



SOUTH BEND COMMON COUNCIL

MEETING AGENDA

Monday, November 28, 2016

7:00 P.M.

1. **INVOCATION- REVEREND DIANA THOMPSON, FIRST BAPTIST CHURCH SOUTH BEND**
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**
5. **SPECIAL BUSINESS**

BILL NO.

[16-91](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY COMMENDING AND HONORING KATHLEEN CEKANSKI FARRAND FOR 42 YEARS OF DEDICATED AND DISTINGUISHED SERVICE AS THE COUNCIL ATTORNEY FOR THE SOUTH BEND COMMON COUNCIL

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**

TIME: _____

BILL NO.

[53-16](#) PUBLIC HEARING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE AND REQUESTING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 331 WAYNE STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[65-16](#) PUBLIC HEARING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 913 LAWRENCE STREET AND 427 & 437 CORBY BOULEVARD, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[60-16](#) PUBLIC HEARING ON AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH-SOUTH ALLEY LYING WEST OF PORTAGE AVENUE, BOUNDED ON THE

NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF BULLA STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY NORTH OF KING STREET IN PORTAGE TOWNSHIP

[68-16](#) PUBLIC HEARING ON AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE EAST-WEST ALLEY LYING BETWEEN LOTS 79 AND 80 IN SORIN'S 2ND ADDITION EXTENDING FROM ST. LOUIS STREET EAST TO THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS STREET

[66-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING VARIOUS SECTIONS OF THE SOUTH BEND MUNICIPAL CODE AT CHAPTER 17, ARTICLES 4 AND 6 TO ADDRESS NEW WATER RATES AND CHARGES

[70-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING VARIOUS SECTIONS OF ARTICLE 12 OF CHAPTER 13 OF THE *SOUTH BEND MUNICIPAL CODE* ADDRESSING CHRONIC PROBLEM PROPERTY REGULATIONS

[69-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ESTABLISHING INTERNAL CONTROL STANDARDS AND ESTABLISHING A MATERIALITY THRESHOLD.

8. **BILLS ON THIRD READING** **TIME:_____**

BILL NO.

[53-16](#) THIRD READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE AND REQUESTING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 331 WAYNE STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[60-16](#) THIRD READING ON AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH-SOUTH ALLEY LYING WEST OF PORTAGE AVENUE, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF BULLA STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY NORTH OF KING STREET IN PORTAGE TOWNSHIP

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STREET AND 427 & 437 CORBY BOULEVARD, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

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[68-16](#) THIRD READING ON AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE EAST-WEST ALLEY LYING BETWEEN LOTS 79 AND 80 IN SORIN'S 2ND ADDITION EXTENDING FROM ST. LOUIS STREET EAST TO THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS STREET

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[70-16](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING VARIOUS SECTIONS OF ARTICLE 12 OF CHAPTER 13 OF THE *SOUTH BEND MUNICIPAL CODE* ADDRESSING CHRONIC PROBLEM PROPERTY REGULATIONS

9. RESOLUTIONS

BILL NO.

[16-85](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 23464 ADAMS ROAD, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (9) NINE-YEAR REAL PROPERTY TAX ABATEMENT FOR GLC PORTAGE PRAIRIE, LLC

[16-86](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A WAIVER OF NONCOMPLIANCE FOR LATE-FILED SCHEDULE OF DEDUCTION FROM ASSESSED VALUATION PERSONAL PROPERTY IN ECONOMIC REVITALIZATION AREA (FORM 103-ERA) AND COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY (FORM CF-1 / PP) BY NOBLE AMERICAS SOUTH BEND ETHANOL LLC FOR CERTAIN PERSONAL PROPERTY LOCATED AT 3201 WEST CALVERT STREET DESIGNATED AS AN ECONOMIC REVITALIZATION AREA UNDER RESOLUTION 4332-14

[16-90](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, REQUESTING PROGRESS REPORTS TO BE GIVEN ANNUALLY TO THE ZONING AND ANNEXATION COMMITTEE ON EACH NEIGHBORHOOD AND DEVELOPMENT PLAN

6. BILLS ON FIRST READING

BILL NO.

[72-16](#) FIRST READING ON AN ORDINANCE INITIATED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 3 BY ADDING SHARED HOUSING TO PERMITTED PRIMARY USES IN CBD CENTRAL BUSINESS DISTRICT; AND SECTION 11 BY ADDING THE DEFINITION OF SHARED HOUSING

[73-16](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 14 OF THE SOUTH BEND MUNICIPAL CODE TO ESTABLISH VARIOUS NEW FUNDS: LOCAL ROAD AND BRIDGE MATCHING GRANT FUND (265), EQUIPMENT/VEHICLE LEASING FUND (750), PARKS BOND CAPITAL FUND (751), SOUTH BEND REDEVELOPMENT AUTHORITY FUND (752), SMART STREETS BOND CAPITAL FUND (753), INDUSTRIAL REVOLVING FUND (754), SOUTH BEND BUILDING CORPORATION FUND (755), SMART STREETS DEBT SERVICE FUND (756), PARKS BOND DEBT SERVICE FUND (757), THE ERSKINE VILLAGE DEBT SERVICE FUND (758), AND CHANGING THE NAME OF FUND 279 TO THE IT/INNOVATION/311 CALL CENTER FUND

[74-16](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2016 OF \$220,000 FROM CONSOLIDATED BUILDING FUND (#600), \$120,000 FROM SOLID WASTE FUND (#610), \$5,000 FROM WATER WORKS CUSTOMER DEPOSIT FUND (#624), \$4,000 FROM WATER WORKS SINKING FUND (#625), \$5,000 FROM WATER WORKS BOND RESERVE FUND (#626), \$11,000 FROM WATER WORKS DEBT RESERVE O&M FUND (#629), \$45,000 FROM SEWER INSURANCE FUND (#640), \$22,000 FROM SEWAGE WORKS O&M RESERVE FUND (#643), \$5 FROM 2015 SEWER BOND ISSUANCE FUND (#666), AND \$346,506 FROM CENTURY CENTER FUND (#670).

[75-16](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET

TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2016

[76-16](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2016 OF \$364,100 FROM GENERAL FUND (#101), \$25,000 FROM UNSAFE BUILDING FUND (#219), \$25,000 FROM LOCAL ROADS & STREETS FUND (#251), \$150,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$10,000 FROM INDIANA RIVER RESCUE FUND (#291), \$212,542 FROM COPS MORE GRANT FUND (#295), \$150,000 FROM COUNTY OPTION INCOME TAX FUND (#404) AND \$100,000 FROM PARKS NONREVERTING CAPITAL FUND (#405).

7. UNFINISHED BUSINESS

BILL NO.

[16-89](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE AREA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT LOTS 2 AND 3 COVELESKI PARK MINOR SUBDIVISION SOUTH BEND, INDIANA 46601

8. NEW BUSINESS

9. PRIVILEGE OF THE FLOOR

10. ADJOURNMENT

TIME: _____

Notice for Hearing and Sight Impaired Persons
Auxiliary Aid Or Other Services Are Available Upon Request At No Charge.
Please Give Reasonable Advance Request When Possible.

In the interest of providing greater public access and to promote greater transparency, the South Bend Common Council agenda has been translated into Spanish. All agendas are available online from the Council's website, and also in paper format in the Office of the City Clerk, 4th Floor County-City Building. Reasonable efforts have been taken to provide an accurate translation of the text of the agenda, however, the official text is the English version. Any discrepancies which may be created in the translation, are not binding. Such translations do not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the Common Council or the City of South Bend, Indiana.



OFFICE OF THE CITY CLERK

KAREEMAH FOWLER, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: KAREEMAH FOWLER, CITY CLERK
DATE: NOVEMBER 23, 2016
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **MONDAY, NOVEMBER 28, 2016** at:

Council Informal Meeting Room
4th Floor County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601

- 3:00 P.M.** **PERSONNEL & FINANCE** **KAREN L. WHITE, CHAIRPERSON**
1. [Bill No. 69-16](#)- Establishing Internal Controls and a Materiality Threshold
- 3:10 P.M.** **COMMUNITY INVESTMENT** **GAVIN FERLIC, CHAIRPERSON**
1. [Bill No. 16-85](#)- Declaratory (9) nine-year property tax abatement for GLC Portage Prairie, LLC
2. [Bill No. 16-86](#)- Waiver of non-compliance by Noble Americas South Bend Ethanol, LLC
- 3:25 P.M.** **PUBLIC WORKS & PROPERTY VACATION** **JO M. BRODEN, CHAIRPERSON**
1. [Bill No. 60-16](#)- Alley Vacation at Portage & Bulla
2. [Bill No. 68-16](#)- Alley Vacation at St. Louis Street
- 3:40 P.M.** **HEALTH & PUBLIC SAFETY** **JOHN VOORDE, CHAIRPERSON**
1. [Bill No. 70-16](#)- Chronic Nuisance Amendments
- 4:00 P.M.** **ZONING & ANNEXATION** **OLIVER DAVIS, CHAIRPERSON**
1. [Bill No. 53-16](#)- Bare Hands Brewery Rezoning at 331 Wayne Street
2. [Substitute Bill No. 65-16](#)- Lawrence and Corby Rezoning
3. [Bill No. 16-90](#)- Requesting annual progress reports on each neighborhood and development plan
4. Substitute [Bill No. 41-16](#)-Commerce Center PUD Rezoning petition at 401 E. Colfax
(Update Only)
- 4:45 P.M.** **UTILITIES** **DR. DAVID VARNER, CHAIRPERSON**
1. [Bill No. 66-16](#)- Addressing New Water Rates and Charges

Council President Tim Scott has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Utilities Committee.

455 County-City Building • 227 W. Jefferson Boulevard • South Bend, Indiana 46601
Phone 574-235-9221 • Fax 574-235-9173 • TDD 574-235-5567 • www.SouthBendIN.gov

JENNIFER M. COFFMAN
CHIEF DEPUTY
CHIEF OF STAFF

ALKEYNA M. ALDRIDGE
DEPUTY CLERK
DIRECTOR OF POLICY

JOSEPH R. MOLNAR
ORDINANCE VIOLATION CLERK

INFORMAL MEETING OF THE COMMON COUNCIL

TIM SCOTT, COUNCIL PRESIDENT

1. Discussion of Council Agenda
2. Update and Announcements
3. Adjournment

cc: Mayor Pete Buttigieg
Committee Meeting List
News Media

NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS

**Auxiliary Aid or Other Services may be Available upon Request at No Charge.
Please give Reasonable Advance Request when Possible**



2016 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-6-16)

COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real & personal tax abatement requests.

Gavin Ferlic, Chairperson	Oliver Davis, Member
Regina Williams-Preston, Vice-Chairperson	Randy Kelly, Member

COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Office of Community Affairs and is charged with facilitating partnerships & ongoing communications with other public and private entities operating within the City.

Regina Williams-Preston, Chairperson	Gavin Ferlic, Member
Randy Kelly, Vice-Chairperson	Karen White, Member

COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Tim Scott, Member	Dr. David Varner, Member
Jo Broden, Member	Karen White

HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

John Voorde, Chairperson	Oliver Davis, Member
Karen L. White, Vice-Chairperson	Jo Broden, Member

INFORMATION AND TECHNOLOGY COMMITTEE

Oversees the various activities of the City's Division of Information Technologies in the Department of Administration & Finance so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability & access to GIS data and related technologies are just some of its many activities.

Tim Scott, Chairperson	Dave Varner, Member
Gavin Ferlic, Vice-Chairperson	Karen White, Member

PARC COMMITTEE (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Coveleski Regional Stadium, Morris Performing Arts Center, Stuebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, and the many recreational and leisure activities offered by the Department of Parks and Recreation.

Randy Kelly, Chairperson	Oliver Davis, Member
Dr. Dave Varner, Vice-Chairperson	John Voorde, Member



2016 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-6-16)

PERSONNEL AND FINANCE COMMITTEE

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations & other fiscal matters, as well as personnel policies, health benefits & related matters.

Karen L. White, Chairperson
Gavin Ferlic, Vice-Chairperson

Regina Williams-Preston, Member
John Voorde, Member

PUBLIC WORKS AND PROPERTY VACATION COMMITTEE

Oversees the various activities performed by the Building Department, the Department of Public Works & related public works & property vacation issues.

Jo Broden, Chairperson
John Voorde, Vice-Chairperson

Randy Kelly, Member
Gavin Ferlic, Member

RESIDENTIAL NEIGHBORHOODS COMMITTEE

Oversees the various activities & issues related to neighborhood development & enhancement.

Karen White, Chairperson
Jo Broden, Vice-Chairperson

Regina Williams-Preston, Member
John Voorde, Member

UTILITIES COMMITTEE

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers and all related matters.

Dr. David Varner, Chairperson
Oliver Davis, Vice-Chairperson

Randy Kelly, Member
Regina Williams-Preston, Member

ZONING AND ANNEXATION COMMITTEE

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Oliver Davis, Chairperson
John Voorde, Vice-Chairperson

Gavin Ferlic, Member
Jo Broden, Member

SUB-COMMITTEE ON MINUTES

Reviews the minutes prepared by the Office of the City Clerk of the regular, special and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council

Tim Scott
Dr. David Varner



2016 COMMON COUNCIL STANDING COMMITTEES (Rev.01-6-16)

TIM SCOTT, 1ST District Council Member

PRESIDENT

Information and Technology, Chairperson

Council Rules Committee, Member
Sub-Committee on Minutes, Member

REGINA WILLIAMS-PRESTON 2ND District Council Member

Community Relations Committee, Chairperson
Community Investment Committee, Vice-Chairperson

Residential Neighborhood Committee, Member
Personnel & Finance Committee, Member
Utilities Committee, Member

RANDY KELLY, 3RD District Council Member

PARC Committee, Chairperson

Community Relations Committee, Vice Chairperson

Community Investment Committee, Member
Public Works & Property Vacation, Member
Utilities Committee, Member

JO BRODEN, 4TH District Council Member

Public Works & Property Vacation, Chairperson

Residential Neighborhood Committee, Vice-Chairperson

Council Rules Committee, Member
Health & Public Safety Committee, Member
Zoning & Annexation Committee, Member

DR. DAVID VARNER, 5TH District Council Member

Utilities Committee, Chairperson

PARC Committee, Vice-Chairperson

Information & Technology Committee, Member
Council Rules Committee, Member
Sub-Committee on Minutes, Member

OLIVER DAVIS, 6TH District Council Member

Zoning & Annexation Committee, Chairperson

Utilities Committee, Vice-Chairperson

Community Investment Committee, Member
Health & Public Safety Committee, Member
PARC Committee, Member

GAVIN FERLIC, AT LARGE Council Member

Chairperson, Committee of the Whole

Community Investment Committee, Chairperson

Information & Technology Committee, Vice-Chairperson
Personnel & Finance Committee, Vice-Chairperson

Community Relations Committee, Member
Public Works & Property Vacation, Member
Zoning & Annexation Committee, Member

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhood Committee, Chairperson

Personnel & Finance Committee, Chairperson

Health & Public Safety Committee, Vice-Chairperson

Community Relations Committee, Member
Information & Technology Committee, Member
Council Rules Committee, Member

JOHN VOORDE, AT LARGE Council Member

Health & Public Safety Committee, Chairperson

Public Works & Property Vacation, Vice-Chairperson
Zoning & Annexation Committee, Vice-Chairperson

Residential Neighborhood Committee, Member
PARC Committee, Member
Personnel & Finance Committee, Member



RESOLUTION NO. _____

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY COMMENDING AND HONORING KATHLEEN CEKANSKI FARRAND FOR 42 YEARS OF DEDICATED AND DISTINGUISHED SERVICE AS THE COUNCIL ATTORNEY FOR THE SOUTH BEND COMMON COUNCIL

Whereas, originally from Cleveland, Ohio, and a graduate of the The Ohio State University, Kathy Cekanski Farrand moved to South Bend, Indiana in 1972 to attend the University of Notre Dame Law School. As a first-year law student, Kathy was one of twelve women in the third co-educational graduate class in the Law School. She witnessed the first co-educational undergraduate class and was appointed as the first woman rector for two residence halls, Badin Hall in 1972 and Breen-Phillips Hall in 1973; and

Whereas, after her graduation from the University of Notre Dame, Kathy founded the first all-women law firm in Indiana, Cekanski and Swartz. Kathy was the first and only woman to hold the position of Deputy Attorney for St. Joseph County, a position that she held for 28 years, establishing her long-standing dedication to the residents of South Bend and St. Joseph County; and

Whereas, in 1974, the position of Council Attorney was established by Indiana Code and adopted into the *South Bend Municipal Code*. Kathy was offered the position of Council Attorney by the then Council President, Roger Parent. Thus, beginning her tenured career as the longest standing council attorney in the State of Indiana. As stated in her letter of retirement: "I am most humbled to have been told that my tenure as Council Attorney is a record in our state, for which I am most grateful. It has truly been a pleasure to serve and to assist all of the current and past members of the South Bend Common Council, in pursuing the best interests of our citizens." As Council Attorney, Kathy has accumulated an immense knowledge of local, state and federal laws and an ability to foster better networking of information between legislative and administrative branches of city government, as well as members of the community; and

Whereas, in her forty-two (42) years, Kathy has worked with (fifty-three) 53 council members, six (6) mayors and four (4) city clerks, acquiring a wealth of institutional and legislative knowledge about city government in the process. Current council members who have served with Kathy for a number of years have noted that:

"Kathy is the epitome of excellence, dedication, and unwavering commitment. She has devoted over 40 years to the Council, numerous city departments, and the citizens of South Bend, Indiana. I am amazed at the depth and breadth of her knowledge and her willingness and ability to share that knowledge."
 – Karen White, At Large Council Member

"The Ohio State University Coach Woody Hayes said, "Nothing that comes easy is worth a dime!" Kathy, throughout your legal career, you have fought the team across the field, you have clearly showed them that you are from Ohio's here. Over the past 40 plus years, you have set the earth reverberating with a mighty cheer, Rah! Rah! Rah! Thank you so much for all of the wisdom, insight and passion that you provided to this Buckeye, who represents the 6th District of South Bend! Yes, Kathy, you were worth every dime! Grateful for you."
 – Oliver Davis, 6th District Council Member

Whereas, even with her significant commitment and diligence, Kathy always made time for her family.

Section II. The Common Council wishes Kathy the best as she begins the next journey of her life. She will be enjoying her retirement in sunny Arizona, so that she may be closer to her daughter, Katie and her sister who lives in California. Kathy will be pursuing other opportunities in law and perhaps teaching.

Section III. This Resolution shall be in full force and effect from and after its adoption by the Council and approval by the Mayor.

Tim Scott, 1st District

Oliver J. Davis, 6th District

Regina Williams Preston, 2nd District

John Voorde, At Large

Randy Kelly, 3rd District

Gavin Ferlic, At Large

Jo M. Broden, 4th District

Karen L. White, At Large

Dr. David Varner, 5th District

Kathleen Cekanski Farrand, Council Attorney

Attest:

Approved this ___ day of November, 2016

Office of the City Clerk

Pete Buttigieg, Mayor of South Bend



LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

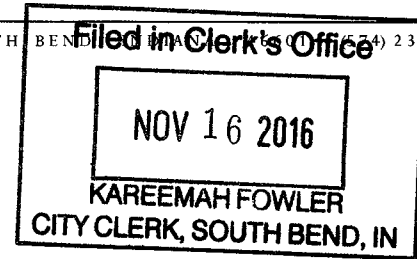
Angela M. Smith
Deputy Director

AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, IN 46708-9571

Wednesday, November 16, 2016

The Honorable Council of the City of South Bend
4th Floor, County-City Building
South Bend, IN 46601



RE: A combined public hearing on a proposed ordinance of the Department of Redevelopment, City of South Bend to zone from GB General Business District to CBD Central Business District and seeking a Special Exception Use for a manufacturing retailer, property located at 331 W. Wayne Street, City of South Bend - AS RE-ADVERTISED - APC# 2798-16.

Dear Council Members:

I hereby Certify that the above referenced ordinance of Department of Redevelopment City of South Bend was legally advertised on November 3, 2016 and that the Area Plan Commission at its public hearing on November 15, 2016 took the following action:

Upon a motion by John DeLee, being seconded by Oliver Davis and unanimously carried, a proposed ordinance of Department of Redevelopment City of South Bend to zone from GB General Business District to CBD Central Business District, property located at 331 W. Wayne Street, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation. Rezoning this property to CBD Central Business District and granting the special exception use for a manufacturing retailer allows for a use that is compatible with the existing Central Business District and will compliment the surrounding uses.

The deliberations of the Area Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, and will be forwarded to you at a later date to be made a part of this report.

Sincerely,

Lawrence P. Magliozzi

Attachment

CC: Department of Redevelopment City of South Bend
Chris Gerard



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

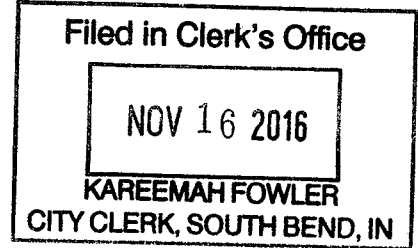
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

November 16, 2016

South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601



RE: Bill # 53-16
Rezoning: APC #2798-16 - 331 W. Wayne Street

Dear Council Members:

The Area Plan Commission held a public hearing on November 15, 2016 for the above reference petition. This petition is set for public hearing before the Common Council on Monday, November 28, 2016.

Ordinance & Petition Amendments:

The following changes have been made to the above referenced petition:

Petition:

- 1.) The property owner name was changed.
- 2.) The legal description was corrected.

A Copy of the revised Petition is attached.

Public Hearing Summary:

There was 2 persons that spoke in opposition to the proposed rezoning.

- 1) Brenda Lucas – Concerned about a brewery going in next to the South Bend VA Clinic.
- 2) Jack Smith – Concerned about lighting, hours of operation, parking, and security. He would like to see landscaping added to the site.

If you have any further questions, please feel free to contact me at (574) 235-9571.

Sincerely,

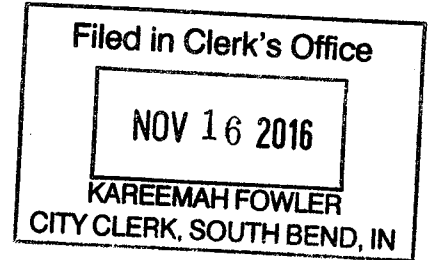
Keith Chapman, Planner

CC: Kathleen Cekanski-Farrand

PETITION FOR ZONE MAP AMENDMENT
City of South Bend, Indiana

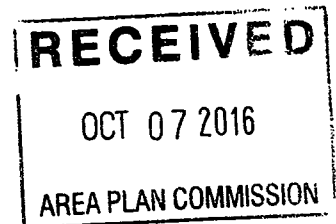
I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.

- 1) The property sought to be rezoned is located at:
Parcel Key No. 018-3012-044003
Commonly known as 331 W. Wayne St., South Bend, Indiana
- 2) The property Tax Key Number(s) is/are: *Parcel Key No. 018-3012-044003*
- 3) Legal Descriptions: *Lot A Vails Sub First Replat*
- 4) Total Site Area: *.85 acres*
- 5) Name and address of property owner(s) of the petition site:
Department of Redevelopment City of South Bend
227 West Jefferson Blvd 1400
South Bend, IN 46601
574-235-5836
drelos@southbendin.gov



Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:
Chris Gerard
12804 Sandy Court
Granger, IN 46530
574-315-4257
chris@barehandsbrewery.com



Name and address of additional property owners, if applicable:

- 7) It is desired and requested that this property be rezoned:

From: GB General Business District Additional zoning district, if applicable

To: CBD Central Business District
- 8) This rezoning is requested to allow the following use(s): *Brewery/Restarant*

IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

- 1) *List each variance being requested. Contact Commission Staff if you need assistance with wording.*
- 2) A statement on how each of the following standards for the granting of variances is met:
 - (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *Insert text*
 - (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *Insert text*

(c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *Insert text*

IF A SPECIAL EXCEPTION USE IS BEING REQUESTED, (if not, please skip to next section):

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *Manufacturing retailer*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
 - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *It will be similar to other business*
 - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *We are going to fix up vacant property*
 - (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *We plan to fit our design to work with the area*
 - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan. *Resuse of an abandoned building*

* In the case of a Special Exception Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

OR SIM PRIEBE *DR. 11-15-16*
Chris Gerard
12804 Sandy Ct
Granger In 46530
574-315-4257
chris@barehandsbrewery.com

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.

Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

Simon P. Helon, Authorized Rep, Dept of Redevelopment

RECEIVED

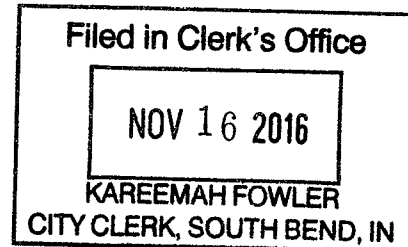
OCT 07 2016

AREA PLAN COMMISSION

Staff Report

11/4/2016

APC # 2798-16
Owner: Department of Redevelopment City of South Bend
Location: 331 W. Wayne Street
Jurisdiction: City of South Bend
Public Hearing Date: 11/15/2016



Requested Action:

The petitioner is requesting a zone change from GB General Business District to CBD Central Business District and seeking a Special Exception Use for a manufacturing retailer.

Land Uses and Zoning:

- On site: On site is an existing building and parking lot.
- North: To the north across Wayne Street are businesses zoned MU Mixed Use District.
- East: To the east is the South Bend VA Clinic zoned CBD Central Business District.
- South: To the south is a parking lot zoned GB General Business District.
- West: To the west across William Street is a vacant lot zoned GB General Business District.

District Uses and Development Standards:

The CBD Central Business District is established to promote the development of the downtown region of the City of South Bend as a center for trade, finance, government, high density residential and entertainment districts within St. Joseph County and north central Indiana. The regulations of this district are intended to encourage high density, mid-rise and high rise developments which may include a mixture of compatible urban uses. The development standards in this district, while designed to provide for high density development, also encourage a pedestrian friendly environment supportive of urban residential developments, retail, restaurant, theater and similar business and cultural uses associated with major metropolitan areas.

Site Plan Description:

On site is an exiting 8,650 sq. ft. building that is proposed to be converted to a brew pub. The remainder of the site is a parking lot with a primary entrance on William Street.

Zoning and Land Use History And Trends:

This property was zoned Light Industrial prior to 2006.

Traffic and Transportation Considerations:

William Street has two lanes with a center turn lane and on street parking on the west side of the street. Wayne Street has two lanes.

Utilities:

This site will be served by municipal water and sewer.

Agency Comments:

The Department of Community Investment offers a favorable recommendation and on the

associated special exception request to permit a manufacturing retailer. DCI recommends that in lieu of any other perimeter or parking lot screening landscaping, the petitioner provide street trees at approximately 44' spacing in the Wayne and William Street tree lawns. Over time, the petitioner can add landscaping to existing on-site paved areas that will not be used for parking. The City Engineer commented the following are required prior to final site plan approval: 1) Completion of the City of South Bend Utility Verification Form; 2) Approval of sidewalk, curb cut, lighting, and overall site improvement to reflect the Master Plan for the surrounding area. Of specific concern for this site are the plans for access and screening; 3) Development of the site requires City approval of a Drainage Plan, and payment of the corresponding Drainage Review Fee, that meets the City's requirement to store all runoff from developed areas on site; 4) Development of the site also require compliance with the City's Downspout Disconnection Program; 5) Verification of required (if any) waivers; and 6) Payment of Final Site Plan Review fee.

Commitments:

The petitioner is not proposing any written commitments.

Criteria to be considered in reviewing rezoning requests, per IC 36-7-4-603:

1. Comprehensive Plan:

Policy Plan:

The petition is consistent with City Plan, South Bend Comprehensive Plan (November 2006): ED 1.2 Encourage the reuse of abandoned and underutilized land and structures.

Land Use Plan:

The future land use map identifies this area as commercial.

Plan Implementation/Other Plans:

There are no other plans in effect for this area.

2. Current Conditions and Character:

The properties east of the site are predominantly commercial and business oriented. To the north of Wayne and to the west of William is a mixture of residential and business uses.

3. Most Desirable Use:

The most desirable use is commercial.

4. Conservation of Property Values:

The renovation and reuse of a vacant building should not adversely affect adjacent property values.

5. Responsible Development And Growth:

It is responsible development and growth to reuse a vacant building, in conformance with the Comprehensive Plan.

Combined Public Hearing

This is a combined public hearing procedure, which includes a rezoning, and a Special Exception Use. The Commission will forward the rezoning and the Special Exception Use to the Council with or without a recommendation.

The Petitioner is seeking a Special Use to allow:

manufacturing retailer

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

The use will be compatible with existing businesses located in the Central Business District. The special exception for a manufacturing retailer (brewery) will not be injurious to the public.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

The proposed use will utilize an existing commercial building and should not adversely affect adjacent property values.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

The building will be renovated to conform to the character of the district.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The Comprehensive Plan makes no specific recommendation for this use.

Staff Comments:

The site will require variances from the Area Board of Zoning Appeals for perimeter landscaping and parking area screening along the west property line. Also, the configuration of parking spaces will need to be modified to reflect the requirements of the Zoning Ordinance. ~~The title from the previous meeting did not indicate the requested zoning district. To comply with state law requirements, the petition was re-advertised and must receive a new public hearing. There are no changes from the previous request.~~

Recommendation:

Based on information available prior to the public hearing, staff recommends that the rezoning petition be sent to the Common Council with a favorable recommendation. The staff recommends that the special exception use be sent to the Common Council with a favorable recommendation.

Analysis:

Rezoning this property to CBD Central Business District and granting the special exception use for a manufacturing retailer allows for a use that is compatible with the existing Central Business District and will compliment the surrounding uses.

REZONING
#2798-16

Wayne

William

Franklin

1 inch = 50 feet
PORTAGE TOWNSHIP

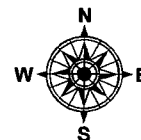




**Rezoning from: CITY OF SOUTH BEND
 "GB" GENERAL BUSINESS DISTRICT
 to "CBD" CENTRAL BUSINESS DISTRICT**

MASTER ZONING KEY

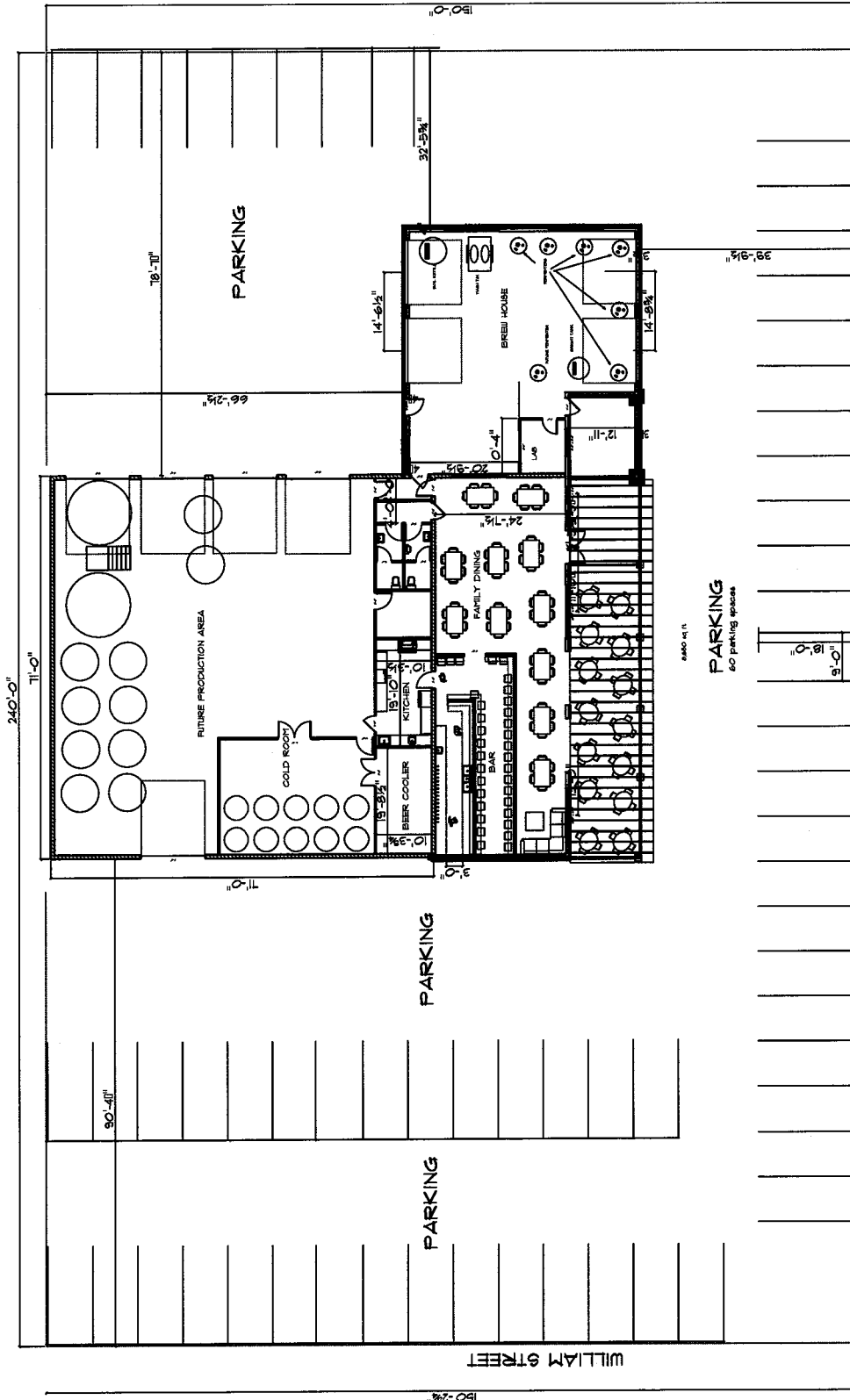
- SOUTH BEND "MU" MIXED USE DISTRICT
- SOUTH BEND "CBD" CENTRAL BUSINESS DISTRICT
- SOUTH BEND "GB" GENERAL BUSINESS DISTRICT



1 inch = 100 feet

APC # 2798-16

WAYNE STREET



WILLIAM STREET

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND REQUESTING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 331 W. WAYNE, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

To rezone the property for a brewery and restaurant.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Lot A of Vails Subdivision First Replat

be and the same is hereby established as CBD Central Business District.

