

# AGENDA

Monday, August 05, 2013

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      *Moment of Silence for James Trippel, BZA  
Member and Father of Council Attorney Mike  
Trippel*

3. Roll Call      *All present*

4. Approval of the Minutes of the Regular Meeting of July 15, 2013  
*Approved*

5. Petitions, Communications, Remonstrance and Memorials  
*Clerk Block read the following petitions by title;*

Petition No. 2013-30      Vacation of Public Right of Way - Second  
East-West Alley South of Stanley St. West of  
Sara St. approximately 151 Ft. and the First  
North-South Alley South of Stanley St. West  
of Sara St. approximately 120 Ft.

Petition No. 2013-31      Amend the PUD for Heritage Square in the NE  
area of Gumwood Rd & SR23  
Proposed Hampton Inn and Suites Hotel

6. Report of Special Committee      *None*

7. Ordinances on First Reading

*Clerk Block read the following proposed ordinance by title and assigned to  
committee;*

P.O. NO. 2013-35      Amending the Park and Recreation Ordinance -  
Prohibited Acts  
*(Assigned to Public Health and Safety  
Committee)*

P.O. NO. 2013-36

Additional Funds - Law Department -  
\$100,000.00  
(Assigned to Budget and Finance Committee)

8. Resolutions **None**

9. Ordinances on Second Reading

**Clerk Block read the following proposed ordinances by title and opened the public hearing;**

P.O. NO. 2013-19

**Passed 9 to 0**

**Ord No 5396**

Rezone property to C-4 Auto Oriented Com &  
C-7 Auto Oriented Restaurant Com  
Main Street and McKinley Avenue  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-20

**Passed 9 to 0**

**Ord No 5397**

Rezone to C-6 Linear Office Com  
1600 to 1800 Block of N Main Street  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-21

**Passed 9 to 0**

**Ord No 5398**

Rezone to R-1 Single Family and C-6 Linear  
Office Com - 1400 to 1500 Block of N Main  
Street  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-22

**Passed 9 to 0**

**Ord No 5399**

Rezone to R-1 Single Family - 1200 to 1300  
Block of N Main Street  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-23

**Passed 9 to 0**

**Ord No 5400**

Rezone to R-1 Single Family - NW Broadway  
Street and N Main St and South of Grand  
Trunk Railroad  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-24

**Passed 9 to 0**

**Ord No 5407**

Rezone to C-3 City Center Com - between W  
Mishawaka Ave and W Grove St. and N Main St  
and Elizabeth St.  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-25

**Passed 9 to 0**

**Ord No 5409**

Rezone to C-6 Linear Office Com - 2319 LWE  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-26

**Passed 9 to 0**

**Ord No 5410**

Rezone to R-1 Single Family - 309 Smith St  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-27

Vacation of Public Right of Way - First

**Passed 9 to 0**  
**Ord No 5401**

North-South Alley East of Main Street,  
running from McKinley Ave. South to Russ  
Ave.  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-28  
**Passed 9 to 0**  
**Ord No 5402**

Vacation of Public Right of Way - portion of  
First East-West Alley South of Omer Ave  
running East from Main St for approximately  
105 Ft.  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-29  
**Passed 9 to 0**  
**Ord No 5403**

Vacation of Public Right of Way - portion of  
first East-West Alley South of Jefferson  
Blvd., running from Main St. East  
approximately 59 Ft. and a portion of  
Stanley St. running E from Main St. for  
approximately 48 Ft.  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-30  
**Passed 9 to 0**  
**Ord No 5404**

Vacation of Public Right of Way - Portion of  
Borley St running E from Main St  
approximately 65 Ft., portion of first  
North-South Alley E of Main St running from  
Jefferson Blvd. N to an existing East-West  
Alley  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-31  
**Passed 9 to 0**  
**Ord No 5405**

Vacation of Public Right of Way - Portion of  
first East-West Alley N of Marion St running  
from Main St East approximately 193 Ft.  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-32  
**Passed 9 to 0**  
**Ord No 5406**

Vacation of Public Right of Way - Portion of  
Marion St running W from Main St  
approximately 110 Ft, portion of the first  
East-West Alley N of Broadway St running  
from Main St W approximately 74 Ft, portion  
of the second East-West Alley N of Broadway  
ST running W from Main St approximately 135  
Ft  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-33  
**Passed 9 to 0**  
**Ord No 5408**

Vacation of Public Right of Way - First East-West Alley S of Grove St., running from Elizabeth St E approximately 269 Ft  
(Assigned to Land Use Planning Committee)

P.O. NO. 2013-34  
**Passed 9 to 0**  
**Ord No 5411**

Amend the PUD for Fir Rd Athletic Club to allow for a Nursing Facility - 5800 block Fir Rd  
(Assigned to Land Use Planning Committee)

10. Privilege of the Floor - Non-Agenda Items **None**

11. Unfinished Business **None**

12. New Business

*Woody Emmons' Neighborhood Meeting will be Thursday, August 15<sup>th</sup> at St. Bavo's 7:00PM. A speaker will be announced at a later date.*

*Matt Mammolenti said there will be no meeting in August at Twin Branch School due to the August 6<sup>th</sup> National Night Out planned there.*

*John Reisdorf said Father England from St. Bavo's Church had an article in their Church bulletin on how he appreciates Mishawaka's leaders and employees after hearing about Detroit's bankruptcy and problems.*

*Mayor Wood announced August 6<sup>th</sup> is National Night Out. The following will be hosting family events with the Mishawaka Neighborhood Watch Associations and Police Dept. - Twin Branch Park, 5:30 to 8:00; Hillis Hans Park, 14<sup>th</sup>/Michigan STS., 5:30 to 7:30; 804 E. 4<sup>th</sup> St., 6:30 to 7:30; and Addison Club House, 5:30 to 8:00PM. Contact Police Dept, 574-258-1678 for any questions. Food and refreshments will be served.*

13. Adjournment **8:11PM**

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