AGENDA

Monday, September 18, 2017

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

September 05, 2017

5. Petitions, Communications, Remonstrance and Memorials

Introduction and Swearing-in of Mayor Wood's Youth Council

A letter from the Board of Zoning Appeals regarding recommendations from their September 12, 2017 meeting.

A letter from the City Plan Commission regarding recommendations from their September 12, 2017 meeting.

6. Report of Special Committee

7. Ordinances on First Reading

P.O. NO. 2017-35 Multi Family Housing Revenue Bonds $17,000,000 Silver Birch of Mishawaka approximately 119 Assisted Living Units 3700 Hickory Rd

P.O. NO. 2017-36 Rezone from C-1 Commercial to C-9 Automobile Sales 611 W. McKinley

P.O. NO. 2017-37 Annex and Rezone to R-3 Multi-Family District 16839 Douglas Rd

P.O. NO. 2017-38 Civil City Budget and Tax Levy for 2018

8. Resolutions

R2017-23 Use & Developmental Variances Multi-Tenant Building with Restaurant Drive-Thru 5327 Grape Rd & W. Douglas Rd

9. Ordinances on Second Reading

P.O. NO. 2017-33 Elected Officials Salary Ordinance for 2018 (Assigned to Budget and Finance Committee)

P.O. NO. 2017-34 City Employees Salary Ordinance for 2018 (Assigned to Budget and Finance Committee)

10. Privilege of the Floor – Non-Agenda Items

11. Unfinished Business

12. New Business

13. Adjournment

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

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

September 05, 2017

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 September 05, 2017, at 7:00 p.m. The meeting was called to order by President Ross Deal all were asked to stand for the Pledge of Allegiance.

Roll Call.

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

Others present; Chief Deputy Mary Ellen Hazen, Raven Boston Deputy.

The minutes from the August 21, 2017 meeting was approved as received from the City Clerk's Office.

Clerk Block read the following Appeal and Petitions to the Council, who referred them to the City Board of Zoning Appeals and Plan Commission, for their recommendation.

APPEAL NO. 2017-39 Use & Development Variance Multi-Tenant Building with Restaurant Drive- Thru 5327 Grape Rd. & W. Douglas Rd.

PETITION NO. 2017-23 Rezone from C-1 Commercial to C-9 Automobile Sales 611 W. McKinley

PETITION NO. 2017-24 Annex and Rezone to R-3 Multi Family District – 16839 Douglas Rd.

Clerk Block presented the JAG letter to the council.

Clerk Block read the following Proposed Ordinances by title and were assigned to committee and set for public hearing at next meeting.

PROPOSED ORDINANCE NO. 2017-32

AN ORDINANCE AMENDING ORDINANCE 5542 FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT THE SWORN FIRE AND POLICE, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018

Clerk Block read a letter from petitioner requesting first and second reading.

Mrs. Voelker made a motion to suspend council rules to allow first and second reading for **PROPOSED ORDINANCE NO. 2017-32** second by Mr. Canarecci motion carried.

Rebecca Miller, City Controller stated the amendment was to add the position of Office Administrator to the Street Department. She explained while they had Office Administrator in the salary ordinance, the Street Department did not have the position. Ms. Miller said the amendment would add to their list of positions.

Question was called for at 7:06 P.M. for **PROPOSED ORDINANCE NO. 2017-32 Vote: Motion carried by unanimous roll call vote (summary: Yes = 8). Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal.** Thus, it becomes **ORDINANCE NO. 5587**

PROPOSED ORDINANCE NO. 2017-33

AN ORDINANCE FIXING THE SALARIES OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018
(Assigned to the Budget and Finance Committee)

PROPOSED ORDINANCE NO. 2017-34

AN ORDINANCE AMENDING ORDINANCE 5542 FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT THE SWORN FIRE AND POLICE, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018
(Assigned to the Budget and Finance Committee)

RESOLUTION NO 2017-22

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR THE ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN. AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT;
THE NORTHERN PORTION OF 914 E. MCKINLEY AVE, MISHAWAKA, IN 46545**

Ken Prince, City Planner said the property was 90% contiguous to the city and the building was served by city services. He continued to say this would allow for the expansion of the existing business. Mr. Prince said the Fiscal Plan was given to all applicable departments. He stated they indicated they could serve with their existing budget.

Question was called for at 7:08 P.M. for **RESOLUTION NO. 2017-22 Vote: Motion carried by unanimous roll call vote (summary: Yes = 8). Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal.**

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

PROPOSES ORDINANCE NO. 2017-29

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY OF THE CITY OF MISHAWAKA, INDIANA, AND PROVIDING ZONING CLARIFICATION
(Annex and zone 914 & 926 E. McKinley Ave. to I-L Light Industrial)
VOTE ONLY

Question was called for at 7:09 P.M. for **PROPOSED ORDINANCE NO. 2017-29** **Vote: Motion carried by unanimous roll call vote (summary: Yes = 8). Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal.** Thus, it becomes **ORDINANCE NO. 5588**

PROPOSES ORDINANCE NO. 2017-30

AN ORDINANCE AMENDING CHAPTER 137 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA
(Vacation of public right-of-way -portion of Borley Ave. S. of Donaldson St.)

Mrs. Voelker reported the Land Use Planning Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Tanner motion carried.

Ken Prince, City Planner stated the piece of property was left over from the Main Street Underpass project. He said they originally intended to extend Borley Ave. to Donaldson Street. Mr. Prince went on to say they would like to keep the north/south alley in place instead of making it into a street, it would allow additional space for the Logan Center to build a single-family home on the property.

Question was called for at 7:12 P.M. for **PROPOSED ORDINANCE NO. 2017-30** **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal. Thus, it becomes **ORDINANCE NO. 5589**

PROPOSES ORDINANCE NO. 2017-31

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, AUTHORIZING THE ISSUANCE OF ECONOMIC DEVELOPMENT REVENUE BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED NINETEEN MILLION AND 00/100 DOLLARS ($19,000,000.00) AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO
(Economic Development Revenue Bonds for Hellenic Senior Living - $19,000,000)

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. Mammolenti motion carried.

Randy Rompola, Partner Barnes & Thornburg LLP said this ordinance provides for the Economic Development Financing for Hellenic Senior Living in Mishawaka to construct a 136-unit Affordable Assisted Living Facility located 1128 W. Dragoon Trial. He said the ordinance stated the authorized bonds were not to exceed $19 million, the term was not to exceed 40 years and the interest rate was not to exceed 6.5%. Mr. Rompola went on to say the project financing was moving forward, they were anticipated to close at the end of September or beginning of October. He explained the bonds were payable solely from the borrower to the bond trustee. Mr. Rompola continued to say due to the federal tax rules which provided the tax-exempt financing for these types of projects, the city must issue the tax-exempt bonds and loan the proceeds to the developer.

Mrs. Voelker asked for clarification that the city had no responsibility or be effected by debt or payments of the bonds issued. Mr. Rompola replied section III of the ordinance states the bonds would not reflect the debt of the city or have any obligations of payments to the debt. He informed the bonds would also state the same, the city acts as a conduit issuer for sole purpose of providing the tax exemptions of the bonds.

Mr. Canarecci questioned the qualifications to receive tax exempt bond for this project. He also asked was the program tested to make sure all obligations were met. Courtney Figg, Associate Attorney at Quarels & Brady LLP said the developer received an award of 4% low income tax credits through the Indiana Housing and Community Development Authority. She went on to say typically the financing was coupled with tax exempt bonds. Ms. Figg said this was project qualified to receive this tax-exempt bond because it was being coupled with low income tax credits and the Bond Volume CAP issued from the Indiana Housing and Community Development Authority. She went on to say there were a lot of requirements the developer needed to meet. Ms. Figg said tax credits were allocated and at time of the closing in September or October; both financing on the bonds and tax credits would close. She explained there was a compliance period of minimum of 15 years but could be extended to 30 years to maintain compliance with the tax credit program, such as making sure tenants met the low-income criteria, restriction on use of the property making sure it was used for low income housing. Ms. Figg said there were a number of parameters and additional paperwork the developer would need to file through the process of construction and as the project was operated to keep the housing in the low-income housing tax credit program. Mr. Rompola added one of the closing documents was a Land Use Construction Agreement, the developer would commit to file ongoing compliance reports with the trustee and the authority to insure the property was used for low income housing.

Mr. Canarecci asked if the property were sold would the original developer lose the tax credits but continue to hold liability for the bonds. Mr. Rompola replied yes, the bonds were tax exempt, the new owner would have to operate the facility the same, otherwise the bonds and tax credits would need to be paid off. Ms. Figg added AHEPA had been affiliated with affordable housing for over 30 years; their portfolio had 93 independent housing projects throughout the country. She continued to say they never took the opportunity to sell after compliance periods were over and it would never be their intention.

Mr. Bellovich questioned the anticipated duration for the project. Ms. Figg said 14 months, as soon as financing was finalized they would begin construction.

Question was called for at 7:22 P.M. for **PROPOSED ORDINANCE NO. 2017-31 Vote: Motion carried by unanimous roll call vote (summary: Yes = 8). Yes: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal.** Thus, it becomes **ORDINANCE NO. 5590**

PRIVILEGE OF THE FLOOR

Marie Carter, Robert Goins, Karen Sherrill, Allen Cruise and Rick Farrest were residence of E. Gove St. and Division St. voiced their concerns about the problems happening at 502 E. Grove Street, 724 Division Street., and 809 Division Street. They expressed they were scared for their safety and they've contacted police and code enforcement regarding their issues.

Members of the council highly recommend continuing contacting the police to show record.

Chief Witkowski informed they've been to the properties numerous of times. He said two arrests were made in last weeks at 502 E. Grove Street. Chief Witkowski stated they would continue working on the problems. He went on to say the property at 502 Grove Street was owner occupied; it was difficult to kick the nuisance neighbors out. Chief Witkowski said it was a problem at the top of their list to continue working on. He agreed with the council to call police whenever the neighbors felt unsafe, the more logs shown for this property it would standout and units would be assigned to take care of the issue. Chief Witkowski believed the addresses on Grove Street were connected to the addresses on Division Street.

NEW BUSINESS

Mr. Mammolenti and Mr. Deal announced the Twin Branch Neighborhood Meeting would be September 20, 2017 at 7:00PM at Twin Branch School. The speakers would be Tim McKinnies and Jim Dunfee, Realtors speaking on behalf of Michiana Homes for Heroes.

Mr. Emmons announced the First District Neighborhood Meeting would be September 21, 2017 at 7:00PM at St. Bavo's School. The speaker would be Ken Prince, City Planner speaking about Mishawaka's future.

Mr. Tanner stated "The Oaks" Neighborhood Meeting would be Tuesday, September 12, 2017 at 6:00PM at the Albright Methodist Church. The speaker would be School City of Mishawaka Meg Sauer, Chief Communication Officer, speaking on the new safety changes and what they were doing with the referendum money voted on last November.

Mr. Tanner also stated the 7th Annual Indiana Line workers' Rodeo would be September 15th & 16th 2017 at Central Park, Mishawaka. He said the Lions Club would be hosting a pancake breakfast.

ADJOURNMENT 7:54 P.M.

Deborah S. Block /s/ Ross Deal s/

Deborah S. Block, IAMC, MMC, City Clerk Ross Deal, President

City of Mishawaka

DAVID A. WOOD, MAYOR **DEPARTMENT OF CITY PLANNING**

September 13, 2017

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Board of Zoning Appeals Recommendation
September 12, 2017, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Board of Zoning Appeals was held on the above referenced date at which time the following Use Variance was considered:

APPEAL #17-39 An appeal submitted by CBI Building, LLC, requesting Use and Developmental Variances for **5327 Grape Road** to permit a building with four (4) tenants, a drive-thru restaurant, and a reduction in parking spaces and setback.

The Board, with a vote of 5-0, recommended approval subject to the following conditions:

1. Parking shall be provided at a minimum of 55 spaces as shown on the preliminary site submitted with the appeal.
2. Uses shall be limited to one (1) restaurant with drive-thru and those identified in the C-1 General Commercial Zoning District.
3. Current stormwater management standards and grease-traps shall be implemented per City of Mishawaka Engineering Department.
4. Right-of-way and access drive improvements shall be reviewed as a part of the site plan submittal and implemented as determined by the City of Mishawaka Engineering Department.
5. The required perimeter yard and parking lot landscaping along the north property line shall be provided onsite completely outside of the additional right-of-way to be dedicated.
6. The required perimeter yard landscaping along the south property line shall be provided offsite on the adjacent property within a landscape easement dedicated to the City of Mishawaka.

Respectfully,

Kari Myers

Kari Myers, Administrative Planner
Secretary, Board of Zoning Appeals

cc: Mike Danch

STAFF REPORT

Location: 5327 Grape Road

Date: Sept. 12, 2017

Appeal: 17 - 39

Prepared By: DJS

GENERAL INFORMATION

Applicant:	CBI Building LLC / Danch, Harner & Associates, Inc.
Status:	Property Owner / Agent and Consulting Engineer
Request:	Use variance to allow a multi-tenant building to include a restaurant with drive-thru and developmental variances for a reduction in the number of required parking spaces and parking lot setbacks
Zoning Classification:	C-1 General Commercial
Lot Size:	1.36 acres
Applicable Regulations:	Section 137-42 / (5) Board of Zoning Appeals – Developmental Variance; Section 137-302 / C-1 District – Height, area and developmental regulations

SPECIAL INFORMATION

Area Development Pattern:	North:	C-7 Auto-Oriented Commercial (Restaurant with Drive-Thru/Steak & Shake), C-1 General Commercial (Multi-Tenant Commercial/Strikes & Spares, ABC Warehouse & Bargain Books) & C-2 Shopping Center Commercial (Multi-Tenant Commercial/Wilshire Plaza)
	South:	C-4 Auto-Oriented Commercial (Retail/Habitat for Humanity ReStore)
	East:	C-4 Auto-Oriented Commercial (Auto Sales/Gurley Leep)
	West:	C-1 General Commercial (Retail/Verizon Wireless)
Thoroughfare:	Grape Road & Douglas Road	
School District:	South Bend Community School Corporation	
Township:	Clay	
Public Utilities:	All utilities are available to the site	
Comprehensive Plan:	General Commercial (Downtown Retail Sales and Shopping Centers)	

ANALYSIS

The appellant is requesting a use variance to allow for a four (4) unit multi-tenant building with a restaurant containing a drive-thru facility.

The proposed building will be located on a 1.36 acre parcel at the southwest corner of Grape Road and Douglas Road. The property currently includes a vacant commercial building previously occupied by an eye care center. Three (3) of the four (4) tenant spaces in the new building are proposed for general retail use. The remaining tenant space located on the southern end of the building will consist of a restaurant use with drive-thru. Access to the site will be provided via an existing drive access off of Grape Road and from a relocated curb cut off of Douglas Road.

The property is zoned C-1 General Commercial which only allows for a maximum of two (2) separate tenants/uses on the property. In order to allow for the proposed multi-tenant building, the property would need to be rezoned to C-2 Shopping Center Commercial. However, the drive-thru restaurant use would not be allowed under the C-2 zoning classification and would need a zoning classification of C-7 Automobile Oriented Restaurant Commercial. In lieu of split zoning the property to accommodate the proposed uses, Staff recommended that a use variance be submitted to allow the multi-tenant use with the drive-thru restaurant.

In addition to the use variance, the appellant is also requesting two developmental variances. The first variance request is for a reduction in the number of parking spaces. In the appeal submitted by the appellant, proposed parking was separated and determined by the proposed retail and restaurant uses. However, after reviewing the proposed development, the Staff believes that parking determination should be made on the maximum number of spaces possible on the site per the preliminary site plan submitted with the appeal. Therefore, instead of the requested variances for parking, the Staff would recommend that a minimum of 55 parking spaces, as shown on the preliminary site plan, be maintain as part of a condition of approval with the use variance request.

The second variance request is to allow a minimum pavement setback of 5′ along the north property line (Douglas Road) and a 0′ minimum pavement setback along the south property line. Development standards for general commercial properties require a minimum 10′ pavement setback from the public right-of-way and 5′ pavement setback from all other property lines. In the appeal submitted by the applicant, a 0′ pavement setback was requested along the north property line due to the city's plans to acquire additional right-of-way for a dedicated right-turn lane on Douglas Road. The request is being modified by the Planning Staff to a 5′ pavement setback along the north property line. Habitat for Humanity, the property owner to the south, agreed to provide a 10′ landscape to the City on the northern edge of their parking area adjacent to the proposed development. This easement will allow for the proposed improvements, as shown on the preliminary site plan, to be shifted 5′ to the south.

The appeal, as submitted, also requested a variance from the required perimeter yard and parking lot landscaping along the north and south property lines to no landscaping. However, there is no longer a need for this variance due to shifting all the proposed improvements 5′ to the south. With the 5′ shift, adequate space will be maintained on-site along the north property line to accommodate the required perimeter yard and parking lot landscaping requirements. The required perimeter yard landscaping along the south property line will be located off-site within a 10′ landscape easement on the Habitat of Humanity property.