SECTION II. That a Special Exception Use for *manufacturing retailer* in the *CBD Central Business District* is hereby granted subject to a site development plan hereby attached and made a part of this Ordinance and which site plan contains and lists all conditions, if any, of approval.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.

Member of the Common Council

Attest:

City Clerk

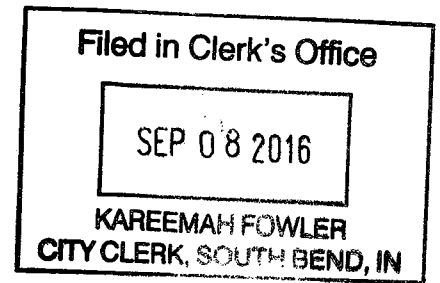
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED





AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

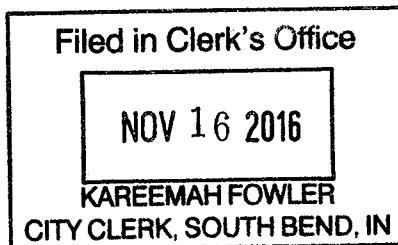
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

November 16, 2016

South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601



RE: Bill # 65-16
Rezoning: APC #2800-16 – 913 Lawrence Street and 427 & 437 Corby Blvd.

Dear Council Members:

The Area Plan Commission held a public hearing on November 15, 2016 for the above reference petition. This petition is set for public hearing before the Common Council on Monday, November 28, 2016.

The revised Ordinance and Petition were previously sent on November 2, 2016.

Public Hearing Summary:

There was 1 person that spoke in favor to the proposed rezoning.

- 1) Bill Stenz, President Northeast Neighborhood Council – Stated that the site is appropriate for multifamily density and that the Northeast Neighborhood board voted unanimously to approve this project.

If you have any further questions, please feel free to contact me at (574) 235-9571.

Sincerely,

Keith Chapman, Planner

CC: Kathleen Cekanski-Farrand



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

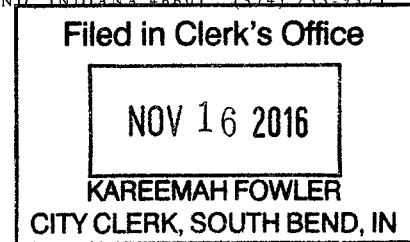
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

Wednesday, November 16, 2016

The Honorable Council of the City of South Bend
4th Floor, County-City Building
South Bend, IN 46601



RE: A public hearing on a proposed ordinance of DAMSHA BUA LLC to zone from SF2 Single Family & Two Family District to MF1 Urban Corridor Multifamily District, property located at 427 and 437 Corby, and 913 Lawrence Street, City of South Bend - APC# 2800-16.

Dear Council Members:

I hereby Certify that the above referenced ordinance of DAMSHA BUA LLC was legally advertised on November 3, 2016 and that the Area Plan Commission at its public hearing on November 15, 2016 took the following action:

Upon a motion by Oliver Davis, being seconded by Elizabeth Maradik and unanimously carried, a proposed ordinance of DAMSHA BUA LLC to zone from SF2 Single Family & Two Family District to MF1 Urban Corridor Multifamily District, property located at 427 and 437 Corby, and 913 Lawrence Street, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation, subject to the following Written Commitments: 1) The project site as described above shall be limited to a total of nine (9) single family attached dwelling units; 2) No single-family attached dwelling unit in the described project area shall exceed a maximum height of 40 feet to roof peak; 3) No more than four (4) single-family attached dwelling units shall make up any single building mass; 4) A minimum 5 ft. front-yard setback shall be required along any public street frontage; and 5) A minimum 2 ft. offset shall be required between any single-family attached dwelling unit. Rezoning this property to MF1 Urban Corridor Multifamily District will allow for a variety of housing options in this area in order to address the demands of the market.

PLEASE NOTE that the Ordinance has been amended by the petitioner and is different than that used for the Common Council's first reading. The amended Ordinance was legally advertised and heard by the Area Plan Commission.

The deliberations of the Area Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, and will be forwarded to you at a later date to be made a part of this report.

Sincerely,

Lawrence P. Magliozzi

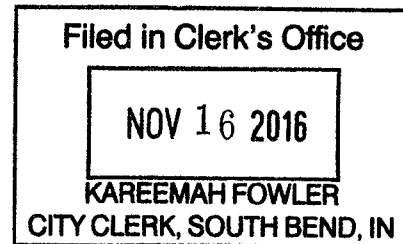
Attachment

CC: DAMSHA BUA LLC

Staff Report

11/4/2016

APC # 2800-16
Owner: DAMSHA BUA LLC
Location: 427 and 437 Corby, and 913 Lawrence Street
Jurisdiction: City of South Bend
Public Hearing Date: 11/15/2016



Requested Action:

The petitioner is requesting a zone change from SF2 Single Family & Two Family District to MF1 Urban Corridor Multifamily District and requesting four variances from the development standards.

Land Uses and Zoning:

- On site: On site is vacant land zoned SF2 Single Family & Two Family District.
- North: To the north are single family homes zoned SF2 Single Family & Two Family District.
- East: To the east across Lawrence Street are single family homes zoned SF2 Single Family & Two Family District.
- South: To the south across Corby Boulevard is a hotel zoned MU Mixed Use District and single family homes zoned SF2 Single Family & Two Family District.
- West: To the west are single family homes zoned SF2 Single Family & Two Family District.

District Uses and Development Standards:

The MF1 District is established to protect, promote and maintain the development of urban style multifamily dwellings and to provide for limited public and institutional uses that are compatible with a multifamily residential neighborhood. The development standards are designed to promote the establishment of: multifamily dwelling projects (including apartment, townhouse or row house style developments); and, high density two family dwelling developments located along a block face, in developed areas of the community which are served by a full range of public amenities.

Site Plan Description:

Nine 2-story townhomes, with three units in each building are proposed. Each unit has a garage, with a common access from the public alley.

Zoning and Land Use History And Trends:

This site was zoned residential prior to 2004.

Traffic and Transportation Considerations:

Corby Boulevard and Lawrence Street have two lanes.

Utilities:

This site will be served by municipal water and sewer.

Agency Comments:

The Department of Community Investment offers a favorable recommendation. DCI does

not have an objection to the variances to reduce the side yard setback, to reduce the interior side yard, or to increase the massing. The mechanical equipment must not be located along the street frontages. The equipment can be placed in side yards or on the islands between the garage entries. The petitioner should also give careful consideration to the placement of other services, such as trash pick-up. The petitioner may also wish to consider shifting the northern set of units slightly to the west to approximate the 10' +/- building line/setback of the neighboring housing units to the north. The petitioner should ensure that the corner unit adequately addresses Lawrence Street. The porch should turn the corner, the main door to the garage could be rotated to the east elevation, and the side can be well landscaped.

The Department of Public Works recommends approval noting that the following are required prior to final site plan approval: 1) Completion of the City of South Bend Utility Verification Form; 2) Approval of sidewalk, curb cut, lighting, alley usage, and overall site improvement to reflect the Master Plan for the surrounding area. Of specific concern for this site are the plans for each of the drive approaches, the proposed alley usage (including bringing the alleys' condition up to city standard, maintenance, drainage, existing approaches, power pole at the alley entrance off of Lawrence), and ADA compliance plans for the existing sidewalk; 3) The access plans, and curb cut will need to go through the city curb cut application process; 4) Development of the site requires City approval of a Drainage Plan that meets the City's requirement to store all runoff from developed areas on site; 5) Verification of required (if any) waivers; and 6) Payment of all associated site plan review and permitting fees.

Commitments:

The petitioner is proposing the following Written Commitments:

1) The project site as described above shall be limited to a total of nine (9) single family attached dwelling units; 2) The nine (9) single family attached dwelling units shall be owner-occupied only. Owner-occupied shall be defined as "Primary Residence" as defined under Internal Revenue Service codes for tax purposes (Internal Revenue Service Publication 523 (2009)); 3) No single family attached dwelling unit in the described project site shall be rented, leased or sub-leased for any duration, to any other party, group or person(s); 4) No single-family attached dwelling unit in the described project area shall exceed a maximum height of 40 feet to roof peak; 5) No more than four (4) single-family attached dwelling units shall make up any single building mass; 6) A minimum 5 ft. front-yard setback shall be required along any public street frontage; 7) A minimum 2 ft. offset shall be required between any single-family attached dwelling unit; 8) There shall be a Home Owners Association (HOA) created for the nine (9) single-family attached dwelling units; 9) The Home Owners Association shall allow their property ownership records, meeting minutes and agendas available for review by any Governmental Agency, the NNRO Northeast Neighborhood Redevelopment Organization the NENC Northeast Neighborhood Council. The HOA shall notify the NNRO Northeast Neighborhood Redevelopment Organization and the NENC Northeast Neighborhood Council of any meeting they hold; and 10) No unrelated Graduate or Undergraduate student(s) shall be allowed to maintain occupancy in any single-family attached dwelling unit in the above described project site as said students are defined by the University of Notre Dame. It is staffs opinion that only the Written commitments related to land use be approved.

Staff recommends removal of Written Commitments 2, 3, 8, 9, and 10 as they do not relate

to land use and would be difficult for Area Plan to enforce.

Criteria to be considered in reviewing rezoning requests, per IC 36-7-4-603:

1. Comprehensive Plan:

Policy Plan:

This petition is consistent with City Plan, South Bend Comprehensive Plan (November 2006) Objective H 1.1: Encourage residential developments to contain a mix of housing types, densities, price ranges, and amenities.

Land Use Plan:

The future land use map identifies this area as medium density residential.

Plan Implementation/Other Plans:

The Northeast Neighborhood Development Area Plan (November 2011) identifies this area for single family and two family residential as part of the single family home ownership preservation area.

2. Current Conditions and Character:

The surrounding properties are mainly residential with a mixture of densities and home sizes.

3. Most Desirable Use:

The most desirable use is residential.

4. Conservation of Property Values:

With adequate landscape screening surrounding property values should not be affected.

5. Responsible Development And Growth:

It is responsible development and growth to allow medium density residential in a residential area.

Combined Public Hearing

The petitioner is seeking the following variance(s):

- 1) from the required minimum 6 ft. side yard setback to 5 ft.
- 2) from the required minimum interior yard of 6 ft. around building to 0 ft. for projects containing 2 or more buildings
- 3) from the requirement that the height and massing of new multi-family buildings shall be no more than twice the massing of the immediately abutting building, including buildings on the same lot to a maximum of seven times
- 4) from the requirement that mechanical equipment shall not be located along primary and secondary street frontages to being allowed but shall be screened from the street by fencing or landscaping

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. The standards and their justifications are as follows:

- (1) The approval will not be injurious to the public health, safety, morals and general welfare of the community;**

Because of the moderate density of the townhomes and the overall layout of the property, the proposed development should not be injurious to the public health, safety, or general welfar of the community.

(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;

With proper screening and architectural detail as required by the Northeast Neighborhood Zoning Overlay, the development should not have an adverse impact on the use or value of the adjacent properties provided the mechanical equipment is located as far from the public space as possible.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property

The strict application of terms would result in the practical difficulties in the use of the property. The minimum separation between buildings would prohibit the ability to subdivide the property at a future date. Even though the massing of the proposed buildings are similar to other buildings in the area, the small size of the house immediately abutting this site creates a practical difficulty from constructing a medium density residential building. Because the buildings are located on a corner lot, strict application related to the placement of the mechanical equipment is difficult but the intent of the ordinance could be met by locating them behind the building façade and as far from the public space as possible.

Staff Comments:

The staff has no additional comments at this time.

Recommendation:

Based on information available prior to the public hearing, the staff recommends that the rezoning petition be sent to the Common Council with a favorable recommendation. The staff recommends approval of the variances, subject to the mechanicals being located along the rear building façade.

Analysis:

Rezoning this property to MF1 Urban Corridor Multifamily District will allow for a variety of housing options in this area in order to address the demands of the market.

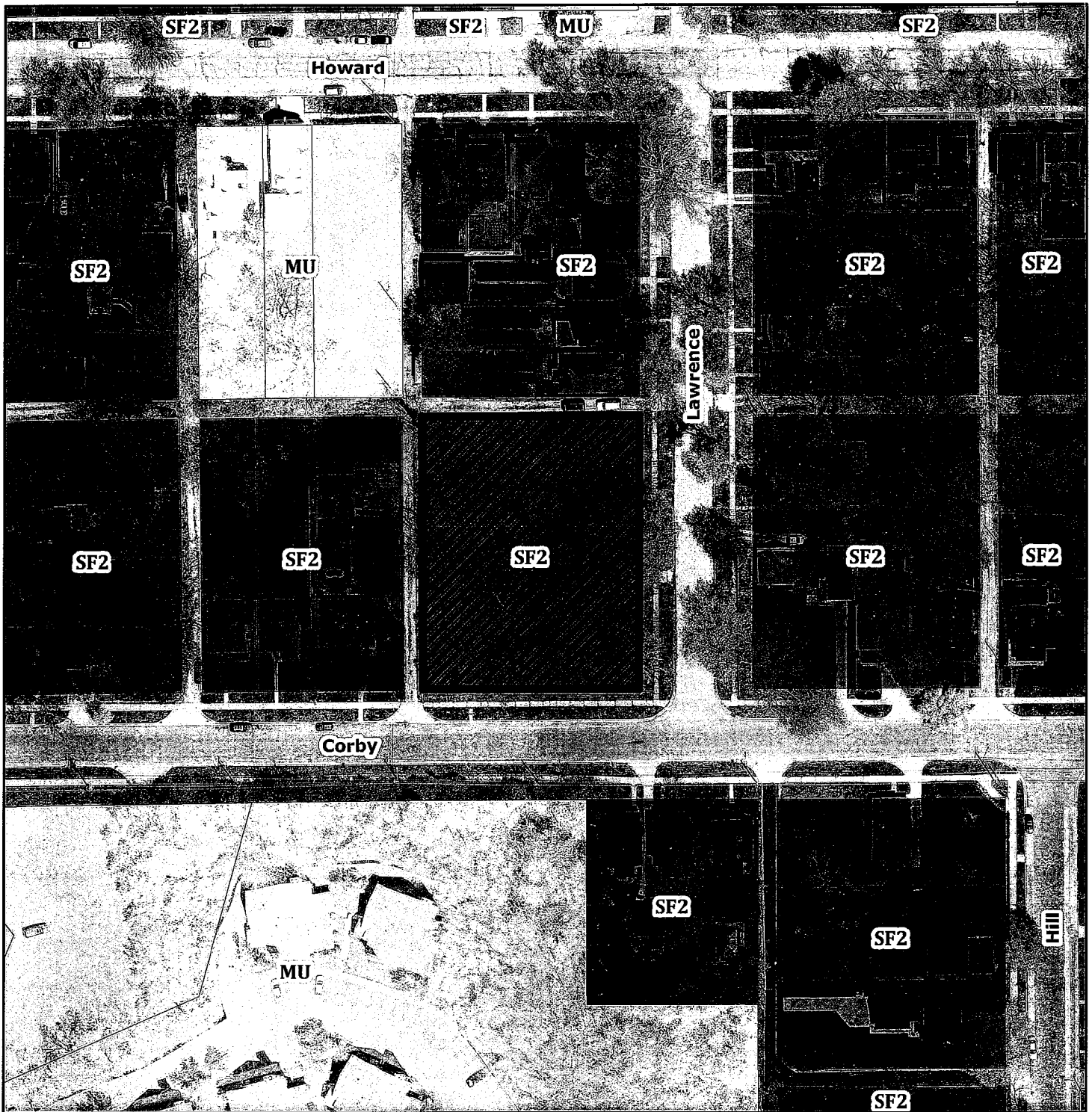
REZONING
#2800-16

Lawrence

Corby



1 inch = 50 feet
PORTAGE TOWNSHIP

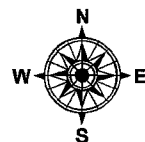




**Rezoning from: CITY OF SOUTH BEND
SF2 SINGLE FAMILY AND TWO FAMILY DISTRICT
to MF1 URBAN CORRIDOR MULTIFAMILY DISTRICT**

MASTER ZONING KEY

-  SOUTH BEND "SF2" SINGLE FAMILY AND TWO FAMILY DISTRICT
-  SOUTH BEND "MU" MIXED USE DISTRICT



1 inch = 100 feet

APC # 2800-16

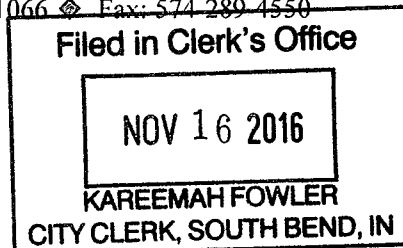
NNRO

Northeast Neighborhood Revitalization Organization

803 Lincoln Way West ♦ South Bend, Indiana 46616 ♦ Phone: 574-289-1066 ♦ Fax: 574-289-4550

November 2016

Mr. Larry Magliozzi, Executive Director
Area Plan Commission of St. Joseph County Indiana
1100 County-City Building
South Bend, Indiana 46601



RE: 427 and 437 Corby Boulevard and 913 Lawrence Street South Bend Indiana 46617- Housing Rezoning Site

Dear Larry:

Please know that the NNRO has reviewed the rezoning proposal for the housing development submitted by DAMSHA BUA LLC for the aforementioned site. After extensive discussion with the associated developers, the NNRO offers its support for the rezoning as proposed. The NNRO board of director's officially approved supporting the rezoning at its meeting on November 9, 2016.

This letter also confirms that the support of the NNRO is pursuant to the fulfillment of certain written developer commitments (including but not limited to those on the official site plan of record and architectural drawings) to be recorded and enforced jointly or severally by the Area Plan Commission, City of South Bend, NNRO, NENC and owners adjacent to the real estate in question.

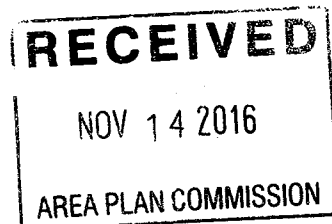
Please know that NNRO representatives will be in attendance at the November 15, 2016 APC meeting to address their support of this important neighborhood housing development.

If questions, please contact me or Mr. Sexton directly. Thank you.

Sincerely,

Marco Mariani
NNRO Authorized Agent

CC: T. Sexton





AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

November 2, 2016

South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

RE: Bill # 65-16
Rezoning: APC #2800-16 – 913 Lawrence Street and 427 & 437 Corby Blvd.

Dear Council Members:

The Area Plan Commission will hold a public hearing on November 15, 2016 for the above reference petition. This petition is set for public hearing before the Common Council on Monday, November 28, 2016.

Ordinance & Petition Amendments:

The following changes have been made to the above referenced petition:

Ordinance & Petition:

- 1.) 437 Corby Boulevard was added to the Ordinance title.
- 2.) Variances were updated on the petition.

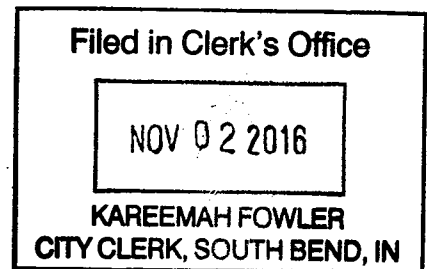
A Copy of the revised Ordinance is attached.

A summary of public comment will be provided after the Area Plan Commission Meeting.

If you have any further questions, please feel free to contact me at (574) 235-9571.

Sincerely,

Keith Chapman, Planner



CC: Kathleen Cekanski-Farrand

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 913 LAWRENCE STREET AND 427 & 437 CORBY BOULEVARD, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

To construct townhomes.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: A PART OF LOT # 151 OF THE PLAT OF "SORIN'S SECOND ADDITION TO THE TOWN OF LOWELL, NOW CITY OF SOUTH BEND" AS SHOWN IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT # 151; THENCE N.90°00'00" W. ALONG THE SOUTH LINE OF SAID LOT AND THE NORTH RIGHT-OF-WAY LINE OF CORBY BOULEVARD A DISTANCE OF 158.94 FEET MORE OR LESS TO THE EAST LINE OF A 14 FT. WIDE PUBLIC ALLEY; THENCE N. 00°00'00"W. ALONG SAID EAST LINE A DISTANCE OF 198.00 FEET MORE OR LESS TO THE SOUTH RIGHT-OF-WAY LINE OF A 14 FT. WIDE PUBLIC ALLEY; THENCE S. 90°00'00" E. ALONG SAID SOUTH LINE A DISTANCE OF 159.29 FEET TO THE WEST LINE OF LAWRENCE STREET; THENCE ALONG SAID WEST LINE, S. 00°00'00" E., A DISTANCE OF 198.00 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 0.72 ACRES MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

be and the same is hereby established as MF1 Urban Corridor Multifamily District.

SECTION II.

This ordinance is and shall be subject to commitments as provided by Chapter 21-09.02(d) Commitments, if applicable.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, legal publication, and full execution of any conditions or Commitments placed upon the approval.

Member of the Common Council

Attest:

City Clerk

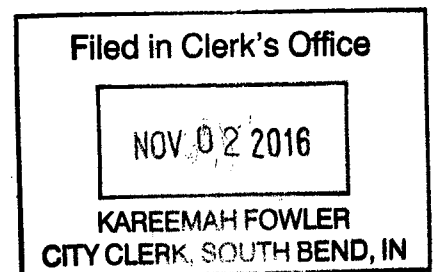
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED





LANG, FEENEY & ASSOCIATES, INC.
LAND SURVEYING – CONSTRUCTION ENGINEERING – SOIL SCIENTISTS
715 SOUTH MICHIGAN STREET • SOUTH BEND, INDIANA 46601
TELEPHONE 574.233.1841 • FACSIMILE 574.674.0374

www.LangFeeney.com

WILLIAM D. LANG, PRES.
JOHN B. FEENEY, P.S.
TERANCE D. LANG, P.S.

INDOT PREQUALIFIED:
5.4 ECOLOGICAL SURVEYS
5.5 WETLAND MITIGATION
6.1 TOPOGRAPHIC SURVEY DATA COLLECTION

SUB-DIVISIONS
BOUNDARY SURVEYS
CONSTRUCTION SURVEYS
PUBLIC WORKS PREQUALIFIED

September 20, 2016

City of South Bend
Common Council
Room 455 County-City Building
South Bend, Indiana 46601

Filed in Clerk's Office
SEP 21 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

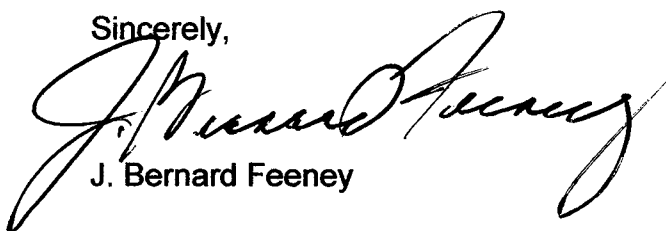
Re: Vacation Petition – Alley Vacation

To The Common Council,

The first north-south alley lying west of Portage Avenue, bounded on the north by the south right-of-way line of Bulla Street and bounded on the south by the north right-of-way line of the first east-west alley north of King Street in portage township. Being 251.6' in length. The applicant wish to vacated this alley to allow full use of their existing parking lot lying west of the alley in conjunction with their building on the east side of the alley.

The approval of this vacation shall not be injurious to the use of other property in the immediate vicinity. It shall not be detrimental to or endanger the public health, safety, morals or general welfare. This vacation shall not constrict the use or deter the value of adjacent area as it is currently being used as parking for adjacent businesses.

Sincerely,


J. Bernard Feeney

**PETITION TO VACATE PUBLIC RIGHTS-OF-WAY
(STREETS/ALLEYS)**

TO THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA

DATE: _____

Filed in Clerk's Office
SEP 21 2016
KAREEMAH FOWLER CITY CLERK, SOUTH BEND, IN


I (WE), THE UNDERSIGNED PROPERTY OWNER(S), PETITION YOU TO VACATE:

A. THE ALLEY DESCRIBED AS:

The first north-south alley lying west of Portage Avenue, bounded on the north by the south right-of-way line of Bulla Street and bounded on the south by the north right-of-way line of the first east-west alley north of King Street in Portage Township.

B. THE STREET DESCRIBED AS:

_____ n/a _____

NAME (signed & printed)	ADDRESS	LOT #
 _____ (signature)		
Missionary Church North Central	PO Box 110	Key No. 018-2182-6791
District Inc. DBA Transformation	Nappanee, IN 46550	Key No. 018-2182-6793
Ministries		Key No. 018-2182-6794
By <u>KORY LANTZ</u> (print name)		

CONTACT PERSON (S)

NAME: Lang, Feeney & Associates, Inc.
J. Bernard Feeney

ADDRESS: 715 South Michigan Street
South Bend, Indiana 46601

PHONE: 574-233-1841

RETURN TO:

OFFICE OF THE CITY CLERK
JOHN VOORDE, CITY CLERK
ROOM 455-COUNTY-CITY BUILDING
SOUTH BEND, IN 46601
574-235-9221



LANG, FEENEY & ASSOCIATES, INC.
LAND SURVEYING – CONSTRUCTION ENGINEERING – SOIL SCIENTISTS

715 SOUTH MICHIGAN STREET • SOUTH BEND, INDIANA 46601

TELEPHONE 574.233.1841 • FACSIMILE 574.674.0374

www.LangFeeney.com

WILLIAM D. LANG, PRES.

JOHN B. FEENEY, P.S.

TERANCE D. LANG, P.S.

INDOT PREQUALIFIED:

5.4 ECOLOGICAL SURVEYS

5.5 WETLAND MITIGATION

6.1 TOPOGRAPHIC SURVEY DATA COLLECTION

SUB-DIVISIONS

BOUNDARY SURVEYS

CONSTRUCTION SURVEYS

PUBLIC WORKS PREQUALIFIED

October 7, 2016

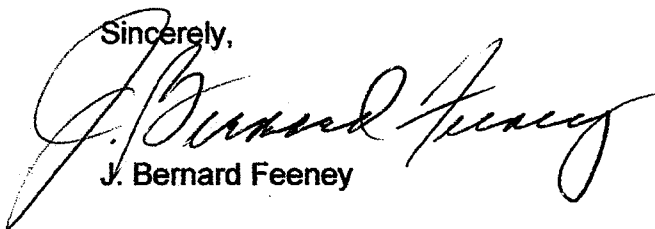
City of South Bend
Alkeyna M. Aldridge, Deputy Clerk
227 W. Jefferson Blvd
County-City Building, Room 455
South Bend, Indiana 46601-1830

Re: Vacation Petition – Alley Vacation near Portage/Bulla

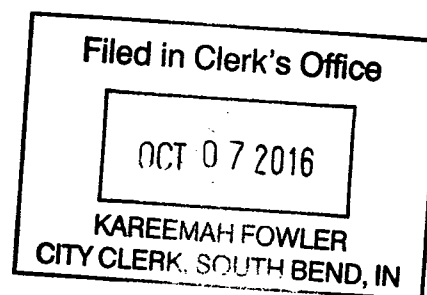
Ms. Aldridge

Please table the above reference petition until such time as it has been considered by the Board of Public Works. If there are any questions regarding this matter, feel free to contact me.

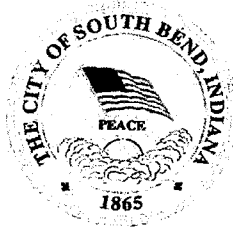
Sincerely,



J. Bernard Feeney



1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



PHONE 574/235-9251
FAX 574/235-9171

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
BOARD OF PUBLIC WORKS

November 22, 2016

Bernie Feeny
Transformation Ministries c/o Lang Feeny
715 S Michigan
South Bend, IN 46601

RE: Alley Vacation – 1st North/South Alley West of Portage Avenue extending from Bulla St. to East/West Alley (Preliminary Review)

Dear Mr. Feeny:

The Board of Public Works, at its November 22, 2016, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Community Investment, Fire Department, Police Department, and the Solid Waste Division. The following comments and recommendations were submitted:

Community Investment, Area Plan and Engineering state the Vacation would make access difficult or inconvenient for several properties to the East.

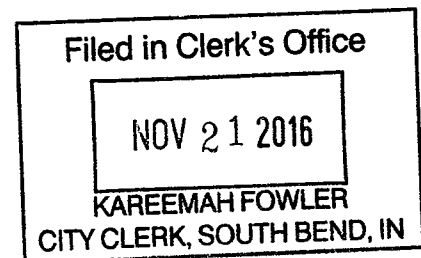
Therefore, the Board of Public Works submitted an unfavorable recommendation for the vacation of this alley.

Please contact Donna Hanson at (574) 235-9254 prior to picking up your radius map. You will need a radius map showing properties within 150' of the proposed vacation for your petition to the Common Council. Once you pick up the radius map, proceed to the City Clerk's office for your alley vacation packet.

Sincerely,


Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Donna Hanson, Engineering
Alkeyna Aldridge, City Clerk's Office





**INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS**

TO: Pete Kaminski, Street Department
✓ Mike Bronstetter, Solid Waste
✓ Matt Longfellow, Engineering Department
✓ Chris Dressel, Community Investment
✓ Federico Rodriguez, Fire Department
✓ Larry Magliozzi, Area Plan Commission (lmagloz@co.st-joseph.in.us or 235-9813 fax)
✓ Gene Eyster, Police Department
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *JW*

DATE SENT: 10/25/2016

FROM:

SUBJECT: **REQUEST FOR RECOMMENDATION – ALLEY VACATION**

APPLICANT: **Transformation Ministries c/o Lang Feeney**

LOCATION: **1st N/S Alley W of Portage extending from Bulla S. to E/W Alley**

DATE DUE: **November 1, 2016**

FAX OR E-MAIL TO: **235-9171 / lmartin@southbendin.gov**

**PLEASE MAKE YOUR RECOMMENDATIONS BASED ON THE FOLLOWING
IC 36-7-3-13 CRITERIA:**

1. The vacation would/would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation would/would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation would/would not hinder the public's access to a church, school or other public building or place.
4. The vacation would/would not hinder the use of a public right-of-way by the neighborhood in which it is located or to which it is contiguous.

COMMENTS:

By _____ Date _____

CITY OF SOUTH BEND
 DEPARTMENT OF PUBLIC WORKS
 Street/Alley Vacation Form



227 W. JEFFERSON BOULEVARD PHONE 574/235-9251
 SUITE 1316 COUNTY-CITY BUILDING FAX 574/235-9171
 SOUTH BEND, INDIANA 46601 TDD 574/235-5567

THIS FORM MUST BE REVIEWED BY THE CITY ENGINEERING DEPARTMENT PRIOR TO GRANTING A DEDICATED MAP

Submission Date:		
Applicant Name:		TRANSFORMATION CO LLC, MINISTRIES Recovery
Property Address:		1919/1521 PORTAGE
Applicant property information:		<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial
Describe the general alley location with boundaries (ex. Church Pl, between E. Colfax Ave & E. LaSalle Ave):		1 st N-S alley W. of Portage extending from Pulla to E-W alley, 25' wide
Is your property adjacent to the alley of interest?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you own all adjacent properties to the alley of interest?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, use the attached table to provide the following information for all affected property owners: Name, Address, Consent for the proposed alley vacation		
Reason for street/alley vacation and proposed use:		
To allow safe, direct access from parking lot to building that fronts on Portage		
Does the existing alley provide garage access to other property owners?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the alley receive daily traffic excluding your own use?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Would the vacation hinder public access to any of the following: a church, school, or any other public building or place?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OFFICE USE ONLY:

Board Recommendation for the proposed alley vacation: Yes No

Board of Public Works Authorized Signatures:

Handwritten signatures

See Res # 273

Vacation

check Assessor's Office

...
 m...

Resolution No. 573

RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION, GOVERNING BODY OF THE CITY OF SOUTH BEND, DEPARTMENT OF REDEVELOPMENT AUTHORIZING THE EXECUTION OF THE REDEVELOPMENT AGREEMENT FOR THE DISPOSITION OF LAND AND THE EXECUTION OF QUIT CLAIM DEED (S) FOR THE TRANSFER OF TITLE THERETO IN CONNECTION WITH LAND TO BE DISPOSED OF IN THE LASALLE PARK PROJECT, INDIANA R-57.

