LR & S																		
708	City MVH			0.1229	0.0283	0.0283				0.1719		0.0701						0.0283	
720	City/Town Major Moves Spc																		
1101	City Ambulance/EMS																		
1191	City Cum Fire Special			0.0115								0.0333							
1301	City Park & Rec				0.1607	0.1607		0.5754							0.5754			0.1607	0.5754
1303	City/Town Park																0.2007		
1330	Park Bond																		
1385	City Park Bond Exempt CB																		
2100	City Cemetery			0.0207															
2379	City/Town CCI																		
2391	City Cum Cap Development			0.0487	0.0500	0.0500		0.0321		0.0448		0.0492			0.0321		0.0483	0.0500	0.0321
0290	City Cum Sewer				0.0346	0.0346												0.0346	
8604	City Town Fire Territory Gen																		
8692	City Town Fire Terr Eqp Replac																		
713	Total CITY/TOWN	0.0000	0.0000	1.1271	1.9777	1.9777	0.0000	3.4778	0.0000	1.0317	0.0000	0.4219	0.0000	0.0000	3.4778	0.0000	1.6279	1.9777	3.4778
61	School Rainy Day																		
101	School General																		
180	School Debt Service	0.2922	0.0698	0.0698	0.2922	0.0922	0.0247	0.0247	0.3677	0.3677	0.0247	0.2922	0.2922	0.0922	0.2922	0.0684	0.0684	0.2922	0.0247
186	School Retirement/Pension Debt																		
188	School Debt Service Exempt CB	0.1659	0.5931	0.5931	0.1659	0.6606	0.4378	0.4378			0.4378	0.1659	0.1659	0.6606	0.1659	0.3802	0.3802	0.1659	0.4378
189	School Pension Debt Ex CB	0.0311	0.0147	0.0147	0.0311		0.0700	0.0700			0.0700	0.0311	0.0311		0.0311	0.0240	0.0240	0.0311	0.0700
605	School Historic Society	0.0050			0.0050	0.0050	0.0050	0.0050			0.0050	0.0050	0.0050	0.0050	0.0050			0.0050	0.0050
1214	School Capital Projects	0.2686	0.3034	0.3034	0.2686	0.3451	0.2958	0.2958	0.2153	0.2153	0.2958	0.2686	0.2686	0.3451	0.2686	0.2540	0.2540	0.2686	0.2958

		1	2	3	4	5	6	7	8	9	10	11
2016	School Art Institue	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050	0.0050
2083	2013 STATE LOAN											
6301	School Transportation Fund	0.3681	0.3681	0.3681	0.3681	0.3681	0.3681	0.3681	0.3681	0.3681	0.3681	0.3463
6302	School Bus Replacement	0.0618	0.0618	0.0618	0.0618	0.0618	0.0618	0.0618	0.0618	0.0618	0.0618	0.0175
714	Total SCHOOL	1.2682	1.2682	1.2682	1.2682	1.2682	1.2682	1.2682	1.2682	1.2682	1.2682	1.0316
0	Library Debt											
101	Library General	0.2899	0.2899	0.2899	0.2899	0.2899	0.2899	0.2899	0.2899	0.2899	0.2899	0.1333
180	Library Debt Serv Exempt CB	0.0517	0.0517	0.0517	0.0517	0.0517	0.0517	0.0517	0.0517	0.0517	0.0517	0.0277
200	Library Lease/Rent Exempt CB											
382	Library Debt #2 Exempt CB											
1220	Library Capital Project	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	0.0133	
2011	Library LIRF											
716	Total LIBRARY	0.3649	0.3649	0.3649	0.3649	0.3649	0.3649	0.3649	0.3649	0.3649	0.3649	0.1610
6301	So Bend Transpo		0.1153		0.1153	0.1153				0.1153		
6600	So Bend Transpo Spec Tran Cum											
6101	Airport Authority General	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312
6180	Airport Go-Airport Debt	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079
6181	Airport Auth Bond Ex CB											
6190	Airport Authority Cum Bldg	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032
8210	Sp Solid Waste Mn											
8485	SB Redevel Bond #1 Ex CB		0.0648		0.0648					0.0648		
716	Total SPECIAL UNIT	0.0423	0.2224	0.0423	0.2224	0.1576	0.0423	0.0423	0.0423	0.2224	0.0423	0.0423
	Total Tax Rates	2.3319	6.0315	2.7275	6.0617	4.5608	2.7343	3.4283	2.7478	6.0342	2.6831	2.2739
	(Less Conservancy)											
	LOIT PTRC %	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537
	County COIT HMSTD %	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243
	Exempt Rate	0.5980	0.6628	0.5980	0.6628	0.5980	0.5980	0.5980	0.6358	0.6628	0.5980	0.2632

		12	13	14	15	16	17	18	19	20	21	22
2016	School Art Institue			0.0050			0.0050		0.0050	0.0050		
2083	2013 STATE LOAN											
6301	School Transportation Fund	0.1748	0.1748	0.2463	0.2463	0.2463	0.2463	0.0784	0.3681	0.3681	0.2570	0.2570
6302	School Bus Replacement	0.0407	0.0407	0.0175	0.0486	0.0485	0.0175	0.0130	0.0618	0.0618	0.0252	0.0252
714	Total SCHOOL	0.9621	0.9621	1.0316	1.2679	1.2670	1.0316	1.3876	1.2682	1.2682	0.8661	0.8661
0	Library Debt											
101	Library General	0.0801	0.0801		0.2564	0.2564	0.1333	0.1333	0.2899	0.2899	0.2899	0.2899
180	Library Debt Serv Exempt CB						0.0277	0.0277	0.0517	0.0517	0.0517	0.0517
200	Library Lease/Rent Exempt CB				0.1940	0.1940						
382	Library Debt #2 Exempt CB											
1220	Library Capital Project								0.0133	0.0133	0.0133	0.0133
2011	Library LIRF											
716	Total LIBRARY	0.0801	0.0801	0.0000	0.4504	0.4504	0.1610	0.1610	0.3649	0.3649	0.3649	0.3649
6301	So Bend Transpo						0.1153	0.1153		0.1153		
6600	So Bend Transpo Spec Tran Cum											
6101	Airport Authority General	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312
6180	Airport Go-Airport Debt	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079
6181	Airport Auth Bond Ex CB											
6190	Airport Authority Cum Bldg	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032
8210	Sp Solid Waste Mn											
8485	SB Redevel Bond #1 Ex CB									0.0648		
716	Total SPECIAL UNIT	0.0423	0.0423	0.0423	0.0423	0.0423	0.1576	0.1576	0.0423	0.2224	0.0423	0.0423
	Total Tax Rates	2.2163	3.0142	1.0574	2.0359	3.6138	4.0794	4.4343	2.9720	6.0719	2.3384	3.3791
	(Less Conservancy)											
	LOIT PTRC %	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537
	County COIT HMSTD %	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243
	Exempt Rate	0.4427	0.4427	0.2355	0.8403	0.8403	0.2632	0.9200	0.5980	0.6628	0.0902	0.0902

		23	24	25	26	27	28	29	30	31
2016	School Art Institue	0.0050	0.0050	0.0050		0.0050			0.0050	0.0050
2083	2013 STATE LOAN									
6301	School Transportation Fund	0.3681	0.2463	0.2463	0.0784	0.2463	0.1748	0.1748	0.2463	0.3681
6302	School Bus Replacement	0.0618	0.0175	0.0175	0.0130	0.0175	0.0407	0.0407	0.0175	0.0618
714	Total SCHOOL	1.2682	1.0316	1.0316	1.3876	1.0316	0.9621	0.9621	1.0316	1.2682
0	Library Debt									
101	Library General	0.2899	0.1333	0.1333	0.1333	0.1333	0.2899	0.2899	0.1333	0.2899
180	Library Debt Serv Exempt CB	0.0517	0.0277	0.0277	0.0277	0.0277	0.0517	0.0517	0.0277	0.0517
200	Library Lease/Rent Exempt CB									
382	Library Debt #2 Exempt CB									
1220	Library Capital Project	0.0133					0.0133	0.0133		0.0133
2011	Library LIRF									
716	Total LIBRARY	0.3649	0.1610	0.1610	0.1610	0.1610	0.3649	0.3649	0.1610	0.3649
6301	So Bend Transpo					0.1153			0.1153	0.1153
6600	So Bend Transpo Spec Tran Cum									
6101	Airport Authority General	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312	0.0312
6180	Airport Go-Airport Debt	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079
6181	Airport Auth Bond Ex CB									
6190	Airport Authority Cum Bldg	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032	0.0032
8210	Sp Solid Waste Mn									
8485	SB Redevel Bond #1 Ex CB					0.0648				0.0648
716	Total SPECIAL UNIT	0.0423	0.0423	0.0423	0.0423	0.2224	0.0423	0.0423	0.1576	0.2224
	Total Tax Rates	2.7842	2.3970	2.2912	2.6471	5.6233	2.2646	3.9827	4.0561	6.0838
	(Less Conservancy)									
	LOIT PTRC %	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537	9.4537
	County COIT HMSTD %	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243	5.8243
	Exempt Rate	0.5980	0.2632	0.2632	0.9200	0.3280	0.4944	0.4944	0.2632	0.6628

I, Michael J Hamann, Auditor of St. Joseph County, hereby certify that the above is a true and correct copy of all tax collectible in St. Joseph County for the year 2016.

INDIANA
Gateway for government units

□ Home □ Report Builder □ Download Data □ Tools

□ Learn More

Fiscal Health Indicators

The Fiscal Health Indicators provide easy access to data that help assess the financial resiliency of local governments across the state.

□ Indicators □ Comparisons □ Download

Type in the name of a local government unit:

Penn township, St. Joseph County

Excel

Penn township, St. Joseph County

2014 Census Population: 66,086

Debt

Local governments may enter into debt for the purposes of funding capital projects such as the construction of facilities. This debt will often be payable over several years and will require the payment of interest on the amount of debt outstanding. Governments may use a wide variety of revenue sources for repayment of outstanding debt, including property taxes, local income taxes or utility fees. Multiple revenue sources may be dedicated to the repayment of an individual debt, with the revenues often identified as "primary" or "secondary". More information is available in Fiscal Health Indicators: Debts and the companion excel file Debt data.