RECOMMENDATION

The Planning Staff recommends approval of Appeal 17-39 to allow a use variance for a (4) unit multi-tenant building with one drive-thru restaurant at 5327 Grape Road subject to the following condition:

1. Parking shall be provided at a minimum of 55 spaces as shown on the preliminary site submitted with the appeal.
2. Uses shall be limited to one (1) restaurant with drive-thru and those identified in the C-1 General Commercial Zoning District.
3. Current stormwater management standards and grease-traps shall be implemented per City of Mishawaka Engineering Department.
4. Right-of-way and access drive improvements shall be reviewed as a part of the site plan submittal and implemented as determined by the City of Mishawaka Engineering Department.
5. The required perimeter yard and parking lot landscaping along the north property line shall be provided onsite completely outside of the additional right-of-way to be dedicated.
6. The required perimeter yard landscaping along the south property line shall be provided offsite on the adjacent property within a landscape easement dedicated to the City of Mishawaka.

This recommendation is based upon the following findings of fact:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community because all state and local building codes will be adhered to during construction;

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 adjacent properties are zoned commercial and the proposed use is consistent with those in the surrounding area.

3. The need for the variance arises from some condition peculiar to the property in that the property is zoned C-1 General Commercial and the City of Mishawaka Zoning Ordinance does not have a zoning classification that would allow for the proposed multi-tenant use with the drive-thru restaurant use.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought because the zoning does not allow for the combined multi-tenant use and the drive-thru restaurant use. The preferred means by which to allow the two uses is through the use variance process;

5. The recommendation is consistent, and or, not in conflict with Comprehensive Plan which indicates commercial uses for this area.

The Planning Department recommends approval of Appeal 17-39 for a developmental variance to allow for a reduction in required pavement setbacks. This recommendation is based on the following finding of fact:

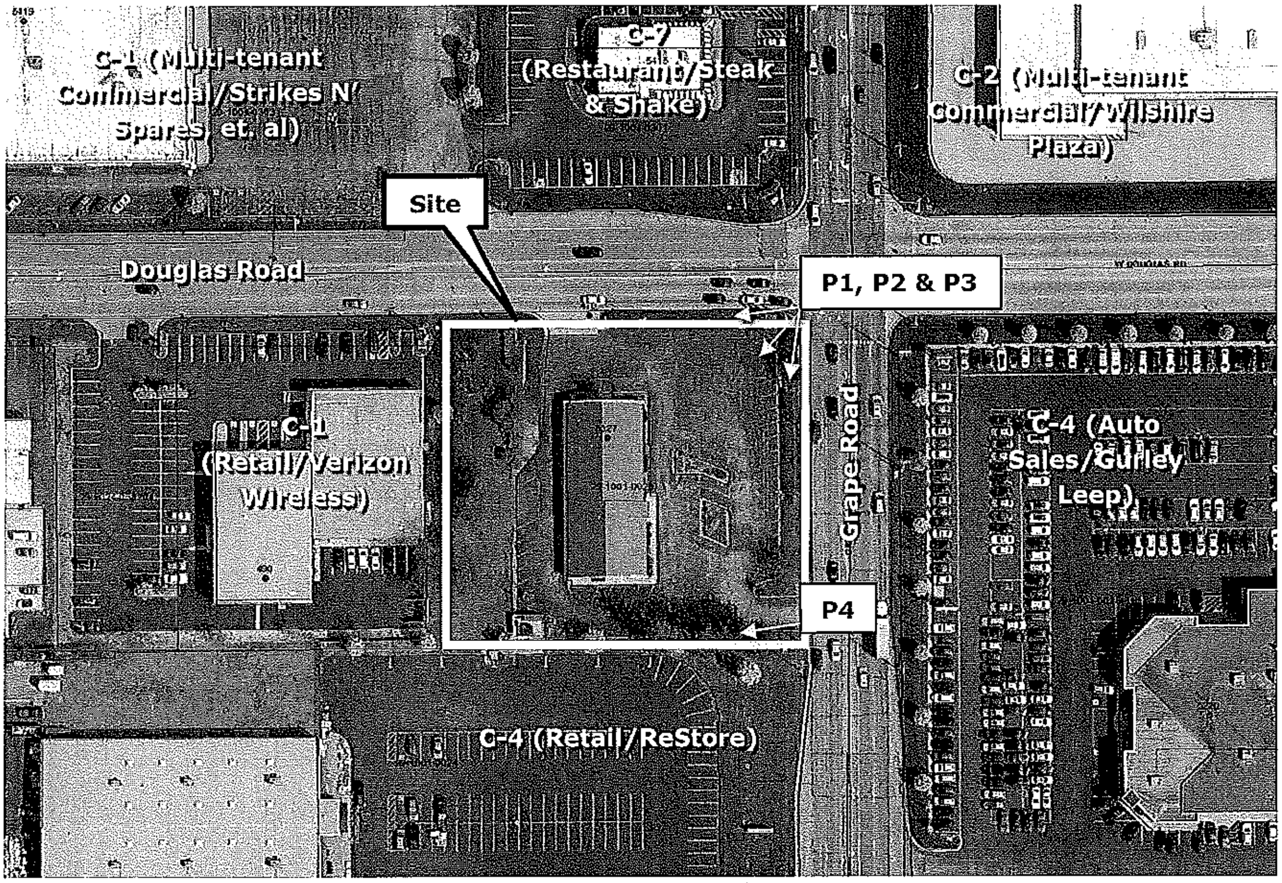
1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The 5' pavement setback along the north property line shall provide adequate space for the required landscaping outside of the additional right-of-way to be dedicated for a proposed turn lane on Douglas Road. Furthermore, the 0' pavement setback along the south property line will have no effect on the general public.

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 sufficient space for landscaping will be maintained onsite to the north and offsite to the south.

3. Strict application of the terms of this chapter will result in practical difficulties in the use of the property. The required parking lot setbacks along the north and south property lines cannot be maintained due to the future dedication of additional public right-of-way along Douglas Road.

ATTACHMENTS

Photographs, Appeal, Site Plan, Location Map



Aerial Photograph
5327 Grape Road – Proposed Multi-Tenant Commercial Building

P1. Looking southwesterly toward the existing vacant commercial building on the site.

P2. Looking south along Grape Road from the northeast corner of the site.

P3. Looking west along Douglas Road from the northeast corner of the site.

P4. Looking westerly along the south property line from
the existing access drive on Grape Road.

City of Mishawaka

DAVID A. WOOD, MAYOR **DEPARTMENT OF CITY PLANNING**

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 13 2017

CITY CLERK
MISHAWAKA, IN

September 13, 2017

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Plan Commission Recommendation
September 12, 2017, Public Hearing
Certification of Proposed Ordinances

Honorable Members:

A regular meeting of the Mishawaka Plan Commission was held on the above referenced date at which time the following proposed ordinances were considered:

PETITION #17-23 A petition submitted by Tony Rucano and Tony Rucano for Joseph Simeri requesting to rezone **611 West McKinley Avenue**, from C-1 General Commercial District to C-9 Automobile Sales Commercial District.

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

PETITION #17-24 A petition submitted by Young's Landscape Nursery Corp. requesting to annex and zone **16839 Douglas Road** to R-3 Multi-Family Residential District.

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

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

Respectfully,

Kari Myers

Kari Myers, Administrative Planner
Secretary, Mishawaka Plan Commission

cc: Mike Danch
Mary Hada

STAFF REPORT

Location: 611 W McKinley	Date: September 12, 2017
Petition: 17- 23	Prepared By: CH

GENERAL INFORMATION

Applicant:	Tony Rucano and Joseph Simeri
Status:	Property Owner
Request:	To rezone from C-1 General Commercial District to C-9 Automobile Sales Commercial District to allow for the expansion of an automobile sales lot.
Zoning Classification:	C-1 General Commercial District
Lot Size:	Approximately 0.22 acres
Applicable Regulations:	Section 137-509 thru 137-510 / C-9 Automobile Sales Commercial District & Section 137-41 / Amendments to the Zoning Map

SPECIAL INFORMATION

Area Development Pattern:	North: C-4 Automobile Oriented Commercial South: R-1 Single Family Residential East: C-1 General Commercial West: C-9 Automobile Sales Commercial
Thoroughfare:	McKinley Ave
School District:	School City of Mishawaka
Township:	Penn Township
Public Utilities:	Utilities are available and existing at the current business. Any changes would be at the developer's expense.
Comprehensive Plan:	The Mishawaka 2000 Comprehensive Plan identified most of the McKinley corridor as General Commercial.

ANALYSIS

The Petitioners, Tony Rucano and Tony Rucano for Joseph Simeri, are requesting to rezone an approximate 0.22 acre parcel of land located at 611 W McKinley from C-1 General Commercial to C-9 Automobile Sales Commercial to allow for the expansion of an automobile sales lot. Gates, who owns and operates the auto sales lot to the west at 625 W McKinley will be the end user.

The property currently operates as a restaurant, Hi-Ho Chop Suey. The property to the west was rezoned for automobile sales in 1998. The C-9 District still allows all C-1 General Commercial uses, like restaurants and retail, however, adds automobile without automobile repair.

With this petition, the Petitioner is only seeking to establish the proper zoning required for the proposed use. If approved, an administrative final site plan shall be submitted for Staff review and approval prior to construction.

The preliminary site plans shows access from the property to the west; no access from McKinley. There will be room for approximately 40-50 cars. Landscaping is shown along McKinley, both side yards, and a 7' solid screening fence along the alley adjacent to residential. If any variances from these regulations are required, the Board of Zoning Appeals shall be petitioned when the final site plan is submitted.

Pertinent departments have reviewed and approved this request.

The Engineering Department had the following comments to be addressed during the site plan process:

1. Provide stormwater/drainage calculations
2. May be required to have sanitary sewer easement for adjacent property owner to the east, at 601 W McKinley, private sanitary sewer.

RECOMMENDATION

Staff recommends in **favor** of Petition 17-23 to rezone approximately 0.22 acres located at 611 W. McKinley Avenue from C-1 General Commercial District to C-9 Automobile Sales Commercial District to allow for the expansion of an automobile sales lot.
This recommendation is based on the following findings of fact:

1. Existing Conditions – The subject property is adjacent, on two sides, to automobile sales. McKinley Avenue is a major east/west corridor, with a wide variety of commercial uses.

2. Character of Buildings – The existing automobile sales lot to the west holds just over 60 vehicles. Several of the businesses along McKinley Avenue have large parking areas in the front of their buildings.

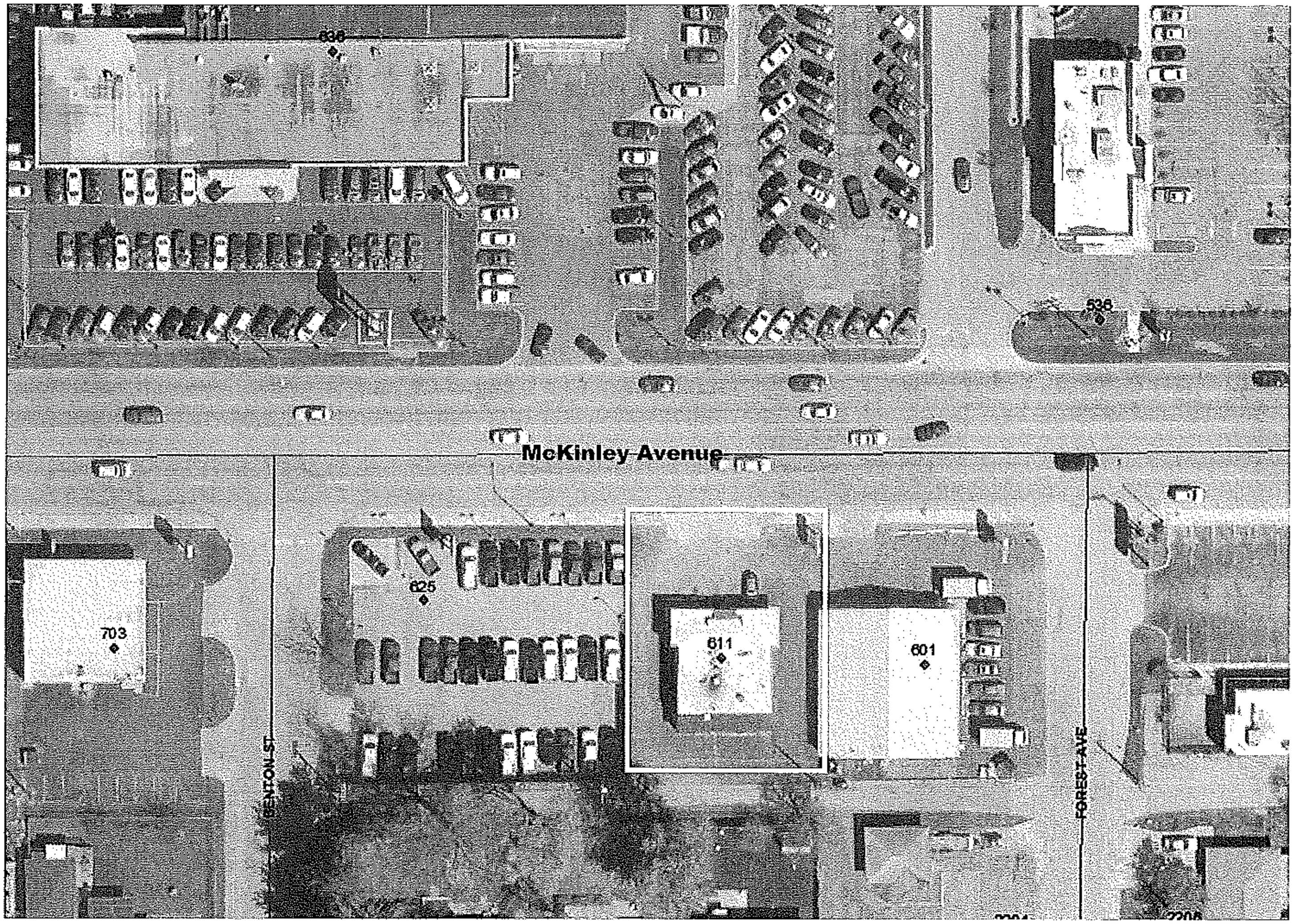
3. The most desirable/highest and best use – Due to the property's location adjacent to various commercial and restaurant uses and being along one of most heavily travelled corridors in the City, the most desirable use of the property is a similar higher intensity commercial use.

4. Conservation of property values – The rezoning should not be injurious to property values in the area. The McKinley Avenue corridor is a mix of retail, restaurant, and automotive uses, therefore, C-9 Automobile Sales uses are compatible with the adjacent existing uses.

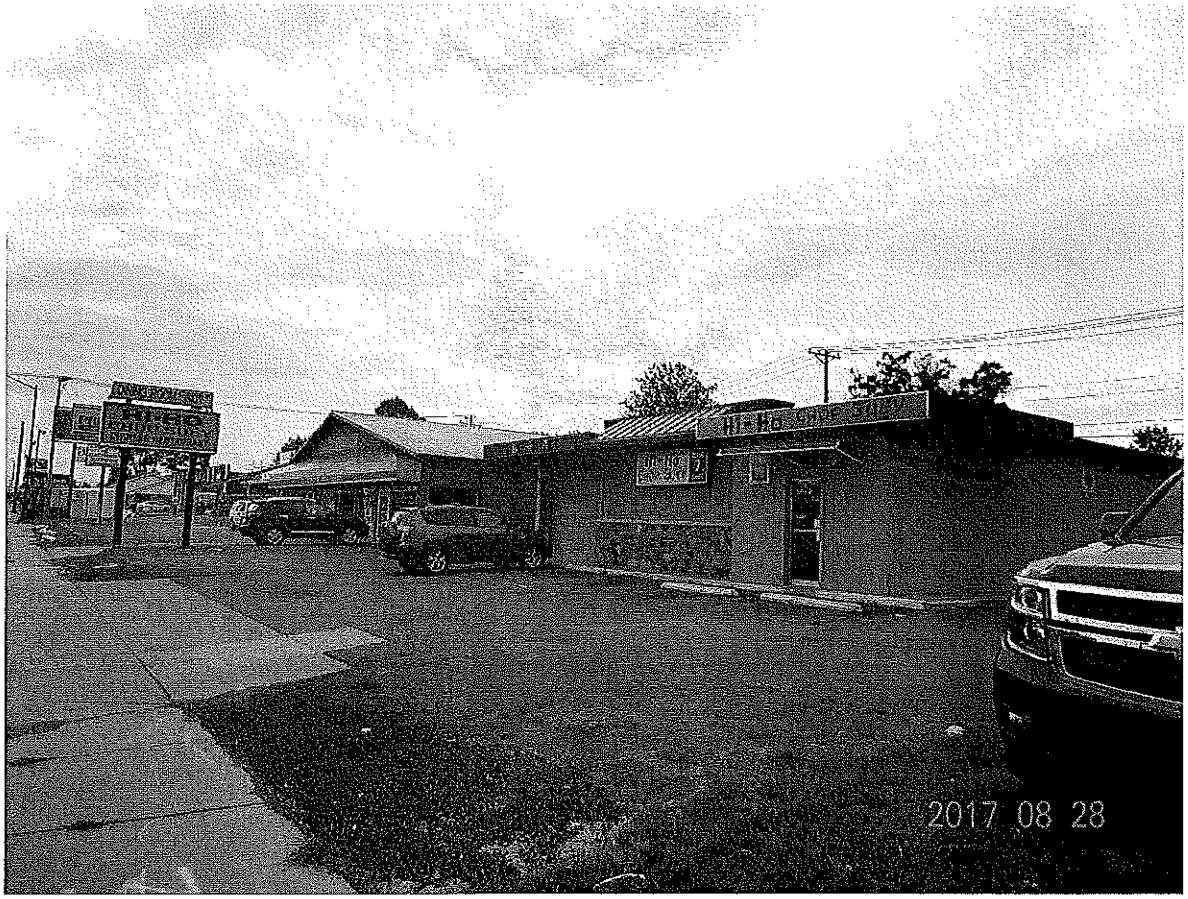
5. Comprehensive Plan – The 2000 Mishawaka Comprehensive Plan, identified most of the McKinley corridor as General Commercial. Since the C-9 District still allows all C-1 General Commercial uses, it still meets the goals of the Comprehensive Plan.