WHEREAS, the City of South Bend, Department of Redevelopment is carrying out the Urban Renewal for an area known as the LaSalle Park Project pursuant to the Urban Renewal plan for the Project, Indiana R-57 adopted by the Council of the City of South Bend, Indiana, by Resolution No. 127-66 on the 24th day of January, 1966 and

WHEREAS, the Urban Renewal Plan calls for the sale for redevelopment by public or private agencies of all acquired land in accordance with the provisions of said plan; and

WHEREAS, the following redevelopers have submitted a proposal to redevelop certain parcels within the LaSalle Park Project and that said proposal has been processed in accordance with all applicable Statutes of the State of Indiana and rules and regulations and the Federal Statutes governing the sale of Urban Renewal Land with said parcels being:

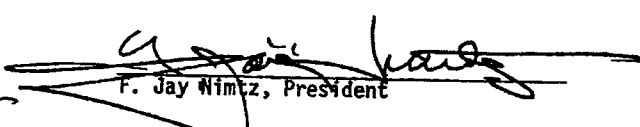
<u>PARCEL NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u>
17-6	Elton Gailday and	\$578.55
17-7	Marie Gailday	

NOW, THEREFORE BE IT RESOLVED, by the South Bend Redevelopment Commission, Governing Body of the City of South Bend, Department of Redevelopment that the Executive Director of the Department of Redevelopment is authorized to prepare a Redevelopment Agreement and a Quit Claim Deed (s) for the purpose of conveying said land to the proposed redeveloper; and

FURTHER, that the President of the South Bend Redevelopment Commission is authorized to execute said Redevelopment Agreement and Quit Claim Deed (s) and that the Secretary of the Commission is hereby authorized to attest said Agreement and Deed (s).

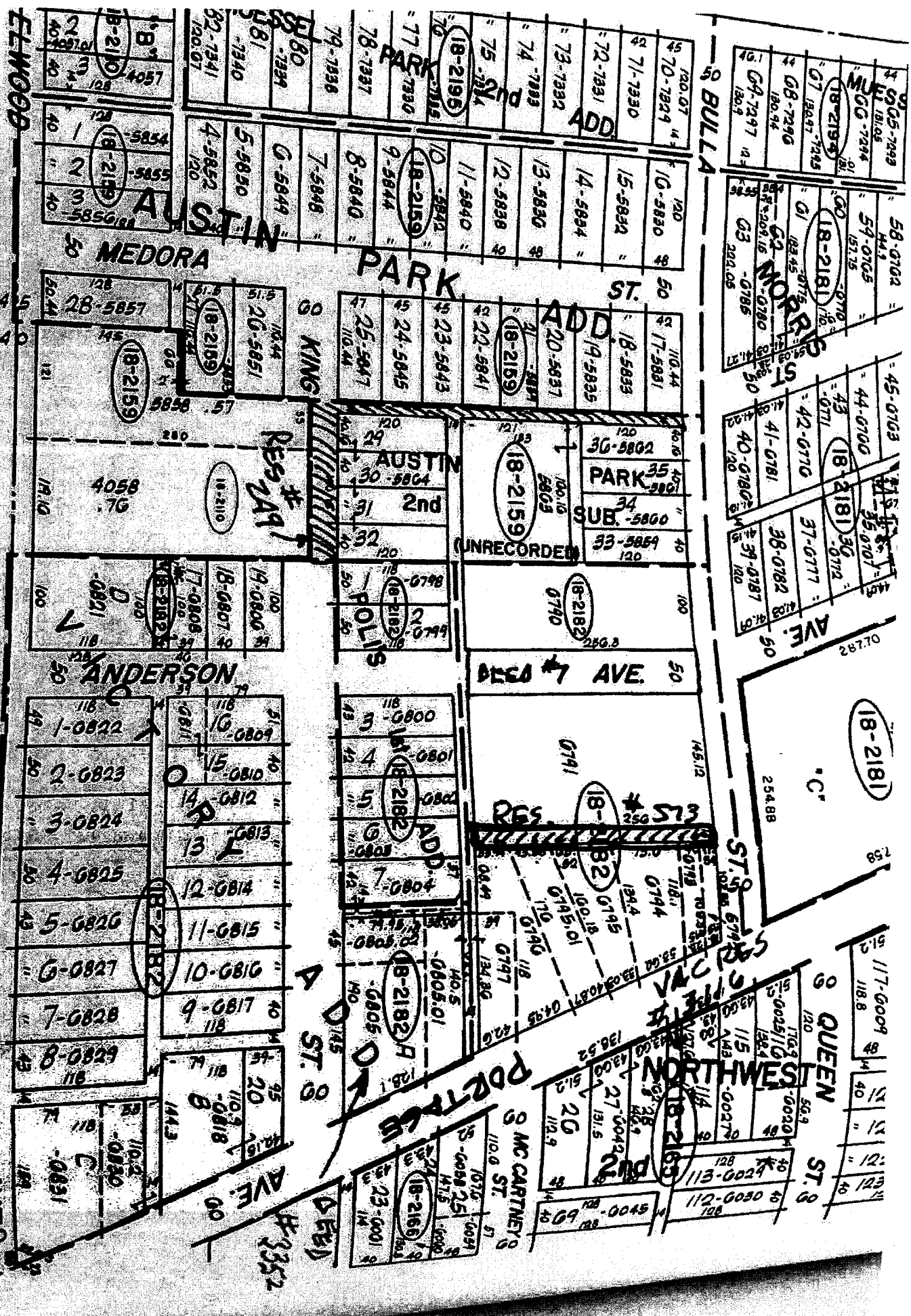
Adopted at the Regular Meeting of the South Bend Redevelopment Commission held on the 2nd day of March, 1979, in the Office of the Commission, Room 1200 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana.

CITY OF SOUTH BEND, INDIANA
DEPARTMENT OF REDEVELOPMENT


F. Jay Nimitz, President

ATTEST:


R. Peter Donaldson, Secretary



PORTAGE TWP

8-24

TRANSFORMATION MINISTERS

96 LANS FERRY
1515/1521 PORTAGE

2352

Elizabeth Horvath

From: Eugene Eyster
Sent: Wednesday, October 26, 2016 3:54 PM
To: Elizabeth Horvath; Pete Kaminski; Michael Bronstetter; Matt Longfellow; Chris Dressel; Federico Rodriguez; Larry Magliozzi
Subject: RE: Alley Vacation - Transformation Ministries

Ms. Horvath,
The Police Department would have no recommendation on this request.

Lt. E. Eyster

From: Elizabeth Horvath
Sent: Wednesday, October 26, 2016 1:23 PM
To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Larry Magliozzi <lmaglioz@co.st-joseph.in.us>; Eugene Eyster <eeyster@southbendin.gov>
Subject: Alley Vacation - Transformation Ministries

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
horvath@southbendin.gov

Elizabeth Horvath

From: Michael Bronstetter
Sent: Thursday, October 27, 2016 10:27 AM
To: Elizabeth Horvath
Subject: RE: Alley Vacation - Transformation Ministries

This alley vacation will not hinder Solid Waste's operation.

Thanks,



Mike Bronstetter
Manager of Solid Waste Operations
(574) 235-5795
mbronste@southbendin.gov
City of South Bend
3113 Riverside Dr.
South Bend, IN 46628

We deliver services that empower everyone to thrive.
Excellence | Accountability | Innovation | Inclusion | Empowerment

From: Elizabeth Horvath
Sent: Wednesday, October 26, 2016 1:23 PM
To: Pete Kaminski; Michael Bronstetter; Matt Longfellow; Chris Dressel; Federico Rodriguez; Larry Magliozzi; Eugene Eyster
Subject: Alley Vacation - Transformation Ministries

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
lhovath@southbendin.gov

Elizabeth Horvath

From: Federico Rodriguez
Sent: Thursday, October 27, 2016 3:41 PM
To: Elizabeth Horvath
Subject: RE: Alley Vacation - Transformation Ministries

Favorable S.B.F.D

Federico (Chico) Rodriguez
Fire Marshal
Office: (574) 235-7564
Mobile: (574) 876-6734
1222 S. Michigan Street
City of South Bend, In 46601
frodrigu@southbendin.gov



We deliver services that empower everyone to thrive.
Excellence | Accountability | Innovation | Inclusion | Empowerment

From: Elizabeth Horvath
Sent: Wednesday, October 26, 2016 1:23 PM
To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Larry Magliozzi <lmagliz@co.st-joseph.in.us>; Eugene Eyster <eeyster@southbendin.gov>
Subject: Alley Vacation - Transformation Ministries

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
lhovath@southbendin.gov

Elizabeth Horvath

From: Chris Dressel
Sent: Tuesday, November 01, 2016 5:08 PM
To: Elizabeth Horvath
Subject: RE: Alley Vacation - Transformation Ministries

Unfavorable Recommendation – hinders property access for commercial/retail spaces to the East.

Christopher D. Dressel, AICP
Planner
Brownfields Coordinator
Bicycle Coordinator
Department of Community Investment
(574) 235-5847
cdressel@southbendin.gov
City of South Bend
227 W. Jefferson Blvd.
South Bend, IN 46601
<http://www.southbendin.gov>

From: Elizabeth Horvath
Sent: Wednesday, October 26, 2016 1:23 PM
To: Pete Kaminski; Michael Bronstetter; Matt Longfellow; Chris Dressel; Federico Rodriguez; Larry Magliozzi; Eugene Eyster
Subject: Alley Vacation - Transformation Ministries

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
lhovath@southbendin.gov



INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 10/25/2016

TO: Pete Kaminski, Street Department
Mike Bronstetter, Solid Waste
Matt Longfellow, Engineering Department
Chris Dressel, Community Investment
Federico Rodriguez, Fire Department
Larry Magliozzi, Area Plan Commission (lmaglioz@co.st-joseph.in.us or 235-9813 fax)
Gene Eyster, Police Department
Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM: **REQUEST FOR RECOMMENDATION – ALLEY VACATION**

SUBJECT: **REQUEST FOR RECOMMENDATION – ALLEY VACATION**

APPLICANT: **Transformation Ministries c/o Lang Feeney**

LOCATION: **1st N/S Alley W of Portage extending from Bulla S. to E/W Alley**

DATE DUE: **November 1, 2016**

FAX OR E-MAIL TO: **235-9171 / lmartin@southbendin.gov**

**PLEASE MAKE YOUR RECOMMENDATIONS BASED ON THE FOLLOWING
IC 36-7-3-13 CRITERIA:**

1. The vacation ~~would~~/would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation ~~would~~/would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation ~~would~~/would not hinder the public's access to a church, school or other public building or place.
4. The vacation ~~would~~/would not hinder the use of a public right-of-way by the neighborhood in which it is located or to which it is contiguous.

COMMENTS:

Recommend Denial. Several properties to the south use the alley as the only access to the rear of their properties.

By Keith Chapman, Planner Date 11/3/16

Elizabeth Horvath

From: Matt Longfellow
Sent: Wednesday, November 09, 2016 4:40 PM
To: Elizabeth Horvath
Cc: Patrick C. Kerr; Toy Villa; Roger Nawrot
Subject: RE: Alley Vacation - Transformation Ministries
Attachments: engineering checklist.pdf

Engineering considers this request unfavorable:

1. Trash & dumpster pickup is assumed to utilize this alley to access and serve all the adjacent businesses.
2. All adjacent businesses would have their rear access eliminated by vacating this alley.
3. The vacation of this alley would create a dead-end alley at the South end running East/West from Anderson Ave.

-Matt Longfellow

From: Elizabeth Horvath
Sent: Wednesday, October 26, 2016 1:23 PM
To: Pete Kaminski <pkaminsk@southbendin.gov>; Michael Bronstetter <mbronste@southbendin.gov>; Matt Longfellow <mlongfel@southbendin.gov>; Chris Dressel <cdressel@southbendin.gov>; Federico Rodriguez <frodrigu@southbendin.gov>; Larry Magliozzi <lmaglioz@co.st-joseph.in.us>; Eugene Eyster <eeyster@southbendin.gov>
Subject: Alley Vacation - Transformation Ministries

Please provide your recommendations.

Lizzy Horvath

Secretary
Department of Public Works
227 W. Jefferson Blvd., Suite 1316
South Bend, IN 46601
574-235-9251 Ex. 3168
lhovath@southbendin.gov

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

THE FIRST NORTH-SOUTH ALLEY LYING WEST OF PORTAGE AVENUE, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF BULLA STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY NORTH OF KING STREET IN PORTAGE TOWNSHIP. BEING 251.6' IN LENGTH.

STATEMENT OF PURPOSE AND INTENT

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charged with the authority to hear all petitions to vacate public ways or public places within the City.

The following Ordinance vacates the above described public property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

SECTION I. The Common Council of the City of South Bend having held a Public Hearing on the petition to vacate the following property:

THE FIRST NORTH-SOUTH ALLEY LYING WEST OF PORTAGE AVENUE, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF BULLA STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY NORTH OF KING STREET IN PORTAGE TOWNSHIP. BEING 256.6' IN LENGTH.

hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas, water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

SECTION III. The following property may be injuriously or beneficially affected by such vacating:

County Tax ID No. (no lot numbers)

- | | |
|---------------|------------------|
| 018-2182-6791 | 018-2182-6795 |
| 018-2182-6792 | 018-2182-6795.01 |
| 018-2182-6793 | 018-2182-6796 |
| 018-2182-6744 | 018-2182-6797 |

Section IV. The purpose of the vacation of the real property is

To allow full use of their existing parking lot lying west of the alley in conjunction with their building on the east side of the alley.

SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

Updated 6/22/12

Filed in Clerk's Office
SEP 21 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN



Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street

Michiana Regional GIS Website

txtSubTitle

Map Generated By: Public
Date Printed: 9/20/2016

Coordinate grid is based on Indiana East State Plane Coordinate System 1983 North American Datum.

Information shown on this map is not warranted for accuracy or merchantability.
Reproduction or distribution of this material is not authorized without the express written permission of MACOG.

Filed in Clerk's Office

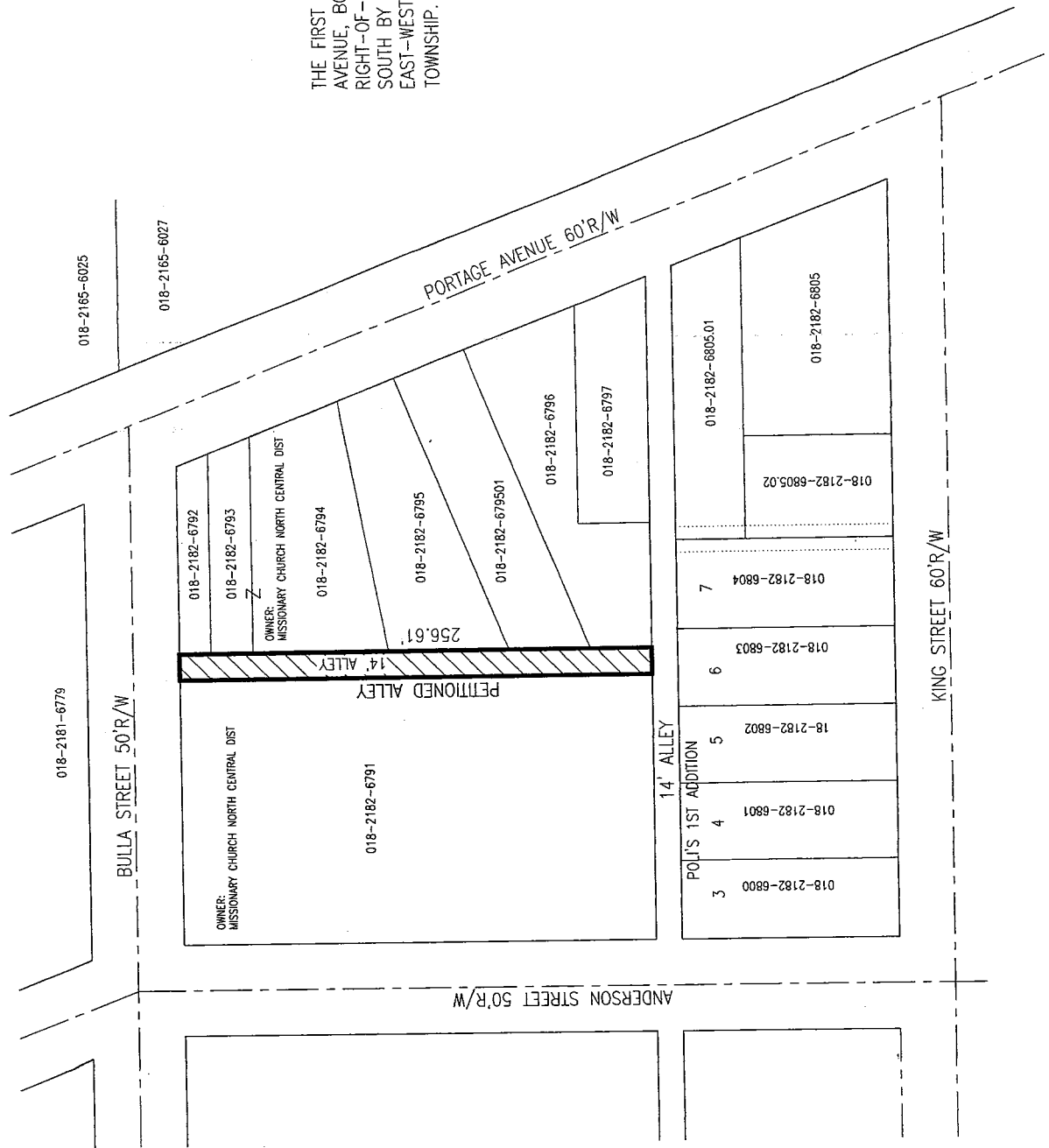
SEP 21 2016

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

Filed in Clerk's Office
 SEP 21 2016
 KAREEMAH FOWLER
 CITY CLERK, SOUTH BEND, IN

SITE PLAN ALLEY VACATION

THE FIRST NORTH-SOUTH ALLEY LYING WEST OF PORTAGE AVENUE, BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF BULLA STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF THE FIRST EAST-WEST ALLEY NORTH OF KING STREET IN PORTAGE TOWNSHIP, BEING 251.6' IN LENGTH.



Lang, Feeney & Associates, Inc.
 715 S. Michigan Street
 South Bend, Indiana 46601
 Phone (574) 233-1841

Land Surveyors • Soil Scientists
 Scale 1" = 60' Drawn JMS
 Date 9-20-16 Job Name D.J. Conslr Alley Vac

NEMETH, FEENEY, MASTERS & CAMPITI, P.C.

ATTORNEYS AT LAW

PETER J. NEMETH, of counsel

JAMES A. MASTERS
VINCENT M. CAMPITI

A. ROBERT MASTERS,
also admitted in Illinois

REINHOLD SCHROEDER, of counsel,
also admitted in Michigan

PETER S. NEMETH, of counsel

350 COLUMBIA STREET
SOUTH BEND, INDIANA 46601

TELEPHONE: (574) 234-0121
(574) 233-9449

TELEFAX: (574) 234-3141

www.nfmlaw.com

NEW CARLISLE OFFICE:

109 EAST MICHIGAN STREET
P.O. BOX 259

NEW CARLISLE, INDIANA 46552

TELEPHONE: (574) 654-3722

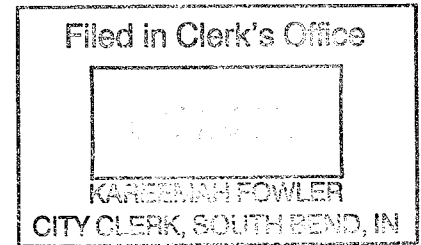
PETER F. NEMETH (1915-1995)

F. GERARD FEENEY (1918-2004)

DEVERE D. GOHEEN (1912-2000)

October 24, 2016

South Bend Common Council
4th Floor, County City Building
227 W. Jefferson Boulevard
South Bend, IN 46601



RE: Petition to Vacate East-West Alley
Between Lots 79 and 80 Sorin's 2nd Addition

Dear Members of the Common Council:

Enclosed is the Petition of the Petitioner and property owner, Blaire Adams RET, LLC, to Vacate the first East-West alley between St. Vincent Street and Howard Street from St. Louis Boulevard to the first North-South Alley east of St. Louis Boulevard.

The alley sought to be vacated runs between the vacant lot at 1020 N. St. Louis Boulevard on the north side of the alley and the house at 1018 N. St. Louis Boulevard on the south side of the alley. The Petitioner owns both properties. Petitioner is the only abutting property owner. The alley runs the length of both properties.

Petitioner wants to vacate the alley either to expand the yard of the house at 1018 N. St. Louis Boulevard across what is now the alley to connect with the vacant lot at 1020 N. St. Louis Boulevard, or to construct another house on the vacant lot at 1020 N. St. Louis Boulevard.

The alley is not used for vehicular traffic. The alley is not well-maintained. The alley is not used for trash pick-up or for access to any property. Vacating the alley will enhance the appearance of the neighborhood. The Board of Public Works has given this vacation a favorable recommendation.

NEMETH, FEENEY, MASTERS & CAMPITI, P.C.

ATTORNEYS AT LAW

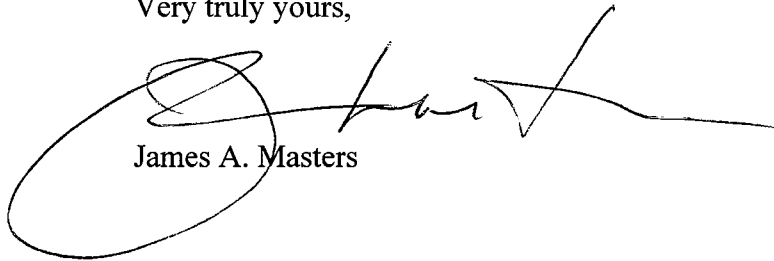
South Bend Common Council

October 24, 2016

Page Two

Your approval is requested. Any questions or comments should be directed to me as attorney for the Petitioner.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James A. Masters', is written over the typed name. The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke extending to the right.

James A. Masters

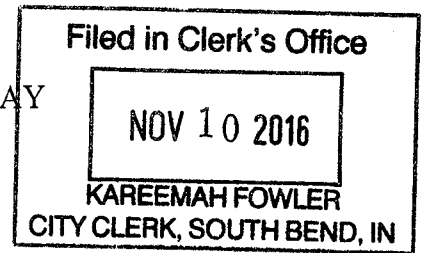
JAM/slk

Enc.

cc: Blaire Adams RET, LLC

AMENDED
PETITION TO VACATE PUBLIC RIGHT-OF-WAY
(STREETS AND ALLEYS)

November 10, 2016



TO THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA

WE, THE UNDERSIGNED PROPERTY OWNER(S), PETITION YOU TO VACATE:

A. THE ALLEY(S) DESCRIBED AS:

The East-West alley lying between Lots 79 and 80 in Sorin's 2nd Addition extending from St. Louis Street east to the first North-South Alley east of St. Louis Street.

PETITIONER

Blaire Adams RET, LLC
Thomas J. Gryp, Manager
c/o James A. Masters
Nemeth, Feeney, Masters & Campiti, P.C.
350 Columbia Street
South Bend, IN 46601

PURPOSE OF VACATION

The alley sought to be vacated lies between Lot 79 and Lot 80, Sorin's Second Addition to the City of South Bend. The alley runs the entire length of both Lot 79 and Lot 80.

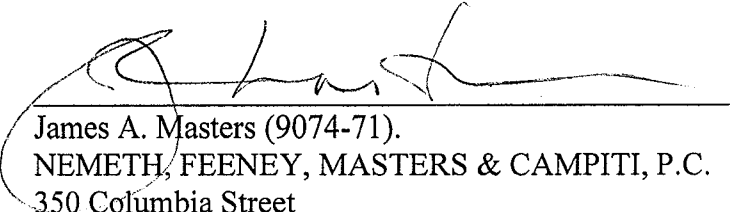
The Petitioner owns the properties on both sides of the alley to be vacated. Petitioner owns the vacant lot on the north side of the alley which has the common address 1020 N. St. Louis Boulevard (South One-half (1/2) of Lot 79; Tax Key 018-5104-3611) and the house on the south side of the alley with the common address 1018 N. St. Louis Boulevard (North 32.5 feet of Lot 80; Tax Key 018-5104-361201). Petitioner is the only abutting property owner. The alley runs the length of both properties.

Petitioner wants to vacate the alley either to expand the yard of the house at 1018 N. St. Louis Boulevard across what is now the alley to connect with the vacant lot at 1020 N. St. Louis Boulevard, or to construct another house on the vacant lot at 1020 N. St. Louis Boulevard owned by Petitioner.

The alley is not used for vehicular traffic. The alley is not well-maintained. The alley is not used for trash pick-up or for access to any property. Vacating the alley will enhance the appearance of the neighborhood. The Board of Public Works has given this vacation a favorable recommendation.

A site plan showing the alley to be vacated and the abutting lots owned by the Petitioner is attached. A list of property owners within One Hundred Fifty (150) feet is attached.

CONTACT PERSON:



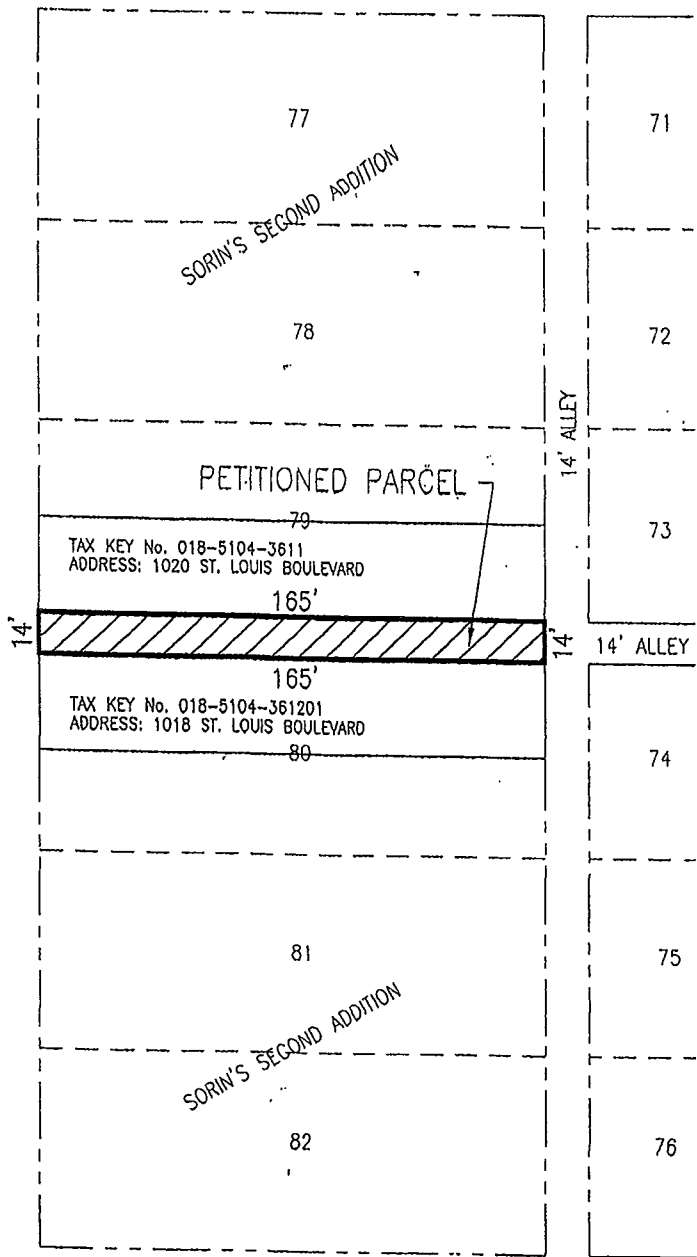
James A. Masters (9074-71).
NEMETH, FEENEY, MASTERS & CAMPITI, P.C.
350 Columbia Street
South Bend, Indiana 46601
Telephone: 574/234-0121
Attorney for Petitioner Blaire Adams RET, LLC



ST. VINCENT STREET 82.5'R/W

Filed in Clerk's Office
 1977
 KAREEMAH FOWLER
 CITY CLERK, SOUTH BEND, IN

3
 4
 14' ALLEY
 ST. LOUIS BOULEVARD 82.5'



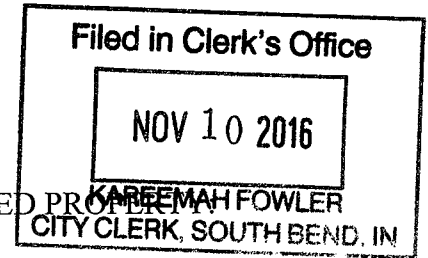
HOWARD STREET 82.5'R/W

This information contained herein has been assimilated from various public sources and has been compiled to assist in the placement of a building or other structure on the tract or parcel shown. This information is not intended to represent a boundary survey. Builder is responsible for verifying compliance with local building setback requirements.

ALLEY VACATION
 SITE PLAN

Lang, Feeney & Associates, Inc.
 Land Surveyors, Construction Engineers & Soil Scientists
 715 South Michigan Street
 South Bend, Indiana 46601
 Phone 574-233-1841 Fax 574-674-0374

File Name	Drawn By	Scale
Masters, JimAlleyVac	JMS	1" = 50'
Date	Rev. Date	Drawing No.
6-24-16		26218



AMENDED ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY

THE EAST-WEST ALLEY LYING BETWEEN LOTS 79 AND 80 IN SORIN'S 2ND ADDITION EXTENDING FROM ST. LOUIS STREET EAST TO THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS STREET.

STATEMENT OF PURPOSE AND INTENT

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charged with the authority to hear all petitions to vacate public ways or public places within the City.

The following Ordinance vacates the above described public property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

SECTION I. The Common Council of the City of South Bend having held a public hearing on the petition to vacate the following property:

THE EAST-WEST ALLEY LYING BETWEEN LOTS 79 AND 80 IN SORIN'S 2ND ADDITION EXTENDING FROM ST. LOUIS STREET EAST TO THE FIRST NORTH-SOUTH ALLEY EAST OF ST. LOUIS STREET

hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas, water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

SECTION III. The following property may be injuriously or beneficially affected by such vacating:

1. South One-half (1/2) of Lot 79 Sorin's 2nd Addition to the City of South Bend (Tax Key 018-5104-3611), common address 1020 N. St. Louis Boulevard
2. North 32.5 feet of Lot 80 Sorin's 2nd Addition to the City of South Bend (Tax Key 018-5104-361201), common address 1018 N. St. Louis Boulevard.

SECTION IV. The purpose of the vacation of the real property is:

The alley sought to be vacated lies between Lot 79 and Lot 80, Sorin's Second Addition to the City of South Bend. The alley runs the entire length of both Lot 79 and Lot 80.

The Petitioner owns the properties on both sides of the alley to be vacated. Petitioner owns the vacant lot on the north side of the alley which has the common address 1020 N. St. Louis Boulevard (South One-half (1/2) of Lot 79; Tax Key 018-5104-3611) and the house on the south side of the alley with the common address 1018 N. St. Louis Boulevard (North 32.5 feet of Lot 80; Tax Key 018-5104-361201). Petitioner is the only abutting property owner. The alley runs the length of both properties.

Petitioner wants to vacate the alley either to expand the yard of the house at 1018 N. St. Louis Boulevard across what is now the alley to connect with the vacant lot at 1020 N. St. Louis Boulevard, or to construct another house on the vacant lot at 1020 N. St. Louis Boulevard owned by Petitioner.

The alley is not needed used for vehicular traffic. The alley is not used for trash pick-up or for access to any property. Vacating the alley will enhance the neighborhood.

SECTION V. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member of the Common Council

Attest:

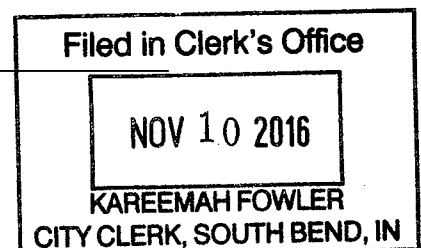
City Clerk

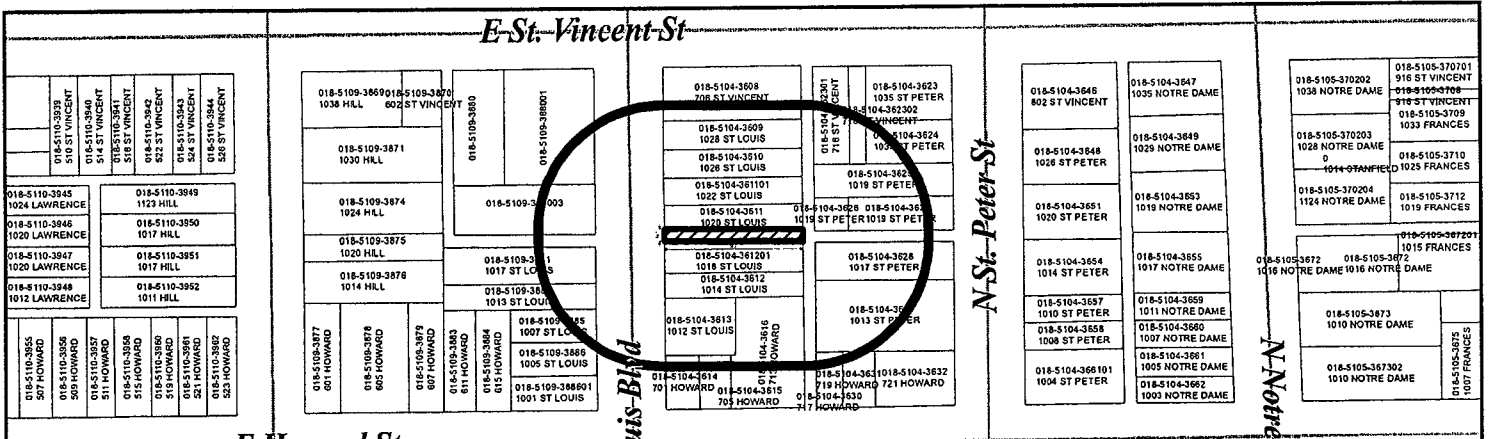
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2016, at _____ o'clock ____ .m.

City Clerk

Approved and signed by me on the _____ day of _____, 2016, at _____ o'clock ____ .m.