$1,012,361
Amount of Outstanding Debt as of July 1, 2015

$15
Outstanding Debt Per Capita

$0.05
Outstanding Debt per $100 Net Assessed Value

Amount Outstanding as	2010 Population	Outstanding Debt per	2014 Certified Net AV	Outstanding Debt per

of July 1, 2015		Capita		$100 NAV
$1,012,361	66,198	$15	$1,897,872,841	$0.05

Debt Name (Bond ID)	Primary Repayment Source	Secondary Repayment Source(s)	Amount Outstanding as of July 1, 2015	Year of Last Scheduled Payment
Emergency Borrowing Refunding Notes, Series 2013 - 7584	Property Tax		$652,525	2016
US Bank Defibrillator Lease - 8010	Property Tax		$39,348	2018
Republic First National Corporation Sutphen Shield 2 Pumper Lease - 8013	Property Tax		$320,488	2018

Pensions

Many local governments provide employees with a pension plan to assist with retirement. These pension plans often include a contribution by the local government on behalf of the employees. While some local governments may choose to operate their own pension plans either for all employees or just for select pools of employees, many local governments will also operate pension plans through the Indiana Public Retirement System (INPRS). INPRS administers several different pension plans used by local governments.More information is available in Fiscal Health Indicators: Pension Plans and the companion excel file Pension Plans.

N/A

2014 Retiree(s) With Locally Operated Pension Plan(s)

N/A

2014 Contributions to Locally Operated Pension Plan(s)

Pension Plan Name	Plan Type	2013 Employer Contribution	2013 Retirees	2014 Employer Contribution	2014 Retirees

Post Employment Benefits

A local government may offer post-employment benefits to retirees. These benefits may include medical, prescription drug, dental, vision, hearing, life insurance, long-term care benefits, and long-term disability benefits (not covered under a pension plan) that are provided after employment ends. Indiana Code 36-1-8-17.5 requires that local governments report prior year retiree benefits by March 1 of each year. In order to meet this reporting requirement, local governments may choose to contract for an actuarial study or may choose to estimate the required information.More information is available in Fiscal Health Indicators: Retiree Benefits and the companion excel file Retiree Benefits.

The information displayed here is estimated by the unit.

0	**$0**
2014 Retiree(s) Receiving Post Retirement Benefits	*2014 Post Retirement Benefits Paid*

Net Assessed Value & Exempt Properties

A key value in determining property tax rates is the amount of net assessed value for the unit (as certified to the Department of Local Government Finance by the county auditor). Certified net assessed value is the sum of the assessed values of real estate and personal property after the removal of any applicable deductions or exemptions and after removing the assessed value which is being directed to TIF districts. The certified net assessed value (CNAV) is commonly referred to as the property tax base for the local government.

Deductions reduce the gross assessed value by a certain amount or percentage. Exemptions typically will make the entire assessed value of the parcel or record exempt from taxation, essentially taking the parcel or record out of the property tax base for a local government. In certain instances, though, it is also possible to have partial exemptions, which exempt just a portion of the parcel or record from taxation. More information is available in these two documents: Fiscal Health Indicators: Net Assessed Value (NAV) and Fiscal Health Indicators: Government Acreage as Percent of Total Acres, as well as these companion excel files Net Assessed Value (NAV) and Government Acreage as Percent of Total Acres.

$1,897,872,84	**$258,785,564**	**13.6 %**
2014 Certified Net Assessed Value	*2014 Exempt Assessed Value*	*2014 Exempt Assessed Value as Percent of Certified Net Assessed Value*

	2013	2014	Percent Change
Certified Net Assessed Value	$1,934,884,032	$1,897,872,841	-1.9 %
Exempt Assessed Value	$291,852,719	$258,785,564	-11.3 %

	2013	2014	Change
Exempt Assessed Value as Percent of Certified Net Assessed Value	15.1 %	13.6 %	-1.4 %

24,400
Total Acreage

965
Government Acreage

4.0 %
Government Acreage as Percent of Total Acreage

	2013	2014	Percent Change
Total Acreage	23,908	24,400	2.1 %
Government Acreage	967	965	-0.2 %

	2013	2014	Change
Government Acreage as Percent of Total Acreage	4.0 %	4.0 %	-0.1 %

Property Tax Caps

Local governments that collect property taxes may be impacted by the application of property tax caps. Property tax caps limit the amount of an individual tax bill to a percent of the gross assessed value. For owner-occupied homestead properties, the tax bill cannot exceed 1% of the gross assessed value of the property. For other residential properties, long term care facilities and agricultural land, the tax bill cannot exceed 2% of the gross assessed value. The tax bills on all other real property and all personal property are restricted to 3% of the gross assessed value. In addition, there is an additional property tax cap known as the Over 65 property tax cap. The Over 65 property tax cap is dependent on the age and income of the taxpayer and changes in the tax bill from year to year. When a tax bill reaches the applicable property tax cap, any additional tax liability above the property tax cap is credited to the taxpayer and is no longer due by the taxpayer. This credit results in a loss to local governments as the full property tax levy is unable to be collected. More information is available inFiscal Health Indicators: Property Tax Cap and the companion excel file Property Tax Cap .

$3,431,224
Certified Levy

$75,672
Property Tax Cap

2.2 %
Property Tax Cap as a Percent of the Total Levy

	2013	2014	Percent Change
Certified Levy	$2,733,452	$3,431,224	25.5 %
Property Tax Cap	$64,606	$75,672	17.1 %
	2013	**2014**	**Change**
Property Tax Cap as a Percent of the Total Levy	2.4 %	2.2 %	-0.2 %

Tax Increment Financing (TIF)

Counties, cities, and towns can establish tax increment finance (TIF) districts through a redevelopment commission or authority. TIF districts allow the redevelopment commission or authority to receive tax revenues from growth in assessed value within the TIF district and then use those revenues for projects within the TIF district. These projects typically are designed to encourage further development and growth within the TIF district or surrounding area. More information is available in Fiscal Health Indicators: Tax Increment Finance and the companion excel file Tax Increment Finance.

$201,842,453

Certified Incremental TIF Assessed Value

10.6 %

Incremental TIF as Percent of Certified AV

$0

Certified Passthrough TIF AV

0.0 %

Passthrough TIF as Percent of Certified AV

	2013	2014	Percent Change
Certified Net Assessed Value	$1,934,884,032	$1,897,872,841	-1.9 %
Certified Incremental TIF Assessed Value	$211,029,033	$201,842,453	-4.4 %
Certified Passthrough TIF AV	$0	$0	0.0 %
	2013	**2014**	**Change**
Incremental TIF as Percent of Certified AV	10.9 %	10.6 %	-0.3 %

Passthrough TIF as Percent of Certified AV	0.0 %	0.0 %	0.0 %

TIF Name (TIF ID)	2013 Parcel Count	2013 Base AV	2013 Inc. AV	2014 Parcel Count	2014 Base AV	2014 Inc. AV

Local Option Income Taxes

Counties have the ability to impose local income taxes on their residents or employees working within the county as a way to generate additional revenue for local governments or to provide for property tax credits for taxpayers. At this time, all 92 counties impose at least one of the available local option income tax (LOIT) options. More information is available in Fiscal Health Indicators: Local Income Taxesand the companion excel file Local Income Taxes.

$193,703

2014 Total

$3

2014 Total Per Capita

	2013	2014	Percent Change
Total	$159,187	$193,703	21.7 %
	2013	**2014**	**Change**
Total Per Capita	$2	$3	$1

	2013	2014	Percent Change
Total	$159,187	$193,703	21.7 %
County Option Income Tax (COIT)	$159,187	$193,703	21.7 %
COIT Public Safety	$0	$0	0.0 %
County Economic Development Income Tax (CEDIT)	$0	$0	0.0 %
County Adjusted Gross Income Tax (CAGIT)	$0	$0	0.0 %
CAGIT Property Tax Replacement Credit (PTRC)	$0	$0	0.0 %
CAGIT Public Safety	$0	$0	0.0 %

Levy Freeze	$0	$0	0.0 %
Special Legislation	$0	$0	0.0 %

Annual Financial Reports: General Fund

The annual financial results of a local government provide key insights on the fiscal health of the local government. By reviewing items such as fund balances and trends in spending and revenues, interested parties can gain an understanding of how the government has been performing from a financial perspective and where concerns may exist in the future.

At regular intervals, local governments are required to submit financial results to the State of Indiana. Non-school political subdivisions will submit an Annual Financial Report to the State Board of Accounts after the conclusion of a year. Schools submit semi-annual financial results to the Indiana Department of Education. This data forms the basis for the indicators included in this section. Please note that Indiana local governments primarily report on a cash basis for accounting. This may impact the interpretation of fund balances and other financial data.

As each unit will have their own set of funds and methods for reporting activities within these funds, the Department has provided standardization for the purposes of Fiscal Health Indicators. To do so, the Department first assigned each fund to the specific categories of General, Rainy Day, Debt Service, Dedicated, Restricted and Enterprise. More information is available in Fiscal Health Indicators: Financial Data and the companion excel file Financial Data.

79.2 %

General Fund Balance as Pct. of Revenues

56.0 %

General Fund Deficit or Surplus as Pct. of Revenue

$5.83

General Fund Revenues Per Capita

	2013	2014	Percent Change
General Fund Balance	$89,522	$305,566	241.3 %
General Fund Deficit or Surplus	$74,622	$216,044	189.5 %
General Fund Revenues	$226,003	$386,037	70.8 %
	2013	**2014**	**Change**
Balance as Pct. of Revenues	39.6 %	79.2 %	39.5 %
Deficit or Surplus as Pct. of Revenues	33.0 %	56.0 %	22.9 %
Per Capita Revenues	$3.41	$5.83	$2.42

General Fund Revenues by Type	2013	Pct. of Total	2014	Pct. of Total
Total	$226,003	100.0%	$386,037	100.0%
Taxes and Intergovernmental	$220,939	97.8 %	$382,024	99.0 %
Licenses and Permits	N/A	N/A	N/A	N/A
Charges for Services	N/A	N/A	N/A	N/A
Fines, Forfeitures, and Fees	N/A	N/A	N/A	N/A
Utility Penalties	N/A	N/A	N/A	N/A
Other Receipts	$5,064	2.2 %	$4,014	1.0 %

179.8 %

General Fund Balance as Pct. of Expenditures

$2.57

General Fund Expenitures Per Capita

	2013	2014	Percent Change
General Fund Balance	$89,522	$305,566	241.3 %
General Fund Expenditures	$151,381	$169,993	12.3 %
	2013	**2014**	**Change**
Balance as Pct. of Expenditures	59.1 %	179.8 %	120.6 %
Per Capita Expenditures	$2.29	$2.57	$0.28