ATTACHMENTS

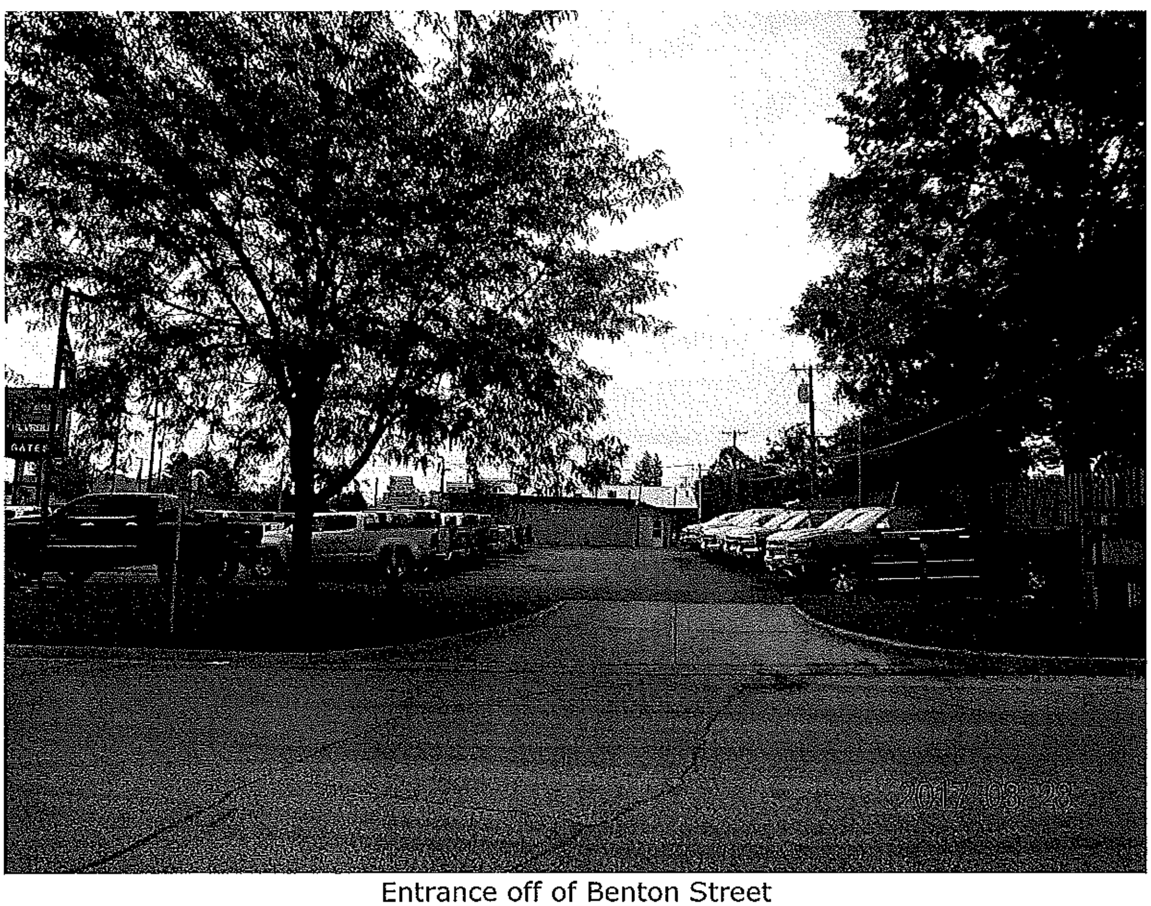
Aerial Photograph, Photographs, Petition, Location Map, Preliminary/Conceptual Site Plan



2015 Aerial Photography – 611 W. McKinley Avenue



The existing restaurant, Hi-Ho Chop Suey



Entrance off of Benton Street

STAFF REPORT

General Location: 16839 Douglas Road | Date: September 12,2017

Petition: 17-24 Annexation and Establish R-3 Zoning for 2.7 Acres | Prepared By: CH

GENERAL INFORMATION

Applicants:	Young's Landscape Nursery Corp
Status:	Property Owner
Request:	To annex and establish zoning of R-3 Multi-Family Residential for 2.7 acres
Existing Zoning:	C Commercial (Unincorporated St. Joseph County)
Proposed Zoning:	R-3 Multi-Family Residential
Lot Size:	2.7 acres
Applicable Regulations:	Section 137-215 thru 137-217 / I-1 Light Industrial Section 137-41 / Amendments to the Zoning Map & Indiana Code 36-4-3-2.1 and 36-4-3-3.1

SPECIAL INFORMATION

Area Development Pattern:	North:	A Agricultural (Unincorporated St. Joseph County)
	South:	R-4 Manufactured Home Residential and S-2 Planned Unit Development (Sales Office of Manufactured Home Park)
	East:	R Single Family District (Unincorporated St. Joseph County)
	West:	S-2 Planned Unit Development (Gas Station and Self Storage)
Thoroughfare:	Douglas Road	
School District:	South Bend Community	
Public Utilities:	All public utilities are either available or will be extended to/throughout the site at the owner's/developer's expense.	
Comprehensive Plan:	This property was not included in the Mishawaka 2000 Comprehensive Plan, however, the property to the west is identified as Commercial and the property to the east is identified as Medium Density Residential.	

ANALYSIS

Proposal:
The applicant is proposing to annex 2.7 acres and establish zoning of R-3 Multi-Family Residential to develop an 80 unit senior apartment building. The property was previously the site of Young's Landscaping.

History:
Lake Shore Estates, the mobile home park, was annexed in 1971. University Park Apartments was annexed in 1978. The development to the west consisting of gas station, self storage, and condos, was annexed between 1989 and 2004.

Annexation:
Per Indiana State annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing City boundary in order to be annexed. Based on the survey provided, 640 feet, or 38%, of the total 1,676 feet of the perimeter of the property will be contiguous with the existing city limits. This exceeds the required 12.5% contiguity.

Location/Context:
The site is located on the north side of Douglas Road, between 7-Eleven and University Park Apartments. The extent of the annexation is 640' north of the right-of-way line. Between the property and the Toll Road to the north is the old Uniroyal landfill; to the west is 7-Eleven zoned S-2 Planned Unit Development; to the south is Lake Shore Estates Mobile Home Park zoned R-4 Manufactured Home Residential and its sales office zoned S-2 Planned Unit Development; and to the east is a vacant lot (house demolished after 2011) zoned R Single Family District.

Zoning Change:
Staff feels that the proposed zoning of this property for multi-family purposes is <u>appropriate</u> given the adjacent industrial uses along Douglas Road and the nearby medium density residential and manufactured home residential identified on the comprehensive plan.

Transportation/Roads:
According to the latest available traffic counts, there were 20,598 annual average daily trips (2015) along Douglas Road between State Road 23 (South Bend Avenue) and Grape Road. The counts at this location have increased between each set of traffic counts.

Department Comments:
All pertinent City Departments have reviewed and approved the proposed annexation, rezoning and preliminary site plan with the Engineering and Planning Departments providing the following comments:

<u>Engineering Department:</u>

1. Check sanitary sewer configuration, construction costs may vary significantly depending on route.
2. Provide drainage/stormwater calculations.
3. Provide decel lane, which may be required to tie into the 7-Eleven decel lane, and shall match existing pavement type (concrete). Storm sewer structures would need to be relocated.

<u>Planning Department:</u>

1. The preliminary site plan does not have enough lot area or parking spaces for the number of units shown. It is not uncommon in senior housing developments to grant variances for a reduction of parking spaces. A variance must be filed prior to the approval of the Final Site Plan.

These comments shall be addressed with the Final Site Plan.

RECOMMENDATION

Staff recommends in favor of rezoning Petition 17-24 to annex and establish R-3 Multi-Family zoning for property located at 16839 Douglas Road.

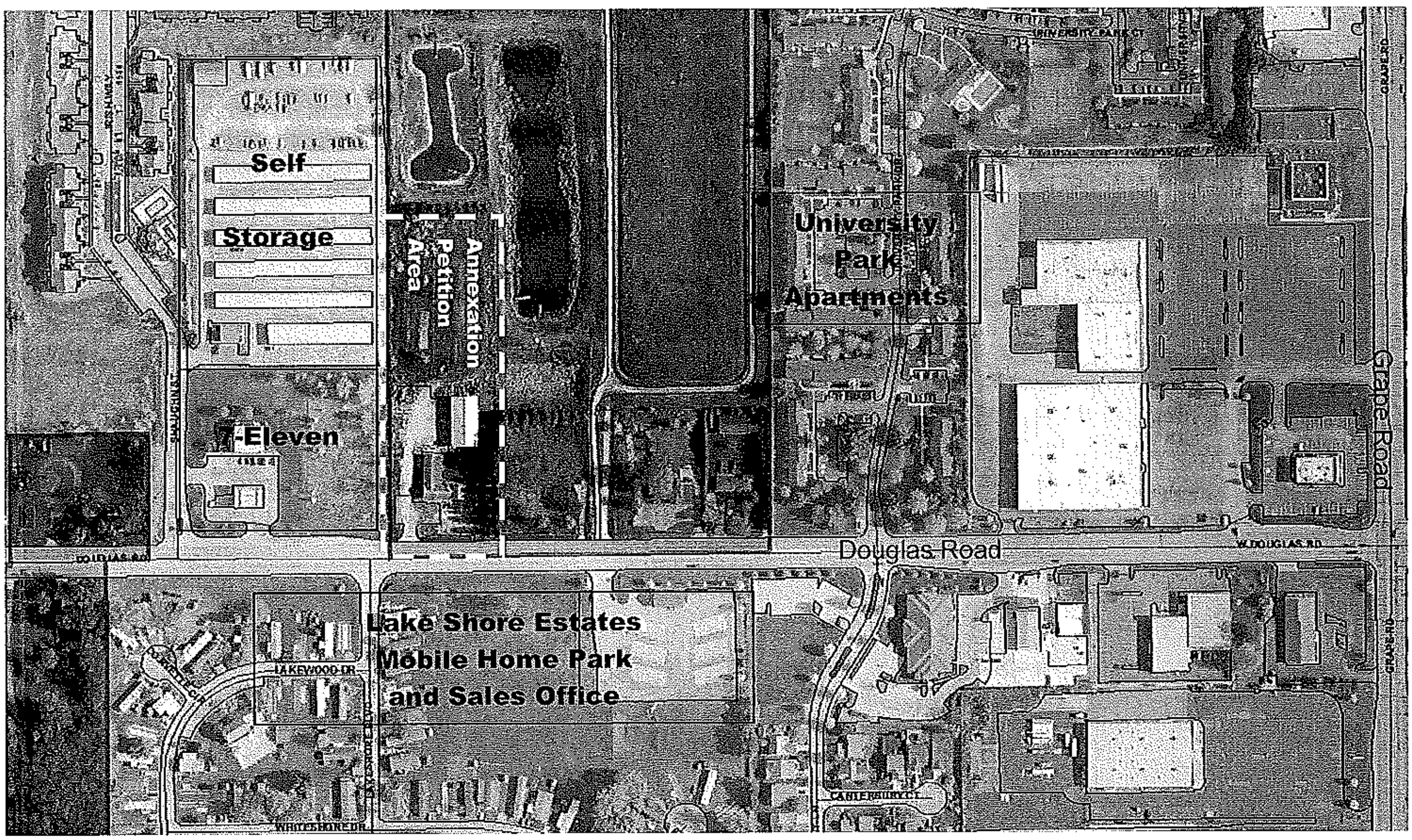
This recommendation is based upon the following Findings of Fact:

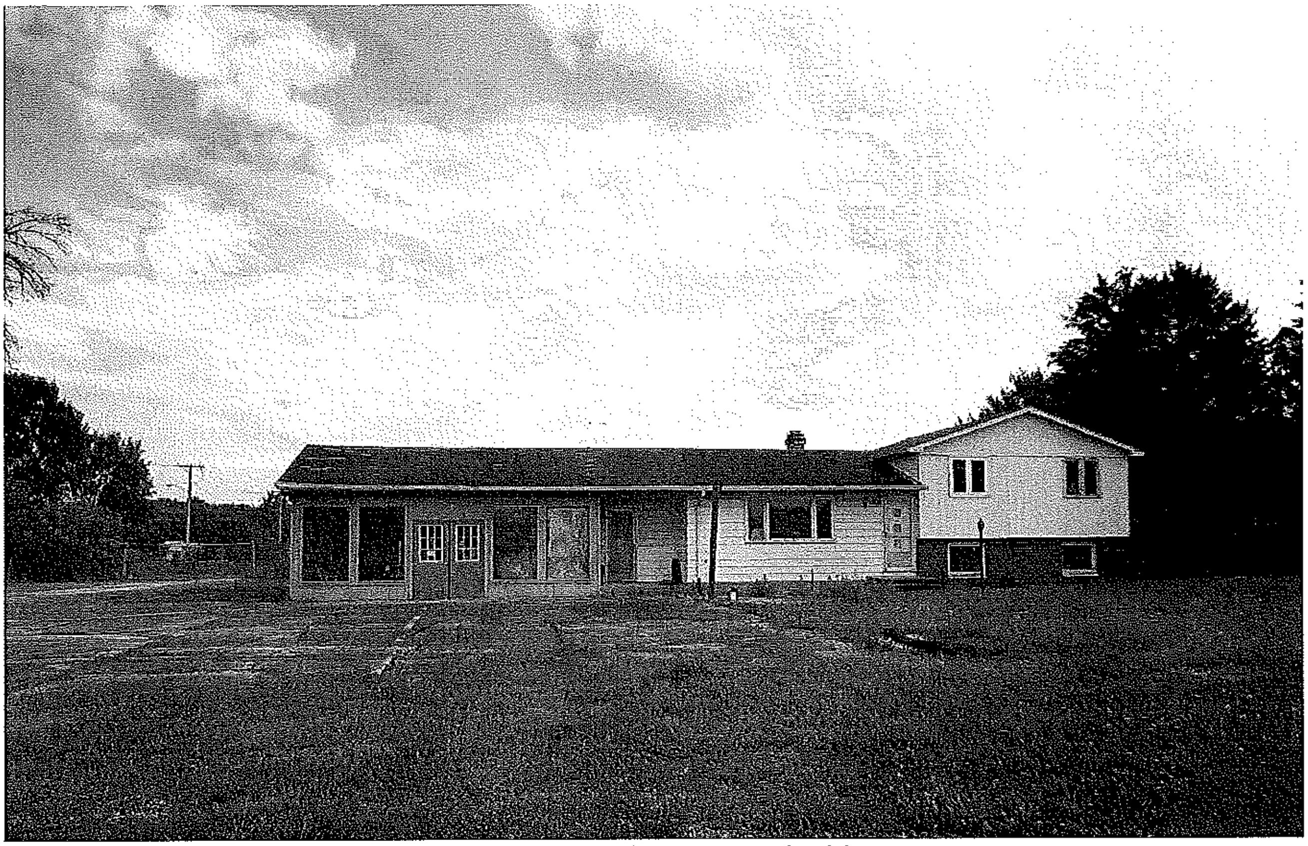
1. Existing Conditions – This would start to fill in the gap along Douglas Road between the 7-Eleven and University Park apartments.

2. Character of Buildings in Area - Adjacent land uses include several multi-family or medium density residential uses and some commercial uses, on one of the entrances into the City.
3. The most desirable/highest and best use – Because of the parcel's location along the corridor and surrounding uses, the most desirable use for the property is to continue and expand the multi-family use.
4. Conservation of property values - The proposed zoning will not be injurious to property values in the surrounding area because the proposed use is compatible with the adjacent multi-family and commercial uses.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan did not specifically identify this area, but did note the other medium density residential uses in the area along Douglas Road. The petition to annex the property as R-3 Multi-Family Residential is consistent with the Comprehensive Plan.

