

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

January 4, 2010

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday January 4, 2010 at 7:00 p.m. The meeting was called to order by Clerk Block, and all were asked to stand for the Pledge of Allegiance.

Chief Deputy Hazen's roll call showed the following;

Dale "Woody" Emmons 1st District Councilman – (President) Present

Dave Wood 2nd District Councilman – Present

Ross Deal 3rd District Councilman - Present

Marsha McClure 4th District Councilman - Present

Michael Compton 5th District Councilman - Present

Ronald Banicki 6th District Councilman – Present

John Gleissner, Councilman At Large – (Vice President) Present

Gregg Hixenbaugh, Councilman At Large – Present

John J. Roggeman, Councilman at Large – Absent

A quorum was obtained.

Others present; Deborah S. Block, City Clerk; Mary Ellen Hazen Chief Deputy I, Linda Dotson, Chief Deputy II, and Council Attorney Mike Trippel.

ELECTION OF OFFICERS

Clerk Block opened the floor for nominations for President of the Mishawaka Common Council.

Mr. Deal nominated Mr. Emmons for president with a second by Mr. Compton the roll call vote was unanimous. Mr. Emmons was congratulated by Clerk Block and handed the gavel.

President Emmons then called for nomination for Vice President. Mr. Hixenbaugh nominated Mr. Gleissner with a second by Mr. Compton the roll call vote was unanimous.

The minutes from the December 21, 2009 meeting were approved as received from the Clerk's Office.

Clerk Block read **RESOLUTION NO. 2010-01** opening it for public hearing.

RESOLUTION NO. 2010

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

North of 1500 East McKinley Avenue

Ken Prince City Planner stated this property contains 2 acres of land with the front half of the property already in the city; the petitioner wants to annex and zone the back half of this property so the entire parcel would be in the city limits. He said it was contiguous to the city with all services available with no additional costs to the city. Mr. Prince said the petitioner plans to put a used car lot on this property.

Mr. Gleissner asked if it would be strictly a car lot because previously there were mopeds on this site. Mr. Prince stated he believed it was for cars only but mopeds would be allowed under the zoning. Mr. Gleissner said there was a severe water problem in the front of their building. Mr. Prince stated that would be reviewed.

Mr. Wood asked if there would be a new structure built on this property. Mr. Prince said yes.

Question was called for at 7:10 p.m. on **RESOLUTION NO. 2010-01** with the vote being 8 to 0 in favor.

Clerk Block read **PROPOSED ORDINANCE NO. 2009-40** opening it for public hearing.

PROPOSED ORDINANCE NO. 2009-40

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

(Annex and Zone C-4 North of 1500 E. McKinley Ave – Automotive Sales)

No Vote

Brad Cramer, Director of Surveying, for Progressive Engineering, Inc. 58640 State Road 15, Goshen, said he was speaking in favor of this project to annex and rezone.

Mr. Banicki asked Mr. Cramer if this was going to be a used car lot only. Mr. Cramer said he was only the surveyor and at this time their only concern was about annexation. Mr. Prince said it was to be a used car sales lot but the current zoning would work for used or new cars.

Mr. Hixenbaugh said he understands Mr. Cramer's position but this is not just an annexation it is also a zoning hearing. He asked that he would like to have someone present at the next Council Meeting that could give information on both issues. Mr. Cramer stated that either the owner or the architect would be present.

Mr. Gleissner said there were motor bikes for sale at this property previously would that still be the case. Mr. Prince said it would be allowable under the zoning but he did not think so at this time.

NEW BUSINESS

Clerk Block stated the regular meetings of the Common Council of the City of Mishawaka, shall be held in the Council Chambers at 7:00 p.m. on the first (1st) and third (3rd) Mondays of every month; however, should any meeting date fall on a legal holiday, the regular meeting for that date shall be

held on the day immediately following at 7:00 p.m., however, the following dates have been changed for the year 2010 calendar.

April 5th changed to April 6th
May 3rd changed to May 5th
July 5th changed to July 6th
September 6th changed to September 7th
November 1st changed to November 3rd

Mr. Compton made a motion to accept the date changes presented by the City Clerk with a second by Mr. Banicki the motion carried.

Mr. Gleissner asked if the Council Meeting should be canceled do to weather when would the meeting be held.. Clerk Block said the meeting would be on the next available day.

Mr. Gleissner nominated Mr. Mike Trippel as the Council Attorney for the year 2010, with a second by Mr. Deal the motion carried.

Mr. Compton nominated a reappointment for Wayne Troiola and Matt Mammolenti to the Redevelopment Board, with a second by Mr. Gleissner the motion carried.

Clerk Block read a list of the following committees:

BUDGET & FINANCE COMMITTEE

Mike Compton, Chairman
John Roggeman
Dave Wood

LAND USE PLANNING COMMITTEE

Ross Deal, Chairman
Ronald Banicki
Marsha McClure

PUBLILC HEALTH & SAFETY/LONG RANGE PLANNING COMMITTEE

Gregg Hixenbaugh, Chairman
John Gleissner
Marsha McClure

PUBLIC IMPROVEMENTS COMMITTEE

John Gleissner, Chairman
Ross Deal
Marsha McClure

PERSONNEL COMMITTEE

John Roggeman, Chairman
Mike Compton

Dave Wood

SUB-STANDARD HOUSING COMMITTEE

Ronald Banicki, Chairman

Ross Deal

Dave Wood

PLAN COMMISSION – ROSS DEAL

HISTORIC PRESERVATION COMMITTEE - JOHN GLEISSNER

TRAFFIC COMMISSION – RON BANICKI

MISHAWAKA BUSINESS ASSOCIATION – MIKE COMPTON

SOLID WATES – DAVE WOOD

MACOG – WOODY EMMONS

INSURANCE COMMITTEE – MIKE COMPTON

ANIMAL CONTROL COMMISSION - DR. CAROL ECKER & DR. RICHARD HEADLEY

PROJECT FUTURE – WOODY EMMONS

Mr. Gleissner made a motion to accept all committees and appointments to be accepted read by Clerk Block with a second by Mr. Wood the motion carried.

Mr. Compton acknowledges Mr. Emmons family in the audience and asked Mr. Emmons to introduce them.

Mr. Emmons introduced his wife Barbara, his son Steve and his wife Crystal, and his daughter Kristi.

Mr. Deal announced he would be having a Neighborhood Watch Meeting in Twin Branch School at 7:00 p.m.

Mr. Emmons said he would be having a Neighborhood Watch Meeting in St. Bavo School at 6:30 p.m.

There being no further business to come before the Council, President Emmons adjourned the meeting at 7:29 p.m.

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

Dale Woody Emmons, /s/
Dale Woody Emmons, President