General Fund Expenditures by Type	2013	Pct. of Total	2014	Pct. of Total
Total	$151,381	100.0%	$169,993	100.0%
Personal Services	$109,470	72.3 %	$123,317	72.5 %
Supplies	$7,513	5.0 %	$8,417	5.0 %
Services and Charges	$26,345	17.4 %	$33,479	19.7 %
Debt Service - Principal and Interest	N/A	N/A	N/A	N/A

Capital Outlays	$8,053	5.3 %	$4,779	2.8 %
Other Disbursements	N/A	N/A	N/A	N/A
Operations	N/A	N/A	N/A	N/A

Annual Financial Reports: All Funds

3.2 %

Deficit or Surplus as Pct. of Revenue

$66.13

Expenditures Per Capita

	2013	2014	Percent Change
Revenues	$6,204,800	$4,522,192	-27.1 %
Expenditures	$5,825,973	$4,377,851	-24.9 %
Deficit or Surplus	$378,826	$144,341	-61.9 %
	2013	**2014**	**Change**
Deficit or Surplus as Pct. of Revenue	6.1 %	3.2 %	-2.9 %
Expenditures Per Capita	$88.01	$66.13	($21.88)

Revenues by Type	2013	Pct. of Total	2014	Pct. of Total
Total	$6,204,800	100.0%	$4,522,192	100.0%
Taxes and Intergovernmental	$3,332,020	53.7 %	$3,897,534	86.2 %
Licenses and Permits	N/A	N/A	N/A	N/A
Charges for Services	$295,190	4.8 %	$255,223	5.6 %
Fines, Forfeitures, and Fees	N/A	N/A	N/A	N/A
Utility Penalties	N/A	N/A	N/A	N/A
Other Receipts	$2,577,590	41.5 %	$369,435	8.2 %

Expenditures by Type	2013	Pct. of Total	2014	Pct. of Total
Total	$5,825,973	100.0%	$4,377,851	100.0%
Personal Services	$2,132,452	36.6 %	$2,113,434	48.3 %
Supplies	$229,244	3.9 %	$183,182	4.2 %
Services and Charges	$1,856,621	31.9 %	$1,003,987	22.9 %
Debt Service - Principal and Interest	$1,114,095	19.1 %	$725,160	16.6 %
Capital Outlays	$303,905	5.2 %	$213,139	4.9 %
Other Disbursements	N/A	N/A	N/A	N/A
Operations	N/A	N/A	N/A	N/A

Fund Name - Number	2013 Ending Cash Balance	2014 Ending Cash Balance
General Fund		
General Township - 10	$89,522	$305,566
Rainy Day Fund		
Rainy Day - 9	$60,041	$59,383
Dedicated Funds		
Excess Levy Fund - 0108	$0	$142
Cumulative Fire - 1	$372,387	$741,138
Poor Relief - 11	$512,778	$363,219
Youth Center Donations - 13	$0	$0
Federal Emergency Management Agency - 14	$0	$5,000
Fire Donations - 4	$5,782	$10,660
Fire Equipment - 5	$2,720	$0
Fire Fighting - 6	$203,713	$219,083

Recreation - 7	$0	$0
Debt Service Funds		
Township Assistance Debt - 12	$14,996	$14,996
Emergency Fire Loan - 2	$48,046	$302,331
Fire Debt - 3	$314,346	$339,224
Enterprise Funds		
Restricted Funds		
Payroll Deductions - 8	$873	$2,965

Enterprises

Many local governments will operate enterprises, which are business-like entities through which the local government provides services while charging a fee for this service. Some examples of enterprises include water and wastewater utilities, parking garages and trash collection. The deficit or surplus is calculated by subtracting total expenditures for the identified enterprise from the total enterprise revenues for the identified year. A negative result indicates that the enterprise's spending exceeded its revenues for the year. By then dividing this result by the total revenues, it is possible to compare the deficit or surplus across enterprises. When an enterprise has a surplus (revenues exceeded expenditures), the result of this calculation will show the percentage of revenues which exceeded the expenditures in the included funds. For enterprises with a deficit (expenditures exceeded revenues), the result indicates the percentage of additional revenue that would have been needed in order for the enterprise's revenues to fully fund its annual expenditures. Enterprises may issue long-term debt which typically will be repaid through revenue derived through the charges for the enterprise's service. A debt ratio calculates the amount by which an enterprise's charges for services revenue exceed the annual debt payments. Higher debt ratios provide an indication that the debt may have sufficient revenue streams for repayment. Lower debt ratios could indicate a situation in which an enterprise must increase the charged fees in order to fund the payment of debt. More information is available in Enterprises and the companion excel file Enterprises.

Enterprise Name	2013 Deficit or Surplus to Revenue Ratio	2014 Deficit or Surplus to Revenue Ratio	Change

Enterprise Name	2013 Debt to Charge for Services Ratio	2014 Debt to Charge for Services Ratio	Change

Demographics

Demographics are provided by the U.S. Census Bureau from the American Community Survey.

$44,603	14.2	2.40
Median Household Income	*Poverty Rate*	*Average Houshold Size*

Population by Age, 2014	Population	Pct. of Total
Total	66,086	100%
Preschool (0 to 4)	3,781	5.7 %
School Age (5 to 17)	11,215	17.0 %
College Age (18 to 24)	7,031	10.6 %
Young Adult (25 to 44)	17,103	25.9 %
Adult (45 to 64)	17,517	26.5 %
Older Adult (65 plus)	9,439	14.3 %

Educational Attainment, 2014	Population	Pct. of Total
Total Population 25 and Older	44,059	100%
High School Graduate (incl. equiv.)	15,183	34.5 %
Associate Degree	3,663	8.3 %
Bachelor's Degree	7,325	16.6 %
Graduate or Professional Degree	3,698	8.4 %

Households, 2014	Households	Pct. of Total
Total Households	26,997	100%
Family Households	16,667	61.7 %
Non-family Households	10,330	38.3 %
Living Alone	8,585	31.8 %

Resident Occupations, 2014	Population	Pct. of Total

Employed civilian pop. 16 years and over	32,759	100%
Management, professional, and related	10,144	31.0 %
Service	5,864	17.9 %
Sales and office	8,712	26.6 %
Farming, fishing, and forestry	38	0.1 %
Construction, extraction, and maintenance	2,524	7.7 %
Production, transportation, and material moving	5,477	16.7 %

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 01 2016

CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. 2016- 26

A RESOLUTION APPROVING RENEWING A WASTE REMOVAL CONTRACT WITH BFI WASTE SERVICES OF INDIANA, LP

WHEREAS, I.C. 36-1-3 *et seq* ("Home Rule Act") authorizes local governments to adopt reasonable regulations to promote the health, welfare and safety of local residents; and

WHEREAS, the Common council of the City of Mishawaka has determined that a municipal waste collection, recycling and disposal program is necessary for maintaining the health, welfare and safety of the residents of Mishawaka; and

WHEREAS, the Board of Public Works and Safety has the authority to hire and contract for such a program; and

WHEREAS, the current waste removal contract between the City of Mishawaka and BFI Waste Services of Indiana, LP, will expire on December 31, 2016; and

WHEREAS, I.C. 5-22-17-4 provides for renewal of contracts, and BFI Waste Services of Indiana, LP has proposed a renewal contract for the period January 1, 2017 through December 31, 2020 that meets the statutory criteria for such renewal; and

WHEREAS, the Board of Public Works and Safety, with input from the administration and Council, has determined that the proposed renewed contract with BFI Waste Services for the above time period, is in the best interests of the City of Mishawaka and its residents; and

WHEREAS, in the interest of collecting waste removal fees in an efficient, timely and responsible manner, the City of Mishawaka will continue to collect a one dollar ($1.00) administrative fee for each bill to meet the City of Mishawaka's monthly financial responsibility to BFI Waste Services of Indiana, LP.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka that the Council supports approval of the attached Contract for waste removal services.

PASSED by the Common Council of the City of Mishawaka, Indiana, this ____ day ________, 2016, at _____ o'clock p. m.

____
Presiding Officer
Ronald S. Banicki

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 LAW**

September 1, 2016

Mishawaka Common Council
600 East Third Street
Mishawaka, Indiana 46544

Re: Solid Waste Removal Contract Extension

President and Honorable Council Members:

On August 2, 2016, the City of Mishawaka Board of Public Works and Safety approved and executed an agreement with BFI Waste Services of Indiana, LP (dba Republic Services) to renew the contract for solid waste removal for the period January 1, 2017 through December 31, 2020, in accordance with Indiana Code 5-22-17-4. Pertinent details are as follows:

1. The City will continue to collect a $1.00 administrative fee per unit.
2. Monthly Rates as of January 1, 2017:
   a. Senior rates will increase $ .87 to $12.09 (including the administrative fee).
   b. Non-senior rates will increase $1.09 to $14.86 (including the administrative fee).
   c. These are the same increases (in dollar amount) as from the previous contract (2009-2012) to the current contract (2013-2016).
3. Republic is transitioning to semi-automated trash removal, which will include providing one 95-gallon rolling trash cart for each unit, free of charge. Residents will have the option to select a smaller, 65-gallon cart (the same size as the current recycle bins) instead of the 95-gallon cart.
4. Residents may rent additional carts.
5. Other terms of the contract are unchanged, meaning residents will still be able to put out additional bins or bags of trash (although we anticipate they will not need as many additional items with the larger bins).

I have attached a copy of the agreement between BFI and the Board. Gary West, representing the Board, and Dave Moss, representing BFI, will be available to answer questions at the Common Council meeting scheduled for Tuesday, September 6, 2016. On behalf of the Board of Public Works and Safety, I request approval of the attached resolution.

Respectfully,

Geoff Spiess

Geoffrey D. Spiess
Corporation Counsel
600 East Third Street
Mishawaka, Indiana 46544
(574) 258-1702
fax: (574) 254-0197

John J. Roggeman
City Attorney
600 East Third Street
Mishawaka, Indiana 46544
(574) 258-1637
fax: (574) 254-0197

David V. Bent
Deputy City Attorney
320 West Fourth Street
Mishawaka, Indiana 46544
(574) 255-3680
fax: (574) 255-3969

Robert C. Beutter
Deputy City Attorney
4100 Edison Lakes Parkway
Mishawaka, Indiana 46545
(574) 243-4100
fax: (574) 232-9789

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF ENGINEERING
GARY E. WEST
Director of Engineering
CHRISTINE M. JAMROSE, P.E.
Assistant Director of Engineering
TERRY R. HOGMAN
Construction Manager
DEBORAH L. WHEELER
Project Manager
R. TODD SCHEETS
Traffic Manager
MELISSA A. McGUIRE
MS4 Coordinator

August 2, 2016

David Moss
BFI Waste Services of Indiana, LP
57820 Charlotte Ave.
Elkhart, IN 46517

Re: Waste Collection Contract Renewal
January 1, 2017 through December 31, 2020

Gentlemen:

Enclosed is the fully executed Agreement Renewing Contract for the Collection of Waste, which was approved by the Board of Public Works and Safety at its regular meeting on Tuesday, August 2, 2016. Please contact our office if you have questions regarding this matter.