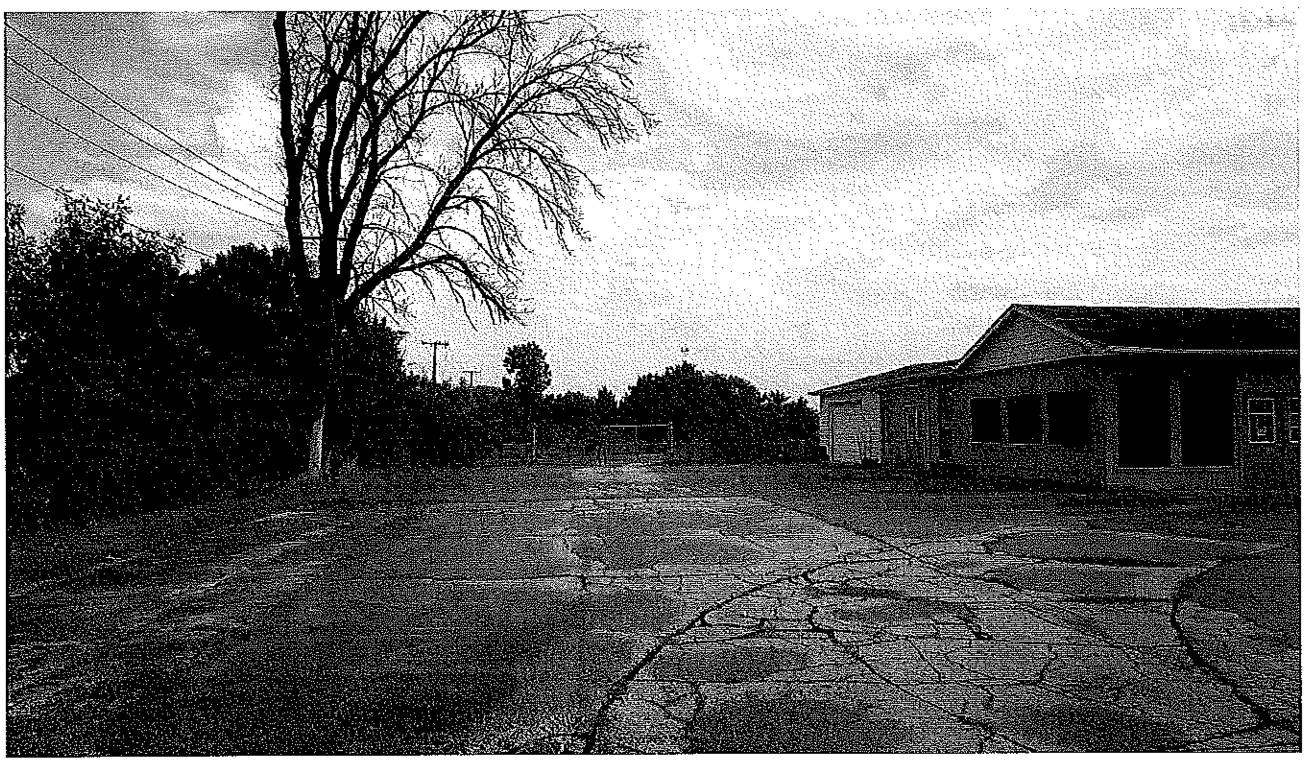
ATTACHMENTS

Aerial Photograph, Photographs of Site Area, Petition, Preliminary Site Plan, Location Map





A view north of the existing building.



A view north of the rest of the property.

1st Reading 9-18-17
2nd Reading
Passed
Failed
Continued To

PROPOSED ORDINANCE NO. 2017-35

ORDINANCE NO. __________

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, AUTHORIZING THE ISSUANCE OF THE CITY OF MISHAWAKA, INDIANA MULTIFAMILY HOUSING REVENUE BONDS (SILVER BIRCH OF MISHAWAKA PROJECT), SERIES 2017 IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SEVENTEEN MILLION DOLLARS ($17,000,000) AND THE LENDING OF THE PROCEEDS THEREOF TO MISHAWAKA RCF LP AND AUTHORIZING AND APPROVING OTHER ACTIONS IN RESPECT THERETO.

WHEREAS, Indiana Code Title 36, Article 7, Chapters 11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Mishawaka, Indiana (the "City") is authorized to issue revenue bonds and lend the proceeds thereof to a developer for the purpose of financing, reimbursing or refinancing the costs of acquisition, design, construction and equipping of economic development facilities in order to foster creation or retention of opportunities for gainful employment and creation of business opportunities in or near the City; and

WHEREAS, Mishawaka RCF LP, an Indiana limited partnership or another Indiana limited partnership formed by Vermilion Enterprises LLC (the "Borrower") desires to finance a certain project constituting an economic development facility under the Act within the City, including all or any portion of the acquisition, design, construction and equipping of an approximately 119-unit assisted living multifamily housing facility, together with functionally-related and subordinate facilities (collectively, the "Project") to be located at 3634 Hickory Road and 3708 Hickory Road each in the City of Mishawaka, St. Joseph County, Indiana (which addresses the Borrower is seeking to consolidate into one address to be commonly known as 3700 Hickory Road); and

WHEREAS, the Borrower has advised the City of Mishawaka Economic Development Commission (the "Commission") and the City concerning the Project, and requested that the City issue one or more series of its Multifamily Housing Revenue Bonds (Silver Birch of Mishawaka Project), Series 2017, in an aggregate principal amount not to exceed Seventeen Million Dollars ($17,000,000) (the "Bonds") under the Act and lend all or a portion of the proceeds of such Bonds to the Borrower for the purpose of providing funds (a) to pay all or a part of the cost of design, acquisition, construction and equipping of the Project, and (b) to pay incidental expenses of issuance, including but not limited to, the funding of a debt service reserve fund, if necessary, and capitalized interest, if necessary; and

WHEREAS, the Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City; and

WHEREAS, the Commission has studied the Project and the proposed financing of the Project and its effect on the health and general welfare of the City and its citizens; and

WHEREAS, the Commission has considered whether the proposed Project may have an adverse competitive effect on similar facilities already constructed or operating in the City; and

WHEREAS, the Commission has rendered a report concerning the proposed financing of the Project; and

WHEREAS, the completion and operation of the Project will result in the creation and retention of jobs, the creation and retention of business opportunities in the City, the creation of affordable housing in the City and will be of public benefit to the health safety and general welfare of the City and its citizens; and

WHEREAS, the Borrower has advised the City that it has determined that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended (the "Code") does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the Indiana Housing and Community Development Authority's (the "IHCDA") qualified allocation plan; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Project by issuing the Bonds in an aggregate principal amount not to exceed Seventeen Million Dollars ($17,000,000); and

WHEREAS, the Act provides that such revenue bonds may be secured by and issued pursuant to the terms of a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds pursuant to a Trust Indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and U.S. Bank National Association (the "Trustee"), in order to obtain funds to lend to the Borrower for the purpose of financing all or a portion of the Project in accordance with the terms of a Loan Agreement, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the "Loan Agreement"), by and between the City and the Borrower with respect to Bonds and the Project, provided, however, that the aggregate principal amount of the Bonds shall not exceed Seventeen Million Dollars ($17,000,000); and

WHEREAS, pursuant to the Loan Agreement, the Borrower will make certain representations, warranties and commitments with respect to the Project and will agree to make payments sufficient to pay all principal of, premiums, if any, and interest on the Bonds as the same becomes due and payable, and to pay administrative expenses in connection with the Bonds; and

WHEREAS, there has been submitted to the Commission for its approval the substantially final forms of the Indenture (including the form of the Bonds), the Loan

Agreement, the Purchase Contract among the City, the Borrower and D.A. Davidson & Co. (the "Underwriter") for the sale of the Bonds, and the Land Use Restriction Agreement by and among the City, the Trustee and the Borrower to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (collectively, the "Financing Documents") and the form of the proposed Special Ordinance of the Common Council of the City (the "Council") with respect to the Project and the Bonds (the "Ordinance"); and

WHEREAS, pursuant to Indiana Code Title 36, Article 7, Chapter 12, Section 24 and certain provisions of the Code, and the rules promulgated thereunder, as amended, the Commission published notice of a public hearing (the "Public Hearing") on the proposed issuance of the Bonds to finance all or a portion of the Project; and

WHEREAS, on September 25, 2017, the Commission held the Public Hearing on the Project prior in time to the adoption of this Ordinance by this Council and adopted a resolution which has been transmitted to this Council in which the Commission found that the financing of the Project complies with the purposes and provisions of the Act, that such financing will be of benefit to the health and welfare of the City and its citizens, that, based solely on the representations provided by the Borrower, the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and approved the substantially final forms of the Financing Documents and form of this Ordinance presented to the Commission; and

WHEREAS, no member of this Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to this Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the City hereby finds and determines that the funding approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance the costs of the Project, will require the issuance, sale and delivery of one or more series of economic development revenue bonds in an aggregate principal amount not to exceed $17,000,000.

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

SECTION 1. This Council hereby finds, determines, ratifies and confirms that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the loan of the net proceeds thereof to the Borrower for the purpose of financing all or a portion of the Project and the repayment of said loan by the Borrower (i) will result in the substantial likelihood of the creation or retention of business opportunities, the creation of affordable housing and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the creation or retention of business opportunities, the creation of affordable housing, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed in the City.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk or the Secretary of the Commission. In compliance with Indiana Code Title 36, Article 1, Chapter 5, Section 4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

SECTION 3. This Council hereby approves the terms of the Financing Documents with any and all such changes as may be deemed necessary, desirable or appropriate by the Mayor, the Controller or any other officer of the City and all such documents shall be kept on file by the Clerk of the City (the "Clerk") or the Secretary of the Commission. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended, in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 4. This Council hereby approves (i) the issuance by the City of its Bonds, in one or more series, with a maximum aggregate principal amount not to exceed Seventeen Million Dollars ($17,000,000), with a maximum term not to exceed forty (40) years from the date of the Bonds and with a maximum interest rate not to exceed seven percent (7.00%) per annum, for the purpose of procuring funds to loan to the Borrower in order to finance all or a portion of (a) the Project, and (b) the incidental expenses of issuance of the Bonds, including but not limited to, the funding of a debt services reserve fund, if necessary, and capitalized interest, if necessary, which Bonds will be payable as to principal, premium if any, and interest solely from payments made by the Borrower pursuant to the Loan Agreement and the note issued thereunder, and upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance; (ii) the marketing of the Bonds pursuant to a Limited Offering Memorandum (the "Preliminary Limited Offering Memorandum"), and the offering and sale of the Bonds pursuant to a final Limited Offering Memorandum (the "Limited Offering Memorandum"); (iii) the loan of the proceeds of the Bonds by the City to the Borrower pursuant to the terms of the Loan Agreement; (iv) the sale and delivery of the Bonds pursuant to the Purchase Contract; (v) the regulation of the Project pursuant to the Land Use Restriction Agreement; and (vi) the use of the proceeds received from the sale of the Bonds in accordance with the terms of the Indenture and the Loan Agreement and in accordance with the Act and the applicable provisions of the Code. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Mayor and Clerk are hereby authorized to sell the Bonds to the Underwriter at a price not less than 98% of the aggregate principal amount thereof (excluding any original issue premium or discount), plus accrued interest, if any.

SECTION 5. The Mayor and Clerk are authorized and directed to execute those Financing Documents approved herein which require the signature of the Mayor and Clerk and any other document which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds may be facsimile signatures. The Clerk is authorized to arrange for the delivery of such Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve changes therein and also in those Financing Documents which do not require the signature of the Mayor and/or Clerk without further approval of this Council or the Commission if such changes do not affect terms set forth in Indiana Code Title 36, Article 7, Chapter 12, Section 27(a)(1) through (a)(10).

SECTION 6. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Ordinance, the Financing Documents or under any judgment obtained against the City or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City or the Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance, sale and delivery of the Bonds.

SECTION 7. The Borrower and its general partner will indemnify and hold the City and the Commission, including their respective officials, attorneys, employees and agents, free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses and other court costs arising out of, or in any way relating to, the execution or performance of the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or failure to issue or sell the Bonds or other actions taken under the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, all as further described in the Loan Agreement but which are not the result of the willful misconduct of the City.

SECTION 8. It is hereby determined that the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, this Council has relied solely upon representations of the Borrower. The foregoing determinations shall not be construed to be a representation or warranty by the City as to the feasibility or viability of the Project. This Council hereby authorizes and directs the Clerk to review and make the foregoing determination again for and on behalf of the City at the request of the Borrower, following receipt of supporting materials submitted by the Borrower to the IHCDA and either written representations of the Borrower or of IHCDA to the effect that (i) the amount of tax credits to be allocated to the Project under Section 42 of the Code does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project and (ii) the Project satisfies the requirements for the allocation of a housing credit dollar amount under IHCDA's qualified allocation plan. Such determinations shall occur on or about the date of the sale of the Bonds to the Purchasers thereof and on or about the date that each building of the Project is placed in service.

SECTION 9. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 10. All ordinances, resolutions and orders or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 11. It is hereby determined that all formal actions of this Council relating to the adoption of this Ordinance were taken in one or more open meetings of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5 et seq., as amended.

SECTION 12. The Mayor and the Clerk are authorized to (i) take all such further actions or to execute, attest and deliver such further instruments and documents in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transaction and carry out the purposes of this Ordinance and, if necessary, (ii) deem the Preliminary Limited Offering Memorandum "final" for purposes of Securities and Exchange Rule 15c2-12.

SECTION 13. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-4-6.

[Remainder of page intentionally left blank.]

PASSED AND ADOPTED AT A MEETING OF THE COMMON COUNCIL of the City of Mishawaka, Indiana, on this ______ day of ________________, 2017.

____
Presiding Officer

ATTEST:

____
Deborah S. Block, IAMC, MMC,
Clerk of the City of Mishawaka, Indiana

Presented by me to the Mayor of the City of Mishawaka, Indiana, on the _____ day of ____________, 2017, at the hour of _______ ____.m.

____
Deborah S. Block, IAMC, MMC,
Clerk of the City of Mishawaka, Indiana

This Ordinance approved and signed by me on the _____ day of ______________, 2017, at the hour of _______ ____.m.

____
David A. Wood
Mayor of the City of Mishawaka, Indiana

RECEIVED
DEBORAH S. BLOCK, MMC

SEP 13 2017

CITY CLERK
MISHAWAKA, IN

1st Reading 9-18-17
2nd Reading
Passed
Failed
Continued To

PETITION 17-23

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2017-36

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:

That part of the Northwest Quarter of Section 9, Township 37 North, Range 3 East, Penn Township, St. Joseph County, Indiana, which is described as: Lots #21 and #22 of the Plat of "Liberty Park First Addition to the City of Mishawaka" as recorded in the records of the St. Joseph County, Indiana Recorders Office. Containing 0.22 acres more or less. Subject to all legal highways, easements and restrictions of record.

COMMON ADDRESS: 611 West McKinley Avenue

which real estate is now classified as C-1 General Commercial District and shall hereafter be within and a part of that District known as C-9 Automobile Sales 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 is adjacent, on two sides, to automobile sales. McKinley Avenue is a major east/west corridor, with a wide variety of commercial uses.

2. Character of Buildings – The existing automobile sales lot to the west holds just over 60 vehicles. Several of the businesses along McKinley Avenue have large parking areas in the front of their buildings.

3. The most desirable/highest and best use – Due to the property's location adjacent to various commercial and restaurant uses and being along one of most heavily travelled corridors in the City, the most desirable use of the property is a similar higher intensity commercial use.

4. Conservation of property values – The rezoning should not be injurious to property values in the area. The McKinley Avenue corridor is a mix of retail, restaurant, and automotive uses, therefore, C-9 Automobile Sales uses are compatible with the adjacent existing uses.

5. Comprehensive Plan – The 2000 Mishawaka Comprehensive Plan, identified most of the McKinley corridor as General Commercial. Since the C-9 District still allows all C-1 General Commercial uses, it still meets the goals 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 _____________________, 2017, at _________ o'clock ___.M.

____
Presiding Officer

ATTEST:

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

PRESENTED by me to the Mayor this _________ day of ____________________, 2017, at _________ o'clock _____.M.

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

APPROVED by me this _________ day of ___________________, 2017, at _________o'clock ____.M.

____
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 28 2017

CITY CLERK
MISHAWAKA, IN

PET 17-23

RECEIVED

AUG 28 2017

BUILDING & PLANNING
COMMUNITY DEVELOPMENT

Date: August 20, 2017

To the: Honorable Members of the Common Council,
City of Mishawaka, Indiana:

RE: Tony Rucano & Joseph Simeri Petition for Rezoning:

The undersigned, Tony Rucano and Tony Rucano for Joseph Simeri, respectfully show that they are the owners of the following described real estate located in the City of Mishawaka, St. Joseph County, Indiana:

That part of the Northwest Quarter of Section 9, Township 37 North, Range 3 East, Penn Township, St. Joseph County, Indiana which is described as: Lots # 21 and # 22 of the Plat of "Liberty Park First Addition to the City of Mishawaka" as recorded in the records of the St. Joseph County, Indiana Recorders Office.
Containing 0.22 acres more or less.
Subject to all legal highways, Easements and restrictions of record.
Also, commonly known as 611 West McKinley Highway, Mishawaka, Indiana 46545.