Mayor





PARCELID	PROP_ADDR	LEGALDESCR	NAME_1	MAILINGADD	MAILINGCIT	MAILINGSTA	MAILINGZIP
018-5108-3800	1024 LAWRENCE	Lot 8 Poplar Sub Hubbards Replat of Lots 1, 2 and 3	16 HUBBARD MARK OWEN AND FRANCES BRIDGET	1025 N Niles Ave	South Bend	IN	46617
018-5108-3801	1024 LAWRENCE	Lot 4 Poplar Sub	HUBBARD MARK OWEN AND FRANCES BRIDGET	1025 N Niles Ave	South Bend	IN	46617
018-5108-3802	1024 LAWRENCE	Lot 3 Fish Realty 2nd Minor Sub	17/18 NP#1284 03-17-20 IRISH RENTALS LLC	4404 Technology Dr	South Bend	IN	46628
018-5108-3803	1024 LAWRENCE	Lot 2 Fish Realty 2nd Minor Sub	17/18 NP#1284 03-17-20 COORSMITH PROPERTIES LLC	4404 Technology Dr	South Bend	IN	46628
018-5108-3804	1024 LAWRENCE	W 1/2 Lot 81 & 1 S Side Lot 80 Sorins 2nd	WEBSTER LUELLA	701 Howard St	South Bend	IN	46617
018-5108-3805	1024 LAWRENCE	Lot 1 Fish Realty 2nd Minor Sub	17/18 NP#1284 03-17-20 COORSMITH PROPERTIES LLC	4404 Technology Dr	South Bend	IN	46628
018-5108-3806	1024 LAWRENCE	22 R S Side Lot 74 & All Lot 75 Sorins 2nd Add	SANFORD MATHEW M & ELIZABETH	1013 N St Peter	South Bend	IN	46617
018-5108-3807	1024 LAWRENCE	S 32.5' Of N 65' Lot 80 Sorins	SULLIVAN PATRICK	52823 Llac Rd	South Bend	IN	46628
018-5108-3808	1024 LAWRENCE	Lot 1 Fish Realty Minor Sub	16/17 NP#4818 07-01-2015 COORSMITH PROPERTIES LLC	4404 Technology Dr	South Bend	IN	46628
018-5108-3809	1024 LAWRENCE	44 R N Side Lot 74 Sorins 2nd	STROKA THOMAS	1017 N St Peter St	South Bend	IN	46617
018-5108-3810	1024 LAWRENCE	N 32.5' Lot 80 Sorin'S 2nd Add	BLAIR ADAMS RET LLC	15852 Ashville Ln	Granger	IN	46530
018-5108-3811	1024 LAWRENCE	40 R W End 40 R S Side Lot 73 Sorins 2nd Add	LADIG APARTMENTS LLC	63506 Elm Rd	Mshaw aka	IN	46544
018-5108-3812	1024 LAWRENCE	40 R S Side Ex 40 R W End Lot 73 Sorins 2nd Add	LADIG APARTMENTS LLC	63506 Elm Rd	Mshaw aka	IN	46544
018-5108-3813	1024 LAWRENCE	14 R S Side Lot 72 & 26 Fl N Side Lot 73 Sorins 2nd Add	LADIG APARTMENTS LLC	63506 Elm Rd	Mshaw aka	IN	46544
018-5108-3814	1024 LAWRENCE	S 1/2 Lot 79 Sorins 2nd Add	BLAIR ADAMS RET LLC	5776 Grape # 51-102	Mshaw aka	IN	46545
018-5108-3815	1024 LAWRENCE	N 1/2 Lot 79 Sorins 2nd Add	O SULLIVAN LLC	52823 Llac Rd	South Bend	IN	46628
018-5108-3816	1024 LAWRENCE	N 1/2 Lot 78 Sorins 2nd Add	HARRIS ROBERT LEVMS	1025 N St Louis Blvd	South Bend	IN	46617
018-5108-3817	1024 LAWRENCE	105 R E End Ex S 14 R Lot 72 Sorins 2nd Add	KERRGAN RYAN J & ERN P	1794 Port Stanhope Circle	New port Beach	CA	92680
018-5108-3818	1024 LAWRENCE	40 R W End Lot 82 Sorins 2nd Add	OLEKSAK JAMES F AND CHRISTINA	1035 N St Peter	South Bend	IN	46617
018-5108-3819	1024 LAWRENCE		WEBSTER LUELLA	701 Howard St	South Bend	IN	46617

Legend

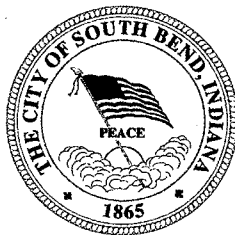
- Buffer (150')
- Vacated Area
- Street Centerline
- Parcel

Date Prepared:
11/10/2016

City of South Bend
Dept. of Public Works
227 W Jefferson Blvd. #1316
South Bend, IN 46601
Phone: (574) 235-9251
Fax: (574) 235-9171

Alley Vacation Properties within 150'

DESCRIPTION:
E/W Alley Between Parcels: 018-5104-361201 & 018-5104-3611



CITY OF SOUTH BEND - PETE BUTTIGIEG, MAYOR
DEPARTMENT OF PUBLIC WORKS
ERIC HORVATH, DIRECTOR

October 5, 2016

Mr. Tim Scott
President, South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

Re: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING VARIOUS SECTIONS OF THE SOUTH BEND MUNICIPAL CODE AT CHAPTER 17, ARTICLES 4 AND 6 TO ADDRESS NEW WATER RATES AND CHARGES

Dear President Scott:

The City of South Bend owns and operates a water utility and has prepared a study which recommends new water rates and charges. Per the recommendations of this study, the City has determined that water rates and charges, including various non-recurring charges, should be increased per the revised rates set forth herein, and those should become the new water rates and charges, subject to approval of the Indiana Utility Regulatory Commission ("IURC"). The last time water rates and charges were increased was in 2006.

This Ordinance also reinserts former Article 6 of Code Chapter 17 covering a water service charge to be used for repair or replacement of leaking water service lines. These provisions which were previously, inadvertently deleted, are codified at their former location within the Municipal Code, i.e, Chapter 17, Article 6 , Sections 17-44 through 17-49. This reinserted Article 6 may also be subject to IURC approval.

I look forward to discussing this ordinance at the Council's Committee meeting and at the public hearing. If you have any further questions or need additional information, please let me know.

As always, thank you for your consideration.

Sincerely,

Eric C. Horvath
City of South Bend
Executive Director Public Works

Filed in Clerk's Office
OCT 05 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING VARIOUS SECTIONS OF THE SOUTH BEND MUNICIPAL CODE AT CHAPTER 17, ARTICLES 4 AND 6 TO ADDRESS NEW WATER RATES AND CHARGES

STATEMENT OF PURPOSE AND INTENT

The City of South Bend owns and operates a water utility and this Council has caused to be prepared a study which recommends new water rates and charges. Per the recommendations of this study, the City has determined that water rates and charges should be increased per the revised rates set forth herein, and those should become the new water rates and charges, subject to approval of the Indiana Utility Regulatory Commission (“IURC”). This Ordinance also reinserts former Article 6 of Municipal Code Chapter 17 covering a water service charge to be used for repair or replacement of leaking water service lines. These provisions which were previously, inadvertently deleted, are codified at their former location within the Municipal Code, i.e., Chapter 17, Article 6, Sections 17-44 through 17-49. This reinserted Article 6 may also be subject to IURC approval.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend:

SECTION I. Chapter 17, Article 4, Section 17-45 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

Sec. 17-45. Water Works rates and charges.

There shall be and are hereby established for the use of and the services rendered by the Water Works System of the City of South Bend, the following rates and charges, based upon the use of water and facilities furnished by said Water Works System:

<i>(a) Usage per Monthly</i>	<i>Rate per</i>
<i>Billing Period</i>	<i>100 Cubic Feet</i>
First 500 cubic feet	\$1.716 \$ <u>2.454</u>
Next 1,500 cubic feet	1.490 <u>2.131</u>
Next 5,500 cubic feet	1.310 <u>1.873</u>
Next 22,500 cubic feet	1.153 <u>1.649</u>
Next 90,000 cubic feet	0.905 <u>1.294</u>
Over 120,000 cubic feet ...	0.701 <u>1.002</u>

(b) *Minimum charge:*

<i>Meter size</i>	<i>Allowed Usage</i> <i>(In Cubic Feet)</i>	<i>Minimum</i> <i>Monthly</i>
5/8-inch meter .. \$ 7.76	<u>452</u>	<u>\$11.09</u>
3/4-inch meter 11.19	<u>675</u>	<u>16.00</u>
1-inch meter 19.90	<u>1,260</u>	<u>28.47</u>
1½-inch meter 44.72	<u>3,053</u>	<u>63.96</u>
2-inch meter 79.54	<u>5,711</u>	<u>113.74</u>
3-inch meter 178.96	<u>14,090</u>	<u>255.92</u>
4-inch meter 318.16	<u>26,163</u>	<u>455.00</u>
6-inch meter 716.02	<u>69,073</u>	<u>1,023.88</u>
8-inch meter 1,272.95	<u>133,701</u>	<u>1,820.16</u>
10-inch meter 1,988.53	<u>235,781</u>	<u>2,843.00</u>
12-inch meter 2,863.10	<u>360,542</u>	<u>4,093.11</u>

(c) *Computation of charges.* Metered water charges shall be the larger of the minimum charges of Subsection (b) ~~and~~ or the rate charges of Subsection (a) of this Section. In the case of multiple meters under a single billing entity, the charges shall be computed for each meter separately, not the summation of usage.

(d) *Monthly public fire protection charges.* All customers located within the corporate limits and all customers outside the corporate limits and located within one thousand (1,000) feet of a public fire hydrant shall also pay a monthly public fire protection charge based upon the size of the customer's meter as follows:

5/8-inch connection \$ 2.25	<u>\$3.22</u>
3/4-inch connection 2.25	<u>3.22</u>
1-inch connection 5.77	<u>8.25</u>
1½-inch connection 12.98	<u>18.56</u>
2-inch connection 23.06	<u>32.98</u>
3-inch connection 51.90	<u>74.22</u>
4-inch connection 92.28	<u>131.96</u>
6-inch connection 207.62	<u>296.90</u>

8-inch connection~~369.08~~ 527.78

10-inch connection~~576.70~~ 824.68

(e) *Private Fire Protection Service, Automatic Sprinkler, per annum.*

1-inch connection~~\$ 35.62~~ \$ 50.94

2-inch connection~~71.77~~ 102.63

3-inch connection~~143.53~~ 205.25

4-inch connection~~286.80~~ 410.12

6-inch connection~~355.56~~ 508.45

8-inch connection~~610.60~~ 873.16

10-inch connection~~954.38~~ 1,364.26

12-inch connection~~1,375.98~~ 1,967.65

(f) *Temporary Service.* Temporary service where metered shall be calculated upon the registration of a meter or meters installed at the approved meter rates. In such cases as the Utility may deem it impracticable to install a meter for temporary service, there shall be a minimum monthly charge of twenty-nine dollars (\$29.00). If the water consumption computed at approved rates is known to be in excess of the twenty-nine dollars (\$29.00) minimum charge, an authorized agent of the Utility shall have the right to estimate said water usage and the estimated usage shall be billed at the approved meter rates.

SECTION II. Chapter 17, Article 4, Section 17-46 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

Sec. 17-46. Collection or deferred payment charge.

All bills for water services, not paid within five (5) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of ~~six (6) percent of the current monthly bill.~~ ten percent (10%) of the first three dollars (\$3.00) of the water charge and three percent (3%) on any amount in excess of three dollars (\$3.00) of the water charge. All bills for water services which are turned over to a collection agency shall be subject to a collection charge equal to twenty (20) percent of the unpaid bill.

SECTION III. Chapter 17, Article 4, Section 17-46.1 shall be amended to read in its entirety as follows:

Sec. 17-46.1 Suburban rates.

Customers with water service outside the City limits shall incur an additional surcharge of ~~twenty (20) percent~~ fourteen percent (14%) of the rates and charges. The surcharge is to recover

additional costs including capital expenditures incurred by the Water Works to furnish services to customers outside the City limits.

SECTION IV. Chapter 17, Article 4, Section 17-46.4 shall be deleted in its entirety and is not replaced.

SECTION V. Chapter 17, Article 4, Section 17-47 of the South Bend Municipal Code shall be amended to read in its entirety as follows:

Sec. 17-47. Nonrecurring charges.

(a) *Deposits:* Security deposits, payable upon service initiation and refundable upon service termination, shall be no more than one-sixth of the estimated annual bill for each meter size. Governmental entities shall be exempt from deposits.

(b) *Tap charges:* The charge for installation of a one-inch tap shall be ~~three hundred seventy dollars (\$370.00)~~ Five hundred dollars (\$500.00), which shall include the installed tapping valve and the material for the curb valve and box, but shall not include any service line. Charges for taps larger than one (1) shall be at cost.

(c) *Other nonrecurring charges:*

Disconnect for non payment		\$11.00
Reconnection		\$8.00
<u>Delinquency Processing fee (Disconnect/reconnect)</u>		<u>\$33.00</u>
Bad checks <u>Non-Sufficient Funds/Charge-back Fee</u>		20.00
Service initiation <u>fee</u>	20.00	30.00
Meter downsize (to change a meter that is 1" <u>inch and or smaller without re-plumbing</u>)		32.00
Inspection and testing fee for backflow prevention devices; -1- <u>½" inch meter and or smaller</u>		50.00
Inspection and testing fee for backflow prevention devices; -2" <u>inch or and larger</u>		75.00
Frozen/Damaged/Missing or lost meter, at cost depending upon size and type of meter.		At cost
<u>Missed or R-return trip fee</u>		15.00

Unauthorized use of water system	200.00
Water sewer verification fee	4.00
Stop Box Disconnection & Reconnection fee	750.00
Demolition fee (inspection fee)	75.00

SECTION VI. Chapter 17, Article 6, of the South Bend Municipal Code shall be amended to reinsert Sections 17-49 through 17-55 regarding water service charges to be used for repair or replacement of leaking water service lines, to read in its entirety as follows:

ARTICLE 6. RESERVED. WATER SERVICE FUND AND CHARGES

Sec. 17-49. Assessment of charges; purpose.

- (a) The sum of two dollars and ten cents (\$2.10) per month shall be added to the water service charge of all water users.
- (b) All of said sums of money so collected shall be used solely for the repair and/or replacement of leaking water service lines.

Sec. 17-50. Application of funds.

Funds so collected shall be used for the payment of repairs and/or replacement as provided herein from the water main to the front wall of any building, or line extended therefrom, but it shall not insure any water service line under any porch, steps, slab foundation, hard surface driveway, parking lot, crawl space or in any room or space under any sidewalk. In the case of two-inch lines or larger, the repairs provided hereunder shall extend from the water main to the property line only.

Sec. 17-51. Limitation on use of funds.

Water sprinkler service lines shall not be insured under this article; however, if the domestic service line has a lawn-sprinkler connection tee in it, said domestic service line and the tee will be insured, but not beyond the tee nor any costs of repair to the lawn-sprinkling system proper.

Sec. 17-52. Use of funds when accounts delinquent prohibited.

The insurance for repair and/or replacement shall not be in force on any account if the charge for such insurance has not been paid for four (4) consecutive months.

Sec. 17-53. Approval of repair orders.

No claim for the repair of a water service line under this article will be honored unless said repair order is approved by the Department of Water Works .

Sec. 17-55. Maintenance of service line excluded from provisions of article.

This article shall not cover the maintenance of any service line.

SECTION VII. The paragraphs, sentences and words of this Ordinance are severable, and if any portion hereof is declared unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this Ordinance.

SECTION VIII. This Ordinance shall take effect the first day of the month immediately following all of the following: passage by this Common Council, approval by the Mayor, approval by the IURC, and any publication required by law.

PASSED AND ADOPTED by the Common Council of the City of South Bend, Indiana this _____ day of _____, 2016.

Member, Common Council of the
City of South Bend

ATTEST:

Kareemah Fowler, Clerk

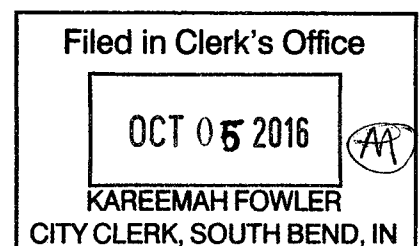
Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City for his approval on the _____ day of _____, 2016, at _____ o'clock _____.m.

Kareemah Fowler, Clerk

Having examined the foregoing Ordinance, I do now, as the Mayor of the City of South Bend, approve said Ordinance and return the same to the Clerk of the City of South Bend this _____ day of _____, 2016.

Pete Buttigieg, Mayor

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED





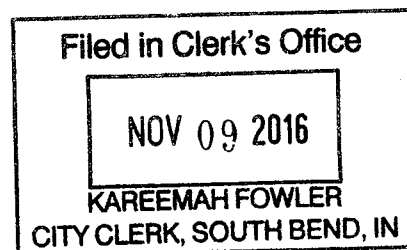
Tim Scott, Council President
The South Bend Common Council
227 West Jefferson Boulevard, Room 441
Downtown South Bend, Indiana 46601

574.235.5980

574.235.5567 TDD

November 9, 2016

Members of the Common Council
4th Floor County-City Building
South Bend, Indiana 46601



Re: Chronic Nuisance Ordinance Amendments

Dear Council Members:

Since the fall of 2013, the City of South Bend's chronic problem property regulations have helped reduce some of the undue burden placed on our police officers who are dispatched to respond to such calls.

We have been working closely with Officer Keenan Lane of the South Bend Police Department who is the point-person for the implementation of these regulations, as well as with the Department of Code Enforcement, the Fire Department and the Law Department.

Proposed amendments will clarify what constitutes a "valid complaint"; would incorporate continuous abatement penalties and fees for repeat nuisance properties; includes a scalable function for property consisting of more than fifty dwelling units; and would change from 50% to 100% that any fines and/or fees collected would be dedicated to the Law Enforcement Continuing Education Fund.

I recommend that the proposed ordinance be referred to the Health and Public Safety Committee for review, discussion, and your positive recommendation to the full Council. Thank you.

Most sincerely,

Tim Scott, 1st District
Council President

Attachment

Bill No. _____

Ordinance No. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING VARIOUS SECTIONS OF ARTICLE 12 OF CHAPTER 13
OF THE *SOUTH BEND MUNICIPAL CODE* ADDRESSING
CHRONIC PROBLEM PROPERTY REGULATIONS

STATEMENT OF PURPOSE AND INTENT

On June 10, 2013, the South Bend Common Council passed Ordinance No. 10232-13, which created the original chronic problem property regulations.

On November 10, 2014, the Council passed Ordinance No. 10338-14. Those new chronic problem property regulations placed the responsibility on businesses for their actions or inactions if they are located within commercial, industrial or PUD zoned areas.

To date, all of these regulations have assisted the City of South Bend in addressing in a reasonable and proactive manner many problem properties throughout the city.

This ordinance is designed to improve and streamline implementation and enforcement procedures with reasonable notice to affected property owners. It sets forth continuous abatement penalties and fees for repeat nuisance properties within a certain time frame; includes the addition of letters issued by the Fire Department; and language to provide addition protection to victims of a crime. After consideration and discussion with local apartment communities, a scalable function has been included for property consisting of more than fifty (50) dwelling units. All of these proposed changes are believed to be in the best interests of the City of South Bend, Indiana.

Now, Therefore, Be It Ordained by the Common Council of the City of South Bend, Indiana, as follows:

Section I. Section 13-156 of Article 12 of Chapter 13 of the *South Bend Municipal Code* is hereby amended as follows:

Sec. 13-156 Definitions.

As used in this Article:

- (a) *Abate* shall mean to remedy a condition which constitutes a violation of this Article which is necessary and in the interest of the general health, safety and welfare of the City.
- (b) *Chronic Problem Property* is a property which meets the following criteria:
 1. Has had not less than five (5) valid complaints in sixty (60) calendar days for any criminal offense governed in Title 35 of the *Indiana Code*, and/or ordinance citations being

issued for a violation of the *South Bend Municipal Code* which occurred on the property and resulted in a police response and police documented call for service; or

2. Has had not less than five (5) letters issued by ~~the Code Enforcement Department, the Department of Code Enforcement, the Fire Department, and/or the Law Department~~ in sixty (60) calendar days which sought compliance by the property owner with section(s) of the *South Bend Municipal Code*¹; or

3. A combination of valid complaints and/or ordinance citations issued by a sworn member of the Police Department as further addressed in ¶ 1 herein, and/or has been issued letters by ~~the Code Enforcement Department~~ the Department of Code Enforcement as further addressed in ¶ 2 herein, which together total not less than five (5) in number issued in a sixty (60) calendar day period.

However, in the event that a property consists of more than fifty (50) dwelling units which are rented or intended to be rented and are located on a single parcel or lot for which a postal address exists or may exist for each individual unit including residential rental properties, hotels, motels, or other similar properties offering overnight lodging, such address for a property shall not be considered as a chronic problem property until it has been issued more than twelve (12) ~~verified~~ valid complaints, ordinance citations, letters seeking compliance involving public nuisance activity, as further addressed in ¶ 1 through ¶ 3 herein, in any ninety (90) day period per parcel identification key number of real property.²

If a property is zoned commercial as defined in Article 3 of Chapter 21 of the *South Bend Municipal Code*; or is zoned industrial as defined in Article 4 of the *South Bend Municipal Code*, or is zoned as a Planned Unit Development (PUD) as defined in Article 5 of Chapter 21 of the *South Bend Municipal Code*, the provisions of (b) 1, 2, and 3 of this Section are the criteria for a chronic problem property.

(c) *Citation* shall mean an act which is prohibited or an offense which is punishable under the *South Bend Municipal Code* for which a written ordinance violation citation was issued by the Police Department requiring payment of a fine to the Ordinance Violations Bureau.

(d) *City* means the City of South Bend, Indiana.

(e) *Key Number* has the meaning set forth in *Indiana Code* § 6-1.1-1-8.5.

(f) *Public Nuisance* has the meaning set forth in Section 13-75.5 of the *South Bend Municipal Code*

¹ Pursuant to Section 9-2 of Article 1 of Chapter 9 of the *South Bend Municipal Code*, the official fire prevention code of the South Bend Fire Department has been adopted by reference.

² Pursuant to Section 153.010 of Chapter 153 of the *St. Joseph County Code of Ordinances*, definition of Lot to include “a parcel or portion of land separated from other parcels or portions by description”.

(g) *Police documented call for service* shall mean when a sworn member of the Police Department is dispatched or deployed to respond to an incident at a specific location as a police response.

(h) *Police response* shall mean any and all police action needed to protect the health, safety and welfare of inhabitants of a property or location where valid complaint(s) have been documented, with such police response being subject to the governing rules and regulations of the Police Department.

(i) *Valid complaint* shall refer to a police documented call for service that an incident involving a public nuisance took place at a specific property requiring sworn police personnel to be dispatched or caused to respond. If more than one (1) valid complaint occurs within a twenty-four (24) hour time period, then each valid complaint is considered a separate and distinct event. The term does not include incidents involving an occupant of the premises as the victim of the crime³ or any incident governed by the Health Insurance Portability and Accountability Act (HIPAA) regulations.⁴

(j) *Warning notice* shall be a written document sent by the South Bend Police Department to any property owner who has received a minimum of three (3) citations and/or valid complaints from the City warning said owner, and the manager/operator who is doing business at that location that upon receiving five (5) such citations and/or valid complaints in a sixty (60) day period that their property would be deemed a chronic problem property.

Section II. Section 13-157 of Article 12 of Chapter 13 of the *South Bend Municipal Code* is hereby amended as follows:

Sec. 13-157 Violations; notification and limited appeals of being designated by the city as a chronic problem property.

(a) The owner of any property within the city of South Bend which is designated by the City as a chronic problem property, as defined in Section 13-56, is in violation of this Article. The property owner of any designated chronic problem property shall be responsible for bringing such property into compliance with all governing regulations. However, in the event that such chronic problem property is zoned as commercial, industrial or planned unit development as defined in Section 13-56 the manager/owner/operator who is doing business at that location are jointly and severally responsible for bringing such property into compliance with all governing regulations.

(b) The South Bend Police Department shall send a warning notice letter to any property owner, and in the case of the property being zoned commercial, planned unit development

³ Pursuant to IC 35-40-4-8, definition of a victim "a person that has suffered harm as a result of a crime that was perpetrated directly against the person".

⁴ Public Law 104-191, the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") issued by the U.S. Department of Health and Human Services ("HHS") establishes a set of national standards for the protection of certain health information.

to the manager/owner/operator who is doing business at the location, when the property address has been subject to a minimum of three (3) ~~verified valid~~ complaints and/or ordinance citations and/or letters issued by the Police Department, ~~the Fire Department, the Code Enforcement Department~~ the Department of Code Enforcement and/or the Law Department, advising said person that when the City verifies that said number increases to the thresholds in the definition of a chronic problem property, it shall be so designated. The Police Department, ~~the Fire Department, the Code Enforcement Department~~ the Department of Code Enforcement and the Law Department shall update their data on a regular and consistent basis and electronically transmit it to the assigned police officer(s) of the South Bend Police Department whose responsibilities include overseeing the warning notice letter process.

(c) When designating a specific property as a chronic property, the assigned police officer(s) in the South Bend Police Department, shall review and verify:

1. The number of police documented calls for service, the number of ~~verified valid~~ complaints and ordinance citations issued by the Police Department to a property address in the applicable sixty (60) or ninety (90) day period; and
2. The number of ordinance citations and/or compliance letters sent by ~~the Code Enforcement Department~~ the Department of Code Enforcement and the Fire Department. As well as, the number of compliance letters sent by the Police Department and the Law Department to a property address in the applicable sixty (60) or ninety (90) day period;

Once designated as a chronic problem property by the assigned police officer(s) in the South Bend Police Department, said property shall remain so designated and tracked on a ~~computerized matrix publicly available data set~~ for compliance/enforcement purposes for one (1) year from the date of designation. ~~Said assigned police officer(s)~~ The Office of Innovation and Technology shall see that the ~~matrix publicly available data set~~ shall be regularly updated and prominently posted on the City's Open Data Portal website. Said designation shall only be removed upon action by the Law Department after reviewing documentation from the Police Department, the Fire Department and ~~the Code Enforcement Department~~ the Department of Code Enforcement confirming that the subject property has not been the subject of a ~~verified valid~~ complaint or code violation for a period of not less than three hundred sixty five (365) continuous days, unless credited per the regulations set forth in Section 13-158.

(d) The South Bend Police Department shall notify in writing to the property owner, and in the case of the property being zoned commercial, industrial or planned unit development to the manager/owner/operator who is doing business at that location, that his/her property location has been designated as a chronic problem property. Said notification shall be delivered in person by an individual designated by the City by leaving a copy of the notification personally to the person to be notified, by leaving a copy of the notification as set forth below, with such notification being documented by the City in their records; or by sending the notice to the property owner, and in the case of the property being zoned commercial, planned unit development to the manager/owner/operator who is doing business at that location, by priority mail which is tracked

on line with the City tracking the date said notification was delivered. The notification shall be sent to the property owner's residence or usual place of business, or in the case of the property being zoned commercial, planned unit development to the manager/owner/operator who is doing business at that location which is on record in the Assessor's office or other public office including but not limited to the Area Plan Commission, Office of the City Clerk, and/or the Department of Administration and Finance Business Licensing Division. This notification shall identify:

1. The property owner, and in the case of the property being zoned commercial, planned unit development to the manager/owner/operator who is doing business at that location, and list the specific address that has been designated as a chronic problem property;
 2. The number of Police documented calls for service involving ~~verified~~ valid complaints, the number of ordinance citations issued, the number of letters issued by the Police Department, the Fire Department, the Department of Code Enforcement ~~the Code Enforcement Department~~, and/or the Law Department, or any combination thereof which have occurred on said property in the applicable sixty (60) or ninety (90) calendar day period;
 3. The cost(s) which may be incurred if there are any future ~~verified~~ valid Police documented calls for service to the property;
 4. The cost(s) which may be incurred for any future background investigations and/or issuance of letter(s) by the Police Department, the Fire Department, the Department of Code Enforcement ~~the Code Enforcement Department~~, and/or the Law Department;
 5. The individual and his/her city contact information including the name, position, mailing address, telephone, & fax numbers and email address to whom the property owner and in the case of the property being zoned commercial, planned unit development to the manager/owner/operator who is doing business at that location designated as a chronic problem property may contact if he/she has questions regarding the notification; and
 6. The time period which the designation as a chronic problem property will last and the terms and conditions which must be met for the removal of such designation. If deemed necessary, a satisfactory inspection of the property by the Department of Code Enforcement and/or the Fire Department, may be included in the terms and conditions. Any and all fines and repeat public nuisance service call fees associated with the designated chronic problem property must have been paid in full for removal from the publicly available data set.
- (e) Copies of the written notice sent by the South Bend Police Department on each proper address designated as a chronic problem property shall be simultaneously sent electronically to the Law Department, the Fire Department, the Department of Code Enforcement

~~the Code Enforcement Department~~, Office of the City Clerk, the District Council Member who represents the District where the subject property is located, and all At Large Council Members.

(f) The City deems the owner of the property and the residential occupants of the property, and in the case of the property being zoned commercial, planned unit development to the manager/owner/operator who is doing business at that location responsible for any and all prohibited conduct occurring upon the premises after receipt of the written notice designating the property as a chronic problem property.⁵

(g) A Hearing Officer is authorized to hear limited appeals from owners of a property, and in the case of the property being zoned commercial, planned unit development to the manager/owner/operator who is doing business at that location who have been designated by the City as a chronic problem property. Said appeal shall be limited to the verification of whether said person has reached the requisite and applicable number set forth in Section 13-56 (b) to be designated as a chronic problem property. A hearing before the Hearing Officer for such limited appeals must be held within thirty (30) calendar days of the appeals being filed. Written notice of the date, time and location shall be mailed or personally delivered by the City to said person of record. The decision of the Hearing Officer shall be the final administrative action for purpose of judicial review. The Hearing Officer may recuperate costs or fees associated with a hearing from the Law Enforcement Continuing Education Fund (Fund #220) through a submitted claim form.

Section III. Section 13-158 of Article 12 of Chapter 13 of the *South Bend Municipal Code* is hereby amended as follows:

Sec. 13-158 Remediation agreements – Proactive measures to reduce time designated as a chronic problem property.

a) In the event that a property consists of more than fifty (50) dwelling units which are rented or intended to be rented and are located on a single parcel or lot for which a postal address exists or may exist for each individual unit including residential rental properties, hotels, motels, or other similar properties offering overnight lodging; or if a property is a business establishment required to have a license or permit to sell alcoholic beverages under IC tit. 7.1, and has been designated as a chronic problem property, the owner of such property shall be required to enter into a Remediation Agreement. Such Remediation Agreement shall:

1. Be in writing and signed by the owner or the owner's duly authorized agent of the property designated as a chronic problem property and the South Bend Police Department's sworn police officer(s) assigned to oversee said property's compliance measures;

⁵ ~~IC 36-1-1 through IC 36-1-10~~ IC 36-1-6 sets forth the governing state law provisions for the enforcement of municipal ordinances. Section 2-13 of the South Bend Municipal Code identifies the City's nine (9) executive departments and specifically lists the Law Department, the Police Department, the Fire Department, and the Department of Code Enforcement. ~~the Code Enforcement Department.~~

2. Set forth immediate remedial measures which must be implemented within fourteen (14) days of signing the Remediation Agreement, which establishes thereafter monthly thresholds and needed corrective actions which will be monitored by the Police Department's sworn police officer(s) who were assigned to negotiate the Remediation Agreement with the owner of the subject property or the property's duly authorized agent;
3. Remediation Agreements shall also include but not be limited to including policy reforms, additional staff, additional training, and other proactive measures determined necessary to abate the public health, safety and welfare violations identified; and
4. Identify specific action plan(s) whereby the owner or his/her duly authorized agent is required to complete by the last Friday of each month and transmit to the Police Department's assigned sworn police officer(s) who shall evaluate compliance. All remediate agreements shall be for a term of not less than six (6) months.

b) Copies of all Remediation Agreements entered into shall be electronically sent by the assigned sworn police officer to the Chief of Police, the Corporation Counsel of the Law Department, the Director of the Department of Code Enforcement ~~Code Enforcement Department~~, the Fire Chief, and the District Council Member who represents the District in which the chronic problem property is located, all Council Members at Large, and the Office of the City Clerk, with such electronic correspondence taking place the same day that the Remediation Agreement is signed by both parties.

c) In the event that the owner, or the owner's duly authorized agent fails or refuses to enter into a Remediation, or if the owner or owner's duly authorized agent fails to meet the obligations set forth in the Remediation Agreement, the Corporation Counsel of the Law Department, or his or her official designee, shall commence legal action pursuant to Section 1-23 of the South Bend Municipal Code as soon as practicable. Notice of non-compliance shall be electronically sent by the Corporation Counsel to the Chief of Police, the Fire Chief, the Director of the Department of Code Enforcement ~~Code Enforcement Department~~, the District Council Member who represents the District in which the chronic problem is located, all Council Members at Large, and the Office of the City Clerk of his/her action to commence such legal action as soon as practicable, upon being notified by the sworn police officer assigned to the case.

d) So long as the owner or the owner's duly authorized agent is in compliance with the Remediation Agreement, no additional action by the Law Department is to be commenced on the items addressed in said Agreement. However, any new violation(s) which are in addition to the items addressed in the Remediation Agreement, may be pursued by the Law Department.

e) In the event that the owner or the owner's duly authorized agent complies with the Remediation Agreement in its entirety and if the property has no new ordinance citations issued against it and no new valid complaints for a period of thirty (30) consecutive calendar days, fifteen (15) days shall be subtracted from the time said property has been designated as a chronic problem

property; with this process continuing through the duration of the Remediation Agreement. The South Bend Police Department shall be charged with maintaining accurate records and sending monthly updates to the individuals listed in paragraph (b) herein.

f) In the event that a property is zoned commercial, industrial, or planned unit development and has been designated as a chronic problem property, the manager /owner/operator who is doing business at that location shall be required to enter into a Remediation Agreement consistent with the provisions of the Section.