Very truly yours,

Gary E. West

Gary E. West
Director of Engineering

c: Clerk of the Board , with original
Deb Block, City Clerk, with original
Geoffrey Spiess, with copy
Project File, with copy

AGREEMENT RENEWING CONTRACT FOR THE COLLECTION OF WASTE

THIS AGREEMENT is entered into between BFI Waste Services of Indiana, LP, a Delaware limited general partnership ("Contractor"), and the City of Mishawaka, by and through its Board of Public Words and Safety ("City").

On November 18, 2008, the parties entered into a contract wherein Contractor would collect, transport, and dispose of domestic garbage, refuse or trash, recyclable materials, yard waste, and large items/white goods ("Contract").

That Contract was renewed on October 2, 2012 for a four (4) year term that will expire December 31, 2016.

The parties wish to renew the contract for an additional four (4) years on the terms and conditions contained herein.

The parties now agree as follows:

1. Effective January 1, 2017, the term of the Contract is renewed for an additional term of four (4) years, expiring December 31, 2020, subject only to the following modifications:

1.1. Rates for the new four (4) year term of services shall increase the same amounts as they did in the previous renewal as follows:

1.1.1. <u>Basic Service ("Basic Rates") Forth Year</u>:

1.1.1.1. The "senior rate" for basic service shall be $11.09, plus fuel surcharge, per "senior" dwelling unit, and the "regular rate" for basic service shall be $13.86, plus fuel surcharge, per each "non-senior" dwelling unit.

1.1.2. <u>Disaster Material Removal</u> (transportation & disposal of uncontaminated material) remains unchanged:

1.1.2.1.	1-199 truck loads	$200.00/truckload + $20.00/ton
1.1.2.3.	200 + truck loads	$175.00/truckload + $20.00/ton

1.1.3. <u>Fuel Recovery Percentage Fee</u> (fuel surcharge) remains unchanged:

1.1.3.1.	Diesel fuel less than $2.00/gallon:	0% of Basic Rates
1.1.3.2.	Diesel fuel $2.00-$3.99/gallon	1% of Basic Rates
1.1.3.3.	Diesel fuel $4.00-$5.99/gallon	2% of Basic Rates
1.1.3.4.	Diesel fuel more than $6.00/gallon	12% of Basic Rates

1.2. Contractor shall supply to City, free of charge, a 65 gallon cart for each occupied dwelling unit for the collection of recyclables. Contractor shall further supply to City, free of charge, a 65 or 95 gallon cart for each occupied dwelling unit for the semi-automated collection of trash. Ownership of the carts shall remain with Contractor. This form of collection would require the Contractor to move collection out of alleys to street side where possible. The details of cart sizes and placement will be negotiated between the Board of Public Works and Safety and Contractor. Further, with the addition of the trash carts, the original contract limits would not change and dwelling units would not be limited to the content of the supplied carts. Residents will still be able to place out additional containers as necessary or rent additional carts from Contractor.

2. Upon expiration, the Contract may be renewed for an additional term of up to four (4) years.

3. Except to the extent expressly modified herein, all other terms and conditions of the Contract shall continue in full force and effect.

BFI WASTE SERVICES OF INDIANA, L.P.	BOARD OF PUBLIC WORKS AND SAFETY CITY OF MISHAWAKA, INDIANA
BY: D.B. Moss David B. Moss, General Manager & Authorized Agent	BY: Gary E. West Gary E. West, President
	BY: Ronald E. Watson Ronald E. (Mike) Watson, Vice-President
	BY: ______ Ken Prince, Member
	DATE: August 2, 2016
	ATTEST: Kari Myers Kari Myers, Clerk
	DATE: August 2, 2016

1st Reading 8-15-16
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 10 2016
CITY CLERK
MISHAWAKA, IN

PETITION #16-22

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2016-16

ORDINANCE NO. ________

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and the zoning as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A parcel of land in the South West Quarter of the South West Quarter of Section No. 2, Township No. 37 North, Range No. 3 East, described as follows:

Beginning at a point 869.7 feet East of the Southwest corner of said Section No. 2, running thence East a distance of 90 feet; thence North 242 feet; thence West 91.69 feet; thence South 242 feet to the place of beginning; and being known as Lot Numbered 1 on the recorded plat of Sults Baby Farms of Penn Township.

ALSO: Part of the Southwest Quarter of the Southwest Quarter of Section No. 2, Township 37 North, Range 3 East, described as follows:

Beginning at a point 660 feet East of the Southwest corner of said Section No. 2; thence North 237 feet; thence East 209.7 feet; thence South 237 feet; thence West 209.7 feet to the place of beginning.

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of C-4 Automobile Oriented Commercial District.

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

Proposed Ordinance No. 2016-16

Ordinance No. __________

1. Existing Conditions- The property has been used in this fashion for almost 40 years, but in two different jurisdictions.

2. Character of Buildings – The character of the buildings along McKinley Highway is commercial, a number of them automobile oriented.

3. The most desirable/highest and best use – Because of the parcels' location along the corridor and the property's historical use, the most desirable use for the property is automobile oriented commercial.

4. Conservation of property values- The proposed zoning will not be injurious to property values in the surrounding neighborhood, because commercial uses already exist along the McKinley Highway corridor, in close proximity to annexation area.

5. Comprehensive Plan- The Mishawaka 2000 Comprehensive Plan identified the McKinley Highway corridor as general commercial. The petition to annex and zone to C-4 Automobile Oriented Commercial is consistent with 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

RECEIVED
DEBORAH S. BLOCK, MMC

JUL 28 2016

CITY CLERK
MISHAWAKA, IN

July 15, 2016

Pet 16-22

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

Re: Petition for Annexation and Zoning Classification

The undersigned appellant, Michael Niedbalski, respectfully shows that he is the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

> A parcel of land in the South West Quarter of the South West Quarter of Section No. 2, Township No. 37 North, Range No. 3 East, described as follows:
>
> Beginning at a point 869.7 feet East of the Southwest corner of said Section No. 2, running thence East a distance of 90 feet; thence North 242 feet; thence West 91.69 feet; thence South 242 feet to the place of beginning; and being known as Lot Numbered 1 on the recorded plat of Sults Baby Farms of Penn Township.
>
> ALSO:
>
> Part of the Southwest Quarter of the Southwest Quarter of Section No. 2, Township 37 North, Range 3 East, described as follows:
>
> Beginning at a point 660 feet East of the Southwest corner of said Section No. 2; thence North 237 feet; thence East 209.7 feet; thence South 237 feet; thence West 209.7 feet to the place of beginning.

Petitioner owns One Hundred percent (100%) of the above-described parcel of land which is located at 1732 E. McKinley Avenue, Mishawaka, Indiana 46545, and that the petitioner desires the same to be annexed to the city of Mishawaka, Indiana, with a zoning classification of C-4. Petitioner further states he intends to utilize said land as it has been used for the past 38 years, as an automobile recycling facility conforming to state and local rules and regulations.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate.

Petitioner further shows this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed, which is urban in character and is an economic and social part of the City of Mishawaka, providing necessary services to the City of Mishawaka and State of Indiana by the proper dismantling and responsible disposal of end-of-life vehicles, the fluids they contain and components that may contain mercury. Our facility is certified by the Indiana Department of Environmental Management (IDEM) as an Indiana Clean Yard.

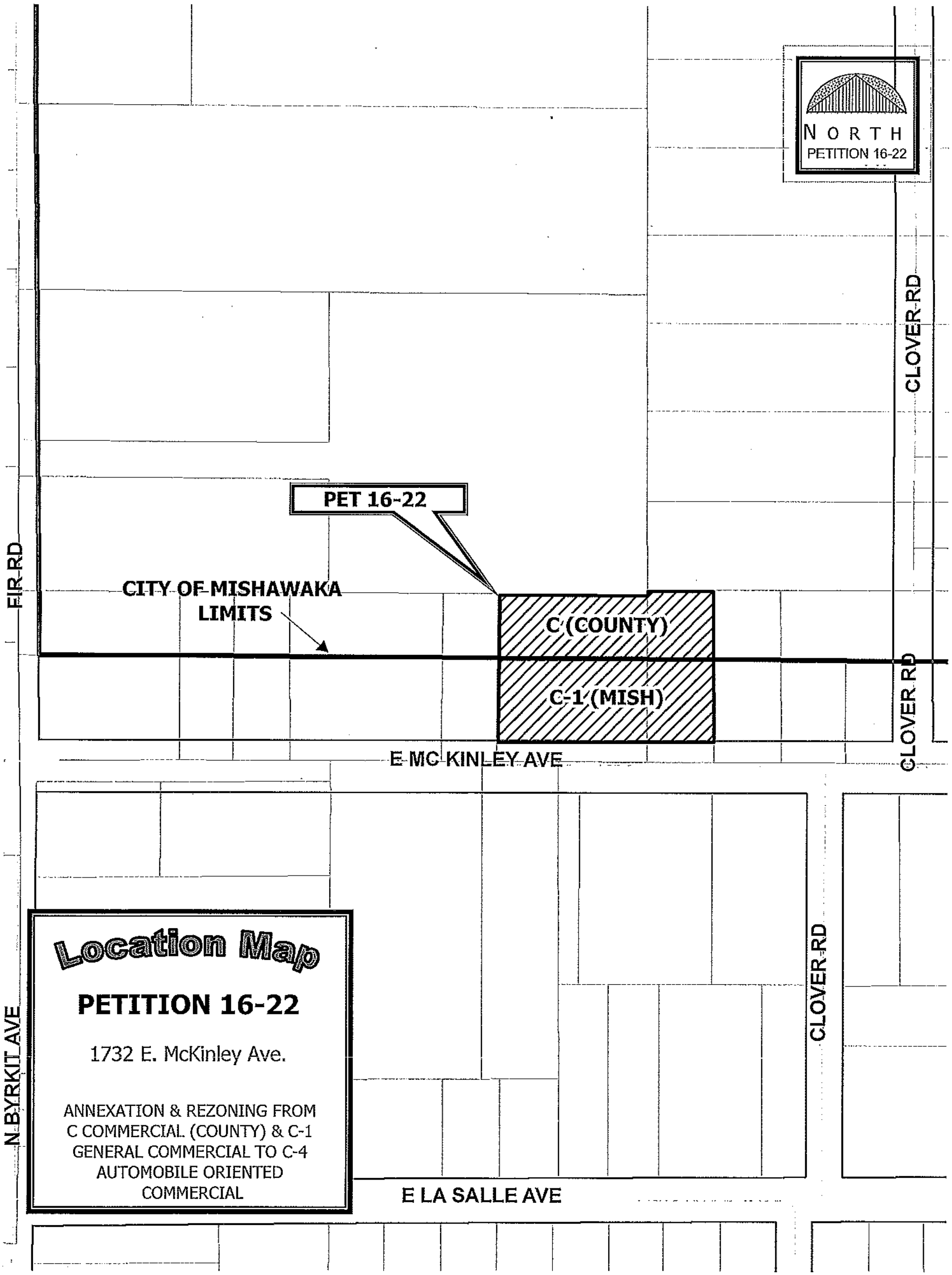
Wherefore, petitioner prays and respectfully requests that the Common Council of the City Mishawaka refer this matter to the Mishawaka City Plan Commission, and that after hearing, an appropriate ordinance be enacted annexing the above described parcel of real estate to the City of Mishawaka with a C-4 zoning classification.