The above described parcel is presently zoned: C-1
Commercial District.
Petitioners desire said real estate to be rezoned to C-9 Commercial District. The purpose for the rezoning is to allow for the operation of automotive sales lot.

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

Tony Rucano

Tony Rucano – Property Owner

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

LEGAL DESCRIPTION:

That part of the Northwest Quarter of section 9, Township 37 North, Range 3 East, Penn Township, St. Joseph County, Indiana which is described as: Lots # 21 and # 22 of the Plat of "Liberty Park First Addition to the City of Mishawaka" as recorded in the records of the St. Joseph County, Indiana Recorders Office. Containing 0.22 acres more or less.

Subject to all legal highways, Easements and restrictions of record.

Also, commonly known as 611 West McKinley Highway, Mishawaka, Indiana 46545.

DHA Danch, Harner & Associates, Inc.

Michael J. Danch, L.A., ASLA
Ron Harner, P.S.

Land Surveyors • Professional Engineers
Landscape Architects • Land Planners

Members of the Mishawaka Plan Commission
City of Mishawaka, Indiana
600 East 3rd Street
Mishawaka, Indiana 46544

August 20, 2017

RE: Tony Rucano & Joseph Simeri Petition for Rezoning:

Dear Commission Members;

Please accept this letter as written confirmation that we have granted Danch, Harner & Associates, Inc. to represent us at all required Plan Commission meetings for our rezoning request for property at 611 W. Mc Kinley Highway, Mishawaka, Indiana.

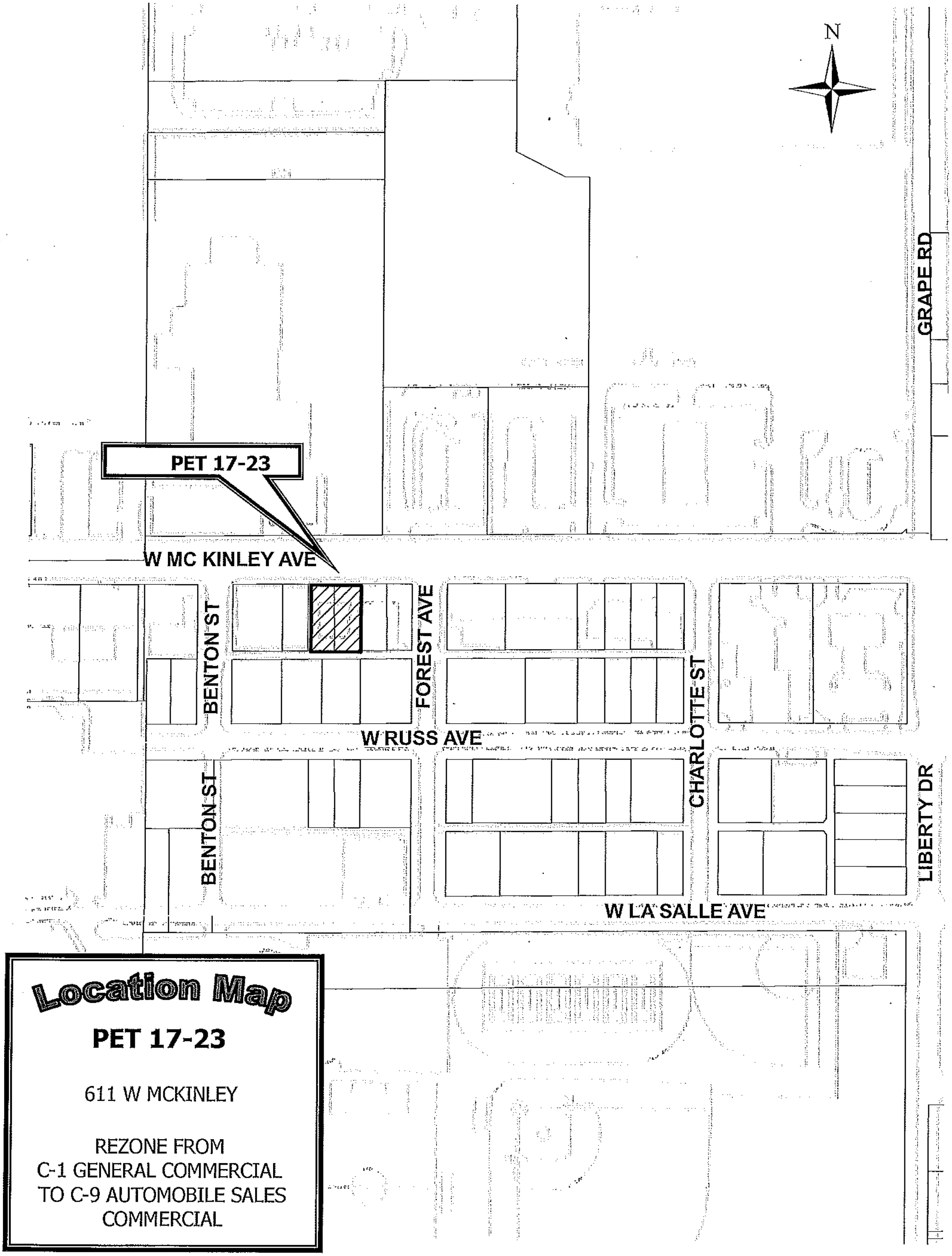
If you have any questions concerning this matter please feel free to give me a call at 276-1366.

Sincerely,

Tony Rucano

1643 Commerce Drive • South Bend, IN 46628
Office: (574) 234-4003 / (800) 594-4003 • Fax: (574) 234-4119

208 West Mars • Berrien Springs, MI 49103
Office: (269) 471-3010 • Fax: (269) 471-7237



Location Map

PET 17-23

611 W MCKINLEY

REZONE FROM
C-1 GENERAL COMMERCIAL
TO C-9 AUTOMOBILE SALES
COMMERCIAL

1st Reading 9-18-17
2nd Reading
Passed
Failed
Continued To

PETITION #17-24

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2017-37

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:

Twelve (12) rods off of the West side of the following described real estate: A part of the Southwest quarter of Section 28, Township 38 North, Range 3 East, bounded by a line running as follows, viz: Commencing at a point 72 rods West of the Southeast corner of said quarter Section; thence running West 44 rods; thence North 160 rods; thence East 44 rods; thence South 160 rods to the place of beginning containing 44 acres of land more or less, and being Lots Numbered 1 and 2 as described in the order of partition recorded in Partition Record No. 1, page 139, in the records of the Court of Common Please of said County, in the case of Clarissa Johnson vs. William C. Johnson, et al., excepting from said described tract 1.4 acres taken off of and from the entire width of the North end thereof heretofore conveyed to the State of Indiana for the Indiana East-West Toll Road, as recorded in Deed Record 534, page 131, of the records of St. Joseph County, Indiana.

COMMON ADDRESS: 16839 Douglas Road

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 R-3 Multi-Family Residential District.

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

1. Existing Conditions – This would start to fill in the gap along Douglas Road between the 7-Eleven and University Park apartments.

2. Character of Buildings in Area - Adjacent land uses include several multi-family or medium density residential uses and some commercial uses, on one of the entrances into the City.

3. The most desirable/highest and best use – Because of the parcel's location along the corridor and surrounding uses, the most desirable use for the property is to continue and expand the multi-family use.

4. Conservation of property values - The proposed zoning will not be injurious to property values in the surrounding area because the proposed use is compatible with the adjacent multi-family and commercial uses.

5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan did not specifically identify this area, but did note the other medium density residential uses in the area along Douglas Road. The petition to annex the property as R-3 Multi-Family Residential 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 ___________________, 2017, at _______ o'clock ___.M.

____
Presiding Officer

ATTEST:

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

PRESENTED by me to the Mayor this ______ day of __________________, 2017, at o'clock _____.M.

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

APPROVED by me this _____ day of ________________, 2017, at _____ ______o'clock ______.M.

____
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 28 2017

CITY CLERK
MISHAWAKA, IN

PC 17-24

RECEIVED

AUG 24 2017

BUILDING & COMMUNITY DEVELOPMENT

August 9, 2017

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 Young's Landscape Nursery Corp. respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to wit:

Petitioners own One Hundred (100%) percent of the above-described parcel of land which is located at 16839 Douglas Road, Mishawaka, Indiana 46545 and that Petitioners desire the same to be annexed to the City of Mishawaka, Indian with a R-3 Multi-family Zoning District.

Accompanying this petition is a drawing, to scale, showing the above described parcel of real estate, showing the size of the proposed building and also the location of the proposed building structure (s).

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

Wherefore, 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 annexing the above described parcel of real estate to the City of Mishawaka with a R-3 Multi-family zoning classification.

Edward G Bognar
Property Owner Signature

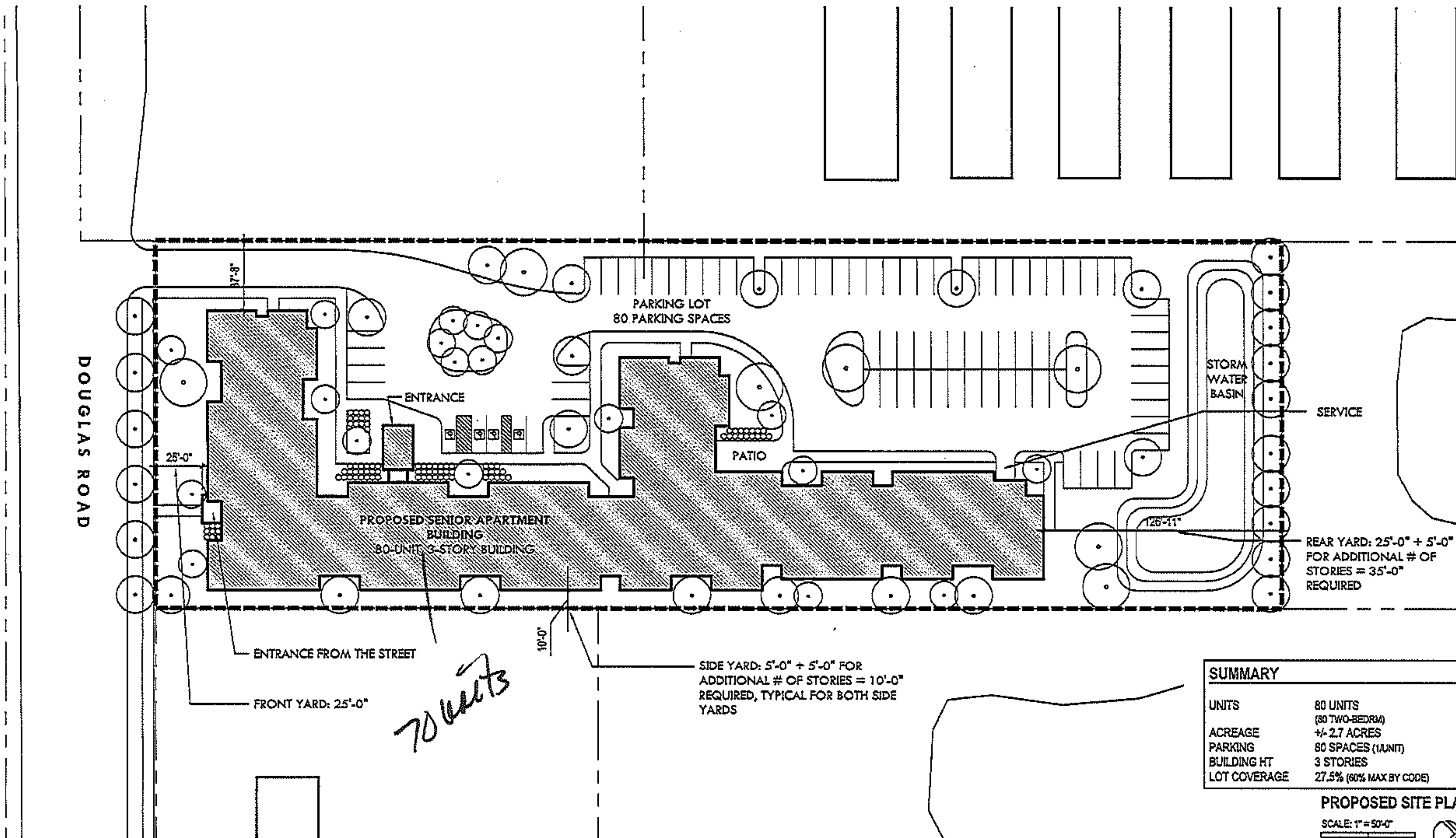
Phyllis J. Bognar

Phyllis J. BOGNAR

EDWARD G. BOGNAR
Print Property Owner Name

Contact Person:
Mary Hada, The NRP Group LLC
5309 Transportation Boulevard, Cleveland, Ohio 44125
216-475-8900
Fax: 216-475-9300
Email: mhada@nrpgroup.com

Lei B



SUMMARY

UNITS	80 UNITS (80 TWO-BEDRM)
ACREAGE	+/- 2.7 ACRES
PARKING	80 SPACES (1/UNIT)
BUILDING HT	3 STORIES
LOT COVERAGE	27.5% (60% MAX BY CODE)

PROPOSED SITE PLAN

SCALE: 1" = 50'-0"

0 25' 50'

August 3, 2017 rdl#17184 COPYRIGHT © 2017

RDL ARCHITECTS
16102 Chagrin Blvd. Suite 200
Shaker Heights, Ohio 44120
T: 216-752-4300 F: 216-752-4301
www.rdlarchitects.com

MISHAWAKA SENIOR
MISHAWAKA, INDIANA

the NRP group LLC
The NRP Group
5309 Transportation Blvd.
Cleveland, Ohio 44125
Telephone: 216.475.8900
Fax: 216.475.9300

PARCEL NO. 5
PROJECT NO. –
CODE NO. –
ROAD NO. Douglas
COUNTY: St. Joseph
SECTION: 28
TOWNSHIP: 38N
RANGE: 3E

OWNER: Young's Landscape Nursery Corporation

DOCUMENT NO.: 78000165 DATED: 01-04-78

SHEET 1 OF 3
DRAWN BY: P. FOSTER
DATE: 03-12-98
CHECKED BY: J. LIETZAN
DATE: 01-17-00
SCALE: 1"=500'

HATCHED AREA IS THE APPROXIMATE TAKING

This Plat Was Prepared From Information Obtained From The Recorder's Office And Other Sources Which Were Not Necessarily Checked By A Field Survey.

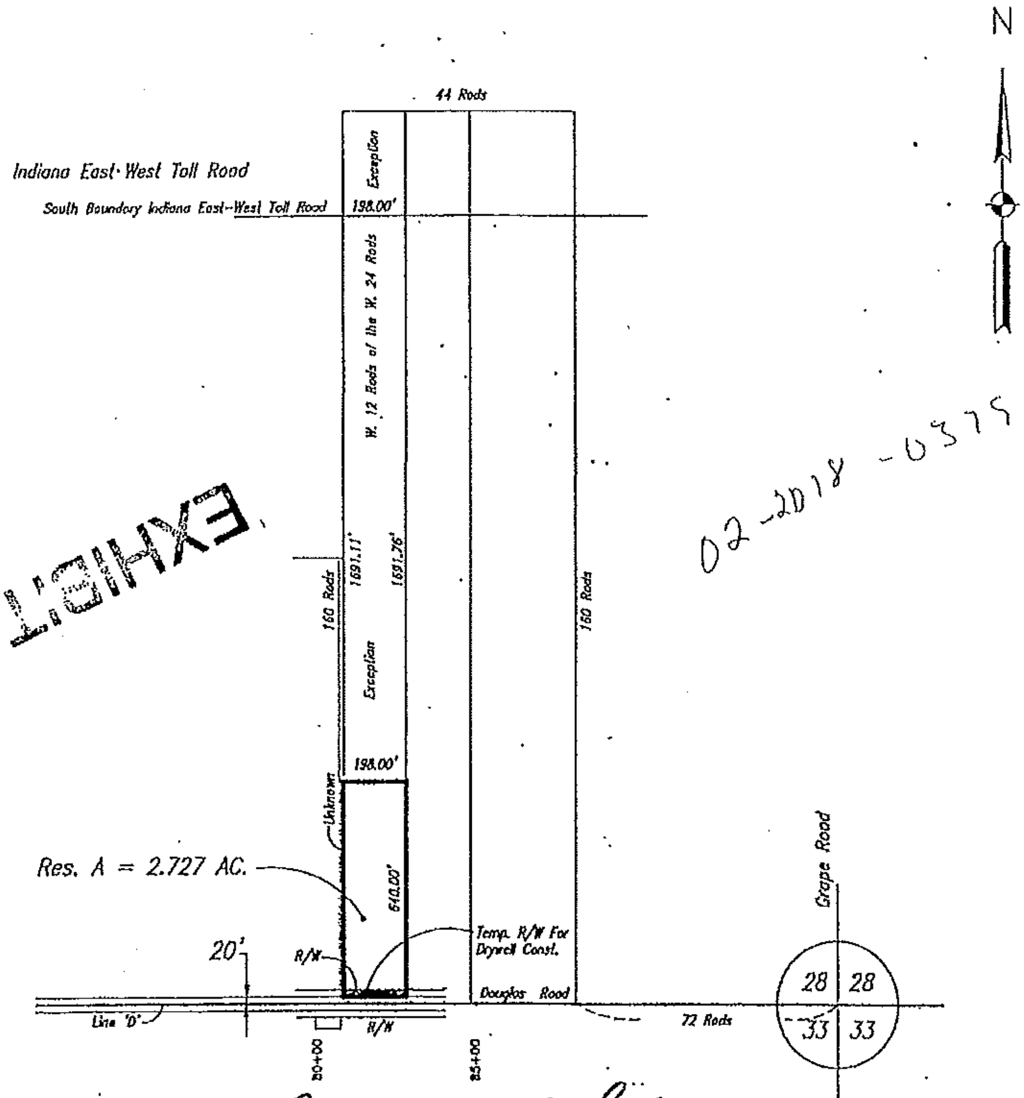


EXHIBIT "A"

02-2018-0375

TOTAL AREA= 2.909 AC.
R/W EXISTING= 0.091 AC.