Section IV. Section 13-160 of Article 12 of Chapter 13 of the *South Bend Municipal Code* is hereby amended as follows:

Sec. 13-160 Consequences of Failure to Comply; Civil Penalties; Continuous Abatement; Civil Action by Law Department/Dedication of Portion of Fees/Fines to the Law Enforcement Continuing Education Fund (Fund # 220).⁶

(a) Any property owner violating the provisions of this Article shall be subject to the following civil penalties, fees and procedures:

1. Collection of Repeat Public Nuisance Service Call Fees: In addition to the collection of fines resulting from the issuance of citation(s), the Law Department is authorized to bring civil action against any alleged violator of this Article for all unpaid repeat public nuisance service call fees.
2. Citations Civil Penalties: After a property has been designated as a chronic problem property and placed on the publicly available data set, if the property receives any subsequent citation or valid complaint, then the owner will be subject to the next citation issued shall impose a fine a civil penalty of two hundred fifty dollars (\$250.00) per citation or valid complaint, and for every citation issued thereafter which shall be payable through the Office of the City Clerk

(b) Continuous Abatement Notice:

1. Any property that has previously been designated a chronic problem property, and subsequently removed from the listed publicly available data set due to compliance, shall be subject to continuous abatement procedures governed by this section. This will serve as notice to the owner that the property will be listed as a continuous abatement property upon a subsequent violation occurring within a six (6) month period, since the date of removal from the publicly available data set. Such notice is in compliance with Indiana Code § 36-1-6, Enforcement of Ordinances.

⁶ *Indiana Code* § 36-1-4-17 authorized the City to collect any money that is owed the City, including reasonable attorney fees.

2. Continuous Abatement Civil Penalties/Fees: Any owner of real estate whose property becomes listed as a continuous abatement property shall be fined the sum of five hundred dollars (\$500.00) for the first violation. Thereafter, each violation shall be fined and assessed administrative fees related to costs incurred by the City for inspections, abatement and administration, and a civil penalty which shall be as follows:

<u>Subsequent Violations</u>	<u>Fine Per Violation</u>	<u>Continuous Abatement Fee for Administrative Expenses</u>
<u>2nd Violation</u>	<u>\$750.00</u>	<u>\$400.00</u>
<u>3rd Violation</u>	<u>\$1,000.00</u>	<u>\$450.00</u>
<u>4th Violation and thereafter</u>	<u>\$1,500.00</u>	<u>\$500.00</u>

This sub-section supplements and does not limit any other remedy or action available in law or in equity being pursued by the Department of Law.

(c) Effective Date: Continuous Abatement procedures shall take effect on January 1, 2017.

(d) Separate Offense: Each violation of this Article shall be deemed a separate offense.

(e) Dedication of Fines/Fees Collection: ~~Fifty percent (50%)~~ One hundred percent (100%) of all fines and fees collected for any violation of this Article shall be deposited into the Law Enforcement Continuing Education Fund (Fund # 220).

(f) Data Available on City's Open Data Portal Website: Data addressed in this Section shall be summarized on the publicly available data set matrix required in Section 13-157 of the *South Bend Municipal Code* which is to be placed, maintained, and regularly updated on the City's Open Data Portal ~~website~~ by the Office of Innovation and Technology.

Section V. If any part, subsection, section, paragraph, sub-paragraph, sentence, clause, phrase or word of this ordinance is for any reason declared to be unconstitutional or otherwise invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section VI. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.

Tim Scott, 1st District Council Member
South Bend Common Council

Attest:

Office of the City Clerk

Voting in Favor _____
Voting in Opposition _____

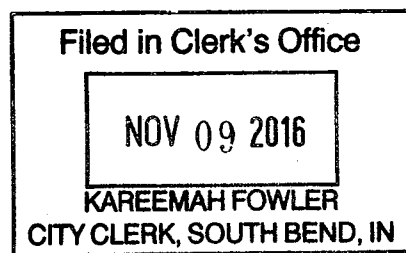
Presented by me to Pete Buttigieg, the Mayor of the City of South Bend, Indiana, on the
____ day of _____, 2016, at _____ o'clock __.m.

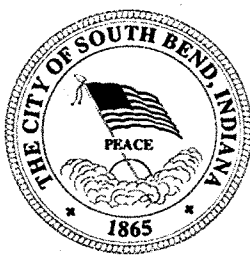
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2016 at
____ o'clock __. m.

Pete Buttigieg
Mayor of the City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED





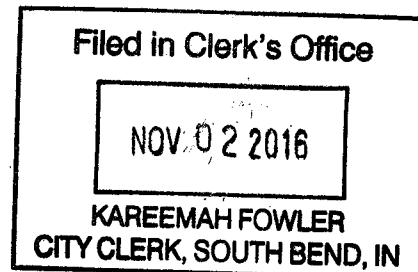
CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 1, 2016

Mr. Tim Scott, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Internal Controls Ordinance



Dear President Scott,

Indiana Code 5-11-1-27(g) provides that the legislative body must adopt minimum internal control standards as defined by the State Board of Accounts (SBOA). Additionally, the legislative body must ensure that personnel receive training concerning the internal control standards and procedures adopted by the political subdivision. Toward this end, the City Administration has prepared the attached ordinance and policy with respect to internal controls.

The City Administration has undertaken a number of activities regarding internal controls during this past year. On May 12, 2016, a total of 17 fiscal officers and staff participated in internal controls webinar training provided by the SBOA. In addition, on March 30, 2016, eight fiscal officers participated in internal controls webinar training presented by the Indiana Association of Cities and Towns (IACT) and Umbaugh & Associates. The City has a number of good financial policies in place that are available on the City website. Utilizing some of these financial policies, the City is in the process of developing a comprehensive procedure for internal controls that will be implemented during the first quarter of 2017.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1st reading on November 14, 2016 with 2nd reading, public hearing and 3rd reading scheduled for November 28, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,

John H. Murphy
City Controller

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, ESTABLISHING INTERNAL CONTROL STANDARDS AND
ESTABLISHING A MATERIALITY THRESHOLD.

STATEMENT OF PURPOSE AND INTENT

Indiana Code § 5-11-1-27 requires all Indiana political subdivisions to adopt minimum levels of internal control standards developed by the State Board of Accounts as published in the Uniform Internal Control Standards for Indiana Political Subdivisions; and

The City Controller has reviewed and recommends adoption of the proposed internal control standards and materiality threshold.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, that:

Section I. The City of South Bend, Indiana hereby adopts the Internal Control Policy attached hereto and incorporated herein as Exhibit A.

Section II. The City Controller is directed to ensure that all personnel receive training concerning the internal control procedures adopted and approved herein.

Section III. For reporting to the State Board of Accounts, the City of South Bend, Indiana hereby adopts a materiality threshold of \$10,000 for cash and \$10,000 for assets other than cash, for the internal control procedures adopted and approved herein. All instances of suspected employee theft must be immediately reported to the State Board of Accounts regardless of the dollar amount. There is no materiality threshold for theft. Significant variances less than \$10,000 will be investigated internally by the staff of the City of South Bend.

Section IV. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

Member of the Common Council

Attest:

City Clerk

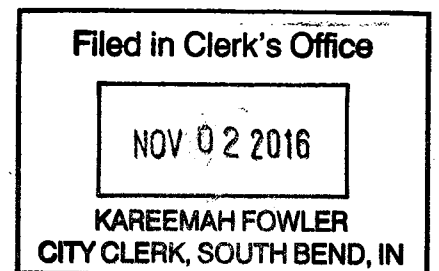
Presented by me to the Mayor of the City of South Bend, Indiana, on the _____ day of _____, 2016 at _____ o'clock ____ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2016 at
_____ o'clock ____ . m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED



CITY OF SOUTH BEND, INDIANA

Internal Controls Policy Pursuant to I.C. 5-11-1-27

October 26, 2016

I. Policy

The purpose of this policy is to communicate the Common Council's internal control objectives to all employees and elected officials of the City of South Bend and to firmly commit the City to the seventeen (17) key principles of internal controls as established by the Indiana State Board of Accounts.

COMPONENT ONE: CONTROL ENVIRONMENT

Principle 1: The oversight body and management demonstrate a commitment to integrity and ethical values.

The City has the responsibility to establish and maintain an adequate system of internal control and to furnish to the South Bend Common Council, various boards and commissions, governmental agencies, creditors and others reliable financial information on a timely basis. An adequate system of internal control is necessary for the City to discharge these responsibilities. For purposes of this policy, the South Bend Common Council is the oversight body and the City Administration and Finance Department is management.

Controls help ensure that assets are not exposed to unauthorized access and use, transactions are properly recorded in the financial records, and the resultant financial information is reliable. External organizations and stakeholders of the City rely on financial information to make decisions toward appropriations, loans and other debt, grants, and other contractual relationships. City resources are dependent upon the system of internal control. Auditors are required annually to report upon the adequacy of the City's systems for control over financial reporting and compliance per I.C. 5-11-1-27(e). The safeguarding of City assets and the reliability which the City and others can place upon its financial records is dependent upon the effectiveness of the internal control process.

As the fiscal body, the Common Council expects the City Administration to effect an internal control environment with policies and procedures necessary to provide reasonable assurance that practices cause effective and efficient operations, reliable financial reporting, and compliance with applicable laws and regulations.

The system of internal control is meant to keep the City on course toward its mission and to minimize surprises. The system promotes efficiency, minimizes risks of asset loss, helps ensure the reliability of financial information, and compliance with applicable laws, rules, and regulations.

Internal control is a process; a means to an end, and not an end unto itself. The control environment is the foundation upon which all components of internal control are based. It sets the tone for City operations. Internal control is about people, operations, communications, and the work environment. It is not about policies and forms though it takes shape through the implementation

of relevant policies, procedures, and practices. Internal control can provide reasonable assurance, but no system of control can provide absolute assurance to the Common Council and other users of financial information.

The Finance Department shall be charged with:

- Conveying periodic messages of the City's internal control philosophy and expectations to all employees;
- Evaluating the City's internal control system for weaknesses on a periodic (but no less frequently than annual) basis, providing solutions to any discovered weaknesses, and inform employees of necessary changes in procedures;
- Working with the Human Resources Department to establish a confidential reporting system for individuals to report suspected fraud and abuse of internal control policies; and
- Working with the Human Resources Department to institute procedures to address violations of policies and consequences for violations.

Principle 2: The oversight body oversees the entity's internal control system.

As the fiscal body for the City, the Common Council is responsible for setting the institutional expectations for internal control, ensuring management is aware of the those expectations, requiring the upward communications channels are open through all levels of management, and evaluating management's effectiveness toward monitoring the control environment and implementing sound control policies and procedures. As the City's Chief Fiscal Officer, the City Controller will be the Common Council's chief agent in implementing and managing the internal control policies and procedures.

Principle 3: Management establishes an organizational structure, assigns responsibility, and delegates authority to achieve the entity's objectives:

Individuals with delegated approval authority, e.g. Elected Officials and Department Heads are responsible for establishing, maintaining, and supporting a system of internal controls within their areas of responsibility and for creating the control environment that encourages compliance with City policies and procedures.

Adequate supervision is necessary to monitor that internal controls are operating as intended, and to help ensure the reliability of accounting and operational controls by pointing out errors, omissions, exceptions, and inconsistencies in procedures. Staff in leadership roles are responsible for the application of this policy and the design, development, implementation, and maintenance of systems of internal controls focusing on the effectiveness of operations and the safeguarding of assets within their respective areas of responsibility. All levels of management and supervision are responsible for strengthening internal controls when weaknesses are detected. Department managers should periodically review departmental procedures to ensure that the general principles of internal control are being followed.

The Finance Department has the primary responsibility for internal control over financial reporting and compliance with applicable laws, rules, and regulations. The City Controller is the City's chief

source for information and assistance to staff and Department Heads on this topic and will make resources available to assist in administering this policy.

The Human Resources Department is responsible for internal controls over employee recruitment, hiring, separation, promotion, job classification, employee rights, and salary administration. The Director of Human Resources (or his or her designee) and Corporation Counsel are the City sources for information and assistance on this topic and will make resources available to assist in administering this policy.

All levels of internal control are subject to examination by external auditors who are required to report on the adequacy of internal controls over finance and compliance.

Department Heads are responsible for prompt corrective action on all internal control findings and recommendations made by internal and external auditors. The audit process is completed only after Department Heads receive the audit results and take action to correct internal control weaknesses, improve systems, or demonstrate that management action is not warranted. Department Heads have the responsibility to ensure that those who report to them have adequate knowledge, skills, and abilities to function within, and contribute to, an effective internal control environment. This includes providing access to appropriate training on topics relevant to their job responsibilities.

Principle 4: Management demonstrates a commitment to recruit, develop, and retain competent individuals.

The City Employee Handbook provides a roadmap for recruiting and maintaining quality employees. Prior to employment, individuals may be subject to pre-employment background screening and/or a credit history check. While employed, City Employees are entitled to a benefits package including Health Insurance and certain other Post-Employment Benefits. The City will continue to assess the best recruitment tools for the different skill sets necessary to adequately implement and maintain quality internal controls.

Job descriptions will be updated where necessary to reflect internal control responsibilities and duties. Employees will be regularly trained in internal control methods and all training will be documented in employees' personnel files. Employees will be regularly evaluated by their supervisors on internal control duties and receive feedback on possible improvements.

Principle 5: Management evaluates performance and holds individuals accountable for their internal control responsibilities.

Individuals are held accountable for their internal control responsibilities through a recognized structure which includes relevant job descriptions, operating procedures, periodic reviews, regular feedback, and a progressive disciplinary policy. Additionally, City Administration seeks to address issues in specific departments and positions through regular meetings with Department Heads.

COMPONENT TWO: RISK ASSESSMENT

Principle 6: Management defines objectives clearly to enable the identification of risks and risk tolerances.

Through the creation of standard operating procedures and accurate organizational reporting charts, management conveys and identifies objectives, missions, policies, and risk tolerances to employees. The Finance Department will lead a risk analysis of three major areas:

1. The effectiveness and efficiency of operations.
2. The reliability of reporting for internal and external use.
3. Compliance with applicable laws and regulations.

For each category, the Finance Department will define objectives in specific measurable terms in order to enable the design of internal control for related risk, increase understanding at all levels, assess performance, identify what is to be achieved, who is to achieve it, how it will be achieved, when it will be achieved and incorporate external requirements.

Principle 7: Management identifies, analyzes, and responds to risks related to achieving the defined objectives.

The Finance Department will identify, analyze and respond to the risks identified in Principle 6 by determining:

1. How likely is the risk to occur?
2. How will it impact the objective?
3. Is the risk based on complex or unusual transactions?
4. Is the risk based on fraud?

Once each risk has been identified and analyzed, the Finance Department will work with Department Heads to determine how to respond to each risk with a specific solution and action.

Principle 8: Management considers the potential for fraud when identifying, analyzing, and responding to risks.

Management is committed to fraud prevention by utilizing a “trust but verify” approach. The potential for fraud, misappropriation, and outright theft are contemplated as controls are designed for various City divisions. Fraud responses will include statutorily required responses to fraud, including, but not limited to Ind. Code § 5-11-1-27(l) relating to the Report of Misappropriation of Funds to State Board of Accounts (SBOA) and Prosecuting Attorney and Ind. Code § 5-11-1-27(j) relating to the Report of Material Variances, Losses, Shortages or Thefts to the SBOA. For reporting to the SBOA, the City shall utilize a materiality threshold of \$10,000 for cash and \$10,000 for assets other than cash. All instances of suspected employee theft must be immediately reported to the SBOA regardless of the dollar amount. There is no materiality threshold for employee theft. Significant variances less than \$10,000 will be investigated internally by the staff of the City of South Bend.

Principle 9: Management identifies, analyzes, and responds to significant changes that could impact the internal control system.

The Finance Department, in coordination with Department Heads, will regularly evaluate and adjust internal control policies in order to accommodate for the impact of future changes, including but not limited to, personnel changes, newly elected officials, new programs, new technology, new laws and regulations, and financial fluctuations.

COMPONENT THREE: CONTROL ACTIVITIES

Principle 10: Management designs control activities to achieve objectives and respond to risks.

The Finance Department will establish and maintain a system of internal controls that satisfies the City's objectives in the following categories:

1. Risks are identified and effectively managed
2. Safeguarding of City assets
3. Reliability and integrity of financial information
4. Compliance with City policy, plans, procedures, laws and regulations
5. Economical and efficient use of City resources
6. Meeting established objectives and goals for City operations and programs.

A. General internal control principles for Departments are:

1. Segregation of duties
 - a. Duties are separated so that one person's work routinely serves as a check on another's work.
 - b. No one person has complete control over more than one key function or activity (e.g., authorizing, approving, certifying, disbursing, receiving, or reconciling).
2. Authorization and approval
 - a. Proposed transactions are authorized when proper and consistent with City policy and the department's plans.
 - b. Transactions are approved by the person who has delegated approval authority, which is usually delegated on the basis of special competency or knowledge.
3. Custodial and security arrangements
 - a. Responsibility for physical security/custody of City assets is separated from record keeping/accounting for those assets.
 - b. Unauthorized access to City assets and institutional data is prevented.

4. Timely and accurate review and reconciliation
 - a. Departmental accounting records and documents are examined by employees who have sufficient understanding of the City accounting and financial systems to verify that recorded transactions actually took place and were made in accordance with City policies and procedures.
 - b. Departmental accounting records and documentation are compared with City accounting system reports and financial statements to verify their reasonableness, accuracy, and completeness.
 5. The general internal control principles should be applied to all departmental operations, especially accounting records and reports, payroll, purchasing/receiving/disbursement approval, equipment and supply inventories, cash receipts, petty cash and change funds, billing and accounts receivable.
- B. All City systems, processes, operations, functions, and activities are subject to evaluations of internal control systems. The results of these evaluations provide information regarding the City's overall system of control.
- C. Information and communication – Information must be timely and communicated in a manner that enables people to carry out their responsibilities.
1. All covered employees must be trained on Internal Controls according to Ind. Code § 5-11-1-27(g). Covered employees are those employees who handle cash or have access to assets other than cash that are covered by this policy.

All personnel must receive a clear message from the City's administration that control responsibilities are to be taken seriously. Failure to comply with established practices will subject individuals to the terms of disciplinary action or dismissal.
 2. Employees must understand their own roles in the internal control system, as well as how individual activities relate to the work of others. To this end, whenever a new budgetary unit, financial activity, etc. is set up, the City Controller will provide notification to the appropriate parties of the responsibilities incumbent on them for good business practices and sound financial management, including reference to the principles within this policy.
 3. Employees must have a means of communicating significant information to the City's administration.
 4. The City must communicate effectively with external parties, such as auditors, creditors, contractors, suppliers, regulators and other stakeholders.
- D. Internal controls are meant to keep the City focused on achieving its mission while avoiding surprises. There is a balance between effective controls and mission accomplishment. Costs associated with internal controls should not exceed their benefit, nor should controls be allowed to stifle mission effectiveness and timely action. All levels

of management must assess the costs, benefits, and risks when designing controls to develop a positive control environment and compensate for the risks of non-compliance, loss of assets, or unreliable reporting while accomplishing the City mission.

The following specific internal control policies are adopted for use by City Departments:

Payroll Activities

- Salaries and wage rates are verified by the Human Resources Department.
- The responsibilities for hiring, terminating, and approving promotions are segregated from those preparing payroll transactions or inputting data.
- The responsibilities for approving time sheets are segregated from those for preparing payroll transactions or inputting data.
- Employees' time and attendance records are approved by their supervisors.
- Corrections to recorded time and attendance records are approved by the employee and employee's supervisor.
- Procedures are in place to ensure that changes in employment status are promptly reported to the payroll processing unit.
- Payroll disbursements are reviewed and approved by an authorized individual prior to payment.
- Access to payroll applications is appropriately controlled by user logins and passwords.
- Changes to a payroll disbursement are approved by an individual other than the ones authorized to process the changes.
- Access to the electronic signature used to sign payroll checks is adequately controlled.
- Check stock for printed checks is stored in a secure location.
- Unclaimed payroll checks are returned to Finance Department.
- Employees are cross-trained on the payroll process; those assigned to payroll take regular vacations.
- The City uses a "positive pay" program with 1st Source Bank to preauthorize payroll checks to be honored by the bank and identify fraudulent checks issued by other parties attempting to use City information.

Disbursement Activities

- The responsibility for approving claims is segregated from those preparing the claims wherever possible.
- Checks are written by an individual other than the one approving the claim.
- Claims for payment (including trustee escrow payments) are reviewed and approved by the Board of Public Works, Redevelopment Commission, or other appropriate public body prior to payment.
- A reconciliation is completed between the claims for payment approved by the board and the actual disbursements posted to the ledger.
- The responsibility for acknowledging the receipt of goods or services is segregated from those preparing claims and writing checks.
- Vendor checks are accounted for in numerical order and reconciled to the disbursement ledger.
- Invoices or other receipts are attached to each claim to support the disbursement.

- A review is completed by an individual outside the disbursement process in which the claim amount is compared to the supporting documentation attached to the claim and the amount of the check. This review and approval is made at the departmental level.
- Access to disbursement applications is appropriately controlled by user logins and passwords.
- The City Controller, or his/her designee, will review claims prior to payment.
- The Purchasing Manager, or his/her designee, will review requisitions submitted and issue all purchase orders.
- With limited exceptions, all disbursements will require a properly approved invoice and a purchase order prior to payment.
- The City uses a "positive pay" program with 1st Source Bank to preauthorize accounts payable checks to be honored by the bank and identify fraudulent checks issued by other parties attempting to use City information.

Receipting Activities

- The responsibility for collecting money and issuing receipts is segregated from those preparing the bank deposit.
- The responsibility for making bank deposits is segregated from those preparing the monthly bank reconciliation.
- Pre-numbered receipts are issued for all money collected and the receipt is retained with supporting documentation.
- Receipts are reconciled to the cash receipts ledger by an individual other than the one collecting money and issuing receipts.
- Posting of receipts to the ledger is completed by an individual other than the one who collects money and makes the deposit.
- Receipts indicate the type of payment received (cash, check, etc.) and this is reconciled to the make-up of the bank deposit.
- Accounts receivable records are maintained by an individual other than the one(s) involved in the billing process.
- The billing process is completed by an individual other than the one who collects cash payments from customers.
- Customer account adjustments above the \$500 materiality threshold, stated in this policy, are approved by the Board of Public Works only after review.

Cash Activities

- A reconciliation between the recorded cash balance and the bank balance is completed monthly by an individual separate from the receipting and disbursing processes.
- A reconciliation between the receipts ledger and the credits to the bank account is completed periodically by an individual separate of the receipting process.
- A reconciliation between the disbursement ledger and the debits to the bank account is completed periodically by an individual separate of the disbursement process.
- The monthly reconciliation between the cash balance and the bank balance is thoroughly reviewed and approved by the City Controller or his/her designee.
- Disbursements from and reimbursements to petty cash funds are periodically reviewed by an individual other than the one responsible for maintaining the petty cash fund.

Credit Cards Transactions

- A designated official or employee oversees the issuance and use of the credit cards.
- During the disbursement process, a designated person reviews transactions listed on the credit card statements for sufficient documentation prior to payment.

Budgeting Activities

- The City Administration will budget all funds and accounts.
- Budget forecasts will be updated annually covering a multi-year time period.
- Budget vs actual reports for revenue and expenditures will be prepared monthly. The City Finance Department will follow up on significant variations between budget and actual results.

Information Technology

- The City Innovation & Technology (IT) Department will ensure that all users (employees) have a unique username.
- The City Human Resources Department will immediately notify the IT Department when an employee is terminated so that IT can deactivate the user's access to all computer related applications.
- The IT Department will ensure that an authentication system (i.e. password) is in place so access to the network and computer related applications is protected and limited to the appropriate users.
- Users will be required to lock or log off their computer before stepping away from their computer for an extended period of time.
- Users will be required to log off their accounts when they leave work.
- The IT Department will give a user access only to the specific applications and network files the user needs to perform his or her job duties.
- The IT Department will monitor access to the network and audit the logins for applications, including the financial software.

Principle 11: Management designs the political subdivision's information system and related control activities to achieve objectives and respond to risks.

The Finance Department and Department Heads will work with the Innovation and Technology Department to ensure that information technology is used as an integral part of the internal control system. This may include, but not be limited to:

- Setting permission such that only certain users may perform certain tasks
- Using technology to accomplish segregation of duties by forcing duties to be completed by different users
- Automating certain processes and calculations
- Limiting the authority to access different components of various software to employees with duties specifically related to that component
- Prohibiting user ID and password sharing among employees
- Restricting the authority to correct or make adjustments to records to key employees
- Requiring the use of prescribed forms or the approval of alternative forms

Principle 12: Management implements control activities through policies.

The City has an employee handbook that is regularly updated to communicate policies to employees. Additionally, the Finance Department regularly works with departments and employees who handle financial transactions to recommend and ensure best practices. All procedures are in writing and communicated frequently to all relevant employees. Policies are available both electronically (via the City website) and in hard copy form. In addition, the City Controller holds regular "Fiscal Officer" meetings where accounting and internal control issues are discussed.

COMPONENT FOUR: INFORMATION AND COMMUNICATION

Principle 13: Management uses quality information to achieve the political subdivision's objectives.

The City strives to lead in the areas of financial transparency and accountability. By adopting standards and investing in systems that exceed State mandated minimums, City management provides employees and stakeholders with high quality information and informatics systems. The City Finance Department and Legal Department attend training and industry seminars to stay abreast of changes and developments in requirements and communicate that information effectively to impacted employees. The City Finance Department issues a variety of financial reports to the Mayor, Common Council and others, to ensure transparency and accountability. Financial reports are posted on the City's website.

Principle 14: Management internally communicates the necessary quality information to achieve the political subdivision's objectives.

Internal communications on internal controls are communicated through adoption of formal policies by relevant boards and commissions and/or the legislative body or documented through memos from the Finance, Legal or relevant Department Head. Internal memos and reports are maintained to document communication.

Principle 15: Management externally communicates the necessary quality information to achieve the entity's objectives.

Communications with the State Board of Accounts, other State agencies, grantor agencies, and regulatory agencies are documented by email, memos, letters, and other forms of written correspondence.

All documents are maintained in accordance with the City and state's record retention policies. Reports and policies are cross checked for accuracy, relevancy, and timeliness of information.

COMPONENT FIVE: MONITORING ACTIVITIES

Principle 16: Management establishes and operates monitoring activities to monitor the internal control system and evaluate the results.

City Administration monitors and evaluates compliance with internal control policies via multiple methods. Separation of duties, redundancy policies, layered approval systems, monthly reports, and physical controls allow management to both review and evaluate control systems.

The Finance Department shall implement a system of monitoring that includes:

- Periodic checks to determine if controls are in place and working effectively
- Reviewing control activities to determine if the actual activities are in compliance with established procedures
- Documenting deficiencies in the internal control processes and remediating them quickly

Monitoring activities will be documented by signatures, initials, or other appropriate methods.

Principle 17: Management remediates identified internal control deficiencies on a timely basis.

Breaches of internal controls are subject to significant levels of internal scrutiny. If informed of a material breach of internal controls, the Finance Department and effected Department Head will actively investigate and address said breach and adjust policies and procedures to prevent such breaches in the future. Once breaches are identified and investigated, a formal or informal corrective action plan will be developed.

Making Internal Control a Priority in Local Government



By: Vicki Urbanik, CGFM, CPA, EA

Internal control can greatly enhance the success of government units of any size, whether a large metropolitan city or a small rural library district. Local government managers who establish a control environment emphasizing ethics, regulatory compliance and high-quality staff performance send a message to the public that they are committed to accountability and transparency. Local government managers who implement risk assessment procedures define their risk tolerances, potential for fraud, and external and internal influences that could negatively impact accomplishment of their objectives. Those who require staff segregation of duties, proper record keeping, administrative oversight in payroll functions and other control activities improve the effectiveness and efficiency of their offices. By enacting controls, local government units can enhance their financial management and overall performance.

Recognizing the importance of internal control in government, Indiana state legislators passed new control requirements affecting government units statewide. Under House Enrolled Act 1264, adopted in 2015, municipalities, county governments, schools and other political subdivisions must adopt, at minimum, the internal control standards established by the Indiana State Board of Accounts (SBOA). Local government units must also provide training on the standards to practically all employees who handle public money, specifically those whose duties include "receiving, processing, depositing, disbursing, or otherwise having access to [public] funds."¹ Furthermore, government fiscal officers must certify compliance with the internal control requirements when they submit their unit's annual financial report, beginning in early 2017. If they do not provide such

verification, or if the state auditing body finds that the internal control standards have not been adopted, local government units could ultimately face rejection of their annual budgets. In short, local government managers in Indiana must now get serious about internal control, not just because state law requires it, but also because they have a very real budgetary incentive to do so.

Implementation Challenges

Internal control can greatly enhance accountability and transparency, but implementing controls can pose unique challenges for local government.

For one, local government managers may lack formal training in accounting, auditing or other academic areas that introduce internal control. Local officials unfamiliar with controls may feel the topic is too broad or abstract in scope to have relevance for their departments. After all, a city park superintendent's mission is to run a park system, a county treasurer's priority is the collection of local taxes and a township manager's top objectives include administering aid for the indigent. These and other officials at the most local levels of government may feel they lack the time or resources to implement control risk assessment or monitoring. Even if top managers enthusiastically adopt internal controls, training their employees could be quite a different story. Office employees might recall accounting scandals like Enron and Tyco, but it's much more unrealistic to expect the rank-and-file in local government to be versed in the five control components or key documents such as COSO's *Internal Control – An Integrated Framework* or the U.S. Government Accountability Office's *Standards for Internal Control in the Federal Government*. Training

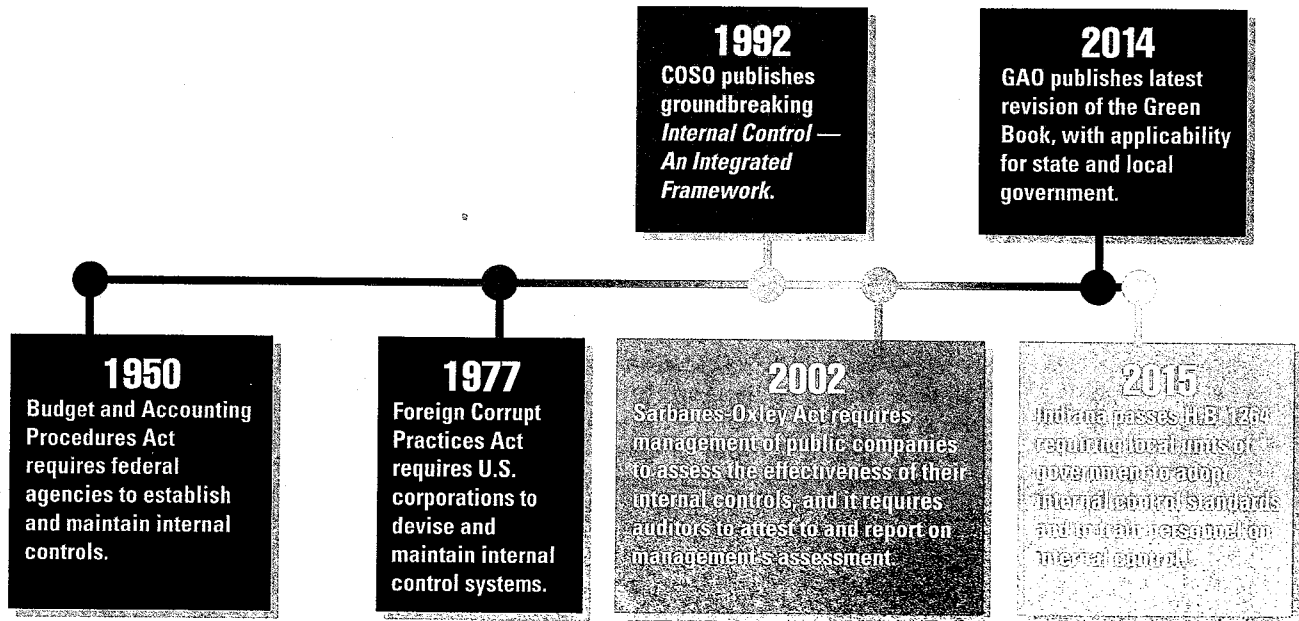
Local government managers in Indiana must now get serious about internal control, not just because state law requires it, but also because they have a very real budgetary incentive to do so.

staff on internal control standards can prove frustrating for managers struggling with subpar employees or long-time employees resistant to change.

Demystifying Internal Control

Local government managers can overcome the challenges of training a staff unfamiliar with internal control by introducing the topic in small, but meaningful phases. That is the approach being taken this year in the county auditor's office in Porter County, Indiana's ninth largest county (population, 167,000), located in the northwestern corner of the state. In Indiana, county auditor offices are often thought of as one of the busiest in county government with responsibilities that include county financial reporting and property tax administration. If any county office is in need of a sound internal control system, it is arguably a county auditor's office. The Porter County Auditor's Office early on embraced Indiana's new internal control requirements, in part because prior state audits found material control weaknesses in financial reporting, payroll and grants administration. The need for effective

Figure 1. Internal Control: A Brief Timeline



controls was clear; the challenge, however, was the introduction and implementation of new controls in a small but very busy office, in which most employees were unfamiliar with control concepts.