Property Owner Signature

Michael Niedbalski
Print Property Owner Name

Contact Person:

Michael Niedbalski
1732 E McKinley Avenue
Mishawaka, Indiana 46545
Phone: (574) 259-4644 ext.3
Fax: (574) 259-4688
Email: mike@mikesautosalvage.com


NORTH
PETITION 16-22
PET 16-22
CITY OF MISHAWAKA LIMITS
C (COUNTY)
C-1 (MISH)
FIR RD
CLOVER RD
CLOVER RD
CLOVER RD
E MC KINLEY AVE
E LA SALLE AVE
N BYRKIT AVE
Location Map
PETITION 16-22
1732 E. McKinley Ave.
ANNEXATION & REZONING FROM C COMMERCIAL (COUNTY) & C-1 GENERAL COMMERCIAL TO C-4 AUTOMOBILE ORIENTED COMMERCIAL

PETITION 16-23

1st Reading 8-15-16
2nd Reading
Passed
Failed
Continued To

CITY OF MISHAWAKA, INDIANA

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 10 2016
CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2016-17

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 Numbered Two Hundred Thirty-Two (232) in Milburn Place Addition to the City of Mishawaka, as per plat thereof recorded March 29, 1907, in Plat Book 9, Page 64, in the Office of the Recorder of St. Joseph County, Indiana.

COMMON ADDRESS: 1613 Milburn Boulevard

which real estate is now classified as R-1 Single Family Residential District shall hereafter be within and a part of that District known as C-1 General Commercial 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. Existing Conditions – The subject property includes an unoccupied single-family home and detached garage that has recently fallen into disrepair. Properties along this portion of Milburn Boulevard are primarily single-family residential with a mixed-use commercial and multi-family residential building to the west and a day care facility to the north.

2. Character of Buildings in Area – A majority of the adjacent structures and development along Milburn Boulevard is single-family residential. A mixed-use commercial and residential building is located immediately to the west.

3. The most desirable/highest and best use – Because of the property's location adjacent to a mixed-use commercial and multi-family residential building, the most desirable use for the property is redevelopment as a single-family residential use or expansion of the adjacent commercial use.
   The rezoning will allow the site to be developed for a highly needed off-street parking lot to serve the tavern's customers, employees, and residential tenants.

4. Conservation of property values – The proposed rezoning will not be injurious to property values in the surrounding area since it will result in the demolition of a dilapidated house and garage, and allow for the improvement of the site as a parking lot. A final site plan will be required prior to construction of the parking lot to ensure compliance with all development regulations, including screening and landscaping, and design standards.

5. Comprehensive Plan – The 2000 Mishawaka Comprehensive Plan, created in 1990, guided low density residential uses for this area. However, the expansion of the adjacent mixed-use property is not out of character for the area.

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

RECEIVED
DEBORAH S. BLOCK, MMC

JUL 28 2016

CITY CLERK
MISHAWAKA, IN

July 18, 2016

JUL 20 2016

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

Pet 16-23

RE: PETITION TO REZONE

The undersigned Lila M Filippone respectfully shows she is the owner of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

Lot Numbered Two Hundred Thirty Two 232 in Milburn Place Addition to the City of Mishawaka. As per Plat Thereof Recorded March 29, 1907 in Plat Book 9, Page 64 in the office of the Recorder of Saint Joseph County, IN. Common address is 1613 Milburn Blvd. Mishawaka Indiana 46544.

Petitioner owns one hundred 100% of the above described parcel of land which carries a zoning classification of R-1 Residential District. Said property is to be demolished.

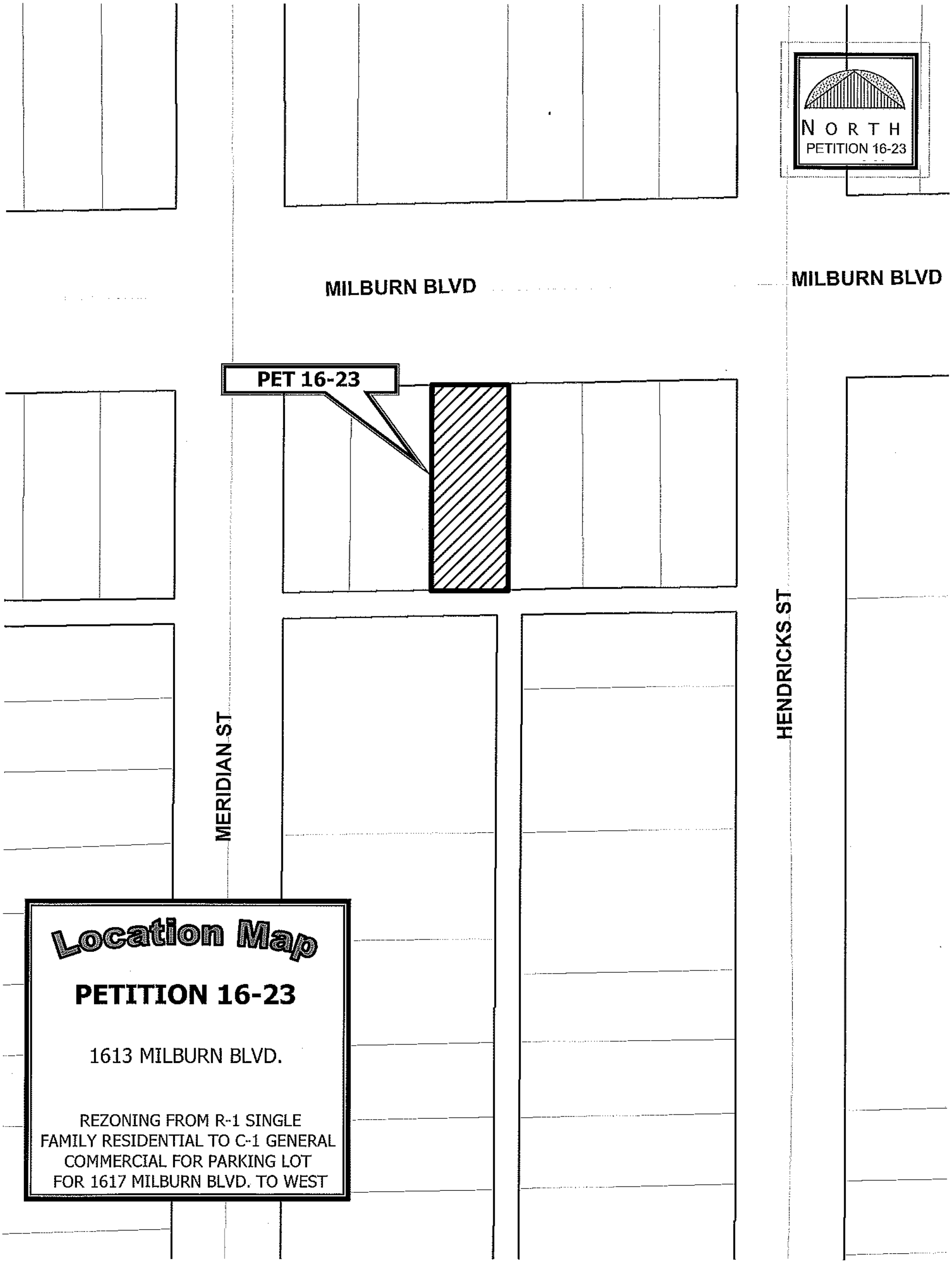
Petitioner desires said real estate to be rezoned to C-1 Commercial District. Petitioner further states that she intends to utilize said land for a parking lot.

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 of Property Owner

Lila M. Filippone

Contact Person: Lila M. Filippone
1526 South Main Street, Mishawaka IN 46544
Phone Number 574-255-5061 Cell Number 574-993-5452


NORTH
PETITION 16-23
MILBURN BLVD
MILBURN BLVD
PET 16-23
MERIDIAN ST
HENDRICKS ST
Location Map
PETITION 16-23
1613 MILBURN BLVD.
REZONING FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-1 GENERAL COMMERCIAL FOR PARKING LOT FOR 1617 MILBURN BLVD. TO WEST

PETITION 16-24

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 10 2016
CITY CLERK
MISHAWAKA, IN

1st Reading 8-15-16
2nd Reading
Passed
Failed
Continued To

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2016-18

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, Clay Township, St. Joseph County, State of Indiana, to-wit:

A Part of Section 23, Township 38 North, Range 3 East, Clay Township, City of Mishawaka, St. Joseph County, Indiana, being more particularly described as follows: Commencing at the North Quarter corner of said Section 23; thence South 00°33'26" East along the East line of the Northwest Quarter of said Section 23, 2484.75 feet to the point of beginning and a point on the Southerly Right-of-Way of proposed Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway); thence the following Two (2) courses and distances along said Southerly Right-of-Way: 1) North 48°15'13" East, 360.31 feet; 2) South 86°05'17" East, 28.60 feet to a point on the Westerly Right- of-Way of Capital Avenue; thence the following Three (3) courses and distances along said Westerly Right-of-Way: 1) South 42°35'06" East, 70.90 feet; 2) South 37°30'51" East, 451.77 feet; 3) South 40°31'24" East, 557.77 feet to a point on the Northerly Right-of-Way of the Indiana Toll Road; thence South 51°30'08" West along said Northerly Right-of-Way, 2920.66 feet to the East line of the West Half of the Southwest Quarter of said Section 23; thence North 00°24'31" West along said East line, 667.27 feet to the Southerly Right-of-Way of proposed Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway), also being a point of curve to the left having a radius of 860.00 feet, subtended by a chord length of 782.96 feet, bearing North 50°12'30" East; thence Northeasterly along said curve and Right-of-Way 812.89 feet; thence North 23°07'48" East along said Southerly Right-of-Way, 873.31 feet to a point of curve to the right having a radius of 940.00 feet, subtended by a chord length of 408.89 feet, bearing North 35°41'30" East; thence Northeasterly along said curve and Right-of-Way 412.18 feet; thence North 48°15'13" East along said Southerly Right-of-Way, 166.85 feet to the point of beginning.