NET TOTAL AREA= 2.818 AC.

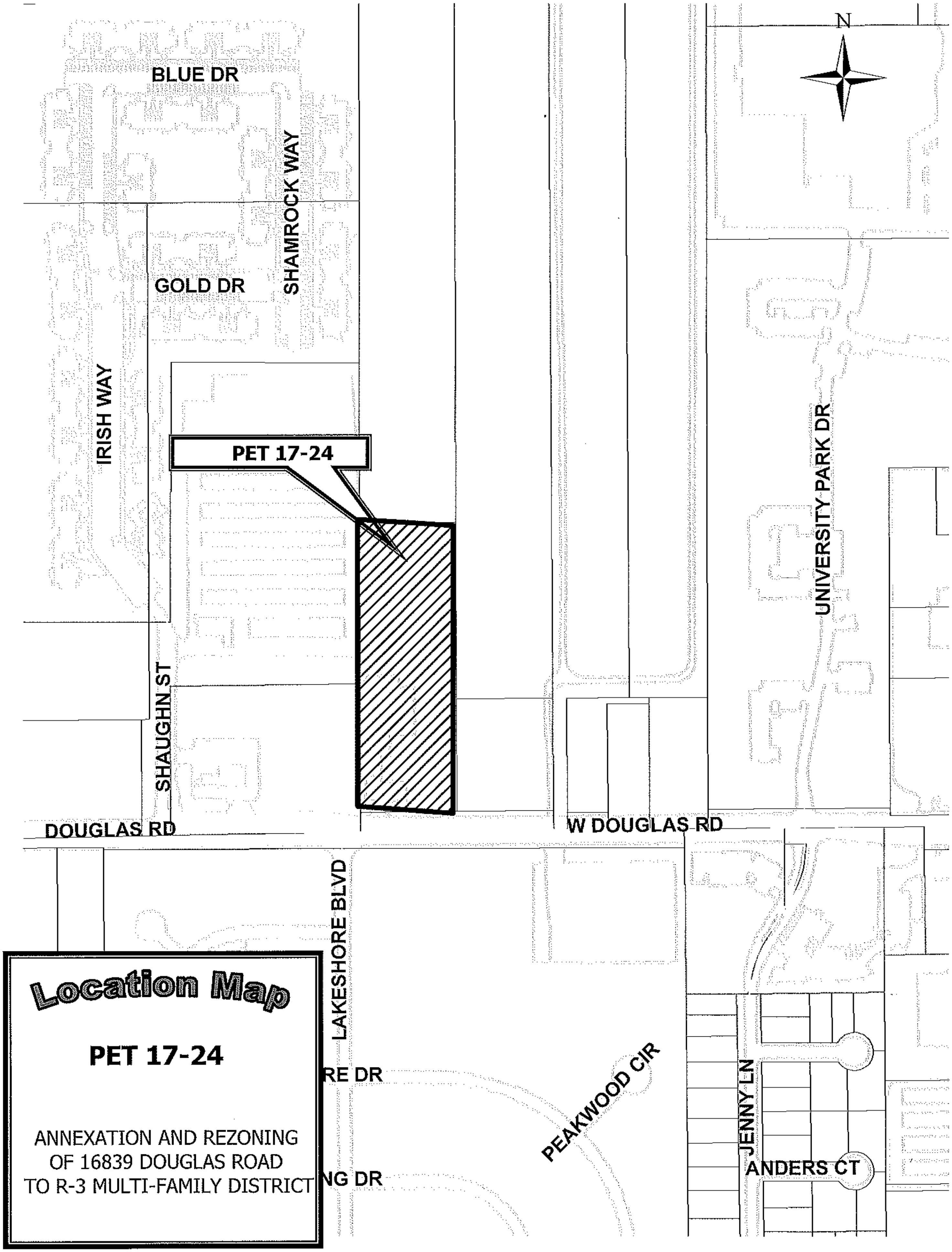
James Michael Lietzan

DATE: 1-17-00

JAMES MICHAEL LIETZAN
REGISTERED
No.
S0475
STATE OF
INDIANA
LAND SURVEYOR

LAND PLAT
BY
COLE ASSOCIATES INC.

2211 E. Jefferson Blvd. South Bend, Ind.



N
BLUE DR
SHAMROCK WAY
GOLD DR
IRISH WAY
PET 17-24
UNIVERSITY PARK DR
SHAUGHN ST
DOUGLAS RD
W DOUGLAS RD
LAKESHORE BLVD
RE DR
NG DR
PEAKWOOD CIR
JENNY LN
ANDERS CT
Location Map
PET 17-24
ANNEXATION AND REZONING
OF 16839 DOUGLAS ROAD
TO R-3 MULTI-FAMILY DISTRICT

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller

Date: September 14, 2017

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: City Budget

For first reading on Monday is the City Budget. This year we have already had our department budget meetings, which is a change from past years.

The only change I believe from the draft to this version is increasing the Park Non Reverting Budget. Phil Blasko had discussed encumbering unused funds to next year. A better plan is to add the funds to the budget.

You will also notice the entire budget is $58,372,904. This amount includes the $5,525,119 of circuit breaker losses that have to be accounted for, leaving a net budget of $52,847,785.

Please contact me with any questions.

c: David A. Wood, Mayor

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
Generated 9/15/2017 11:15:45 AM

Proposed Ordinance 2017-38

Ordinance Number:

Be it ordained/resolved by the **City of Mishawaka Common Council** that for the expenses of **MISHAWAKA CIVIL CITY** for the year ending December 31, **2018** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **MISHAWAKA CIVIL CITY**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **City of Mishawaka Common Council**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
City of Mishawaka Common Council	Common Council and Mayor	10/16/2017

Funds

Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0075	COIT SPECIAL DISTRIBUTION	$180,000	$0	0.0000
0101	GENERAL	$33,221,342	$23,958,306	2.1526
0254	LOCAL INCOME TAX	$3,017,995	$0	0.0000
0341	FIRE PENSION	$2,071,750	$0	0.0000
0342	POLICE PENSION	$1,535,105	$0	0.0000
0706	LOCAL ROAD & STREET	$680,000	$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	$3,734,090	$539,929	0.0485
1151	CONTINUING EDUCATION	$75,000	$0	0.0000
1301	PARK & RECREATION	$3,405,172	$2,793,058	0.2509
1310	PARK NONREVERTING - CAPITAL	$308,000	$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	$0	$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	$550,000	$1,218,113	0.1094
2411	ECONOMIC DEV INCOME TAX CEDIT	$3,569,331	$0	0.0000
6290	CUMULATIVE SEWER	$500,000	$599,889	0.0539
		$52,847,785	**$29,109,295**	**2.6153**

1st Reading
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC
SEP 15 2017
CITY CLERK
MISHAWAKA, IN

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4

Generated 9/15/2017 11:15:45 AM

Name		Signature
Ronald S Banicki	Aye ☐ Nay ☐ Abstain ☐	
Michael A Bellovich	Aye ☐ Nay ☐ Abstain ☐	
Joseph F Canarecci	Aye ☐ Nay ☐ Abstain ☐	
Michael S Compton	Aye ☐ Nay ☐ Abstain ☐	
Ross J Deal	Aye ☐ Nay ☐ Abstain ☐	
Dale E "Woody" Emmons	Aye ☐ Nay ☐ Abstain ☐	
Matthew T Mammolenti	Aye ☐ Nay ☐ Abstain ☐	
Bryan J Tanner	Aye ☐ Nay ☐ Abstain ☐	
Mary C Willson (Kate Voelker)	Aye ☐ Nay ☐ Abstain ☐	

ATTEST

Name	Title	Signature
Deborah S Block	City Clerk	

MAYOR ACTION (For City use only)

Name		Signature	Date
David A Wood	Approve ☐ Veto ☐		

Budget Form 1 - Budget Estimate

Year: 2018 County: St. Joseph Unit: Mishawaka Civil City

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0075 - COIT SPECIAL DISTRIBUTION	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Street Equipment	$180,000	$180,000
					0075 - COIT SPECIAL DISTRIBUTION Total	$180,000	$180,000
0101 - GENERAL	CONTROLLER	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$2,534,883	$2,534,883
0101 - GENERAL	CONTROLLER	SUPPLIES	Office Supplies		Office Supplies	$15,000	$15,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Professional Services		Animal Control	$163,727	$163,727
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Professional Services		IACT	$12,000	$12,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Professional Services		WNIT Public Access	$10,000	$10,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Communication and Transportation		Postage	$15,000	$15,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Communication and Transportation		Telephone	$45,000	$45,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Communication and Transportation		Travel	$4,000	$4,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Printing and Advertising		Publications	$13,000	$13,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Insurance		Insurance	$825,000	$825,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Utility Services		MU Charges	$800,000	$800,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Utility Services		NIPSCO	$60,000	$60,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Repairs and Maintenance		Repairs and Maintenance	$50,000	$50,000
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Other Services and Charges		Miscellaneous	$1,500	$1,500
0101 - GENERAL	CONTROLLER	SERVICES AND CHARGES	Other Services and Charges		Subscriptions Dues	$1,000	$1,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0101 - GENERAL	CONTROLLER	CAPITAL OUTLAYS	Other Capital Outlays		Capital Outlay	$250,000	$250,000
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$143,895	$143,895
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SUPPLIES	Office Supplies		Office Supplies	$1,500	$1,500
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SUPPLIES	Operating Supplies		Violations Bureau Supplies	$1,500	$1,500
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SERVICES AND CHARGES	Professional Services		Attorney Fees	$1,000	$1,000
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SERVICES AND CHARGES	Professional Services		BIS Digital	$7,000	$7,000
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SERVICES AND CHARGES	Professional Services		Municipal Code Service,BIS digital	$8,000	$8,000
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SERVICES AND CHARGES	Communication and Transportation		Travel	$2,000	$2,000
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SERVICES AND CHARGES	Other Services and Charges		Community Promotion	$1,750	$1,750
0101 - GENERAL	CLERK-TREASURER (CITY/TOWN UNITS ONLY)	SERVICES AND CHARGES	Other Services and Charges		Subscriptions dues	$1,500	$1,500
0101 - GENERAL	MAYOR	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$150,377	$150,377
0101 - GENERAL	MAYOR	SUPPLIES	Office Supplies		Office Supplies	$1,500	$1,500
0101 - GENERAL	MAYOR	SERVICES AND CHARGES	Communication and Transportation		Travel	$2,000	$2,000
0101 - GENERAL	MAYOR	SERVICES AND CHARGES	Printing and Advertising		Printing	$500	$500
0101 - GENERAL	MAYOR	SERVICES AND CHARGES	Other Services and Charges		Community Promotion	$7,500	$7,500
0101 - GENERAL	MAYOR	SERVICES AND CHARGES	Other Services and Charges		Leadership	$2,000	$2,000
0101 - GENERAL	MAYOR	SERVICES AND CHARGES	Other Services and Charges		Memorial Day	$1,500	$1,500
0101 - GENERAL	MAYOR	SERVICES AND CHARGES	Other Services and Charges		Subscriptions	$2,000	$2,000
0101 - GENERAL	CITY COUNCIL/TOWN BOARD (COMMON COUNCIL)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$108,375	$108,375
0101 - GENERAL	CITY COUNCIL/TOWN BOARD (COMMON COUNCIL)	SUPPLIES	Office Supplies		Office Supplies	$750	$750

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0101 - GENERAL	CITY COUNCIL/TOWN BOARD (COMMON COUNCIL)	SERVICES AND CHARGES	Communication and Transportation		Travel	$6,000	$6,000
0101 - GENERAL	CITY COUNCIL/TOWN BOARD (COMMON COUNCIL)	SERVICES AND CHARGES	Other Services and Charges		Community Promotion	$5,000	$5,000
0101 - GENERAL	PROPERTY TAX CAP IMPACT - BUDGET PURPOSES ONLY	PROPERTY TAX CAP	Property Tax Cap Impact		Property Tax Cap Impact	$4,585,203	$4,585,203
0101 - GENERAL	PLANNING & ZONING	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$217,342	$217,342
0101 - GENERAL	PLANNING & ZONING	SUPPLIES	Operating Supplies		Operating Supplies	$4,000	$4,000
0101 - GENERAL	PLANNING & ZONING	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$3,000	$3,000
0101 - GENERAL	PLANNING & ZONING	SERVICES AND CHARGES	Other Services and Charges		Subscription and Dues	$1,500	$1,500
0101 - GENERAL	DATA PROCESSING (COMPUTERS)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$296,536	$296,536
0101 - GENERAL	DATA PROCESSING (COMPUTERS)	SUPPLIES	Operating Supplies		Operating Supplies	$20,000	$20,000
0101 - GENERAL	DATA PROCESSING (COMPUTERS)	SERVICES AND CHARGES	Communication and Transportation		Travel/Training	$25,000	$25,000
0101 - GENERAL	DATA PROCESSING (COMPUTERS)	SERVICES AND CHARGES	Other Services and Charges		Subscriptions,Dues	$15,000	$15,000
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$661,089	$661,089
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SUPPLIES	Office Supplies		Office Supplies	$2,000	$2,000
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SUPPLIES	Operating Supplies		Equipment/Vehicle/Maint Supplies	$110,000	$110,000
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SUPPLIES	Operating Supplies		Gas, Oil, etc.	$800,000	$800,000
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SUPPLIES	Other Supplies		Uniform/Supplies	$4,250	$4,250
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SERVICES AND CHARGES	Professional Services		Health Screenings/Vaccines	$1,000	$1,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$1,500	$1,500
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SERVICES AND CHARGES	Repairs and Maintenance		Building Repair/Equipment/Maintenance	$70,000	$70,000
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SERVICES AND CHARGES	Rentals		Uniforms	$5,000	$5,000
0101 - GENERAL	CENTRAL SERVICES (CITY SVCS-MUNICIPAL SVCS-SVC CTR.)	SERVICES AND CHARGES	Other Services and Charges		Miscellaneous Charges	$2,500	$2,500
0101 - GENERAL	LAW DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$140,590	$140,590
0101 - GENERAL	LAW DEPARTMENT	SUPPLIES	Office Supplies		Office Supplies	$500	$500
0101 - GENERAL	LAW DEPARTMENT	SUPPLIES	Office Supplies		Professional Books	$500	$500
0101 - GENERAL	LAW DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel/Training	$3,000	$3,000
0101 - GENERAL	LAW DEPARTMENT	SERVICES AND CHARGES	Insurance		Claims	$50,000	$50,000
0101 - GENERAL	LAW DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Miscellaneous Charges	$1,500	$1,500
0101 - GENERAL	LAW DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Subscriptions, Dues	$1,500	$1,500
0101 - GENERAL	ENGINEER	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$323,404	$323,404
0101 - GENERAL	ENGINEER	SUPPLIES	Office Supplies		General Supplies	$4,000	$4,000
0101 - GENERAL	ENGINEER	SERVICES AND CHARGES	Professional Services		Consulting	$5,000	$5,000
0101 - GENERAL	ENGINEER	SERVICES AND CHARGES	Communication and Transportation		Travel	$1,750	$1,750
0101 - GENERAL	ENGINEER	SERVICES AND CHARGES	Repairs and Maintenance		Equipment Repair	$2,500	$2,500
0101 - GENERAL	ENGINEER	SERVICES AND CHARGES	Other Services and Charges		Subscriptions/Dues	$1,000	$1,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$54,273	$54,273