Training began at monthly staff meetings, with internal control topics introduced in small segments. Initially, training focused on the definition of internal control as stated in the *Uniform Internal Control Standards for Indiana Political Subdivisions*, a document prepared by the SBOA following adoption of the 2015 state law. The SBOA's standards emphasize the role that employees play in controls: "Ultimately, it is the people at every level of the organization that are instrumental in ensuring the success of the internal control process. Accordingly, internal controls integrate the attitudes and actions of people within the organization into the processes."² The

county auditor's office emphasized that even though management has profound responsibilities in internal control, staff involvement is crucial. By emphasizing that internal control

is not a set of rigid rules but a process that needs a buy-in from staff to make it work, employees were given ownership of this important endeavor. It makes little sense for management to adopt policies that staff find unworkable. Employees need to know that their input is valuable and that for controls to be effective, "we are all in this together."

Early training efforts in the county auditor's office also introduced staff to

key developments in the regulatory history of controls, as illustrated in Figure 1. Staff discussions explored the accounting scandals that led to the Sarbanes-Oxley Act and the internal control audit requirements that resulted. By tying events that had national significance to their

daily workplace, the local auditor staff gained a deeper understanding of the need for, and benefits of, internal control. Employees were also introduced to the GAO's "Green Book," including the GAO's efforts to make the federal standards applicable to state and local governments.³ While internal control concepts were presented to the auditor staff in a concise, summary manner, the topic wasn't dumbed down, either. Employees were treated as professionals who were expected to help make a significant contribution toward the effective and efficient operation of their office.

Implementation Challenges

Getting employees to understand what internal control is, and what it isn't, is one matter. Actually implementing controls is another. To introduce the five control components, employees in the county auditor office learned about the control cube, as pictured in Figure 2, which gives a visual representation of how the components interrelate with each other, with the entity's organizational structure, and with the reporting, compliance and operations objectives. Discussion topics included an analysis of how most of us implement controls in our daily

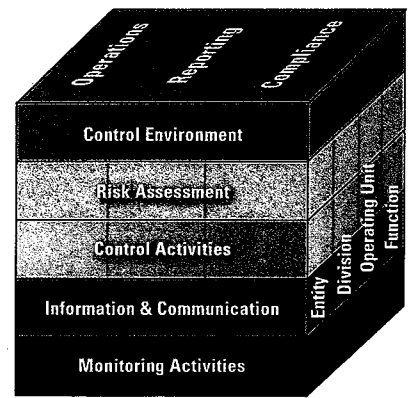
“It makes little sense for management to adopt policies that staff find unworkable. Employees need to know that their input is valuable and that for controls to be effective, ‘we are all in this together.’”

lives. The simple act of locking our doors at night or taking our vehicles for routine oil changes are control activities intended to achieve objectives of keeping our home safe and our cars in good order. Given that most employees in the county auditor's office are also parents, one training exercise applied an internal control thought process to an objective that parents have: Keeping their children healthy. The environment most parents have established in their household incorporates personal responsibility for one's well-being. Parents assess the risk that their children might get cavities, due to their proclivity to like sweets and their unwillingness to brush and floss as often as their parents want them to. To minimize this risk, parents take their children to the dentist every six months, even if nothing is wrong with their teeth. Parents seek reliable information when choosing their dentist or the treatment plans recommended. And parents monitor their children's dental health; if repeated cavities occur, parents might imple-

ment new activities, such as giving their children incentives to brush and floss more regularly.

By understanding how internal control systems have relevance to our daily lives, employees should be more apt to recognize the need for enhanced controls at the workplace. Once employees are comfortable with the definition and components of internal control, they can then be introduced to the 17 principles that represent the requirements for an effective control system.⁴ Staff can then integrate these principles in their daily responsibilities. For example, one function in a county auditor's office is to process payroll. The objective is clear: No employee should be paid more or less than their approved salary, and tax withholdings and benefit deductions must be correct. But what is the risk that this objective will not be met? For some counties, the risk of payroll errors might be attributed to archaic or faulty payroll software programs or to a lack of available payroll staff. To minimize this risk, staff can be cross-trained in

Figure 2. COSO Internal Controls Cube



Source: blog.aicpa.org/2012/01/internal-control-integrated-framework-20-years-later.html#sthash.tXBB8Kt4.dpbs

payroll processing, and a non-payroll employee could be assigned to cross check payroll reports with the pay levels set in the annual salary ordinance. Department heads could be required to sign off on their employee pay prior to the issuance of paychecks,

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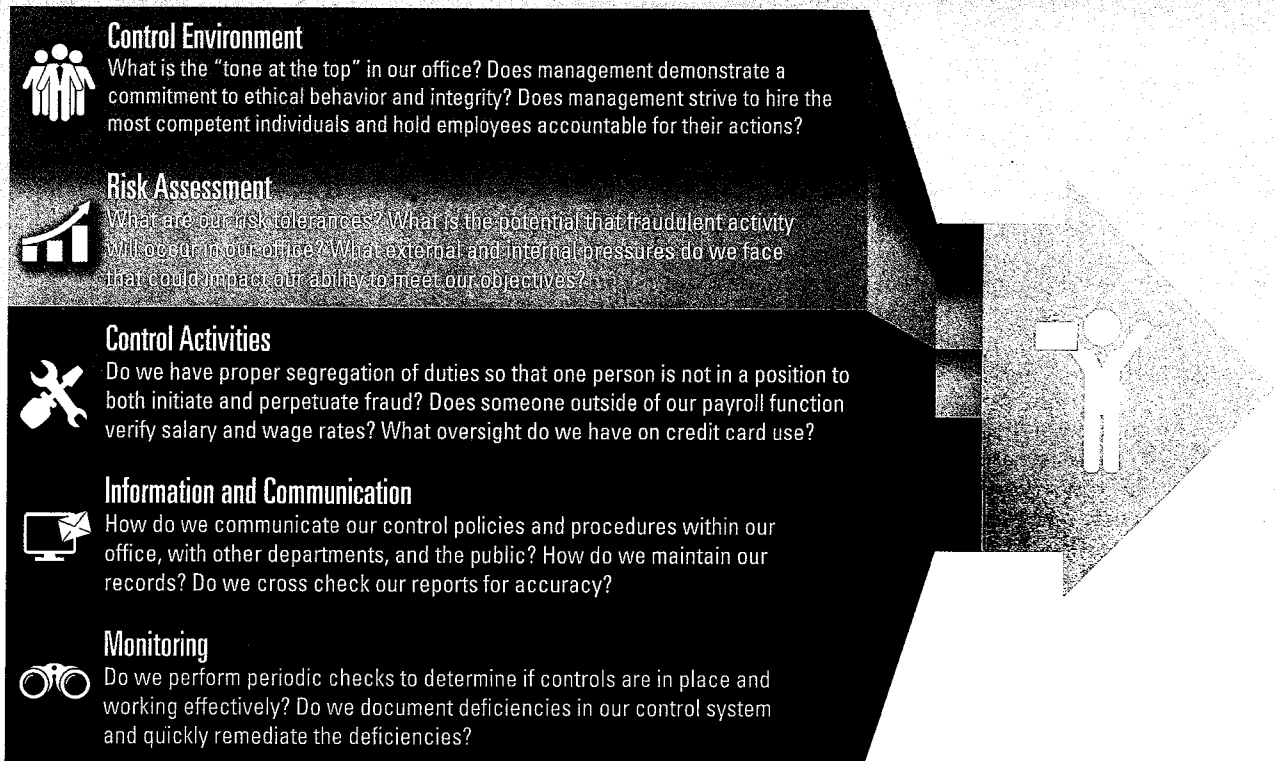
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Figure 3. The Control Cube: Considerations for Government Managers



and a tracking system could be implemented to keep tabs on which department managers consistently meet this responsibility. Communication with department heads should stress the importance of administrative review of timecards. The payroll process should be monitored closely, with adjustments enacted immediately and a strategy developed to help prevent the mistakes from recurring.

Preparation of an easy-to-read and readily accessible document on internal control is also important, since the document can give employees and management a clear outline of their responsibilities. In Indiana, local government units can comply with the new internal control requirements by adopting the SBOA's

“By understanding how internal control systems have relevance to our daily lives, employees should be more apt to recognize the need for enhanced controls at the workplace”

minimum standards, which encompass both COSO's framework and the GAO's Green Book. Local government may also adopt other standards or procedures tailor-made for their own needs. The approach taken in the Porter County Auditor's Office has been to develop its own internal control procedures to augment the standards adopted at the countywide level. The functions unique to the auditor's office in need of enhanced controls were identified, and controls were developed for each. At staff meetings, employees discuss the objectives of each office function and identify the threats they feel could impede the accomplishment of those objectives. The

open discussion is important not just to achieve staff acceptance of new or enhanced controls, but also to help employees understand the challenges faced by their colleagues who may have different job duties than their own.

One component of internal control that may be particularly helpful in gaining staff acceptance is the control environment, as explained in Figure 3. By documenting in writing a commitment to ethics, accountability and transparency, management makes it clear what is expected of staff. However, this expectation works both ways. It is up to management to set a responsible "tone at the top." Employees who do not perceive their managers as being engaged or responsible may not feel they must provide outstanding work. On the other hand, managers who lead by example provide the foundation necessary for an effective internal control system.

Local government managers who emphasize to their employees that internal control is an objective-driven

process that is ongoing and adaptable may also gain greater staff involvement. Control activities that aren't working can be replaced or modified, and those that are functioning well can be improved. If employees are invited to play a role in continually improving office functions, they may be more inclined to share their suggestions and take ownership in their work product. Obtaining such a buy-in from employees is a key ingredient for an effective internal control system.

Summary

Indiana's law requiring adoption of internal control standards in local government is being implemented for the first time this year. City councils, school boards, county commissioners and other governing bodies throughout Indiana must adopt internal control standards identifying their responsibilities over the control

environment; risk assessment; control activities; information and communication; and monitoring. Local officials must adopt the minimum state standards but may also implement additional procedures they deem necessary for a control system to suit their needs. Employees who handle public funds must undergo training on the new standards by the end of the year, and fiscal officers in each unit must certify that training has occurred. Government managers and employees who previously were unfamiliar with the concept of internal control are now gaining the knowledge necessary to implement controls to help achieve their objectives. Indiana's new requirement is based in the principle that by demonstrating a commitment to internal control, managers and employees at all levels of local government can achieve greater accountability, transparency and effectiveness on behalf of the taxpayers they serve. ■

Endnotes

1. Indiana State Board of Accounts (2015). *Uniform Internal Control Standards for Indiana Political Subdivisions*, page 4.
2. Ibid. p. 1.
3. U.S. Government Accountability Office (2014). *Standards for Internal Control in the Federal Government*, p. 20.
4. Ibid. p. 8.



Vicki Urbanik, CGFM, CPA, EA, began her term as Auditor of Porter County, Ind. in January 2015. Prior to working for county government, she was a journalist

who reported extensively on local government finance.

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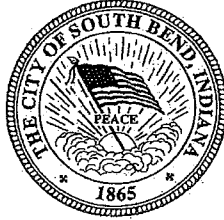
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PHONE: 574/235-9371
FAX: 574/235-9021

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
COMMUNITY INVESTMENT

November 9, 2016

Council Member Gavin Ferlic, Chairperson
Community Investment Committee
South Bend Common Council
4th Floor, County City Building
South Bend, IN 46601

RE: Real Property Tax Abatement Petition for: **GLC SBDC II, LLC**

Dear Council Member Ferlic:

Please find the attached information pertaining to a real property tax abatement petition for GLC SBDC II, LLC:

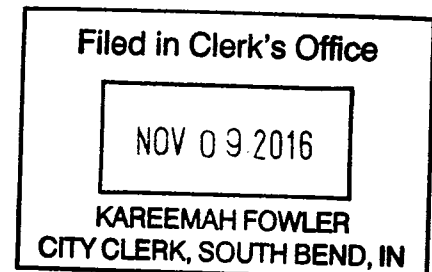
- Department of Community Investment's summary report
- Copy of the petition
- Statement of Benefits form
- Supporting information.

The report contains the Department's findings relative to the above petition. The total cost for the construction is estimated at \$7,700,000. The project meets the qualifications for a (9) nine year real property tax abatement. A representative from GLC SBDC II, LLC will be available to meet with the Committee on Monday, November 14, 2016.

Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at 235-5823.

Sincerely,

Aaron Kobb
Director of Economic Resources



PLANNING
TIM CORCORAN

NEIGHBORHOOD ENGAGEMENT
PAMELA C. MEYER

BUSINESS DEVELOPMENT
BRIAN PAWLOWSKI

ECONOMIC RESOURCES
AARON KOB

TAX ABATEMENT REPORT

Filed in Clerk's Office
NOV 09 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

TO: SOUTH BEND COMMON COUNCIL
FROM: AARON KOBB
SUBJECT: REAL PROPERTY TAX ABATEMENT PETITION FOR:
GLC SBDC II, LLC
DATE: November 9, 2016

On Wednesday November 9, 2016, a petition from GLC SBDC II, LLC was received and subsequently filed with the City Clerk for real property tax abatement consideration for property to be located at 23464 Adams Road, South Bend, IN 46628. Pursuant to Chapter 2, Article 6, Section 2-84.2 of the Municipal Code of the City of South Bend, this petition was referred to the Department of Community Investment for purposes of investigation and preparation of a report determining whether the area qualifies as an Economic Revitalization Area pursuant to I.C.6-1.1-12.1 and whether all zoning requirements have been met.

The Department of Community Investment has reviewed the petition (a copy of which is attached), investigated the area, and makes the following report.

PROJECT SUMMARY

- Construction of a new approximately 210,000 sq. ft. spec commercial/bulk distribution facility (and related paving/parking and other improvements) to serve and support the needs of commercial/distribution users considering South Bend as a business site
- \$7,700,000 investment in new building construction
- Total project taxes during the nine year abatement period – \$1,881,336
- Estimated taxes being abated during the nine year abatement period – \$733,663
- Total taxes to be paid during the nine year abatement period – \$1,147,673

EMPLOYMENT IMPACT

Per the petition, it is estimated that the total project will:

- Create (10) ten permanent full-time jobs within the first three years, representing an approximate new annual payroll of \$374,400.

PLANNING
TIM CORCORAN

NEIGHBORHOOD ENGAGEMENT
PAMELA C. MEYER

BUSINESS DEVELOPMENT
BRIAN PAWLÓWSKI

ECONOMIC RESOURCES
AARON KOBB

ABATEMENT QUALIFICATION

1. A review of the tax abatements previously granted finds that the petitioner has been granted previous abatements and were deemed to be in compliance.
2. The Building Commissioner has reviewed the petition and finds the property to be properly zoned for the proposed project/ or a variance will be sought by the petitioner.
3. A review of the South Bend Redevelopment designation areas finds that the property is located in the River West Development Area.
4. A review of the Tax Abatement Ordinance No. 9394-03 finds that the petitioner meets the qualifications for a (9) nine-year real property tax abatement under section 2-84.2, Real Property Tax Abatement.

RESOLUTION NO. _____

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN
THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS

23464 Adams Road, South Bend, IN 46628

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A
(9) NINE-YEAR REAL PROPERTY TAX ABATEMENT FOR

GLC Portage Prairie, LLC

WHEREAS, a petition for real property tax abatement consideration has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the area commonly known as 23464 Adams Road, South Bend, IN 46628 and which is more particularly described as:

Beg 1505' E of Nw cor of Nw 1/4 thence E 1094' thence S 2640' Thence W 563' thence N 1430' thence 542' thence N 1196' to POB cont 48.30ac+/- Sec 17-38-2e 16/17 NP#7037 and 7038 11-25-2015 16/17 Split#9196 10-30-2015 15/16 Spli

and which has Key Number 025-1009-0146 be designated as an Economic Revitalization Area under the provisions of Indiana Code 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, petitioner has agreed to and has accepted responsibility to report any changes in the final legal description and to report the final, appropriate Key Number to the Department of Community Investment and to the Office of the City Clerk; and

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the Petition for Real Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements of Indiana Code § 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds the following:

A. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

B. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

C. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

D. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

E. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation; and

F. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code § 6-1.1-12.1-3.

SECTION III. The Common Council hereby determines and finds that the proposed described redevelopment or rehabilitation can be reasonably expected to yield benefits identified in the Statement of Benefits, Sections 1 through 3 of the Petition for Real Property Tax Abatement Consideration and the Memorandum of Agreement between the Petitioner and the City of South Bend, and that the Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code § 6-1.1-12.1-3.

SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real property tax abatement.

SECTION V. The designation as an Economic Revitalization Area shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

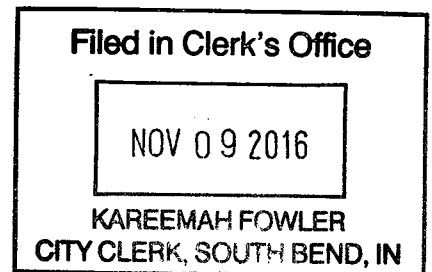
SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of nine (9) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

SECTION VII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION VIII. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Member of the Common Council

PRESENTED
NOT APPROVED
ADOPTED



RESOLUTION NO. _____

A RESOLUTION CONFIRMING THE ADOPTION OF A
DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS
WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY
KNOWN AS

23464 Adams Road, South Bend, IN 46628

AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF A NINE (9) YEAR REAL
PROPERTY TAX ABATEMENT FOR

GLC SBDC II, LLC

WHEREAS, the Common Council of the City of South Bend, Indiana, has adopted a Declaratory Resolution designating certain areas within the City as Economic Revitalization Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as 23464 Adams Road, South Bend, IN 46628 and which is more particularly described as follows:

Beg 1505' E of Nw cor of Nw 1/4 thence E 1094' thence S 2640' Thence W 563' thence N 1430' thence 542' thence N 1196' to POB cont 48.30ac+/- Sec 17-38-2e 16/17 NP#7037 and 7038 11-25-2015 16/17 Split#9196 10-30-2015 15/16 Spli

and which has Key Number 025-1009-0146 be designated as an Economic Revitalization Area; and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of

South Bend, Indiana, as follows:

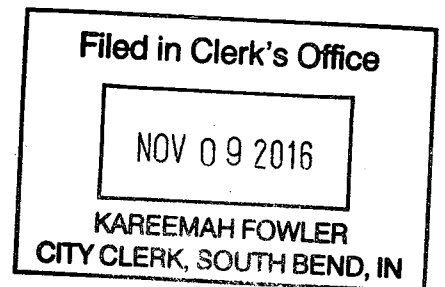
SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for Real Property tax abatement only and is limited to two (2) calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted a real property tax deduction for a period of (9) nine years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

SECTION III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approved by the Mayor.

Member of the Common Council

PRESENTED
NOT APPROVED
ADOPTED



9 YEAR

8-Nov-16

GLC SBDC II, LLC

South Bend German Township
Real Property Tax Abatement Schedule*

Tax Key Number 018-3091-347405
Current Assessed Value: 71,200
Estimated Project Cost: 7,700,000

Assessed Value:	Property Taxes:										
	Current AV & Tax	Without Abatement	100% Year 1	88% Year 2	77% Year 3	66% Year 4	55% Year 5	44% Year 6	33% Year 7	22% Year 8	11% Year 9
Current Assessed Value	71,200	71,200	71,200	71,200	71,200	71,200	71,200	71,200	71,200	71,200	71,200
Base Assessed Value	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000	5,775,000
Less Abatement Deduction	0	0	(5,775,000)	(5,082,000)	(4,446,750)	(3,811,500)	(3,176,250)	(2,541,000)	(1,905,750)	(1,270,500)	(635,250)
Net Assessed Value	71,200	5,846,200	71,200	764,200	1,389,450	2,034,700	2,669,950	3,305,200	3,940,450	4,575,700	5,210,950
Assume constant tax rate of	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%	5.4628%
Gross Tax (tax rate x net assessed value)	3,889	319,364	3,889	41,746	76,449	111,151	145,853	180,555	215,257	249,960	284,662
Less Circuit Breaker Credit	(1,312)	(107,749)	0	0	0	0	0	0	(15,453)	(46,218)	(76,984)
Net Tax	2,577	211,615	3,889	41,746	76,449	111,151	145,853	180,555	199,805	203,741	207,678
Circuit Breaker Cap											
Circuit Breaker	2,136	175,386	175,386	175,386	175,386	175,386	175,386	175,386	175,386	175,386	175,386
Debt Service	441	35,229	441	4,736	8,672	12,609	16,546	20,482	24,419	28,355	32,292
Circuit Breaker Cap	2,577	211,615	175,827	180,122	184,058	187,995	191,932	195,868	199,805	203,741	207,678

Year	Existing Taxes	New Project Taxes	Combined Existing & New Taxes	Tax Abated	Net Tax Paid
1	2,577	209,037	211,615	207,725	3,889
2	2,577	209,037	211,615	169,868	41,746
3	2,577	209,037	211,615	135,166	76,449
4	2,577	209,037	211,615	100,464	111,151
5	2,577	209,037	211,615	65,762	145,853
6	2,577	209,037	211,615	31,059	180,555
7	2,577	209,037	211,615	11,810	199,805
8	2,577	209,037	211,615	7,873	203,741
9	2,577	209,037	211,615	3,937	207,678
Totals	23,195	1,881,336	1,904,531	733,663	1,170,867

*This schedule is for estimation purposes only and assumes constant tax rates. The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.

Filed in Clerk's Office

NOV 09 2016

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

City of South Bend Petition for Incentives

Petition must include a \$250 filing fee payable to the City Clerk's Office or online via the City's website at <http://southbend.in.gov/government/content/tax-abatement> before processing can be complete



General Information		Project Name	Project Number
Legal name as registered with Secretary of State	GLC SBDC II, LLC		
Business structure	Indiana limited liability company		
Company website	Please see website of Company's affiliate Great Lakes Capital, LLC (www.greatlakescapital.com)		
Proposed Project Information			
Proposed project address	TBD: SW Corner of Adams Road and Mayflower	Parent company name	N/A
City, State, Zip	South Bend, Indiana 46628	Legal owner	Waggoner's Dairy Farm, Inc.
Site acreage or acreage required	~32 Acres +/-	Is the real estate owned or leased	Owned
Square feet of facility	Approx. 210,000 (or larger)	If leased by whom	N/A
Primary Contact Information			
Primary company contact name	Ryan C. Rans	Title	Managing Member
Address of company contact	112 West Jefferson Blvd., Suite 200	Phone	(574) 251-4400
City, State, Zip	South Bend, Indiana 46601	Email	rrans@greatlakescapital.com
Senior Official Information			
Company senior official name	Jeff Smoke	Title	Director of Development
Address of company contact (if different from above)	112 West Jefferson Blvd., Suite 200	Phone	(574) 855-5700
City, State, Zip	South Bend, Indiana 46601	Email	jsmoke@greatlakescapital.com
Consultant Information/Agent			
Hired business consultant/agent name	Richard J. Deahl, Barnes & Thornburg LLP	Consultant release (Y/N)	Yes
Address	100 N. Michigan Street, Suite 700	Local economic development partners approval (Y/N)	
City, State, Zip	South Bend, Indiana 46601	Email	rdeahl@btlaw.com
Project Overview			
Brief description of your company, project, and why the property is necessary for economic growth	<p>Great Lakes Capital ("GLC"), the sponsor/affiliate of GLC SBDC II, LLC, is a real estate development firm with experience in public-private development initiatives. The proposed project involves an investment of between \$7.5 and \$8.5 million in the property acquisition, development and construction of a new commercial distribution facility containing approximately 210,000 square foot (or more) together with related site improvements (paving/parking, etc.). The applicant is proposing to make this investment to construct "spec space" which would be readily available to serve and support the needs of commercial/distribution users considering South Bend as a business site. This investment will also serve to continue to support the City's initiatives to (a) have move-in ready options for prospective third-party businesses searching for commercial/distribution space in the City, and (b) support the overall ability to attract and retain businesses to the City.</p>		
Certified Technology Park appropriate	N/A		
Is the project in a Tax Incremental Financing (TIF) Area? If so, which?	Yes (Airport Economic Development Area)		
Certify that the Building Permit has not been issued (Y/N)	No permit issued	Number of residential units created by project	N/A (0)
If this is a petition for personal property tax abatement, has the equipment been installed	N/A		

Filed in Clerk's Office

NOV 09 2016

KAREEMAH FOWLER

CITY CLERK, SOUTH BEND, IN

Investment Details			
Public Infrastructure needs (Off-site of project in dollars)	Has any 504 funding been received?	What is the value of any equipment being purchased in Indiana for the project?	What is the value of any equipment being purchased from out of state for the project?
	N/A	N/A	N/A

**Complete below for Real or Personal Property Tax Abatement only.
Please sign for all requested incentives.**

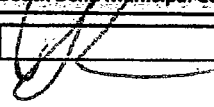
Public Benefit Item:

Information is required on both the construction companies and the companies which will provide materials purchased for this project. Please complete the table below with the appropriate information. If you qualify for the points, please enter the full amount of available points.

		Qualify (Yes or No)	Earned Points	Available Points	
1	Construction Related (Contractors):				
	A.	Employ Local Companies (75%)	Yes	20	20
	B.	Purchase Materials from Local Companies (75%)	Yes	20	20
	C.	Require Employees vs. Independent Contractors	Yes	19	19
	D.	Require Prevailing Wage (Davis Bacon)	No		22
	E.	Require Health Benefits	Yes	22	22
	F.	Require Pension Benefits	No		18
	G.	Maintain Affirmative Action Plan	Yes	20	20
		Sub-total Construction Related:		101	141
2	Wage & Benefit Related (Owner):				
	A.	Pay Target Wage Levels	Yes	33	33
	B.	Provide Health Benefits	Yes	34	34
	C.	Provide Pension Benefits	Yes	29	29
	D.	Provide Training	Yes	28	28
	E.	Provide Child Care	No		15
	F.	Provide Transportation Assistance	No		14
	G.	Provide Employer Assisted Housing program	No		9
	Sub-total Wage & Benefit Related:		124	162	
3	Workforce Related:				
	A.	Create New Jobs	Yes	42	42
	B.	Retain Existing Jobs	Yes	41	41
	C.	Maintain Affirmative Action Plan	Yes	35	35
	D.	Provide Targeted Hiring Preference			34
	Sub-total Workforce Related:		118	152	
4	Support a Municipal Facility:				
	A.	Support a SB Municipal Facility (donations to the zoo, conservatory, museum, etc.)			84
		Name of Facility			
	Sub-total Municipal Facility:			84	
Sub-total from Above:			343	539	

The undersigned owner(s) of real property, located within the City of South Bend, hereby petition the Common Council of the City of South Bend for a real and/or personal property tax abatement consideration and pursuant to I.C. 6-1.1-12.1-1, et seq., and South Bend Municipal Code Sec. 2-76 et seq., for this petition state the above.

Submitted By:



Date:

October 31, 2016



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)
Prescribed by the Department of Local Government Finance

Filed in Clerk's Office
NOV 09 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

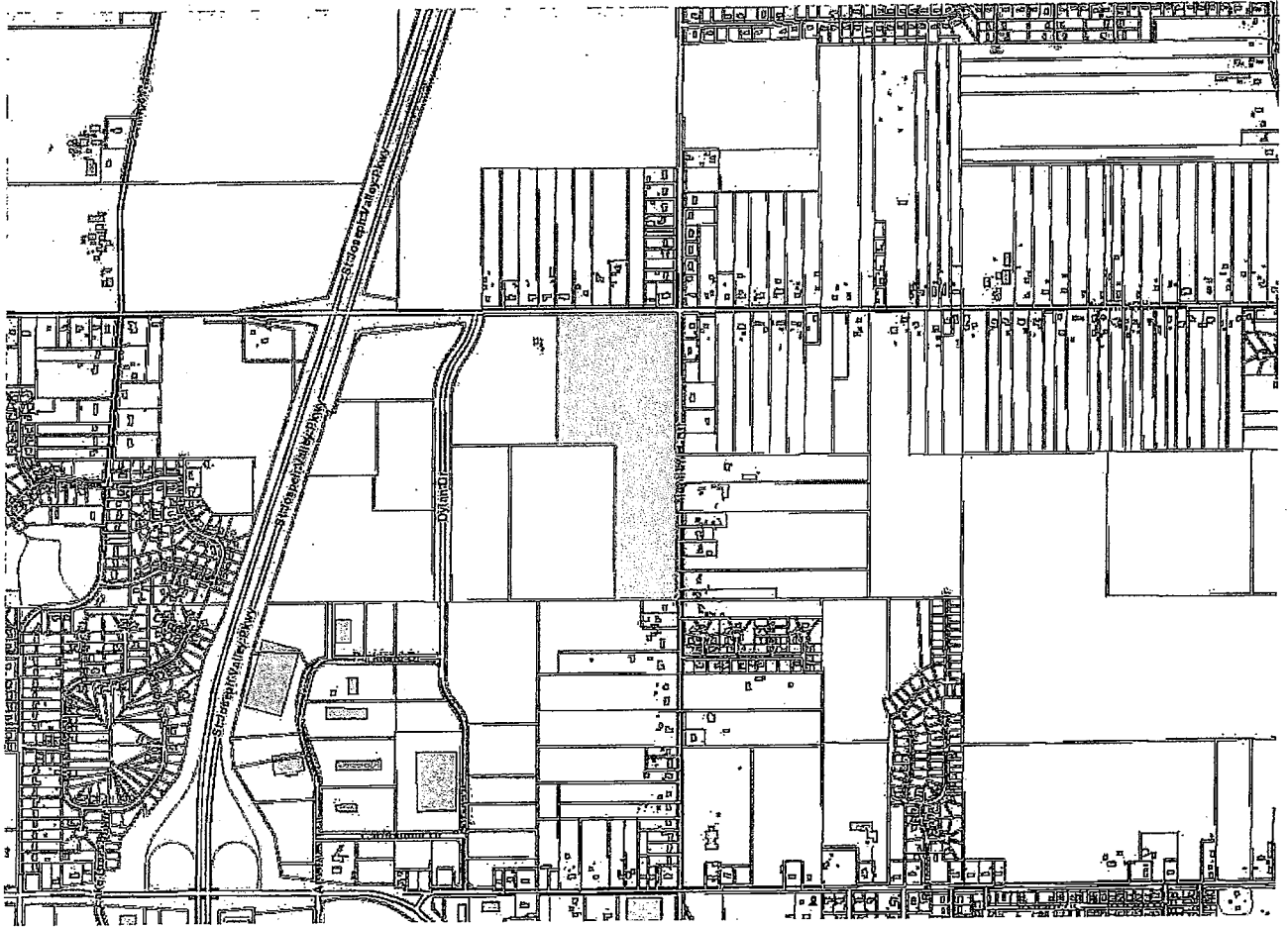
20 17 PAY 20 18
FORM SB-1 / Real Property
PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following provisions:
 Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
 Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer GLC SBDC II, LLC					
Address of taxpayer (number and street, city, state, and ZIP code) c/o Great Lakes Capital Management, LLC; 112 West Jefferson Blvd., Suite 200; South Bend, IN 46601					
Name of contact person Jeff Smoke, Director of Development		Telephone number (574) 855-5700		E-mail address jsmoke@greatlakescapital.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Common Council of City of South Bend				Resolution number	
Location of property SW Corner of Adams Road and Mayflower, South Bend		County St. Joseph		DLGF taxing district number 71-003	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Proposed investment of at least \$7,700,000 in the development and construction of a commercial distribution "spec" facility containing approximately 210,000 square feet (or more)				Estimated start date (month, day, year) March, 2017	
				Estimated completion date (month, day, year) Dec. 31, 2018	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 0.00	Salaries \$0.00	Number retained	Salaries	Number additional 10.00	Salaries \$360,000.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values					
Plus estimated values of proposed project			7,700,000.00		
Less values of any property being replaced					
Net estimated values upon completion of project			7,700,000.00		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) October 31, 2016	
Printed name of authorized representative Ryan C. Rans			Title Managing Member of Manager		



RESOLUTION NO. _____

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A WAIVER OF NONCOMPLIANCE FOR LATE-FILED SCHEDULE OF DEDUCTION FROM ASSESSED VALUATION PERSONAL PROPERTY IN ECONOMIC REVITALIZATION AREA (FORM 103-ERA) AND COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY (FORM CF-1 / PP) BY NOBLE AMERICAS SOUTH BEND ETHANOL LLC FOR CERTAIN PERSONAL PROPERTY LOCATED AT 3201 WEST CALVERT STREET DESIGNATED AS AN ECONOMIC REVITALIZATION AREA UNDER RESOLUTION 4332-14

WHEREAS, the Common Council of the City of South Bend, Indiana (the "Common Council") at its meeting held on April 14, 2014 adopted its Confirming Resolution 4340-14 (the "Confirming Resolution") confirming the designation of a certain area within the City of South Bend, Indiana (the "City") commonly known as 3201 West Calvert Street, South Bend, Indiana (the "Subject Property") pursuant to Indiana Code 6-1.1-12.1 (the "Act"), as an Economic Revitalization Area for the purposes of granting an five (5) year tax abatement for personal property to Noble Americas South Bend Ethanol LLC (the "Company"); and

WHEREAS, the Subject Property is more particularly described as follows:

Vac Sunset Pk SE ¼ Ex
 Pt Sold to City S & Adj
 & Mid Pt S1/2E of Rr
 Cont 61.834 Ac +-
 Sec 16-37-2e

WHEREAS, the Common Council determined that the Company qualified for and the Common Council granted a personal property tax abatement for a period of five (5) years for qualifying personal property placed in service at the Subject Property as provided in the alternate abatement schedule pursuant to the Section 17 of the Act set forth below:

<u>Year</u>	<u>Personal Property Abatement</u>
1	100%
2	80%
3	60%
4	40%
5	20%

WHEREAS, the Company purchased and placed in service personal property at the Subject Property that qualified for personal property tax abatement for the March 1, 2015 assessment year pursuant to the Confirming Resolution; and

WHEREAS, the Company filed in April 2015 the *Compliance with Statement of Benefits Personal Property* ("Form CF-1/PP") with reporting@southbendin.gov, bzeeb@southbendin.gov and sheintze@southbendin.gov; and

WHEREAS, the Company filed on May 15, 2015 with the Assessor the Business Tangible Personal Property Assessment Return (Form 103-LONG).