Proposed Ordinance No: 2016-18

Ordinance No: ______________________

COMMON ADDRESS: 3221 Beacon Parkway

which real estate is now classified as S-2 Planned Unit Development District and shall and shall hereafter amend the Comprehensive Sign Program with the following modifications:

1. Campus Identity signage is proposed at 15' in height and 150 square feet of display area, 33% of which could have an electronic reader board. There will be one (1) Campus Identity sign located at the southwest corner of Capital Avenue and Beacon Parkway. The sign will be setback 10' from the property line.

2. Development Entry Road signage is proposed at 15' in height and 150 square feet of display area, 33% of which could have an electronic reader board. Development Entry Road signage can have one double sided, or two one-sided signs, at each entrance, not two double sided signs. These signs would be setback 10' from the property line or curb.

3. Internal Development Parcel signage is proposed at 10' in height and 100 square feet of display area. These signs shall be oriented so they are not visible from the public roadway and they shall not be within any building setback. They will still be setback 10' from curb or pavement edge.

4. Internal Directional signage is proposed at 10' in height and 60 square feet of display area.

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

1. Existing Conditions - The amendment will not alter or negatively impact the existing conditions of the surrounding area because the proposed sign package has been amended to be comparable to other large scale developments.

2. Character of Buildings in Area – There are no other buildings or signage along this stretch of Beacon Parkway, however, the other proposed use is a 60,000 sq. ft. Bayer Healthcare Office Building.

3. The Most Desirable/Highest and Best Use - The proposed amendment for signage use within the PUD is not inconsistent with surrounding zoning classifications.

4. Conservation of Property Values - The proposed amendment will not be injurious to property values in the surrounding area because of the large scale of this development and surrounding developments.

5. Comprehensive Plan - This area was not identified on the Mishawaka 2000 Comprehensive Plan, however, the development is 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

RECEIVED
DEBORAH S. BLOCK, MMC
JUL 28 2016
CITY CLERK
MISHAWAKA, IN

BEACON
HEALTH SYSTEM

PET 16-24

July 20, 2016

Honorable Members of the Common Council
City of Mishawaka, Indiana
600 E. Third Street
Mishawaka, IN 46544

RE: Beacon Health Systems, Inc. and Memorial Health Systems, Inc., Petition for an Amended PUD:

The undersigned, Beacon Health Systems, Inc. and Memorial Health Systems, Inc., the Petitioners, respectfully shows that they are the owners of the following described real estate located in the City of Mishawaka, Penn Township, St. Joseph County, Indiana:

A Part of Section 23, Township 38 North, Range 3 East, Clay Township, City of Mishawaka, St. Joseph County, Indiana, being more particularly described as follows: Commencing at the North Quarter corner of said Section 23; thence South 00°33'26" East along the East line of the Northwest Quarter of said Section 23, 2484.75 feet to the point of beginning and a point on the Southerly Right-of-Way of proposed Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway); thence the following Two (2) courses and distances along said Southerly Right-of-Way: 1) North 48°15'13" East, 360.31 feet; 2) South 86°05'17" East, 28.60 feet to a point on the Westerly Right-of-Way of Capital Avenue; thence the following Three (3) courses and distances along said Westerly Right-of-Way: 1) South 42°35'06" East, 70.90 feet; 2) South 37°30'51" East, 451.77 feet; 3) South 40°31'24" East, 557.77 feet to a point on the Northerly Right-of-Way of the Indiana Toll Road; thence South 51°30'08" West along said Northerly Right-of-Way, 2920.66 feet to the East line of the West Half of the Southwest Quarter of said Section 23; thence North 00°24'31" West along said East line, 667.27 feet to the Southerly Right-of-Way of proposed Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway), also being a point of curve to the left having a radius of 860.00 feet, subtended by a chord length of 782.96 feet, bearing North 50°12'30" East; thence Northeasterly along said curve and Right-of-Way 812.89 feet; thence North 23°07'48" East along said Southerly Right-of-Way, 873.31 feet to a point of curve to the right having a radius of 940.00 feet, subtended by a chord length of 408.89 feet, bearing North 35°41'30" East; thence Northeasterly along said curve and Right-of-Way 412.18 feet; thence North 48°15'13" East along said Southerly Right-of-Way, 166.85 feet to the point of beginning.

Containing 47.2 acres, more or less, and subject to any easements, covenants, and right-of-ways of record.

615 N. Michigan Street, South Bend, IN 46601 Tel: 574-647-3460 Fax: 574-647-3670

Also commonly known as the Southwest corner of Capital Avenue and Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway), Granger, Indiana 46530.

The above described parcel of land is presently zoned "S-2" Planned Unit Development District under the City of Mishawaka zoning development codes.

The Petitioners desire to amend the existing standards for the previously approved "S-2" Planned Unit Development District, known by Mishawaka Petition # 08-27, Proposed Ordinance No. 2008-39, and Ordinance No. 5186. The requested amended standards would be for the above described real estate portion of the previously approved "S-2" Planned Unit Development District. More specifically the Petitioners are requesting amended standards for Campus Identity Signage, Development Entry Road Signage, Internal Development Parcel signage and Internal Directional Signage.

CAMPUS IDENTITY SIGNAGE: The current PUD ordinance allows for development signage that is up to 15'-0" in height including masonry base of up to 3'-0" with a maximum display area of 150 square feet per sign. The PUD is to be amended to allow for (2) two Campus Identity signs up to 15'-0" tall with maximum display area of 150 square feet and may have two faces with similar copy on each face. The monument base is not included in display area calculation. The signs shall be located with (1) one at the southwest corner of the Capital Avenue at Beacon Parkway intersection and (1) one sign at the northwest corner of the Beacon 47.2 acre site. These signs may be in the building setback area, but minimum 10'-0" setback from the respective property line. See attached Exhibit "A" for locations.

The Campus Identity signage may be illuminated by either uplighting or internal backlighting, uplights must be setback minimum 5'-0" from respective property line. The Campus Identity signage may have an electronic reader board that does not exceed 33% of the display area.

DEVELOPMENT ENTRY ROAD SIGNAGE: The current PUD ordinance allows for development signage that is up to 15'-0" in height including masonry base of up to 3'-0" with a maximum display area of 150 square feet per sign. The PUD is to be amended to allow for Development Entry Road Signage at each of the (2) two approved and constructed Beacon Parkway access approach drives. Each of the entry drives may each have up to (2) signs per entry that are up to 15'-0" tall including the masonry base and a display area up to 150 square feet. The monument base in not included in the display area calculation. These signs may be in the building setback area, but minimum 10'-0" setback from the respective property line and minimum 10'-0" from the approach drive face of curb. See attached Exhibit "A" for locations.

The Development Entry Road signage may be illuminated by either uplighting or internal backlighting, uplights must be setback minimum 5'-0" from respective property line or driveway. The Development Entry Road signage may have an electronic reader board that does not exceed 33% of the display area.

INTERNAL DEVELOPMENT PARCEL SIGNAGE: The PUD is to be amended to allow (1) one sign identification of each individual building structure or designated development parcel from the internal development roadway. The internal development parcel signage shall be maximum 10'-0" tall including up to a 3'-0" masonry monument base and have a display area of up to 150 square feet. The monument base in not included in the display area calculation. These signs may be double faced. The signs shall be oriented so as not to be readily visible from the public roadway and they shall not be within any building setback area. Internal development parcel signage shall be minimum 10-0" setback from the face of curb, or pavement edge if there are no curbs, in the development roadway.

INTERNAL DIRECTIONAL SIGNAGE: The PUD is to be amended to allow internal directional signage within the campus to guide staff and guests to their campus destination. The directional signage shall be maximum 8'-0" tall including a masonry monument base up to 3'-0" tall. The directional signage shall be up to 100 square feet of display area and may have (2) two faces. This signage shall be internal to the site and not visible to the public roadways. These signs may be illuminated with uplighting or internal lighting.

These requested amended changes to the PUD Development standards are shown on the attached Exhibit A site plan.

All other previously approved PUD standards for Mishawaka Petition # 08-27, Proposed Ordinance No. 2008-39, Ordinance No. 5186 and previous amendment Ordinance No. 5441 shall be adhered to for the development of the above described property.

Wherefore, the Petitioners prays 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 the rezoning the above described parcel of real estate located in the City of Mishawaka, Indiana.

Jeffrey P. Costello
Vice President & Chief Financial Officer
Beacon Health System, Inc.
615 N. Michigan Street
South Bend, IN 46601
574-647-3699

Jeffrey P. Costello
Vice President & Chief Financial Officer
Memorial Health Systems, Inc.
615 N. Michigan Street
South Bend, IN 46601
574-647-3699

Contact person:
Philip E. Panzica, RA, NCARB
President / Principal Architect
Panzica Architecture Group
416 East Monroe Street, Suite 320
South Bend, Indiana 46601
(574) 234-1123
e-mail: pepanzica@panzica.net

End

BEACON
HEALTH SYSTEM

July 20, 2015

Honorable Members of the Common Council and the
Plan Commission of the City of Mishawaka, Indiana
600 E. Third Street
Mishawaka, IN 46544

RE: Beacon Health Systems, Inc. & Memorial Health Systems, Inc.
Amended PUD Request:

Dear Council Members,

This letter is to inform the Board Members that we have granted authority to Panzica Architecture Group of South Bend to represent us at the Mishawaka Plan Commission and Mishawaka Common Council meetings at which our Amended PUD Request will be heard.

If you have any questions, or require additional information concerning this matter, please feel free to give me a call at 574-647-3699.