Fund	**Department**	**Category**	**Sub-Category**	**Line Item Code**	**Line Item**	**Published**	**Adopted**
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SUPPLIES	Office Supplies		Office Supplies	$1,000	$1,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Professional Services		Consulting	$54,000	$54,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Professional Services		Employee Assistance Program	$10,000	$10,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Professional Services		Testing/Wellness	$5,000	$5,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Communication and Transportation		Travel	$1,000	$1,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Printing and Advertising		Printing/advertising	$1,000	$1,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Other Services and Charges		Staff Development	$1,000	$1,000
0101 - GENERAL	HUMAN RELATIONS/RESOURCES (SOCIAL SVC-COUNCIL ON AGING)	SERVICES AND CHARGES	Other Services and Charges		Subscriptions, Dues	$500	$500
0101 - GENERAL	BUILDING DEPARTMENT (JAIL CONST. - BLDG. COMM. - PERMITS)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$203,116	$203,116
0101 - GENERAL	BUILDING DEPARTMENT (JAIL CONST. - BLDG. COMM. - PERMITS)	SUPPLIES	Operating Supplies		Supplies	$2,000	$2,000
0101 - GENERAL	BUILDING DEPARTMENT (JAIL CONST. - BLDG. COMM. - PERMITS)	SERVICES AND CHARGES	Communication and Transportation		Travel/Training	$4,000	$4,000
0101 - GENERAL	BUILDING DEPARTMENT (JAIL CONST. - BLDG. COMM. - PERMITS)	SERVICES AND CHARGES	Other Services and Charges		Subscriptions, Dues	$800	$800
0101 - GENERAL	CODE ENFORCEMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$274,182	$274,182

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0101 - GENERAL	CODE ENFORCEMENT	SUPPLIES	Operating Supplies		Supplies	$3,500	$3,500
0101 - GENERAL	CODE ENFORCEMENT	SERVICES AND CHARGES	Communication and Transportation		Travel	$3,000	$3,000
0101 - GENERAL	CODE ENFORCEMENT	SERVICES AND CHARGES	Other Services and Charges		Clean up	$35,000	$35,000
0101 - GENERAL	FIRE DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$12,109,110	$12,109,110
0101 - GENERAL	FIRE DEPARTMENT	SUPPLIES	Office Supplies		Office Supplies	$6,000	$6,000
0101 - GENERAL	FIRE DEPARTMENT	SUPPLIES	Operating Supplies		Operating Supplies	$200,000	$200,000
0101 - GENERAL	FIRE DEPARTMENT	SUPPLIES	Other Supplies		Medical Supplies	$125,000	$125,000
0101 - GENERAL	FIRE DEPARTMENT	SUPPLIES	Other Supplies		Public Education Training/Seminar Supplies/Refreshments	$6,000	$6,000
0101 - GENERAL	FIRE DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Building/Equipment Repair	$100,000	$100,000
0101 - GENERAL	FIRE DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Laundry Maintenance	$3,000	$3,000
0101 - GENERAL	FIRE DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Subscriptions, Dues, etc.	$3,000	$3,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$11,373,499	$11,373,499
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SUPPLIES	Operating Supplies		Operating Supplies	$35,000	$35,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SUPPLIES	Other Supplies		Seminars/Community Relations	$1,000	$1,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Communication and Transportation		Travel/Training	$2,000	$2,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Printing and Advertising		Printing	$1,800	$1,800
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Repairs and Maintenance		Building Repair/Maintenance/Service Contracts	$90,000	$90,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Other Services and Charges		Canine Expenses	$3,000	$3,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Other Services and Charges		Crime Stoppers Program	$5,000	$5,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Other Services and Charges		Special Expense	$13,000	$13,000
0101 - GENERAL	POLICE DEPARTMENT (TOWN MARSHALL)	SERVICES AND CHARGES	Other Services and Charges		Subscriptions, Dues, etc.	$3,000	$3,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0101 - GENERAL	CEMETERY	SERVICES AND CHARGES	Other Services and Charges		Maintenance	$25,000	$25,000
0101 - GENERAL	REDEVELOPMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$204,044	$204,044
0101 - GENERAL	REDEVELOPMENT	SUPPLIES	Office Supplies		Office Supplies	$1,000	$1,000
0101 - GENERAL	REDEVELOPMENT	SERVICES AND CHARGES	Professional Services		Professional Services	$225,000	$225,000
0101 - GENERAL	REDEVELOPMENT	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$2,000	$2,000
0101 - GENERAL	REDEVELOPMENT	SERVICES AND CHARGES	Printing and Advertising		Legal Ads	$800	$800
					0101 - GENERAL Total	$37,806,545	$37,806,545
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SUPPLIES	Other Supplies		Police Supplies	$75,000	$75,000
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Clinic	$304,300	$304,300
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		New Hire Physicals/Testing	$52,000	$52,000
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel/Training	$65,000	$65,000
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Radio System Contract	$319,073	$319,073
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Service Contracts	$275,000	$275,000
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Lease Payments	$495,622	$495,622
0254 - LOCAL INCOME TAX	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		PSAP	$650,000	$650,000
0254 - LOCAL INCOME TAX	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Fire Dept Equipment	$398,000	$398,000
0254 - LOCAL INCOME TAX	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Police Cars	$282,000	$282,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0254 - LOCAL INCOME TAX	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Police Equipment	$102,000	$102,000
					0254 - LOCAL INCOME TAX Total	$3,017,995	$3,017,995
0341 - FIRE PENSION	NO DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$2,067,750	$2,067,750
0341 - FIRE PENSION	NO DEPARTMENT	SUPPLIES	Office Supplies		Misc Supplies	$1,000	$1,000
0341 - FIRE PENSION	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Legal Fees	$2,000	$2,000
0341 - FIRE PENSION	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$500	$500
0341 - FIRE PENSION	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Equipment Repair	$500	$500
					0341 - FIRE PENSION Total	$2,071,750	$2,071,750
0342 - POLICE PENSION	NO DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$1,532,155	$1,532,155
0342 - POLICE PENSION	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Legal Fees	$2,500	$2,500
0342 - POLICE PENSION	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$450	$450
					0342 - POLICE PENSION Total	$1,535,105	$1,535,105
0706 - LOCAL ROAD & STREET	NO DEPARTMENT	CAPITAL OUTLAYS	Infrastructure		Summer Paving	$680,000	$680,000
					0706 - LOCAL ROAD & STREET Total	$680,000	$680,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$2,620,590	$2,620,590
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SUPPLIES	Office Supplies		Office Supplies	$0	$0

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SUPPLIES	Operating Supplies		Gas, Oil, etc.	$0	$0
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SUPPLIES	Repair and Maintenance Supplies		Equipment/Parts, Supplies	$316,500	$316,500
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SUPPLIES	Other Supplies		Traffic Supplies	$0	$0
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SUPPLIES	Other Supplies		Uniform Supplies	$0	$0
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Health Screenings/Vaccines	$5,000	$5,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Telephone	$7,500	$7,500
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$5,000	$5,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Printing and Advertising		Publications	$500	$500
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Insurance		Insurance Premiums/Deductibles	$150,000	$150,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Utility Services		MU Charges	$135,000	$135,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Utility Services		NIPSCO	$100,000	$100,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Building/Equipment Repair	$200,000	$200,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Rentals		Uniforms	$8,000	$8,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Miscellaneous Charges	$3,000	$3,000
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	CAPITAL OUTLAYS	Improvements Other Than Building		Street Repair	$183,000	$183,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
0708 - MOTOR VEHICLE HIGHWAY	NO DEPARTMENT	PROPERTY TAX CAP	Property Tax Cap Impact		Property Tax Cap Impact	$83,916	$83,916
					0708 - MOTOR VEHICLE HIGHWAY Total	$3,818,006	$3,818,006
1151 - CONTINUING EDUCATION	NO DEPARTMENT	SUPPLIES	Operating Supplies		Ammunition	$25,000	$25,000
1151 - CONTINUING EDUCATION	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel Training	$21,000	$21,000
1151 - CONTINUING EDUCATION	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Vests	$29,000	$29,000
					1151 - CONTINUING EDUCATION Total	$75,000	$75,000
1301 - PARK & RECREATION	NO DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$2,302,772	$2,302,772
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Office Supplies		Office Supplies	$5,000	$5,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Operating Supplies		Gas, Oil, Parts, etc.	$73,000	$73,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Other Supplies		Athletic Event Supplies	$20,000	$20,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Other Supplies		Concessions	$65,000	$65,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Other Supplies		Golf Course Supplies	$30,000	$30,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Other Supplies		Maintenance Supplies	$60,000	$60,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Other Supplies		Merrifield Complex Supplies	$15,000	$15,000
1301 - PARK & RECREATION	NO DEPARTMENT	SUPPLIES	Other Supplies		Program Supplies	$40,000	$40,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Health Screenings/Vaccines	$8,000	$8,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Postage and Freight	$2,000	$2,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Telephone	$7,000	$7,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Travel and Training	$3,000	$3,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Printing and Advertising		Printing/Newsletter etc.	$10,000	$10,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Insurance		Insurance Premiums/Deductibles	$120,000	$120,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Utility Services		MU/AEP Charges	$370,000	$370,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Utility Services		NIPSCO	$30,000	$30,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Equipment/Facility Repair	$50,000	$50,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Service Contracts	$95,000	$95,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Rentals		Uniforms/Port-o-lets	$11,500	$11,500
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Instructor Fees	$20,500	$20,500
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Miscellaneous/Charges	$1,000	$1,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Official/Referee Fees	$10,000	$10,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Recreation Event/Entertainment	$30,000	$30,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Sales Tax	$25,000	$25,000
1301 - PARK & RECREATION	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		Subscription, Dues, etc.	$1,400	$1,400
1301 - PARK & RECREATION	NO DEPARTMENT	PROPERTY TAX CAP	Property Tax Cap Impact		Property Tax Cap Impact	$634,183	$634,183
					1301 - PARK & RECREATION Total	$4,039,355	$4,039,355
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	PERSONAL SERVICES	Salaries and Wages		Salaries and Wages	$15,000	$15,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SUPPLIES	Other Supplies		Golf Course Concessions	$10,000	$10,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SUPPLIES	Other Supplies		Landscaping and Chemical Supplies	$60,000	$60,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SUPPLIES	Other Supplies		Wilson Hill Supplies	$7,500	$7,500
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Animal Control	$15,000	$15,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Consulting	$75,000	$75,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Communication and Transportation		Wilson Hill Phone and Internet	$2,500	$2,500
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Golf Cart Repair	$5,000	$5,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		GPS Contract	$28,000	$28,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Merrifield Pool and Rink Repair	$15,000	$15,000
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Wilson Hill Building	$10,000	$10,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
1310 - PARK NONREVERTING - CAPITAL	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Machinery and Equipment	$65,000	$65,000
					1310 - PARK NONREVERTING - CAPITAL Total	$308,000	$308,000
2391 - CUMULATIVE CAPITAL DEVELOPMENT	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Service Contracts/Software Maintenance	$300,000	$300,000
2391 - CUMULATIVE CAPITAL DEVELOPMENT	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		Computer Equip/Software	$250,000	$250,000
2391 - CUMULATIVE CAPITAL DEVELOPMENT	NO DEPARTMENT	PROPERTY TAX CAP	Property Tax Cap Impact		Property Tax Cap Impact	$129,349	$129,349
					2391 - CUMULATIVE CAPITAL DEVELOPMENT Total	$679,349	$679,349
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SUPPLIES	Repair and Maintenance Supplies		Street Material	$175,000	$175,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SUPPLIES	Other Supplies		Park Landscaping	$100,000	$100,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SUPPLIES	Other Supplies		Salt	$175,000	$175,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Chamber of Commerce/en focus	$55,000	$55,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Clinic	$346,800	$346,800
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Consulting	$125,000	$125,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		City Maintenance	$150,000	$150,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Engineering Maintenance	$100,000	$100,000

Fund	Department	Category	Sub-Category	Line Item Code	Line Item	Published	Adopted
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Signal Maintenance	$100,000	$100,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Repairs and Maintenance		Splash Pad Repair	$30,000	$30,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		PSAP	$650,000	$650,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	SERVICES AND CHARGES	Other Services and Charges		PSAP Bond	$119,531	$119,531
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	CAPITAL OUTLAYS	Improvements Other Than Building		Improvements	$850,000	$850,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	CAPITAL OUTLAYS	Machinery, Equipment, and Vehicles		MVH	$368,000	$368,000
2411 - ECONOMIC DEV INCOME TAX CEDIT	NO DEPARTMENT	CAPITAL OUTLAYS	Other Capital Outlays		Improvements	$225,000	$225,000
					2411 - ECONOMIC DEV INCOME TAX CEDIT Total	$3,569,331	$3,569,331
6290 - CUMULATIVE SEWER	NO DEPARTMENT	SERVICES AND CHARGES	Professional Services		Professional Services	$250,000	$250,000
6290 - CUMULATIVE SEWER	NO DEPARTMENT	CAPITAL OUTLAYS	Improvements Other Than Building		Storm.Sanitary Reconstruction	$250,000	$250,000
6290 - CUMULATIVE SEWER	NO DEPARTMENT	PROPERTY TAX CAP	Property Tax Cap Impact		Property Tax Cap Impact	$92,468	$92,468
					6290 - CUMULATIVE SEWER Total	$592,468	$592,468
					UNIT TOTAL	$58,372,904	$58,372,904

APPEAL #17-39

RESOLUTION NO. 2017-23

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:

5327 Grape Road, 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 **5327 Grape Road, Mishawaka, Indiana**, more particularly known and described as follows:

> A part of the Northwest Quarter of Section No. 33, Township No. 38 North, Range No. 3 East, bounded by a line running as follows, viz: Beginning at the Northeast corner of said quarter section; running thence West a distance of 243 feet; thence South 264 feet; thence East 243 feet to the North and South centerline of said Section No. 33; thence North on said North and South centerline, 264 feet to the place of beginning.

The Use Variance, if approved, will permit a multi-tenant building to include a restaurant with drive-thru subject to the following conditions:

1. Parking shall be provided at a minimum of 55 spaces as shown on the preliminary site submitted with the appeal.
2. Uses shall be limited to one (1) restaurant with drive-thru and those identified in the C-1 General Commercial Zoning District.
3. Current stormwater management standards and grease-traps shall be implemented per City of Mishawaka Engineering Department.

4. Right-of-way and access drive improvements shall be reviewed as a part of the site plan submittal and implemented as determined by the City of Mishawaka Engineering Department.
5. The required perimeter yard and parking lot landscaping along the north property line shall be provided onsite completely outside of the additional right-of-way to be dedicated.
6. The required perimeter yard landscaping along the south property line shall be provided offsite on the adjacent property within a landscape easement dedicated to the City of Mishawaka.

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. Approval will not be injurious to the public health, safety, morals and general welfare of the community because all state and local building codes will be adhered to during construction.

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 adjacent properties are zoned commercial and the proposed use is consistent with those in the surrounding area.

3. The need for the variance arises from some condition peculiar to the property in that the property is zoned C-1 General Commercial and the City of Mishawaka Zoning Ordinance does not have a zoning classification that would allow for the proposed multi-tenant use with the drive-thru restaurant use.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought because the zoning does not allow for the combined multi-tenant use and the drive-thru restaurant use. The preferred means by which to allow the two uses is through the use variance process.

5. The recommendation is consistent, and or, not in conflict with Comprehensive Plan which indicates commercial uses for this area.

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_________________, 2017, at ______o'clock _____ .m.

____
Presiding Officer

ATTEST:

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

PRESENTED by me to the Mayor this ________day of ____________________2017, at _______ o'clock ____m.

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

APPROVED by me this _______ day of______________________, 2017, at _______o'clock ______.m.

____
David A. Wood, Mayor

AP 17-39

Date: August 23, 2017

Mishawaka Board
of Zoning Appeals

RE: Land Use and Variance Requests

Petition Address: 5327 Grape Road,
Mishawaka, Indiana 46545

The undersigned appellants respectfully show the Board:

1). That they are the owners of the below-described real estate located in the City of Mishawaka, Indiana, to-wit:

A part of the Northwest Quarter of Section No. 33, Township No. 38 North, Range No. 3 East, bounded by a line running as follows, viz: Beginning at the Northeast corner of said quarter section; running thence West a distance of 243 feet; thence South 264 feet; thence East 243 feet to the North and South centerline of said Section No.33; thence North on said North and South centerline, 264 feet to the place of beginning.

ALSO commonly known as 5327 Grape Road, Mishawaka, Indiana 46545

2). The above described real estate presently has a Zoning classification of "C-1" COMMERCIAL DISTRICT" under the Zoning Ordinance of the City of Mishawaka.

3). The Appellants have been the owners of the property as shown in the records of the County Auditor's Office. The property is presently vacant and previously consisted of an eye care center. The Appellants desire to develop a multi-tenant building on the site which would contain a small restaurant with drive-thru, and three small retail tenants. Access to the site would be from a relocated curb cut off Douglas Road and from an existing drive access off of Grape Road.

Based on discussions with the City's Planning staff and review of the City's Zoning Ordinance, a multi-tenant building which includes more than two tenants requires a "C-2" Commercial District classification. The "C-2" zoning also carries with it extensive setback requirements for buildings, parking & pavement, a minimum acreage limit and limitation on building coverage. The proposed restaurant with a drive-thru requires a "C-7" Commercial District classification. Based on the existing zoning ordinance, this proposed development would require a property with a split zoning and a request for approval of several developmental variances from the zoning standards. The preference from discussions with the Planning Commission staff was to request a "Land Use" Variance for the proposed number of tenants in a single building and to allow for the restaurant with a drive-thru facility. The proposed development would also require only a few variances from the developmental standards to allow for a reduction in the total number of parking spaces required, and a 0-ft pavement and landscape reduction along Douglas Road and along the south property line.