WHEREAS, the Company has since filed with the County Assessor the Form 103-ERA and Form CF-1/PP for the March 1, 2015 assessment year to incorporate and detail the ERA deduction from installing new manufacturing equipment, new logistical distribution equipment, new research and development equipment and/or new technology equipment;

WHEREAS, the Company's Form CF-1/PP and Form 103-ERA for the March 1, 2015 assessment (attached as Exhibit A) was submitted after May 15, 2015;

WHEREAS, the Company is requesting pursuant to Sections 9.5 and 11.3 of the Act, that the Common Council waive the requirement that the Company's Form CF-1/PP and Form 103-ERA be submitted to the County Assessor and County Auditor by May 15, 2015 (the "Waiver");

WHEREAS, any noncompliance related to this Waiver request has been corrected prior to the adoption of this Waiver;

WHEREAS, the Company has requested that the Common Council exercise its authority as the Designating Body to waive noncompliance by adopting a resolution pursuant to Sections 9.5 and 11.3 of the Act;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Company has presented testimonial evidence of the following facts in support of this resolution:

- A. The Company was unaware that the Form 103-ERA and Form CF-1 needed to be filed with the Assessor's Office.
- B. All noncompliance has been rectified prior to presenting this Waiver to the Common Council.
- C. As detailed in the Form CF-1/PP, the Company has exceeded all projections initially contemplated from this project that is the subject of the personal property abatement.

SECTION II. The foregoing facts, taken together, lead the Common Council to conclude that compelling reasons exist to waive the applicable filing deadlines.

SECTION III. The Common Council, pursuant to Sections 9.5 and 11.3 of the Act, as described above, hereby waives the filing deadline of Form 103-ERA and Form CF-1 with the Form 103-LONG for the March 1, 2015 assessment date, and furthermore any and all noncompliance with such requirements by the Company is hereby waived.

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.

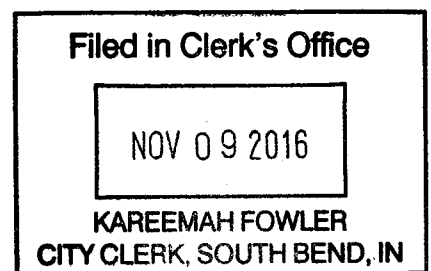
Member of the Common Council

PRESENTED

NOT APPROVED

ADOPTED

US.106317781.01
M10600916.2





Common Council
 City of South Bend Indiana
 4th Floor County-City Building
 227 West Jefferson Boulevard
 South Bend, Indiana 46601
 (574) 235-9173 Facsimile

(574) 235-9321

(574)235-5567 TTY/TDD

November 22, 2016

Members of the Common Council
 4th Floor County-City Building
 South Bend, Indiana 46601

Re: Annual Progress Reports

Dear Council Members:

As you are well aware, a series of neighborhood plans and development plans have been acted upon over the years. We believe that an annual progress report from the City Administration on each of these plans would be a helpful. This method would provide opportunities for the public and the Council to receive valuable information on the status of such development and neighborhood plans throughout our city.

The attached Resolution supports these concepts by:

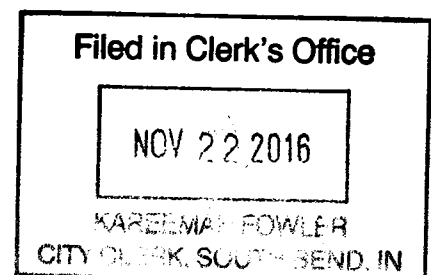
- Raising awareness about the status of neighborhood plans and development plans by having information shared on a regular annual basis; and
- Providing notice to the City Administration that the Zoning and Annexation Committee would be scheduling time to hear updates on each neighborhood plan and development plan beginning in 2017.

It is asked that this proposed resolution be referred to the Zoning and Annexation Committee for discussion, review, and recommendation at its November 28th meeting. Thank you.

Most sincerely,

Council Member Oliver J, Davis, 6th District
 Zoning and Annexation Committee Chairperson

Attachment





RESOLUTION NO. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA,
REQUESTING PROGRESS REPORTS TO BE GIVEN ANNUALLY TO THE ZONING AND
ANNEXATION COMMITTEE ON EACH NEIGHBORHOOD AND DEVELOPMENT PLANS**

Whereas, on November 13, 2006, the South Bend Common Council adopted Resolution No. 3657-06 which approved a *City Plan – 20 Year Comprehensive Plan* for the City of South Bend pursuant to *Indiana Code § 36-7-4-502* which was then approved by the Area Plan Commission of St. Joseph County on November 27, 2006; and

Whereas, South Bend’s City Plan is a guide for “...decision-making on the city’s growth and development for the next twenty years” which addresses visions, goals, objectives and policies. City Plan has fostered several neighborhood plans to be developed which included hundreds of individuals discussing alternative futures, doing modeling exercises, and developing consensus concepts, some of which resulted in:

2008 East Bank Village Master Plan – Phase 1

http://eastbankvillagepartnership.com/pdf/East_Bank_Plan_Ph1.pdf

2012 Howard Park Neighborhood Plan

https://www.southbendin.gov/sites/default/files/files/CI_HowardParkNeighborhood%20Plan_Aug%202012.pdf

2012 Lincoln Park Neighborhood Revitalization Plan

https://www.southbendin.gov/sites/default/files/files/CI_LinlconParkRevPlan-Final_Adopted.pdf

2015 Southeast Neighborhood Master Plan

https://www.southbendin.gov/sites/default/files/files/dci/DCI_SEMasterPlanDRAFT.pdf

Whereas, additionally, the South Bend Redevelopment Commission has declared several development areas pursuant to *Indiana Code § 36-7-14-1 et seq.*, which resulted in several “development plans” and triggered many surveys, investigations, studies, maps and plats by the Commission. Each such plan also required Common Council Resolution action. Some of these plan include:

- Airport Economic Development Area and Plan
https://www.southbendin.gov/sites/default/files/files/CI_AEDA_Plan.pdf
- Douglas Road Economic Development Area and Plan
https://www.southbendin.gov/sites/default/files/files/CED_DREDA_Plan.pdf
- West Washington-Chapin Development Area
https://www.southbendin.gov/sites/default/files/files/CI_WWCDA_Dev_Plan.pdf

it is believed that an annual update on progress being made on all of these types of plans would be beneficial. Information shared in a public forum would be a valuable tracking tool, and would be very educational.

Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The Common Council believes that sharing information on a regular basis which involves various types of plans for our neighborhoods would foster improved communication and collaboration.

Section II. The Council's Zoning and Annexation Committee is requested to schedule meetings so that the City Administration may provide updates on all village/neighborhood plans, all master/revitalization plans, and development areas and their respective plans beginning in 2017.

Section III. The Common Council believes that annual updates by the Administration to the Common Council would provide an excellent mechanism for engagement, education, and planning; and would further be in the best interests of our City.

Section IV. This This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.



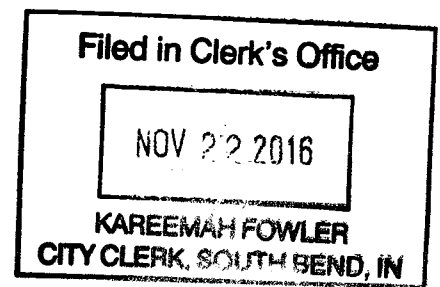
Oliver J. Davis, 6th District Council Member

Attest:

Approved this ___ day of November, 2016.

Kareemah Fowler, City Clerk

Pete Buttigieg, Mayor





Common Council

City of South Bend Indiana
4th Floor County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601
(574) 235-9173 Facsimile

(574) 235-9321

(574)235-5567 TTY/TDD

November 9, 2016

The South Bend Common Council
4th Floor County-City Building
South Bend, Indiana 46601

Re: Proposed Zoning Text Amendment

Dear Council Members:

We are filing the attached proposed ordinance with the Office of the City Clerk. It proposes limited text amendments to the Zoning Chapter 21 of the *South Bend Municipal Code*. They would include a definition for “shared housing” and amendatory language in the Central Business Districts (CBD).

This preliminary zoning concept was briefly discussed at the Zoning and Annexation Committee meeting held on September 26th. For procedural purposes only, which is required by our *Municipal Code* and *Indiana Code* § 36-7-4-607, the initiation of this proposed zoning text amendment is being initiated by the Common Council.

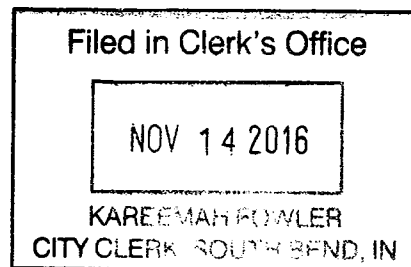
The proposed ordinance would have first reading by the Common Council on November 28th. Thank you for your consideration.

Most sincerely,

Gavin Ferlic, Council Member at Large
South Bend Common Council

Attachment

cc: Mr. Larry Magliozzi, Area Plan Executive Director
Angela M. Smith, Area Plan Deputy Director



Bill No. _____

Ordinance No. _____

AN ORDINANCE INITIATED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 3 BY ADDING SHARED HOUSING TO PERMITTED PRIMARY USES IN CBD CENTRAL BUSINESS DISTRICT; AND SECTION 11 BY ADDING THE DEFINITION OF SHARED HOUSING

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance that went into effect on May 7, 2004. Since the adoption of the ordinance, the housing market has continued to change and evolve. The proposed changes recognize the demand for housing alternatives within the densely populated Central Business District. However, the proposed changes are not meant to apply to any other Zoning Districts because any evolution of the housing market in other zoning Districts do not require these proposed changes.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

Section I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Commercial/Mixed Use Districts, Section 21-03.06 CBD Central Business District, subsection (a) (1) *Primary Uses*, is hereby amended as follows:

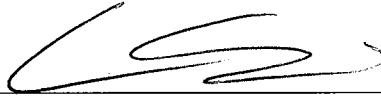
(J) Residential - In CBD *Districts* located west of the St. Joseph River: Including by not limited to: *Dwelling Units* or *Shared Housing* – limited to (i) floors above the first floor or (ii) ground floor of the *building* if located behind another ground floor, non-residential *permitted use*; Convalescent Home; Nursing Home; Rest Home

(K) Residential - In CBD Districts located east of the St. Joseph River: Including but not limited to: *Multifamily dwellings*; *Dwelling Units* – limited to floors above the first or ground floor of the *building*; Convalescent Home; Nursing Home; Rest Home; *Shared Housing*

Section II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 11 Definitions, Section 21-11.02 Definitions, is hereby amended by adding a definition as follows:

Shared Housing: Any dwelling unit which the owner allows to be occupied by unrelated persons living as a single housekeeping unit, provided that the number of occupants does not exceed twice the number of bedrooms, and that the total number of occupants does not exceed 4 regardless of the number of bedrooms.

Section III. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.



Council Member Gavin Ferlic
South Bend Common Council

Attest:

Office of the City Clerk

Voting in Favor _____
Voting in Opposition _____

Presented by me to Pete Buttigieg, the Mayor of the City of South Bend, Indiana, on the ____ day of _____, 2016, at _____ o'clock ____ m.

Office of the City Clerk

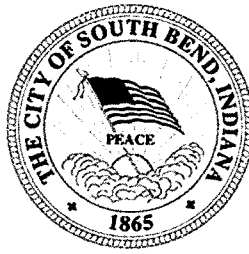
Approved and signed by me on the ____ day of _____, 2016, at _____ o'clock ____ m.

Pete Buttigieg, Mayor
City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

Filed in Clerk's Office
NOV 14 2016
KAREEMAH FOWLER
CITY CLERK - SOUTH BEND, IN

1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-7678
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 22, 2016

Mr. Tim Scott
President, South Bend Common Council
4th Floor, County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601

Re: Ordinance Establishing New Funds for the City of South Bend

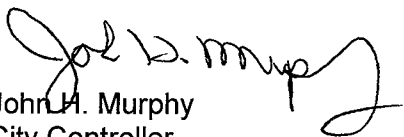
Dear Council President Scott:

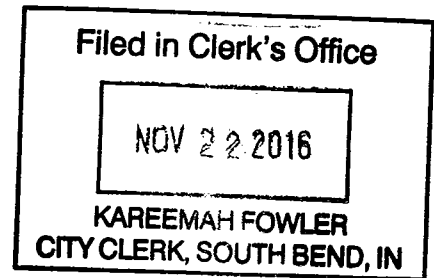
During the preparation and adoption of the 2017 City budget, the need has arisen to add or amend eleven (11) funds to properly account for revenue and expenditures of the City of South Bend. Nine of the new funds relate to the incorporation of trustee accounting activity into the City's regular accounting system, one new fund is required by the State of Indiana to account for the INDOT Community Crossings grant program and the name of Fund 279 is being changed from the 311 Call Center Fund to the IT/Innovation/311 Call Center Fund to reflect the new purpose of the fund.

This bill is respectively submitted for 1st reading with the Common Council for the council meeting scheduled for November 28, 2016 and 2nd reading, public hearing, and 3rd reading at the council meeting on December 12, 2016.

I will be available to discuss this bill at the appropriate sessions of the Personnel and Finance Committee and other meetings of the South Bend Common Council.

Respectfully submitted,


John M. Murphy
City Controller



ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 14 OF THE SOUTH BEND MUNICIPAL CODE TO ESTABLISH VARIOUS NEW FUNDS: LOCAL ROAD AND BRIDGE MATCHING GRANT FUND (265), EQUIPMENT/VEHICLE LEASING FUND (750), PARKS BOND CAPITAL FUND (751), SOUTH BEND REDEVELOPMENT AUTHORITY FUND (752), SMART STREETS BOND CAPITAL FUND (753), INDUSTRIAL REVOLVING FUND (754), SOUTH BEND BUILDING CORPORATION FUND (755), SMART STREETS DEBT SERVICE FUND (756), PARKS BOND DEBT SERVICE FUND (757), THE ERSKINE VILLAGE DEBT SERVICE FUND (758), AND CHANGING THE NAME OF FUND 279 TO THE IT/INNOVATION/311 CALL CENTER FUND

STATEMENT OF PURPOSE AND INTENT

During the preparation and adoption of the 2017 City Budget, the need has arisen to add or amend eleven (11) Funds to properly account for revenue and expenditures of the City of South Bend. Nine (9) new Funds are being added to account for trustee transactions that will be incorporated into the City's formal accounting software and budgeting process for greater efficiency and transparency. In prior years, these trustee accounts were maintained on Excel spreadsheets separate from the City's formal accounting system but have been subject to audit and have been included in the City's Comprehensive Annual Financial Report (CAFR). These Funds consists of Fund Numbers 750 to 758 and will be effective January 1, 2017.

In addition, the State Board of Accounts has directed that grant monies in connection with the Communication Crossings Matching Grant should be accounted for in a separate Fund No. 265 – Local Road and Bridge Matching Grant Fund. This new Fund will be effective December 12, 2016.

Finally, in connection with the recent reorganization and addition of the Innovation and Technology Department to the list of City Executive Departments (Ordinance No. 10477-16, adopted October 10, 2016), the City has expanded the scope of Fund 279 – 311 Call Center Fund. Therefore, the name of the fund will be changed to Fund 279 - IT/Innovation/311 Call Center Fund effective January 1, 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA as follows:

SECTION I. Effective January 1, 2017, the following funds are established, and Chapter 2, Article 14, of the South Bend Municipal Code is hereby amended to add new sections which shall read in their entirety as follows:

Section 2-170.17. Equipment/Vehicle Leasing Fund.

The Equipment/Vehicle Leasing Fund (No. 750) is established to account for the issuance of capital lease debt obligations and the lease purchase of computers, vehicles and other equipment.

Section 2-170.18. Parks Bond Capital Fund.

The Parks Bond and Capital Fund (No. 751) is established to account for the issuance of bonds proceeds to be used for park repairs and improvements.

Section 2-170.19. South Bend Redevelopment Authority Fund.

The South Bend Redevelopment Authority Fund (No. 752) is established to account for lease rental payments from the City and the payment of debt service to bondholders through trust agreements and financial institutions.

Section 2-170.20. Smart Streets Bond Capital Fund.

The Smart Streets Bond Capital Fund (No. 753) is established to account for capital expenditures in connection with the conversion of one-way streets to two-way streets in the downtown area. Funding is provided by proceeds from a Redevelopment Authority bond.

Section 2-170.21. Industrial Revolving Fund.

The Industrial Revolving Fund (No. 754) is established to account for revenue and expenditures in providing loans to qualifying local companies. Financing was originally provided by an Economic Adjustment Assistance Grant from the U.S. Department of Commerce.

Section 2-170.22. South Bend Building Corporation Fund.

The South Bend Building Corporation (Fund No.755) is established to account for debt retirement of the Building Corporation's mortgage Bonds. Funding is provided by transfers from City funds.

Section 2-170.23. Smart Streets Debt Service Fund.

The Smart Streets Debt Service Fund (No. 756) is established to account for debt retirement of the 2015 Redevelopment Authority bonds for conversion of one-way streets to two-way streets in the downtown area. Funding is provided by transfers from the River West Tax Increment Financing Fund.

Section 2-170.24. Parks Bond Debt Service Fund.

The Parks Bond Debt Service Fund (No. 757) is established to account for debt retirement of the 2015 Building Corporation/EDIT bond for parks improvements. Funding is provided by transfers from other City funds.

Section 2-170.25 Erskine Village Debt Service Fund.

The Erskine Village Debt Service Fund (No. 758) is established to account for Erskine Village project debt retirement of the South Side Tax Increment Financing (TIF) District. Funding is provided by transfers from the TIF South Side Development Fund.

SECTION II. Chapter 2, Article 14 of the South Bend Municipal Code shall be amended to add a new section which shall take effect December 12, 2016, and which shall read in its entirety as follows:

Section 2-170.26. Local Road and Bridge Matching Grant Fund No 265.

The Local Road and Bridge Matching Grant Fund (No 265) is established to account for receipt of Community Crossing state grant and matching revenue and for the payment of expenditures on eligible projects.

SECTION III. Chapter 2, Article 14, Section 2-170.16 of the South Bend Municipal Code shall be amended to change the Fund name and which shall read in its entirety as follows:

2-170.16. T/Innovation/ 311Call Center Fund.

Effective January 1, 2016 ~~†~~The T/Innovation/ 311 Call Center Fund (No.279) is established to receive allocations and fees from various City departments to be used to defray the expenses of the City of South Bend Innovation and Technology Department. ~~pro-rata fees from various City departments to be used to defray the expenses of the City of South Bend 311 Call Center.~~

SECTION IV. Except for Section II, which shall be retroactive to December 12, 2016, this ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member, South Bend Common Council

Attest:

City Clerk

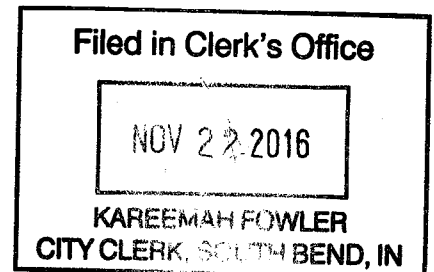
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2____, at _____ o'clock _____.m.

City Clerk

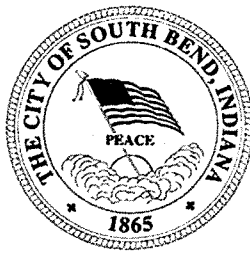
Approved and signed by me on the _____ day of _____, 2_____,
at _____ o'clock, _____.m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED



1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



Bill No. 74-16

PHONE 574/ 235-7678
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 22, 2016

Mr. Tim Scott, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: December 2016 Appropriation Ordinance – Enterprise Funds

Dear President Scott,

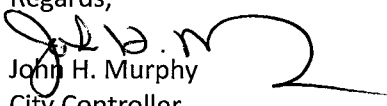
During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2016, we plan to propose adjustments during four time periods—March, June, September and December.

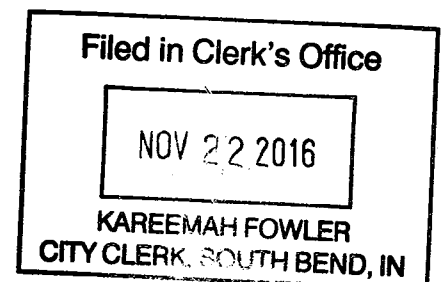
Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1st reading on November 28, 2016 with 2nd reading, public hearing and 3rd reading scheduled for December 12, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,


John H. Murphy
City Controller



OK
[Signature]

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2016 OF \$220,000 FROM CONSOLIDATED BUILDING FUND (#600), \$120,000 FROM SOLID WASTE FUND (#610), \$5,000 FROM WATER WORKS CUSTOMER DEPOSIT FUND (#624), \$4,000 FROM WATER WORKS SINKING FUND (#625), \$5,000 FROM WATER WORKS BOND RESERVE FUND (#626), \$11,000 FROM WATER WORKS DEBT RESERVE O&M FUND (#629), \$45,000 FROM SEWER INSURANCE FUND (#640), \$22,000 FROM SEWAGE WORKS O&M RESERVE FUND (#643), \$5 FROM 2015 SEWER BOND ISSUANCE FUND (#666), AND \$346,506 FROM CENTURY CENTER FUND (#670).

STATEMENT OF PURPOSE AND INTENT

The Common Council passed the City's 2016 operating and capital budgets in 2015 (Ordinances #10389-15 passed on October 12, 2015), which included expenditures for various City enterprise operations. It is now necessary to appropriate additional funds for operational expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2016 and set apart within the following designated funds for operational expenses as follows:

<u>Fund</u>	<u>Amount</u>
Consolidated Building Fund (#600)	\$ 220,000
Solid Waste Fund (#610)	120,000
Water Works Customer Deposit Fund (#624)	5,000
Water Works Sinking Fund (#625)	4,000
Water Works Bond Reserve Fund (#626)	5,000
Water Works Debt Reserve O&M Fund (#629)	11,000
Sewer Insurance Fund (#640)	45,000
Sewage Works O&M Reserve Fund (#643)	22,000
2015 Sewer Bond Issuance Fund (#666)	5
Century Center Fund (#670)	<u>346,506</u>
TOTAL	<u>\$ 778,511</u>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the
_____ day of _____, 2016, at _____ o'clock __ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2016, at
_____ o'clock __ . m.

Mayor, City of South Bend, Indiana

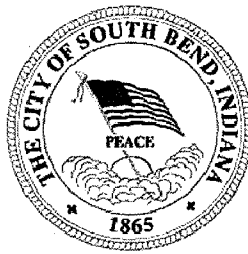
Filed in Clerk's Office
NOV 22 2016
KAREEMAH FOWLER
CITY CLERK SOUTH BEND, IN

City of South Bend, Indiana
December 2016 Additional Appropriation Requests - Enterprise Funds
(Increase or decrease in total fund expenditures)
November 22, 2016

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Consolidated Building Dept	Code Enforcement	Misc Charges & Services	Cecil Eastman	600-1201-415.39-89	--	150,000	Add funds needed for emergency demolitions, funds to be reimbursed by DCI through a CDBG grant
Consolidated Building Dept	Code Enforcement	Misc Charges & Services	Cecil Eastman	600-1201-415.39-89	--	70,000	Emergency demolitions executed in October 2016 (502 Carlisle, 1401 Elwood)
						220,000	
Solid Waste	Solid Waste	311 Call Center Allocation	Carol Kurzhall	610-0610-791.31-75	--	120,000	Allocation based on call volume, higher 311 call volume than anticipated
						120,000	
Water Works Customer Deposit	Water Works	Inter-fund Transfer	Roxanne Lawson	624-0640-658.50-02	--	5,000	Interest earnings higher than expected, earnings transferred to Fund 620
						5,000	
Water Works Sinking Fund	Water Works	Inter-fund Transfer	Roxanne Lawson	625-0640-658.50-02	--	4,000	Interest earnings higher than expected, earnings transferred to Fund 620
						4,000	
Water Works Bond Reserve	Water Works	Inter-fund Transfer	Roxanne Lawson	626-0640-658.50-02	--	5,000	Interest earnings higher than expected, earnings transferred to Fund 620
						5,000	
Water Works Debt Reserve O&M	Water Works	Inter-fund Transfer	Roxanne Lawson	629-0640-658.50-02	--	11,000	Interest earnings higher than expected, earnings transferred to Fund 620
						11,000	
Sewer Insurance	Sewer Operations	Sewer Repair	Terri Swift	640-0620-811.36-09	--	45,000	Current balance in the account is insufficient to cover Sewer insurance expenses through year end, several invoices outstanding and several repair projects in the works. Second opinions have increased and the number of "digs" to sewer lines has increased.
						45,000	
Sewage Works O&M Reserve	Wastewater	Inter-fund Operating Transfer	Carol Kurzhall	643-0630-415.50-02	--	22,000	Higher interest earnings due to larger required cash balance, earnings transferred to Fund 641
						22,000	
2015 Sewer Bond Issuance	Wastewater	Operating Transfer	Carol Kurzhall	666-0630-793.50-02	--	5	Final interest transfer to Fund 641 was higher than budgeted, Fund 666 is now fully closed
						5	
Century Center	Century Center	Commission Payments	Brandon Gerlach	670-0406-645-31-21	--	120,064	Due to the increased business Century Center has enjoyed this year.
Century Center	Century Center	Electricity	Brandon Gerlach	670-0406-645-35-01	--	61,564	Due to the increased business Century Center has enjoyed this year.
Century Center	Century Center	Cost of Goods	Brandon Gerlach	670-0420-645-22-29	--	161,716	Due to the increased business Century Center has enjoyed this year.
Century Center	Century Center	Linen and Décor	Brandon Gerlach	670-0420-645-22-72	--	3,162	Due to the increased business Century Center has enjoyed this year.
						346,506	
Grand Total						778,911	

Filed in Clerk's Office
NOV 22 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-7678
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 22, 2016

Mr. Tim Scott, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: December 2016 Transfer Ordinance

Dear President Scott,

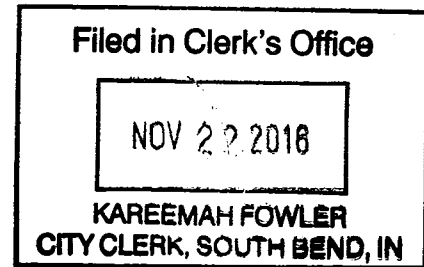
During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2016, we plan to propose adjustments during four time periods—March, June, September and December.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1st reading on November 28, 2016 with 2nd reading, public hearing and 3rd reading scheduled for December 12, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,


John H. Murphy
City Controller



ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2016

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing budgets (Ordinances #10388-15 and 10389-15 passed on October 12, 2015) which necessitate the increase and reduction of appropriations within the various departments of the General Fund and other funds of the City of South Bend during 2016.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. All accounts as set forth in the detailed attachment hereto which are incorporated herein shall be adjusted by increase or reduction of appropriation in the designated sums.

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member of the Common Council

Attest:

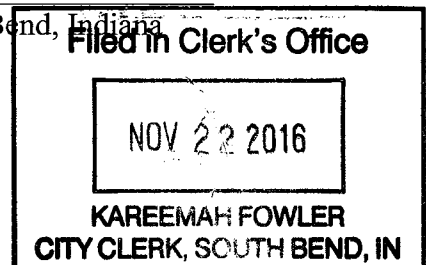
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the _____ day of _____, 2016, at _____ o'clock __ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2016, at _____ o'clock __ . m.

Mayor, City of South Bend, Indiana



NOTHING
BEING READING
NOT APPROVED
REFERRED
PASSED

City of South Bend, Indiana
December 2016 Budget Transfers
 (budget transfers between expenditure categories or departments within the same fund)
 November 22, 2016

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ Decrease	Justification
General Fund	Administration & Finance	Other Professional Services	J. Hockenhill / J. Murphy	101-0401-415-31-06	--	40,000	Limbaugh & Associates - Bond disclosure consulting services
General Fund	Administration & Finance	Regular Salaries	J. Hockenhill / J. Murphy	101-0401-415-10-01	--	(40,000)	Account under budget due to vacancies during the year, HR Director, Diversity & Inclusion Officer, etc.
General Fund	Utilities - Electric	Utilities - Water	Marika Anderson	101-0404-453-35-01	--	17,000	Increased events (increased revenues and expenses)
General Fund	Utilities - Water	Utilities - Electric	Marika Anderson	101-0404-453-35-04	--	2,500	Increased events (increased revenues and expenses)
General Fund	Repair & Maint Services / Building	Repair & Maint Svc's / Computer Equip	Marika Anderson	101-0404-453-38-01	--	6,000	Increased events (increased revenues and expenses)
General Fund	Repair & Maint Svc's / Computer Equip	Repair & Maint Svc's / Computer Equip	Marika Anderson	101-0404-453-38-04	--	900	Increased events (increased revenues and expenses)
General Fund	Regular Salaries	Regular Salaries	Marika Anderson	101-0404-453-10-01	--	(26,400)	Increased events (increased revenues and expenses)
General Fund	Regular Salaries	Regular Salaries	Marika Anderson	101-0405-453-10-01	--	5,000	Part-time employee was approved to work full-time, thus increasing salaries and benefits expenses
General Fund	PEPF	Group Insurance - Health	Marika Anderson	101-0405-453-11-04	--	1,800	Short-staffed, needed to hire extra help with set up and tear down for Palais Royale events
General Fund	Group Insurance - Life	Group Insurance - Life	Marika Anderson	101-0405-453-11-08	--	1,000	Part-time employee was approved to work full-time, thus increasing salaries and benefits expenses
General Fund	Supplies / Laundry, Cleaning, etc	Supplies / Small tools & Equipment	Marika Anderson	101-0405-453-22-21	--	(1,000)	Part-time employee was approved to work full-time, thus increasing salaries and benefits expenses
General Fund	Other Professional Services	Other Professional Services	Marika Anderson	101-0405-453-38-20	--	(1,000)	Account under budget, transfer savings to cover personnel costs
General Fund	Other Professional Services	Other Professional Services	Marika Anderson	101-0405-453-38-01	--	(4,450)	Account under budget, transfer savings to cover personnel costs
General Fund	Legal	Legal	Christal Bisso	101-0501-415-31-06	--	36,500	Funds needed for office remodel
General Fund	Legal	Regular Salaries	Christal Bisso	101-0501-415-10-01	--	(36,500)	Account under budget, actual salaries less than salary caps
General Fund	Engineering	Other Svcs / Refunds, Awards	Cecil Eastman	101-0602-431-39-01	--	8,300	Council approved fee moratorium retroactive to beginning of 2016. Reimburse contractor who paid fees in April 2016.
General Fund	Engineering	Group Insurance - Health	Cecil Eastman	101-0602-431-11-08	--	(8,300)	Health insurance account is under budget.
General Fund	Police	Other Operating Supplies	Ken Glowacki	101-0801-421-22-24	--	910,000	Replaces in-car video cameras, approx. 170 cars paid out of General Fund, a portion will be reimbursed by federal grants.
General Fund	Police	Regular Salaries	Ken Glowacki	101-0801-421-10-01	--	(450,000)	Transfer savings in officers' salaries and benefits to cover replacement of car video cameras.
General Fund	Police	Special Pay's	Ken Glowacki	101-0801-421-10-06	--	(30,000)	Personnel expense accounts are under budget due to vacant police officer positions.
General Fund	Police	Permanent Part-Time	Ken Glowacki	101-0801-421-10-09	--	(20,000)	Personnel expense accounts are under budget due to vacant police officer positions.
General Fund	Police	FICA - Police	Ken Glowacki	101-0801-421-11-03	--	(170,000)	Personnel expense accounts are under budget due to vacant police officer positions.
General Fund	Police	PERF - Police	Ken Glowacki	101-0801-421-11-05	--	(170,000)	Personnel expense accounts are under budget due to vacant police officer positions.
General Fund	Police	Group Insurance - Health	Ken Glowacki	101-0801-421-11-08	--	(200,000)	Personnel expense accounts are under budget due to vacant police officer positions.
General Fund	Other Professional Services	Other Professional Services	T. Swarczan / D. Cacanower	101-0901-422-31-06	--	50,000	Physical exams cost was correctly reclassified to services account.
General Fund	Central Services - Gasoline	Central Services - Gasoline	T. Swarczan / D. Cacanower	101-0901-422-22-01	--	(50,000)	Account is under budget because Fire's fuel costs have been paid out of Fund 404.
General Fund	Regular Salaries	Regular Salaries	Ron O'Connor	201-1100-452-10-01	K60ADM	27,000	Additional labor expenses, severance payouts
General Fund	Contract Services/Charges	Plants Chem. Seed & Fertil. Supplies	Ron O'Connor	201-1100-452-38-89	K60ADM	13,000	Additional expenses for Edge Adventures
General Fund	Repair & Maint / Repair Parts	Repair & Maint / Repair Parts	Ron O'Connor	201-1102-452-22-28	K60ADM	3,200	Transfer funds to cover anticipated operational expenses
General Fund	Repair & Maint / Materials	Repair & Maint / Materials	Ron O'Connor	201-1102-452-23-10	K60ADM	2,000	Transfer funds to cover anticipated operational expenses
General Fund	Admin Fee Allocation	Admin Fee Allocation	Ron O'Connor	201-1102-452-28-99	K60ADM	800	Transfer funds to cover anticipated operational expenses
General Fund	Other Communication/Transportation	Other Communication/Transportation	Ron O'Connor	201-1102-452-31-70	K60ADM	3	Transfer funds to cover anticipated operational expenses
General Fund	Bank Credit Card Charges	Bank Credit Card Charges	Ron O'Connor	201-1102-452-32-05	K60ADM	997	Transfer funds to cover anticipated operational expenses
General Fund	Contract Services/Charges	Contract Services/Charges	Ron O'Connor	201-1102-452-38-89	K60ADM	10,000	Transfer funds to cover anticipated operational expenses
General Fund	Permanent Part-Time	Permanent Part-Time	Ron O'Connor	201-1101-452-10-09	K60ADM	20,000	Transfer funds to cover anticipated operational expenses
General Fund	Group Insurance - Health	Group Insurance - Health	Ron O'Connor	201-1102-452-11-08	K60ADM	50,000	Foreign funds to offset costs in part time labor
General Fund	Inter-fund Transfers	Inter-fund Transfers	Ron O'Connor	201-1102-452-50-02	K60ADM	(7,000)	Transfer funds to cover anticipated operational expenses
General Fund	Inter-fund Transfers	Inter-fund Transfers	Ron O'Connor	201-1102-452-50-02	K60ADM	(120,000)	Transfer funds to cover anticipated operational expenses
General Fund	Utilities - Water	Utilities - Water	Ron O'Connor	201-1101-452-35-04	K60ADM	50,000	Realign funds to other line items to cover increased water usage
General Fund	Central Services - Gasoline	Central Services - Gasoline	Ron O'Connor	201-1101-452-22-01	K60ADM	(50,000)	Realign funds to other line items to cover increased water usage
General Fund	Utilities - Trash Removal	Utilities - Trash Removal	Ron O'Connor	201-1101-452-35-03	K60ADM	1,500	Transfer funds to other line items to cover costs
General Fund	Repair & Maint / Automotive Equip	Repair & Maint / Automotive Equip	Ron O'Connor	201-1101-452-38-03	K60ADM	23,000	Transfer funds to other line items to cover costs
General Fund	Capital Lease / Principal	Capital Lease / Principal	Ron O'Connor	201-1101-452-37-11	K60ADM	1,000	Transfer funds to other line items to cover costs
General Fund	Contract Services/Charges	Contract Services/Charges	Ron O'Connor	201-1101-452-37-12	K60ADM	3,300	Transfer funds to other line items to cover costs
General Fund	Supplies / Laundry, Cleaning, etc	Supplies / Laundry, Cleaning, etc	Ron O'Connor	201-1101-452-38-10	K60ADM	400	Transfer funds to other line items to cover costs
General Fund	Contract Services/Charges	Contract Services/Charges	Ron O'Connor	201-1101-452-38-89	K60ADM	50	Transfer funds to other line items to cover costs
General Fund	Equipment Purch / Motor Equip	Equipment Purch / Motor Equip	Ron O'Connor	201-1101-452-43-02	K60ADM	16,817	Transfer funds to other line items to cover costs
General Fund	Inter-fund Transfers	Inter-fund Transfers	Ron O'Connor	201-1101-452-50-02	K60ADM	(22,889)	Transfer funds to other line items to cover costs
General Fund	Inter-fund Transfers	Inter-fund Transfers	Ron O'Connor	201-1101-452-50-02	K60ADM	(23,373)	Transfer funds to other line items to cover costs
General Fund	Inter-fund Transfers	Inter-fund Transfers	Ron O'Connor	201-1101-452-50-02	K60ADM	0	Transfer funds to other line items to cover costs