Sincerely,

Jeffrey P. Costello
Vice President & Chief Financial Officer
Beacon Health System, Inc.
615 N. Michigan Street
South Bend, IN 46601

Jeffrey P. Costello
Vice President & Chief Financial Officer
Memorial Health Systems, Inc.
615 N. Michigan Street
South Bend, IN 46601

LEGAL DESCRIPTION

A Part of Section 23, Township 38 North, Range 3 East, Clay Township, City of Mishawaka, St. Joseph County, Indiana, being more particularly described as follows: Commencing at the North Quarter corner of said Section 23; thence South 00°33'26" East along the East line of the Northwest Quarter of said Section 23, 2484.75 feet to the point of beginning and a point on the Southerly Right-of-Way of proposed Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway); thence the following Two (2) courses and distances along said Southerly Right-of-Way: 1) North

48°15'13" East, 360.31 feet; 2) South 86°05'17" East, 28.60 feet to a point on the Westerly Right-of-Way of Capital Avenue; thence the following Three (3) courses and distances along said Westerly Right-of-Way: 1) South 42°35'06" East, 70.90 feet; 2) South 37°30'51" East, 451.77 feet; 3) South 40°31'24" East, 557.77 feet to a point on the Northerly Right-of-Way of the Indiana Toll Road; thence South 51°30'08" West along said Northerly Right-of-Way, 2920.66 feet to the East line of the West Half of the Southwest Quarter of said Section 23; thence North 00°24'31" West along said East line, 667.27 feet to the Southerly Right-of-Way of proposed Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway), also being a point of curve to the left having a radius of 860.00 feet, subtended by a chord length of 782.96 feet, bearing North 50°12'30" East; thence Northeasterly along said curve and Right-of-Way 812.89 feet; thence North 23°07'48" East along said Southerly Right-of-Way, 873.31 feet to a point of curve to the right having a radius of 940.00 feet, subtended by a chord length of 408.89 feet, bearing North 35°41'30" East; thence Northeasterly along said curve and Right-of-Way 412.18 feet; thence North 48°15'13" East along said Southerly Right-of-Way, 166.85 feet to the point of beginning. Containing 47.2 acres more or less. Subject to any easements, covenants and right-of-ways of record.

Also commonly known as the Southwest corner of Capital Avenue and Fir Road-Capital Avenue Connector (A.K.A. Beacon Parkway), Granger, Indiana 46530.

PETITIONERS:

Beacon Health System, Inc.
615 N. Michigan Street
South Bend, IN 46601

Memorial Health Systems, Inc.
615 N. Michigan Street
South Bend, IN 46601

ARCHITECT:

Philip E. Panzica, RA, NCARB
President / Principal Architect
Panzica Architecture Group
416 East Monroe Street, Suite 320
South Bend, Indiana 46601
(574) 234-1123

AMENDED PUD REQUEST:

The Petitioners desire to amend the existing standards for the previously approved "S-2" Planned Unit Development District, known by Mishawaka Petition # 08-27, Proposed Ordinance No. 2008-39, and Ordinance No. 5186 and previously amended Ordinance No. 5441. The requested amended standards would be for the above described real estate portion of the previously approved "S-2" Planned Unit Development District. More specifically the Petitioners are requesting amended standards for Campus Identity Signage, Development Entry Road Signage, Internal Development Parcel signage and Internal Directional Signage.

GENERAL AMENDED PUD NOTES FOR SITE SIGNAGE:

CAMPUS IDENTITY SIGNAGE:

A) Allow for (2) two Campus Identity signs up to 15'-0" tall with maximum display area of 150 square feet. The monument base is not included in display area calculation.

B) Each sign may have (2) two faces with similar copy on each face.

C) The signs shall be located with (1) one at the southwest corner of the Capital Avenue at Beacon Parkway intersection and (1) one sign at the northwest corner of the Beacon 47.2 acre site.

D) The signs may be in the building setback area, but minimum 10'-0" setback from the respective property line. .

E) The Campus Identity signage may be illuminated by either uplighting or internal backlighting, uplights must be setback minimum 5'-0" from respective property line.

F) The Campus Identity signage may have an electronic reader board that does not exceed 33% of the display area

DEVELOPMENT ENTRY ROAD SIGNAGE:

A) At each of the (2) two approved and constructed Beacon Parkway access approach drives allow up to (2) signs per entry that are up to 10'-0" tall including the masonry base and a display area up to 150 square feet. The monument base in not included in the display area calculation.

B) Each sign may have (2) two faces with similar copy on each face

C) Signs may be within the building setback area, but minimum 10'-0" setback from the respective property line and minimum 10'-0" from the approach drive face of curb.

D) Signage may be illuminated by either uplighting or internal backlighting, uplights must be setback minimum 5'-0" from respective property line or driveway.

E) Entry Road signage may have an electronic reader board that does not exceed 33% of the display area.

INTERNAL DEVELOPMENT PARCEL SIGNAGE:

A) Internal development parcel signage shall be maximum 10'-0" tall including up to a 3'-0" tall masonry monument base and have a display area of up to 150 square feet. The monument base in not included in the display area calculation. These signs may be double faced.

B) Internal development signs shall be oriented so as not to be readily visible from the public roadway and they shall not be within any building setback area. Internal development parcel signage shall be minimum 10-0" setback from the face of curb, or pavement edge if there are no curbs, in the development roadway.

These requested amended changes to the PUD Development standards are shown on the attached Exhibit A site plan.

INTERNAL DIRECTIONAL SIGNAGE:

A) Directional signage shall be maximum 8'-0" tall including a masonry monument base up to 3'-0" tall. The directional signage shall be up to 100 square feet of display area and may have (2) two faces.

B) This signage shall be internal to the site and not visible to the public roadways. These signs may be illuminated with uplighting or internal lighting.

All other previously approved PUD standards for Mishawaka Petition # 08-27, Proposed Ordinance No. 2008-39, Ordinance No. 5186 and previous amendment Ordinance No. 5441 shall be adhered to for the development of the above described property.

<u>OTHER PUD STANDARDS:</u>

A). PREVIOUSLY APPROVED PUD STANDARDS SHALL BE AHERED TO OTHER THAN THE ABOVE AMENDED STANDARDS.

<u>PROPERTY OWNERS LIST:</u>

1ST SOURCE BANK
100 N. Michigan St.
2nd Floor
South Bend, Indiana 46601

Capital Plaza LLC
11652 Oakwood Lane
Granger, Indiana 46530

Harris Prairie Church of Christ
14719 State Road 23
Granger, Indiana 46530

Granger Property Development LLC
211 North Eddy Street
South Bend, Indiana 46617

CITY OF MISHAWAKA INDIANA
600 East Third St
Mishawaka, Indiana 46544

Morris Realty LLC
54731 Beaver Creek Trail
Mishawaka, Indiana 46545

Mark A. & June A. Stroud
Trustees of Mark and June Stroud Living Trust
52233 Evergreen
Granger, Indiana 46530

MEMORIAL HEALTH SYSTEM INC
615 N Michigan St
South Bend, Indiana 46601

GOLATA MARY, CLEMENT CHRISTINE M GOLATA
CATHERINE A GOLATA FAMILY TRUST
W/ GOLATA RAYMOND L & ANDREE J AS TRUSTEES
GOLATA CHARITABLE REMAINDER UNITRUST
W/ GOLATA RAYMOND L & ANDREE J TRUSTEES
P.O. Box 790153
Virgin, Utah 84779

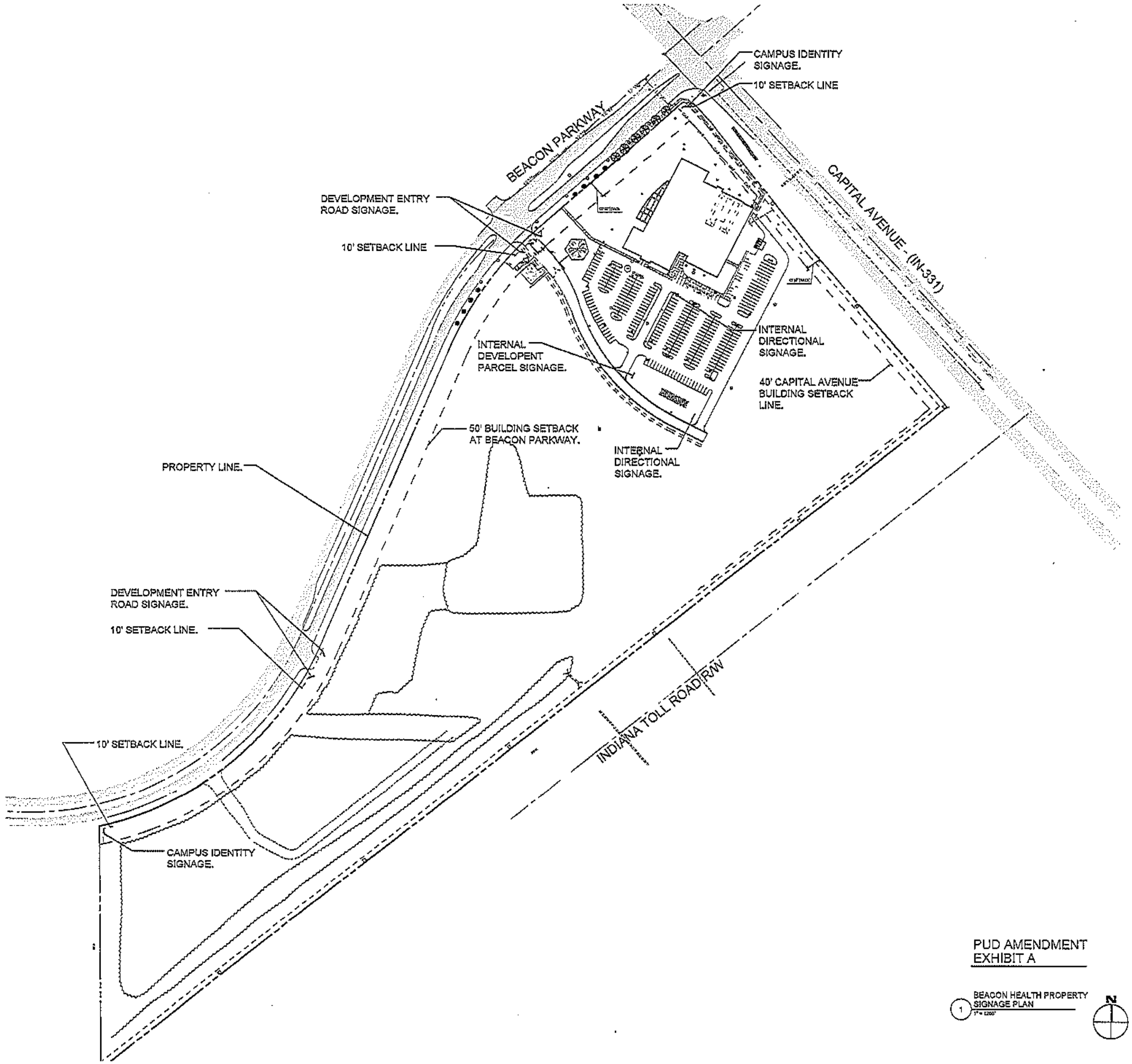
WALKER GEORGE AUGUST WALKER JEROME
FRANCIS MCCAY
ROSALIE ANN BULKIN CAROLYN LEE DEFREE
UW VIRGINIA MAY
52200 Snowberry Road
New Carlisle, Indiana 46552