By going through the request for a "Land-Use" variance, this would leave the property as "C-1" Commercial which fits with the surrounding area and would allow the placement of any necessary restrictions on the proposed commercial use. As mentioned above, the request for the "Land Use" variance also requires approval of a few Variances to allow the property to be developed within the "C-1" Commercial District. The Variances relate to developmental standards required for "C-1" Commercial uses. The Variances are in regards to the location of pavement for parking of vehicles, and the number of parking spaces being provided for the proposed uses.

4). After discussions with the Mishawaka Planning Staff and as stated above, it was determined that in order to allow for the proposed commercial development, the best procedure would be to request approval of Land Use Variance in an "C-1" Commercial District for a four (4) Unit multi-tenant building with a restaurant containing a drive-thru facility. This process would help to maintain the existing Commercial character of the area and not introduce a more intense Zoning classification into the established commercial use area. This would help maintain the existing character of the area.

5). The Appellants are also requesting a few Variances from Developmental standards for the "C-1" Commercial District classification for the operation of the multi-tenant building with a restaurant containing a drive-thru facility.

The first Variance request is to allow a reduction in the total number of parking spaces. In accordance with the City of Mishawaka Zoning Ordinance, (4) parking spaces are required per 1,000 sf of gross floor area for the retail uses and (15) spaces per 1,000 sf of gross floor area for the drive-thru restaurant use. A total of (32) spaces would be required for the proposed 8,000 sf of retail use, and a total of (30) parking spaces would be required for the proposed 2,000 sf drive-thru use. The Appellants are requested a Variance to a reduction in the total amount of required parking spaces from (62) spaces to (55) parking spaces.

The second Variance request is to allow a 0-ft pavement setback and no required landscaping along Douglas Road and along the south property line. The City of Mishawaka Zoning Ordinance requires a 10-ft pavement setback along Douglas Road and a 5-ft pavement setback along the south property line. The Landscape Ordinance requires a hedge row and tree planting along Douglas Road and tree plantings along the south property line. The City of Mishawaka has plans to create an additional right turn lane onto Grape Road off of Douglas Road. In order to provide for the improvements, additional right-of-way would need to be obtained from this property. After discussions with the Mishawaka Planning Staff, it was determined that the best approach to allow for the right-of-way expansion and allow for the required landscaping would be to seek the aforementioned variances. The City had approached the property owner to the south (Habitat) in considering dedicating a 10-ft landscape easement to the City on the northern edge of their parking area adjacent to the proposed development. The intent of the landscape easement would be to allow the entire proposed development be shifted, as currently envisioned, 5-ft to the south. This would create a 0-ft pavement setback along the south property line. The required landscaping would then be planted in the City landscape easement. By moving the proposed improvements to the south, this would increase the amount of green space along Douglas Road between the proposed parking of the development and the curb along Douglas Road from approximately 13-ft to 18-ft. The 13-ft of green space would be within the proposed dedicated right-of-way needed for the proposed turn-lane. The additional 5-ft of open space would allow for required landscape plantings along Douglas Road. The City landscape easement will be considered and voted on by the Habitat Board prior to the BZA meeting date. To keep the proposed project moving forward, the City recommended that the Appellant request the 0-ft pavement setback and landscape variances along the south property line and Douglas Road. The proposed variance require will be amend at the time of the BZA meeting to reflect the Habitat Board's decision on the landscape easement.

6). The Appellants would state that if the proposed Land Use Variance and Developmental standard Variances were approved, it would not adversely affect the adjacent properties or the surrounding neighborhood. The Appellants would hope that the Board Members would agree, that the allowing the proposed multi-tenant building with a restaurant containing a drive-thru facility, meets the intent of the requested Land Use Variance and Developmental standards within the "C-1" Commercial District.

For the above stated reasons, the Appellants would contend that approval of the Land Use Variance and Developmental standards Variances would not be injurious to the public health, safety, morals and general welfare of the Community. The use and value of the area adjacent to the property included in the above requests will not be affected in a substantially adverse manner. The need for the above requested Land Use Variance and Developmental standard Variances arises from a condition peculiar to the Appellant's property and that the strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the Appellant's property. The Appellants and contingent purchasers would also state that approval of the requested Land Use Variance and Developmental standard Variances would not interfere substantially with the Comprehensive Plan for this entire area.

The Appellants and contingent purchasers therefore prays and respectfully requests a hearing on this appeal and that after such hearing the Board recommends approval of the Land Use Variance and approves the requested Developmental standard Variances.

For: CBI Building, LLC
120 West Lexington Avenue
Elkhart, Indiana 46516

LEGAL DESCRIPTION

A part of the Northwest Quarter of Section No. 33, Township No. 38 North, Range No. 3 East, bounded by a line running as follows, viz: Beginning at the Northeast corner of said quarter section; running thence West a distance of 243 feet; thence South 264 feet; thence East 243 feet to the North and South centerline of said Section No.33; thence North on said North and South centerline, 264 feet to the place of beginning.

AP 17-39

Mishawaka Board of Zoning Appeals
Mishawaka Common Council
600 East Third Street
Mishawaka, Indiana 46544

August 23, 2017

RE: Land Use & Variance Requests for
5327 Grape Road
Mishawaka, Indiana 46545

Dear Board Members and Council Members,

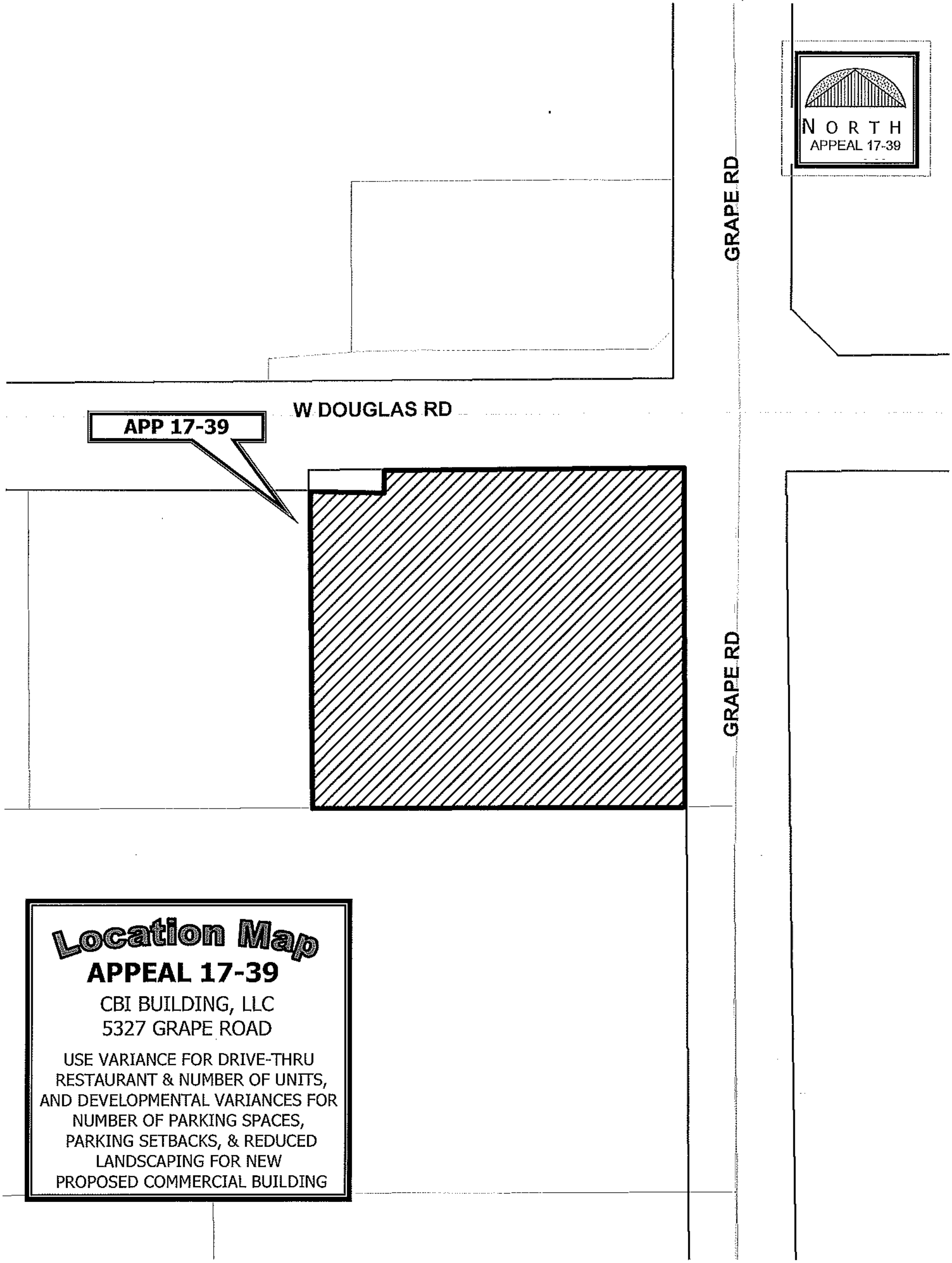
This letter is to inform the Board Members that we have granted authority to Danch, Harner & Associates to represent us at the Mishawaka Board of Zoning Appeals and Common Council meeting at which our Land Use Variance and Developmental Standard Variance Requests will be heard.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

For CBI Building, LLC
120 West Lexington Avenue
Elkhart, Indiana 46516

File No. 170205


NORTH
APPEAL 17-39
GRAPE RD
W DOUGLAS RD
APP 17-39
GRAPE RD
Location Map
APPEAL 17-39
CBI BUILDING, LLC
5327 GRAPE ROAD
USE VARIANCE FOR DRIVE-THRU RESTAURANT & NUMBER OF UNITS, AND DEVELOPMENTAL VARIANCES FOR NUMBER OF PARKING SPACES, PARKING SETBACKS, & REDUCED LANDSCAPING FOR NEW PROPOSED COMMERCIAL BUILDING

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller

Date: August 31, 2017

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: Elected and City salary ordinances except Park and Utilities

Attached are the salary ordinances required for first reading at Tuesday's meeting.

In the ordinances is a 1% raise for all employees along with $500. The $500 raise has not been given to part time employees such as part time attorneys and crossing guards.

There are two minor changes from last year. An Office Administrator position has been added for the MVH (Street) Department and a certification has been added in the Human Resources department that if the employee qualifies would be an additional $500 per year.

Please contact me with any questions.

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 31 2017

CITY CLERK
MISHAWAKA, IN

c: David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 31 2017

CITY CLERK
MISHAWAKA, IN

1st Reading
2nd Reading
Passed
Failed
Continued To

PROPOSED ORDINANCE NO. 2017-33

ORDINANCE NO. -

AN ORDINANCE FIXING THE SALARIES
OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018

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, 2018 shall be payable in 26 equal biweekly pay periods beginning January 12, 2018 in the following amounts:

	Biweekly salary
Mayor	$ 2,974.89
Clerk	2,095.29
Council member	392.68

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 publication, passage, signing and due attestation.

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

this ____ day of ___________, 2017, at _____ o'clock, __.m.

____
Presiding Officer

ATTEST:

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

PRESENTED BY ME to the Mayor this _______day of _________ 2017, at ____o'clock, ___.m.

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

APPROVED BY ME this _____day of ___________, 2017, at ____ o'clock, __m.

____
David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller

Date: August 31, 2017

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Please contact me with any questions.

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 3 1 2017
CITY CLERK
MISHAWAKA, IN

c: David A. Wood, Mayor

1st Reading
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC
AUG 31 2017
CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2017-34

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, 2018.

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, 2018 and shall be payable in 26 bi-weekly pay periods commencing on January 12, 2018.

	BIWEEKLY SALARY
MAYOR'S ADMINISTRATIVE ASSISTANT	1,529.10
MAYOR'S SECRETARY	1,279.72
CONTROLLER	2,900.15
DEPUTY CONTROLLER	1,977.75
ACCOUNTANT	1,566.15
PAYROLL CLERK	1,424.52
BOOKKEEPER A	1,459.51
BOOKKEEPER B	1,262.33
BOOKKEEPER C	1,179.47
PURCHASING AGENT	1,475.09
CPA CERTIFICATION FT	192.31
CHIEF DEPUTY CLERK I	1,512.10
CHIEF DEPUTY CLERK II	1,465.50
HR DIRECTOR	2,118.55
ASST DIRECTOR	1,474.41
HR OFFICE MANAGER	1,279.72
HR CERTIFICATION	500.00
DIRECTOR OF IT	2,447.77
SYSTEM SPECIALIST IV SERVER ADMIN.	2,014.96
SYSTEM SPECIALIST IV NETWORK ENG.	1,684.39
SYSTEM SPECIALIST III WEB	1,706.30
SYSTEM SPECIALIST II DESKTOP ENG.	1,623.98
GIS COORDINATOR	1,927.86
CORPORATE COUNSEL/HR DIRECTOR	2,189.96
1st DEPUTY CITY ATTORNEY	2,294.84
2nd DEPUTY ASST CITY ATTORNEY	634.03
PART TIME SECRETARY	288.46
COUNCIL ATTORNEY	634.03

DIRECTOR OF ENGINEERING	2,900.15
ASSISTANT DIRECTOR	2,401.48
TRAFFIC MANAGER	1,978.23
PROJECT MANAGER	2,029.70
CONSTRUCTION COORDINATOR	1,775.30
TECHNICIAN	1,763.53
PROJECT COORDINATOR	1,464.70
LOCATOR/INSPECTOR	1,504.05
OFFICE MANAGER	1,279.72
PE BONUS FT	192.31
IDEM REVIEW BOARD BONUS	153.85
DIRECTOR OF CODE ENFORCEMENT	2,183.10
OFFICE MANAGER	1,279.72
CODE ENF OFFICER A	1,770.66
CODE ENF OFFICER B	1,480.51
BUILDING COMMISSIONER	2,234.50
ASSISTANT BUILDING COMMISSIONER	2,103.73
OFFICE ADMINISTRATOR	1,298.82
OFFICE MANAGER	1,279.72
INSPECTOR A	2,139.43
INSPECTOR B	1,939.91
FIRE CHIEF	2,703.40
ASSISTANT CHIEF	2,493.50
CHIEF FIRE PREVENTION	2,347.47
BATTALION CHIEF	2,438.50
CAPTAINS	2,319.81
SHIFT SUPERVISOR	2,257.92
LIEUTENANT	2,255.97
FIRE INSPECTOR	2,235.96
PARAMEDIC	2,235.96
DRIVER OPERATOR	2,193.52
MASTER FIREFIGHTER	2,164.59
1st CLASS FIREFIGHTER	2,086.90
PROBATION - FF/EMT	1,897.11
FIRE EXECUTIVE SECRETARY	1,290.62
FIRE OFFICE MANAGER	1,279.72
POLICE CHIEF	2,720.64
ASSISTANT CHIEF	2,510.66
CAPTAIN	2,297.11
LIEUTENANT	2,253.24
SERGEANT	2,210.76
1st CLASS PATROLMAN	2,181.83
2nd CLASS PATROLMAN	2,104.13
PROBATION	1,913.16
POLICE RECRUIT	1,674.05
PROPERTY MANAGER	1,420.72
EXEC SECRETARY	1,290.62
ADMIN SECRETARY	1,279.72
SERVICES ADMINISTRATOR	1,467.79

PROPERTY CLERK	1,248.93
SECRETARY	1,262.49
PARKING PERSONNEL	1,262.49
CROSSING GUARDS	21 pays@ 348.44
CITY PLANNER	2,900.15
SENIOR PLANNER/ECON DEVEL SPLIST	1,968.88
SENIOR PLANNER	1,790.48
ASSOCIATE PLANNER	1,698.03
ADMINISTRATIVE PLANNER	1,512.41
OFFICE MANAGER	1,279.72
DIRECTOR COMMUNITY DEVELOPMENT	2,456.72
TIF CONSTRUCTION MANAGER	2,326.27
PROGRAM CONSTRUCTION MANAGER	2,108.48
PROGRAM COORDINATOR	1,482.61
GRANT MANAGER	1,930.48
GRANT SPECIALIST	1,303.62
CENTRAL SERVICES ASSISTANT	1,978.94
STREET COMMISSIONER	2,351.83
OFFICE ADMINISTRATOR	1,298.82
OFFICE MANAGER	1,279.72
SECRETARY	1,262.49

	BIWEEKLY HOURLY
PART-TIME HELP	7.25-25.00
CENTRAL SERVICES:	
FLEET MAINTENANCE TECHNICIAN	20.55
CENTRAL SERVICES/MVH:	
GROUP 1	19.51
GROUP 2	18.47
GROUP 3	17.69
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 _______________2017, at ________o'clock, ___.m.

____
Presiding Officer

ATTEST:

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

PRESENTED BY ME, to the Mayor on this ______ day of ___________, 2017, at _____o'clock, __.m.

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

APPROVED BY ME this ______ day of _____________, 2017, at _______ o'clock, __.m.

____
David A. Wood, Mayor