

**CITY OF MISHAWAKA  
HISTORIC PRESERVATION COMMISSION**

**January 2, 2018**

A regular meeting of the Mishawaka Historic Preservation Commission was held Tuesday, January 2, 2018.

**Chairman Doug Merritt called the meeting to order at 4:00 pm.**

Commission members: Terry DeMaegd, Dave Eisen, Jennifer Johns, Doug Merritt, Nancy Seidler, Faye Sullivan, and Kate Voelker.

Advisory members: Alan Grzeskowiak, Shirley McAlister, Thomas Morris, and Jason Stoller.

Staff: Christa Hill, Planning; John Roggeman, Legal; Joe VanNevel, Code Enforcement.

Public: Dave Straughn.

**ELECTION OF OFFICERS**

A motion Kate Voelker seconded by Terry DeMaegd elected Doug Merritt as Chairperson. A motion by Terry DeMaegd seconded by Kate Voelker elected Dave Eisen as Vice-Chair.

**A motion by Kate Voelker seconded by Terry DeMaegd approved the November 7, 2017 Meeting Minutes.**

**ROUNDTABLE DISCUSSION: 100 Center**

Christa Hill introduced John Roggeman, Legal and Joe VanNevel, Director of Code Enforcement.

Doug Merritt asked for a current concerns and conditions of 100 Center and how we are proceeding with compliance.

John Roggeman said, as far back to when George O'bren was Code Director, the City brought the 100 Center owners before Code Enforcement hearings, which we have every few months. As a result of those hearings, the owners are being fined \$250 a week, which continues to accrue. The owner is a corporation out of Chicago, AA Access. For a while they had a local attorney, Bruce Huntington, but even now he isn't getting any contact.

Joe Van Nevel says Code Enforcement has had a case open since 2013. At first the ownership was tricky, but it was learned that Roseland Fuel sold to AA Access. There is one substandard case on building; tuckpointing, windows, painting, crumbling walkways. At first they responded, boarding up windows. By 2016 we first took them to a hearing. They are responsive when it comes to the nuisance case, which involves clean up the grounds. They have given us plan. They know about the Buetter Park development. Mr. Van Nevel has an email for the owners, a Mr. Dan Dubuk and Aci (last name not pronounced). This is where he sends the weekly citation. Christa confirmed they have not paid any of the fines. Mr. Van Nevel said eventually they will be taken to collections over the unpaid fines. Mr. Van Nevel has not been in the building, so he does not know the condition inside.

Doug thanked both Mr. Roggeman and Mr. Van Nevel for attending the meeting to share information. Doug asked if the City has brought this property to a civil hearing? Mr. Roggeman responded, yes, the \$250 a week citation was a result of the decision by the hearing officer. Doug asked if the City has tried to get a performance bond? There was some discussion about the ownership of the property. AA

**CITY OF MISHAWAKA  
HISTORIC PRESERVATION COMMISSION**

**January 2, 2018**

Access is buying the property on land contract from Roseland Fuel. Roseland Fuel is out of Michigan, their attorneys responded to us with a warranty deed. Kate Voelker asked at what point is the end. Mr. Van Nevel suggested getting Building Commissioner Bo Hundt involved if the building is in danger of falling in, but at this point, the building seems structurally secure. Mr. Roggeman spoke with AA Access' attorney, Bruce Huntington, in preparation for this meeting, but he did not have any new information. AA Access owed almost \$100,000 to the 100 Center association, which Joe Grabil oversees, but they came up with it at the last minute. Mr. Van Nevel explained one of the reasons AA Access has given is having a hard time getting financing from banks. Kate asked who owned the Kamm Island Apartments. According to the MACOG GIS website it is 750 ISLAND VIEW LAND TRUST. Christa pointed out that Kate asked how that property measures up from a Code standpoint? Mr. Van Nevel answered they have problems, but they are taken care of quickly. Kate asked when that was built? Dave Straughn said it had to be after 1971. We have confirmed it was not an original building. Mr. Straughn asked if AA Access owns any other properties in Mishawaka?

Mr. Van Nevel invited the Commissioners to attend the hearing on April 26 at 9am.

Kate explained the Conservation District and how that would work with this property. Doug thinks the HPC should talk it through first before taking it back to Mr. Roggeman and Mr. Van Nevel. Mr. Van Nevel just wants compliance.

**Mr. Roggeman and Mr. Van Nevel left at this time.**

Doug thinks we should approach City leadership and Council with the idea of a Conservation District. The Normain Heights Conservation District was a learning experience. Conservation Districts in their infancy in Indiana. 100 Center is a unique property and we don't want to see it go downhill and end up having to be demolished, like the Drewery's Brewery building in South Bend.