Donald E. and Mary J. Frush
14710 State Road 23
Granger, Indiana 46530

State of Indiana
INDOT LaPorte Dist.
LaPorte, Indiana 46352

Harold H. and Nancy D. Hall
52177 Evergreen Road
Granger, Indiana 46530

End



PUD AMENDMENT
EXHIBIT A

1 BEACON HEALTH PROPERTY SIGNAGE PLAN

N

DO
A DIVISION OF SHIVEHATTERY INC.
DESIGN ORGANIZATION
Planning | Architecture | Engineering | Interior Design
57 Franklin Street | Suite 201
Valparaiso, Indiana 46383 | 219.476.1400
www.designorg.com

panzica
BUILDING CORPORATION
416 East Monroe St. Suite 320
South Bend, IN 46601 574.234.0124

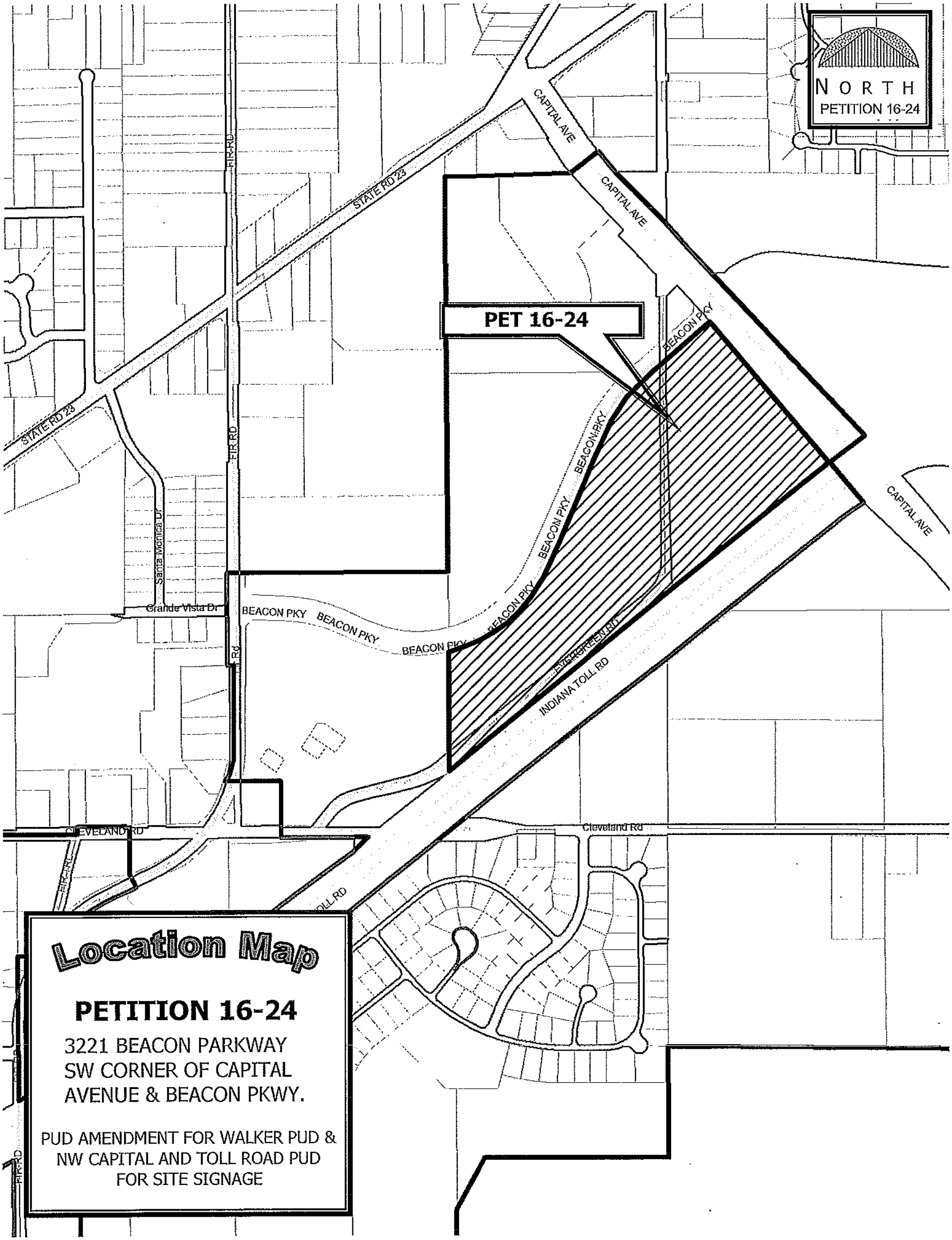
DATE 07/20/2015

PROJECT BY:
BEACON HEALTH SYSTEM
FOR:
BEACON HEALTH & FITNESS
BEACON PARKWAY AT CAPITAL AVE
MISHAWAKA, IN

BEACON HEALTH PROPERTY
SIGNAGE PLAN

PHILIP E. PANZICA No. 3744 STATE OF INDIANA ARCHITECT

Exb-A


NORTH
PETITION 16-24
PET 16-24
CAPITAL AVE
STATE RD 23
FIR RD
BEACON PKY
EVERGREEN RD
INDIANA TOLL RD
TOLL RD
Santa Monica Dr
Grande Vista Dr
Cleveland Rd
CLEVELAND RD
Location Map
PETITION 16-24
3221 BEACON PARKWAY
SW CORNER OF CAPITAL
AVENUE & BEACON PKWY.
PUD AMENDMENT FOR WALKER PUD &
NW CAPITAL AND TOLL ROAD PUD
FOR SITE SIGNAGE

PROPOSED ORDINANCE NO. 2016-15

a

ORDINANCE NO. 5537

AN ORDINANCE DECLARING AN EMERGENCY AND DETERMINING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE YEAR ENDING DECEMBER 31, 2016

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

Section 1. An emergency exists which requires the appropriation of additional funds for the fiscal year ending December 31, 2016 in addition to that set out in detail in the published budget.

Section 2. There is hereby appropriated from the Public Safety LOIT Fund of the City of Mishawaka the sum of $10,000.00 for assignment as follows:

Public Safety LOIT

Capital Outlays		
211-50-445-08	Police Equipment	$ 10,000.00
		$ 10,000.00

Section 3. There is hereby appropriated from the Park Non-Reverting Fund of the City of Mishawaka the sum of $32,500.00 for assignment as follows:

Park Non-Reverting

Other Services and Charges		
214-50-431-06	Consulting	$ 25,000.00
Capital Outlays		
214-50-444-05	Improvements not Building	$ 3,600.00
214-50-445-14	Park Equipment	$ 3,900.00
		$ 32,500.00

Section 4. There is hereby appropriated from the Rainy Day Fund of the City of Mishawaka the sum of $450,000.00 for assignment as follows:

Rainy Day

Personal Services		
245-50-413-05	Employee Insurance Benefits	$200,000.00

Other Services and Charges

245-50-434-90	Insurance, Claims	$105,431.00
245-50-435-01	Utilities – MU	$119,569.00
245-50-435-02	NIPSCO	$ 25,000.00
		$450,000.00

Section 5. There is hereby appropriated from the LOIT Special Distribution Fund of the City of Mishawaka the sum of $950,000.00 for assignment as follows:

LOIT Special Distribution

Other Services and Charges

257-50-431-06	Consulting	$200,000.00
257-50-436-03	Street Repair	$750,000.00
		$950,000.00

Section 6. 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

On this 15th day of August, 2016 at 7:35 o'clock, P.M.

Ronald S. Banicki /s/
Ronald S. Banicki, Presiding Officer

ATTEST:

Deborah S. Block /s/
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor of the City of Mishawaka, Indiana

on this 16th day of August, 2016 at 9:26 o'clock, A.M.

Deborah S. Block /s/
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this 16th day of August, 2016 at 12:10 o'clock, P.M.

David A. Wood /s/
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 10 2016

CITY CLERK
MISHAWAKA, IN

APPEAL #16-27

RESOLUTION NO. 2016- 23

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:

1718 East McKinley Avenue and 1732 East McKinley Avenue, Mishawaka, Indiana

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located at **1718 East McKinley Avenue and 1732 East McKinley Avenue, Mishawaka, Indiana**, more particularly known and described as follows:

A parcel of land in the South West Quarter of the South West Quarter of Section No. 2, Township No. 37 North, Range No. 3 East, described as follows:

Beginning at a point 869.7 feet East of the Southwest corner of said Section No. 2, running thence East a distance of 90 feet; thence North 242 feet; thence West 91.69 feet; thence South 242 feet to the place of beginning; and being known as Lot Numbered 1 on the recorded plat of Sults Baby Farms of Penn Township.

ALSO: Part of the Southwest Quarter of the Southwest Quarter of Section No. 2, Township 37 North, Range 3 East, described as follows:

Beginning at a point 660 feet East of the Southwest corner of said Section No. 2; thence North 237 feet; thence East 209.7 feet; thence South 237 feet; thence West 209.7 feet to the place of beginning.

The Use Variance will allow: 1) selling used major component parts of vehicles; 2) wrecking or dismantling vehicles for resale of their major component parts; 3) rebuilding salvage, wrecked or dismantled vehicles; 4) disposing of recyclable materials to a scrap metal processor or other appropriate facility; 5) possessing two (2) or more inoperable vehicles subject to registration for more than thirty (30) days; and 6) engaging in the business of storing, disposing, salvaging or recycling of vehicles, vehicle hulks or the parts of vehicles,

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

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

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because the business has been operating for many years at this location. The owner has been designated a certified Indiana Clean Yard through IDEM;

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because the business has been operating at this site for many years, and similar automobile oriented commercial development exist along the McKinley Highway corridor;

3. The need for the variance arises from some condition peculiar to the property involved in that the business has been operating for several years, however now requires a zoning affidavit, thus requiring the Use Variance for the proposed uses;

4. The strict application of the terms of this chapter will result in practical difficulties in the use of the property because the ordinance as drafted, would not permit the Appellant to continue to run their business; and

5. The approval will not interfere substantially with the Mishawaka 2000 Comprehensive Plan because the plan identifies this area along McKinley Highway for general commercial.

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

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