

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

April 4, 2011

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, April 4, 2011 at 7:00 p.m. The meeting was called to order by the Presiding Officer Councilman Woody Emmons, and all were asked to stand for the Pledge of Allegiance.

Clerk Block's roll call showed the following;

Dale "Woody" Emmons 1<sup>st</sup> District Councilman – Present  
Mike Bellovich 2<sup>nd</sup> District Councilman – Present  
Ross Deal 3<sup>rd</sup> District Councilman - Present  
Marsha McClure 4<sup>th</sup> District Councilman - Present  
Michael Compton 5<sup>th</sup> District Councilman - Absent  
Ronald Banicki 6<sup>th</sup> District Councilman – Present  
John Gleissner, Councilman At Large – Absent  
Gregg Hixenbaugh, Councilman At Large – Present  
John J. Roggeman, Councilman at Large – Present  
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 Absent.

The minutes from the March 21, 2011 meeting were approved as received from the Clerk's Office.

Clerk Block presented the following appeals and petitions to the Council, who referred them to the Plan Commission for their recommendation

<b><u>APPEAL NO. 11-14</u></b>	Use Variance to allow C-4 Automobile Oriented Commercial Use for Auto Repair and Sales -1017 East Jeffers Boulevard.
<b><u>APPEAL NO. 11-15</u></b>	Use Variance to allow more than 2 tenants and Developmental Variance to allow 17 parking spaces from 24 spaces 3515 Bremen Highway.
<b><u>PETITION NO. 11-07</u></b>	Rezone from I-1 Light Industrial to R-1 Single Family – 1111 Division Street

Clerk Block stated Mayor Wood Proclaimed March 30 as "Welcome Home Vietnam Veterans Day" in the City of Mishawaka and there was a small reception here in the Council Chambers. Clerk Block explained the Council wanted to then make it a Resolution so it would be in the official records.

Clerk Block read **RESOLUTION NO. R2011-03** opening it for public hearing.

**RESOLUTION NO. R2011-03**

Welcome Home Vietnam Veterans Day March 30, 2011

Mr. Emmons said the ceremony held last week was well attended by the Veterans and it was a great honor to have them present. He said it was a shame that it took so many years to recognize the Vietnam Vets but that has changed with the Proclamation and the Resolution which states March 30th every year as their day.

Question was called for at 7:07 p.m. on **RESOLUTION NO. R2011-03** with the vote being 7 to 0 in favor.

Clerk Block read **PROPOSED ORDINANCE NO. 2011-03** opening it for public hearing.

**PROPOSED ORDINANCE NO. 2011-03**

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE  
OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME  
AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966"  
OF THE CITY OF MISHAWAKA, INDIANA**

(Rezone from R-2, C-1, I-1 to R-1 Single Family Residential – Northeast corner of Wells and West 6<sup>th</sup> Streets – for 2 Single Family Habitat for Humanity Homes)

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

Ken Prince, City Planner said he was speaking on behalf of the Redevelopment Commission, that the property at 6<sup>th</sup> and Wells Street has been acquired as part of the Neighborhood Stabilization Program. He said there were four dilapidated, deteriorated, some of the worst structures in the city as far as condition and potential use. Mr. Prince stated they have raised the property and now want to assemble two single family residential lots, which was the reason for requesting the zoning change.

Mr. Deal asked if there were four lots or two lots. Mr. Prince replied they acquired four properties and have re-platted them into two lots, one is 70 foot wide adjacent to Wells Street and the other one is 65 foot wide and they are adjacent, these are both Habitat Lots. Mr. Emmons asked if both houses would be facing 6<sup>th</sup> Street. Mr. Prince said yes they would. Mr. Emmons asked if the property north of the alley behind these homes was Rail Road property. Mr. Prince said that he did not know, but could check..

Mr. Bellovich asked how many dwellings there were on this property. Mr. Prince stated a little over 15, it would be hard to determine because when the city acquired them only one apartment in the commercial building was occupied, the duplex that was cut up into apartments was completely empty. He said they had Land Marks go through the brick structure to see if it was worth saving because of the brick structure but it was too far gone.

Mr. Hixenbaugh said he wanted to applaud Mr. Prince and all who are involved in these types of efforts throughout the city. He said anytime an underutilized property that has become an eye sore and turn it around into income producing positive benefit to the city the best interest of the community was served. Mr. Hixenbaugh said he only wished there was more money to be used on those types of projects.

Question was called for at 7:15 p.m. on **PROPOSED ORDINANCE NO. 2011-03** with the vote being 7 to 0, thus it becomes **ORDINANCE NO. 5301**.

**NEW BUSINESS**

Mr. Deal stated Wednesday April 20<sup>th</sup> would be his 3<sup>rd</sup> District meeting at Twin Branch School at 7:00 p.m. with Gary West, Director of Engineering being the guest speaker, discussing updates in the city.

Mr. Hixenbaugh announced a benefit in April for Linda Constant, who was a Mishawaka Crossing Guard for many years at Liberty Elementary School who was unfortunately dealing with a serious health condition. He said the fund raiser organized by her friends on April 30<sup>th</sup> in Plymouth Indiana and donation can be made to the First Source Bank.

Mr. Emmons announced his 1<sup>st</sup> District meeting would be on the fourth Thursday April 28<sup>th</sup> at 7:00 p.m. and he too would be having Gary West Director of Engineering speak on the updates of what was going around the city.

There being no further business to come before the Council, Presiding Officer Woody Emmons adjourned the meeting at 7:20 p.m.

Deborah S. Block, \_\_\_\_\_ /s/  
Deborah S. Block, MMC  
City Clerk

Woody Emmons \_\_\_\_\_ /s/  
Woody Emmons  
Presiding Officer