Kate asked what Joe Grabil owns? Christa says his name isn't on any individual piece of property, but the Association owns the parking lot between Hacienda and the brewery and around what is now family services, and Joe Grabil we part of the Association. Kamm Properties owns Hacienda. McCarthy is owned by another LLC. 100 Center High Rise Apartments. Kate asked if we could find out who was up to date on their taxes. We need to decide which pieces need to be included in the Conservation District. The stable, which is Little Black Dog, the original building, where Smokestack is, if we could get Hacienda and McCarthy Insurance. Kate doesn't think the hotel or the apartments need to be included. House across the street, Scott and Mary Lou Stevens.

Faye Sullivan says everything we went through with Normain Heights was just practice. Kate: Positive financial impacts of being part of a Conservation District. Doug, remaining brick street. Faye, can you really pick and choose what is in and what is out? Doug, Could Kamm Island be included? City owned. Exclude what is not "contributing". Kate step one to get Mayor and Ken Prince on board. Put a proposal together and start talking to people.

**CITY OF MISHAWAKA  
HISTORIC PRESERVATION COMMISSION**

**January 2, 2018**

Doug, add 100 Center discussion to agenda.

Faye asked what happened at the April hearing. Christa said there is a hearing officer, who is a neutral third party. The penalties are mostly fines, not one is going to jail. Doug added the option of a performance bond, which we should ask Mr. Roggeman about before this hearing. The HPC doesn't want to derail or get in the way of the current City leverage. Kate said the government is limited as to what we can do, like upkeep, not actual building.

**COMMITTEE REPORTS**

**A. Historic Districts/Plaques**

Cliff Zenor reported, via email, his contact with masons for the Eberhart-Major House.

1. The mason Jennifer has used for work at Ruthmere isn't experienced with grapevine mortar work at the Eberhart-Major House, so he won't be helping us mount the landmark plaque there.
2. Slatile is swamped with big jobs they're still catching up on. They may send someone to look at the house and get back to me. I've asked them to call me first so I can tell Peter and meet with both of them when they can.
3. Two others were reluctant to do the work for the same reasons: too busy or no experience with this kind of project.

He will continue to look for other experienced masons close by.

Kate Voelker thinks there was some flat brick by the front door that would be easier to work with. Doug Merritt has also found it hard to get a mason to work on the fire house.

**B. Public Relations & Community Education**

There was no report.

**C. Staff Notes**

We sold 3 Gym Floor pieces; one to Pete DeKeever and the other two to the same woman. There are a few more in the office if there is more interest.

**OLD BUSINESS**

There was none at this time.

**NEW BUSINESS**

A motion by Dave Eisen, seconded by Kate Voelker adopted the 2018 Rules of Procedure.

A motion by Kate Voelker, seconded by Nancy Seidler approved the 2018 meeting dates. Doug Merritt asked if anyone would like to move the meeting time back to 5pm. Dave Eisen expressed this time change would conflict with Lions events. These dates will be sent to the South Bend Tribune.

**PRIVILEGE OF THE FLOOR**

Congratulations to Jason Stoller on the birth of his son on Christmas Day.

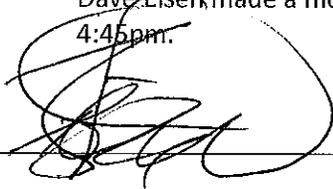
Terry DeMaegd asked for an update on the Carnegie Library. Christa Hill admits work had just stopped. Kate Voelker thinks hard time getting workers. An article in the paper indicated they were having a hold up from the State Building Department. Turning a library, turned home into a restaurant.

CITY OF MISHAWAKA  
HISTORIC PRESERVATION COMMISSION  
January 2, 2018

Kate thinks another neighborhood that might be a good fit for the Conservation District is the Oaks. We tried several years ago on Mishawaka Avenue, but it did not go through. Commissioners went door to door, but when it got the Council, the residents were not behind the idea. Contact Bryan Tanner since he lives in that neighborhood.

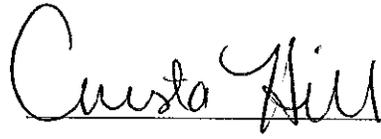
**ADJOURNMENT**

Dave Eisen made a motion to adjourn seconded by Kate Voelker. The meeting adjourned at 4:45 pm.



---

Doug Merritt, Chairman



---

Christa Hill, Secretary