Filed in Clerk's Office

NOV 22 2016

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana
December 2016 Budget Transfers
(budget transfers between expenditure categories or departments within the same fund)
November 22, 2016

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ Decrease	Justification
Park Department	Polarawati Zoo	Perf	Ron O'Connor	201-1104-452-10-04	KSQADM	1,200	Transfer funds to cover overtime at the zoo
Park Department	Polarawati Zoo	Group Insurance - Life	Ron O'Connor	201-1104-452-11-04	KSQADM	150	Transfer funds to cover PERF on additional labor expense
Park Department	Polarawati Zoo	Central Services - Gasoline	Ron O'Connor	201-1104-452-11-09	KSQADM	50	Transfer funds to cover life insurance expenses
Park Department	Polarawati Zoo	Other Professional Services	Ron O'Connor	201-1104-452-22-01	KSQADM	(1,000)	Transfer funds to other line items to cover costs
Park Department	Polarawati Zoo	Other Svcs / Returns Awards	Ron O'Connor	201-1104-452-31-08	KSQADM	(300)	Transfer funds to other line items to cover costs
Park Department	Polarawati Zoo	Supplies / Operation & Maintenance	Ron O'Connor	201-1104-452-39-01	KSQADM	(100)	Transfer funds to other line items to cover costs
Park Department	Graffiti Removal	Communication / Telephone	Ron O'Connor	201-1108-452-32-04	KSQADM	500	Realign funds to cover costs in graffiti division
Park Department	Graffiti Removal	Group Insurance - Health	Ron O'Connor	201-1108-452-11-08	KSQADM	100	Realign funds to cover costs in graffiti division
Human Rights Grant Fund	Human Rights	Office Supplies / Furniture & Fixtures	Jen Hockenhill	258-1040-415-21-09		5,200	Conference room table and chairs paid with a supplemental grant from HUD
Human Rights Grant Fund	Human Rights	Other Professional Services	Jen Hockenhill	258-1040-415-31-06		(5,200)	Transfer to cover conference room table and chairs paid with a supplemental grant from HUD
EMIS Capital	Fire	Other Professional Services	T. Sivarcarai / D. Cocanower	287-0902-422-31-06		275,000	The original 2016 budget misclassified some services, putting them in the capital budget
EMIS Capital	Fire	Capital Improvements / Bldg	T. Sivarcarai / D. Cocanower	287-0902-422-42-02		(275,000)	Transfer capital budget to cover services that were misclassified as capital.
COIT	Street	Other Professional Services	J. Hockenhill / J. Murphy	404-0817-431-31-06		42,728	Metronet Zing - City of South Bend Wireless System
COIT	Street	Communication / Telephone	J. Hockenhill / J. Murphy	404-0817-431-32-04		32,272	Telephone costs higher than budgeted
COIT	File	Central Services - Gasoline	J. Hockenhill / J. Murphy	404-0901-422-22-01		(75,000)	Account under budget, gas is cheaper per gallon than budgeted
COIT	Administration & Finance	Capital Lease / Principal	J. Hockenhill / J. Murphy	404-0401-415-37-11		0	
COIT	Police	Central Services - Gasoline	J. Hockenhill / J. Murphy	404-0801-421-22-01		70,000	Police vehicle capital lease payments higher than budgeted, actual amounts per amortization sched no. 97 & 144
COIT	Police	Repair & Maint Svcs / Computer Equip	Ken Glowacki	404-0801-421-36-04		100,000	Advt expenditures for computer software maintenance
COIT	Police	Central Services - Gasoline	Ken Glowacki	404-0801-421-22-01		(100,000)	Gas expenses under budget due to low gas prices.
Park Non-Reverting Capital	Golf Courses	Supplies / Operating & Maint	Ron O'Connor	405-1102-452-22-24	KS2ADM	20,000	Purchase items for golf course repair and maintenance.
Park Non-Reverting Capital	Golf Courses	Contract Services/Charges	Ron O'Connor	405-1102-452-39-89	KS2ADM	20,000	Purchase services for golf course repair and maintenance.
Park Non-Reverting Capital	Golf Courses	Equipment Purch / Park Equip	Ron O'Connor	405-1102-452-43-07	KS2ADM	(40,000)	Transfer to cover costs of golf course repair and maintenance.
Park Non-Reverting Capital	Polarawati Zoo	Contract Services/Charges	Ron O'Connor	405-1104-452-39-89	KS1ADM	4,000	AEP relocated 2 street light poles at Zoo/Polarawati Park.
Park Non-Reverting Capital	Polarawati Zoo	Equipment Purch / Park Equip	Ron O'Connor	405-1104-452-43-07	KS1ADM	(4,000)	Transfer to cover cost of street light poles relocation.
EDIT	Community Investment	Supplies / Sall - Ice Melt	Beth Leonard	408-1050-460-23-40		1,400	Funds needed to cover cost of salt for fountain at Jon Hunt Plaza
EDIT	Parks	Equipment Purch / Park Equip	Beth Leonard	408-1105-452-43-07		70,000	Funds needed to cover cost of blow equipment for Parks Dept.
EDIT	Community Investment	Misc Charges & Services	Beth Leonard	408-1050-460-39-89		(71,400)	Funds available, transfer to cover other needs.
Consolidated Bldg Dept	Building Dept	Repair & Maint / Automotive Equip	Laura Authoff	600-1308-415-38-03		938	Small budget shortfall
Consolidated Bldg Dept	Building Dept	Central Services - Gasoline	Laura Authoff	600-1308-415-22-01		(938)	Account under budget, transfer to cover automotive equipment repair budget.
Consolidated Bldg Dept	Building Dept	Supplies / Small Office Equip	Laura Authoff	600-1308-415-21-05		5,200	Purchase of Microsoft Surface Pro's for inspectors.
Consolidated Bldg Dept	Building Dept	Misc Charges & Services	Laura Authoff	600-1308-415-39-89		(5,200)	Account under budget, transfer to cover purchase of Microsoft Surface Pro's for inspectors.
Parking Garages	Parking Enforcement	Equip Purch / Comp Equip & Network	Ron O'Connor	601-0464-645-43-08		37,500	Cost of upgrading MiParc software for garages
Parking Garages	Main Street Garage	Repair & Maint / Building	Ron O'Connor	601-0660-645-36-01		(12,500)	Transfer to cover cost of upgrading MiParc software for garages
Parking Garages	Leighton Plaza Garage	Repair & Maint / Building	Ron O'Connor	601-0662-645-36-02		(12,500)	Transfer to cover cost of upgrading MiParc software for garages
Parking Garages	Wayne Street Garage	Repair & Maint / Building	Ron O'Connor	601-0464-645-38-03		(12,500)	Transfer to cover cost of upgrading MiParc software for garages
Solid Waste	Solid Waste	Repair & Maint / Automotive Equip	Carol Kurznal	610-0810-791-38-03		128,500	Poor landfill conditions contributed to additional vehicle maintenance
Solid Waste	Solid Waste	Other Services / Landfill	Carol Kurznal	610-0810-791-39-85		100,000	Unforeseen storm/flood damage, costs to clean-up.
Solid Waste	Solid Waste	Central Services - Gasoline	Carol Kurznal	610-0810-791-22-01		(70,000)	Account under budget because more vehicles are using CNG fuel instead of diesel.
Solid Waste	Solid Waste	Hourly Wages	Carol Kurznal	610-0810-791-10-02		(40,000)	Account under budget because department has not been at full staffing levels all year.
Solid Waste	Solid Waste	Temporary Services	Carol Kurznal	610-0810-791-10-05		(6,500)	Account under budget because temp services were not needed this year.
Solid Waste	Solid Waste	PERF	Carol Kurznal	610-0810-791-11-04		(10,000)	Account under budget because lower payroll costs result in lower PERF expense
Solid Waste	Solid Waste	Group Insurance - Health	Carol Kurznal	610-0810-791-11-08		(102,000)	Actual costs have been lower than budget estimates.

Filed in Clerk's Office
KAREMAH FOWLER
CITY CLERK, SOUTH BEND, IN
NOV 22 2016

**City of South Bend, Indiana
December 2016 Budget Transfers
November 22, 2016**

(budget transfers between expenditure categories or departments within the same fund)

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ Decrease	Justification
Solid Waste	Solid Waste	Bad Debt Exp - Trash	Carol Kuzhal	610-0610-791 83-70	--	23,000	Expense account over budget, difficult to predict, no correlation from year to year.
Solid Waste	Recycling	Bad Debt Exp - Recycling	Carol Kuzhal	610-0615-781 83-70	--	4,000	Expense account over budget, difficult to predict, no correlation from year to year.
Solid Waste	Recycling	SWMD Recycling Fee	Carol Kuzhal	610-0615-911 31-08	--	(2,000)	Actual costs have been lower than budget estimates.
Solid Waste	Solid Waste	Other Operating Supplies	Carol Kuzhal	610-0610-791 22-24	--	5,000	Funds needed to purchase front-load dumpsters for trash pick-up at City entities.
Solid Waste	Solid Waste	Other Services / Licenses	Carol Kuzhal	610-0610-791 39-45	--	(5,000)	Anticipated fees related to new trucks, however, trucks were not received in 2016.
Water Works	Water Works Operations	Plumbing Contractors	Roxanne Lawson	620-0630-711 61-02	--	75,000	Increase in water service line repair work.
Water Works	Water Works Operations	Central Services - Gasoline	Roxanne Lawson	620-0640-606 22-01	--	(20,000)	Low gas prices attributed to savings.
Water Works	Water Works Operations	Contractual Services - Other	Roxanne Lawson	620-0640-606 31-51	--	(20,000)	Less street cul repair expense.
Water Works	Water Works Admin	Regular Salaries	Roxanne Lawson	620-0640-668 10-01	--	(10,000)	Less expense is cause of unfilled positions through out the year.
Water Works	Water Works Admin	Hourly Wages	Roxanne Lawson	620-0640-668 10-02	--	(20,000)	Less expense is cause of unfilled positions through out the year.
Water Works	Water Works Operations	Stop Box Repairs	Roxanne Lawson	620-0640-606 36-50	--	(6,000)	Less service work performed by outside contractor.
Water Works	Water Works Admin	Other Professional Services	Roxanne Lawson	620-0640-668 31-06	--	18,000	Water-10-Cash PSA was amended to include a business case evaluation.
Water Works	Water Works Admin	Other Services / Dues	Roxanne Lawson	620-0640-668 39-11	--	4,990	Annual membership dues for National Association of Clean Water Agencies (NACWA).
Water Works	Water Works Admin	State Board of Accounts	Roxanne Lawson	620-0640-668 50-01	--	6,000	Used part of 2016's budget to pay for the 2014 annual audit.
Water Works	Water - Customer Accts	311 Call Center Cost Allocation	Roxanne Lawson	620-0640-667 31-76	--	(28,990)	Account under budget because other city departments are sharing the expense.
Water Works	Water - Customer Accts	Bad Debt Expense	Roxanne Lawson	620-0640-667 63-70	--	7,500	Cover increase in uncollectable utility customer accounts.
Water Works	Water - Customer Accts	Collection Agency Fees	Roxanne Lawson	620-0640-667 31-39	--	(7,500)	Transfer unused balance to cover uncollectable customer accounts written off.
Water Works	Water - Customer Accts	Utilities - Electric	Roxanne Lawson	620-0640-601 35-01	--	52,200	Water usage is greater year-to-date. Increasing the electric used to pump the water.
Water Works	Water Works Admin	Group Insurance - Health	Roxanne Lawson	620-0640-668 11-06	--	(30,000)	Less expense is cause of unfilled positions through out the year.
Water Works	Water Works Admin	Hourly Wages	Roxanne Lawson	620-0640-668 10-02	--	(22,200)	Less expense is cause of unfilled positions through out the year.
Water Works Capital	Water Works	Construction / Engineering	Roxanne Lawson	622-0640-661 31-02	(8)W001	70,000	Establish budget for engineering design services necessary for the North Station Well No. 1 Replacement Project.
Water Works Capital	Water Works	Equipment Purch / Motor Equip	Roxanne Lawson	622-0640-415 43-02	--	(70,000)	Transfer unused balance to assist with the engineering cost portion of the North Station Well No. 1 Replac. Proj.
Sewage Works Operating	Wastewater	Bad Debt Expense - Clay Utilities	Carol Kuzhal	641-0650-891 74-01	--	5,000	Bad debt write-offs fluctuate year to year, difficult to predict the budget needed
Sewage Works Operating	Wastewater	Contractual Services - Other	Carol Kuzhal	641-0630-793 63-35	--	(5,000)	Budget underspent
Employee Benefits	Workplace Clinic/Wellness	Other Operating Supplies	J. Hockenhill / J. Murphy	711-0425-671 22-24	--	62,000	Cost of medication at Wellness Clinic
Employee Benefits	Workplace Clinic/Wellness	Other Professional Services	J. Hockenhill / J. Murphy	711-0425-671 31-06	--	22,000	Administrative cost of Wellness Clinic
Employee Benefits	Insurance Claims/Premiums	Medical Claims	J. Hockenhill / J. Murphy	711-0401-671 34-17	--	(64,000)	Transfer unspent funds to cover Wellness Clinic costs, claims lower than budgeted

Filed in Clerk's Office
NOV 22 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana
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(budget transfers between expenditure categories or departments within the same fund)

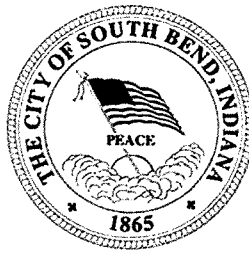
Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Century Center	Century Center	Regular Salaries	Brandon Gerlach	670-0406-645-10-01	--	195,667	An Inflation error was made when keying in the budget for this account causing it to be under budgeted by 100,000. The combined with the two additional staffing positions are the reasons this increase is needed.
Century Center	Century Center	Permanent Part-Time	Brandon Gerlach	670-0406-645-10-09	--	(6,209)	Actual costs have been lower than budget estimates.
Century Center	Century Center	FICA	Brandon Gerlach	670-0406-645-11-00	--	(261)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Group Insurance - Health	Brandon Gerlach	670-0406-645-11-01	--	37,194	Added two additional positions in 2016 causing an increase in costs.
Century Center	Century Center	401K Retirement Plan	Brandon Gerlach	670-0406-645-11-08	--	(11,764)	Actual costs have been lower than budget estimates.
Century Center	Century Center	State Unemployment Tax	Brandon Gerlach	670-0406-645-11-13	--	(6,276)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Federal Unemployment Tax	Brandon Gerlach	670-0406-645-11-14	--	(2,716)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Supplies / Office	Brandon Gerlach	670-0406-645-21-04	--	(1,510)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Central Services - Gasoline	Brandon Gerlach	670-0406-645-22-01	--	(320)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Supplies / Uniforms	Brandon Gerlach	670-0406-645-22-15	--	(1,127)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Operating Supplies / Other Cleaning	Brandon Gerlach	670-0406-645-23-01	--	3,162	Due to the increased business Century Center has enjoyed this year.
Century Center	Century Center	Supplies / Bldg Materials	Brandon Gerlach	670-0406-645-23-02	--	8,944	Due to the upkeep of an aging building.
Century Center	Century Center	Supplies / Sali - Ice Melt	Brandon Gerlach	670-0406-645-23-06	--	2,600	To prepare for winter in order to ensure our walkways remain hazard free
Century Center	Century Center	Other Professional Services	Brandon Gerlach	670-0406-645-31-06	--	20,548	Due to the increased business Century Center has enjoyed this year.
Century Center	Century Center	Prof Svcs / Consulting & Prof	Brandon Gerlach	670-0406-645-31-11	--	(550)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Prof Svcs / Data Processing Fees	Brandon Gerlach	670-0406-645-31-18	--	3,267	Due to additional use to generate more business.
Century Center	Century Center	Prof Svcs / Internet Fees	Brandon Gerlach	670-0406-645-31-19	--	(400)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Postage	Brandon Gerlach	670-0406-645-32-02	--	(218)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Comm / Transport / Travel	Brandon Gerlach	670-0406-645-32-03	--	3,089	Additional sales trips were taken in order to generate more business
Century Center	Century Center	Comm / Transport / Telephone	Brandon Gerlach	670-0406-645-32-04	--	4,999	Due to additional use to generate more business
Century Center	Century Center	Comm / Printing & Advertising	Brandon Gerlach	670-0406-645-33-03	--	(6,977)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Insurance / Workman's Comp	Brandon Gerlach	670-0406-645-34-01	--	15,990	With additional business we have needed additional part-time staff
Century Center	Century Center	Insurance / Liability Insurance	Brandon Gerlach	670-0406-645-34-02	--	2,919	Due to the increased business Century Center has enjoyed this year
Century Center	Century Center	Insurance / Liability Other	Brandon Gerlach	670-0406-645-34-05	--	(3,432)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Utilities - Gas	Brandon Gerlach	670-0406-645-35-02	--	(4,911)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Utilities - Trash	Brandon Gerlach	670-0406-645-35-03	--	6,792	Due to the increased business Century Center has enjoyed this year
Century Center	Century Center	Utilities - Water	Brandon Gerlach	670-0406-645-35-04	--	596	Due to the increased business Century Center has enjoyed this year
Century Center	Century Center	Repairs & Maint Svcs / Bldgs	Brandon Gerlach	670-0406-645-36-01	--	29,392	Due to the upkeep of an aging building.
Century Center	Century Center	Repairs & Maint Svcs / Office	Brandon Gerlach	670-0406-645-36-02	--	(6,833)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Repairs & Maint Svcs / CPU	Brandon Gerlach	670-0406-645-36-04	--	3,774	Due to the additional costs of maintaining aging computer equipment
Century Center	Century Center	Other Svcs / Dues	Brandon Gerlach	670-0406-645-39-11	--	(2,823)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Other Svcs / Security	Brandon Gerlach	670-0406-645-39-12	--	11,955	Due to an increase in the event types that require additional security
Century Center	Century Center	Other Svcs / Credit Card	Brandon Gerlach	670-0406-645-39-39	--	(3,289)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Other Svcs / Licenses & Permits	Brandon Gerlach	670-0406-645-39-48	--	(2,288)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Other Svcs / Education & Train	Brandon Gerlach	670-0406-645-39-70	--	(21,972)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Other Svcs / Employee Good	Brandon Gerlach	670-0406-645-39-88	--	(67)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Other Svcs / Misc. Charges	Brandon Gerlach	670-0406-645-42-02	--	(14,722)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Capital Improvements / Buildings	Brandon Gerlach	670-0406-645-50-02	--	(79,390)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Other Financing Uses	Brandon Gerlach	670-0406-645-10-01	--	(73,927)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Regular Salaries	Brandon Gerlach	670-0406-645-10-05	--	(43,135)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Hourly Wages	Brandon Gerlach	670-0406-645-10-06	--	(5,809)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-11-01	--	(21,159)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-11-05	--	34,016	Due to the creation of a banquet manager position who oversees the banquet staff
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-11-08	--	(10,650)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-11-11	--	(16,143)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-11-13	--	(3,539)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-11-14	--	(623)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-22-05	--	(8,515)	Actual costs have been lower than budget estimates.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-22-71	--	5,000	Aging building requiring more upkeep
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-36-01	--	3,000	Increased business resulted in more revenue, but also more rental expenses
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-37-05	--	4,000	Due to the increased business Century Center has enjoyed this year.
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-39-39	--	200	Due to increase in individuals needing to obtain a bartender's license
Century Center	Century Center	Food & Beverage	Brandon Gerlach	670-0406-645-39-48	--	0	
				Grand Total		0	

Filed in Clerk's Office

NOV 22 2016

KAREMAH FOWLER
CITY CLERK, SOUTH BEND, IN

1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



Bill No. 76-16
PHONE 574/ 235-7678
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 22, 2016

Mr. Tim Scott, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: December 2016 Appropriation Ordinance – Civil City Funds

Dear President Scott,

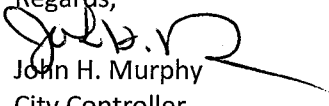
During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2016, we plan to propose adjustments during four time periods—March, June, September and December.

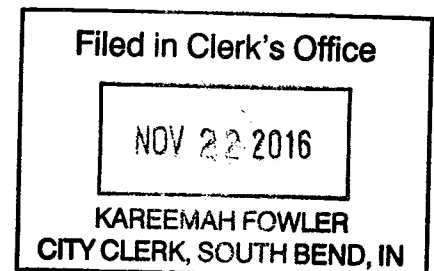
Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and council meetings. It is requested that this bill be filed for 1st reading on November 28, 2016 with 2nd reading, public hearing and 3rd reading scheduled for December 12, 2016.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-7678.

Regards,


John H. Murphy
City Controller



ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2016 OF \$364,100 FROM GENERAL FUND (#101), \$25,000 FROM UNSAFE BUILDING FUND (#219), \$25,000 FROM LOCAL ROADS & STREETS FUND (#251), \$150,000 FROM LOIT 2016 SPECIAL DISTRIBUTION FUND (#257), \$10,000 FROM INDIANA RIVER RESCUE FUND (#291), \$212,542 FROM COPS MORE GRANT FUND (#295), \$150,000 FROM COUNTY OPTION INCOME TAX FUND (#404) AND \$100,000 FROM PARKS NONREVERTING CAPITAL FUND (#405).

STATEMENT OF PURPOSE AND INTENT

The Common Council passed the City’s 2016 operating and capital budgets in 2015 (Ordinances #10388-15 passed on October 12, 2015) which included expenditures for various City operations. It is now necessary to appropriate additional funds for operational and capital expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2016 and set apart within the following designated funds for expenditures as follows:

<u>Fund</u>	<u>Amount</u>
General Fund (#101)	\$ 364,100
Unsafe Building Fund (#219)	25,000
Local Roads & Streets Fund (#251)	25,000
LOIT 2016 Special Distribution Fund (#257)	150,000
Indiana River Rescue Fund (#291)	10,000
COPS MORE Grant Fund (#295)	212,542
County Option Income Tax Fund (#404)	150,000
Parks Nonreverting Capital (#405)	100,000
TOTAL	<u>\$ 1,036,642</u>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

Member of the Common Council

Attest:

City Clerk

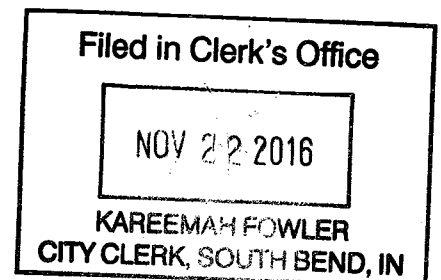
Presented by me to the Mayor of the City of South Bend, Indiana, on the
____ day of _____, 2016 at _____ o'clock ____ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2016 at
____ o'clock ____ . m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED



City of South Bend, Indiana
December 2016 Additional Appropriation Requests - Civil City Funds
 (increase or decrease in total fund expenditures)
 December 22, 2016

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
General Fund	Fire	Extra & Overtime	T. Skwarcan/ D. Cocanower	101-0901-422.10-04	--	290,000	Overtime needed to cover light duty, sick time, and special events
General Fund	Fire	Comp Time Buy Back	T. Skwarcan/ D. Cocanower	101-0901-422.11-21	--	74,100	Account is over budget due to unexpected retirements
						384,100	
Unsafe Building	Code Enforcement	Misc Charges & Services	Cecil Eastman	219-1201-415.39-89	--	25,000	Emergency demolitions expected before Jan 1, 2017
						25,000	
Local Roads & Streets	Streets & Lighting	Street Maintenance	Cecil Eastman	251-0608-431.36-10	--	25,000	Van-accessible parking space for County-City Building
						25,000	
LOIT 2016 Special Distribution	Streets & Lighting	Professional Services	Cecil Eastman	257-0608-431.31-06	--	150,000	Engineering for Community Crossings Grant. Not considered part of the matching monies.
						150,000	
							A special distribution of LOIT revenue was received on 5/6/16 for \$4,217,550. The 2016 expenditure budget is \$850,000, leaving a balance of \$3,367,550 at 12/31/16. The 2017 expenditure budget is \$2,130,000.
Indiana River Rescue	Fire	Extra & Overtime	T. Skwarcan/ D. Cocanower	291-0904-422.10-04	--	10,000	Additional overtime due to offering 6 classes instead of 3
						10,000	
COPS MORE Grant	Police	Other Operating Supplies	Ken Glowacki	295-0801-421.22-24	--	172,542	Purchase of 27 vehicle cameras to be installed in new police vehicles.
COPS MORE Grant	Police	Other Operating Supplies	Ken Glowacki	295-0801-421.22-24	--	40,000	Purchase of vehicle cameras to replace Digital Ally camera for existing police vehicles.
						212,542	These amounts will be reimbursed by a federal grant.
COIT	Streets & Lighting	Street Maintenance	Cecil Eastman	404-0608-431.36-10	--	150,000	Add'l funds needed for flood repairs: Randolph St, Chippewa Ave at Bowman Creek, Ireland Road at High St, and about \$20-25K for contingencies.
						150,000	
Parks Nonreverting Capital	Parks	Land Improvements	Ron O'Connor	405-1101-452-42-01		50,000	Renovations to the softball diamond at Veteran's Memorial Park to support the IU South Bend team. Includes fencing, infield refurbishing, turf, irrigation, dugout, press box, scoreboard, lighting, bleachers and a storage unit. Funding provided by a check from IU South Bend.
Parks Nonreverting Capital	Parks	Contracted Services	Ron O'Connor	405-1101-452-39-89		50,000	
						100,000	
						1,036,642	
				Grand Total			

Filed in Clerk's Office
 NOV 22 2016
 KAREEMAH FOWLER
 CITY CLERK, SOUTH BEND, IN

RESOLUTION NO. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND, INDIANA,
APPROVING A PETITION OF THE AREA
BOARD OF ZONING APPEALS
FOR THE PROPERTY LOCATED AT**

Lots 2 and 3 Coveleski Park Minor Subdivision
South Bend, Indiana 46601

WHEREAS, Indiana Code Section 36-7-4-918.6, requires the Common Council to give notice pursuant to Indiana Code Section 5-14-1.5-5, 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 pursuant to Indiana Code Section 36-7-4-918.4, and

WHEREAS, the Area Board of Zoning Appeals has made a recommendation, pursuant to applicable state law.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA as follows:

SECTION I. The Common Council has provided notice of the hearing on the Petition from the Area Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for the property located at:

Lots 2 and 3 Coveleski Park Minor Subdivision
South Bend, Indiana 46601

in order to permit

Residential Uses including, but not limited to, Multifamily Dwellings in the CBD Central Business District zoning classification.

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Area Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

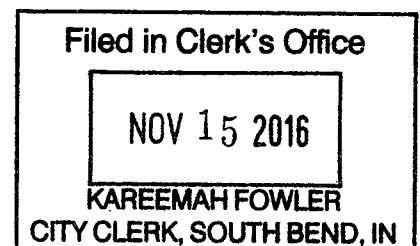
SECTION III. The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
2. The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;
3. The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive plan;

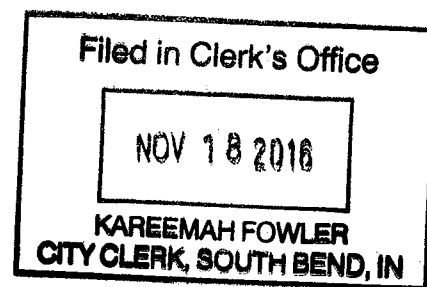
SECTION IV. Approval is subject to the Petitioner complying with the reasonable conditions established by the Area Board of Zoning Appeals which are on file in the office of the City Clerk.

SECTION V. The Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Member of the Common Council



PETITION FOR ZONING VARIANCE
AND SPECIAL EXCEPTION



Filing Date: November 15, 2016

Petitioner: TWG Development, LLC
c/o J.B. Curry, Vice President of Market Rate Development
333 N. Pennsylvania St., Suite 100
Indianapolis, Indiana 46204
(317) 653-3083
jcurry@twgdev.com

Property Address: Lot 2 Coveleski Park Minor Subdivision, Parcel ID 018-3014-051501
Lot 3 Coveleski Park Minor Subdivision, Parcel ID 018-3014-051502
(collectively, the "Property")

Owner of Property: Department of Redevelopment City of South Bend

This petition requests the Area Board of Zoning Appeals (the "BZA") consider certain variances from the development standards in the CBD Central Business District. This petition requests the following variances:

- 1) From the required 50% of the elevation view from the street frontage to be located between the 0' Minimum and 15' Minimum Front setback to 0%.
- 2) From the required 15' setback for interior access drives and parking to 5' which roads framing the site will include pillars with fencing along the boundary with landscaping.
- 3) From the required 5' rear setback to 0' rear setback.
- 4) From the requirement that the trash enclosure not be located between the front facade and the front lot line. Petitioner expects to screen the dumpsters.
- 5) From the required foundation landscaping around a dumpster enclosure to none. Petitioner expects to screen the dumpsters.
- 6) From the required perimeter yard landscaping to none. Petitioner does expect to use a fence and landscaping hedging.
- 7) From the required interior off-street parking area landscaping to none. Petitioner is currently considering the addition of trees in the surface area lots.
- 8) From the requirement that off-street loading not be located between the front lot line and the front facade of the building.
- 9) From the required 20'-0" minimum depth of parking spaces of off-street parking areas to 18'-0".

Additionally, the petitioner requests the BZA recommend a special exception to permit Petitioner to develop a portion of the Property for Residential Uses including, but not limited to, Multifamily Dwellings as permitted in Section 21-03.06(a)(2)(H) of the City of South Bend, Indiana Municipal Code. The Petitioner, partnering with Mr. Andrew Berlin, has announced plans to develop the Property with a \$21 million, 120-unit mixed-use project (the "Project") on the vacant land on such Property.

In accordance with Indiana Code 36-7-4-918.4, Petitioner provides that:

- (i) The proposed Project will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare.

The Project will comply with all building, fire safety, traffic and all other applicable laws and regulations. The Project is expected to include 120 apartments and 10,000 square feet of retail space on currently vacant land adjacent to Four Winds Field.

- (ii) The use and value of the area adjacent to the property included in the variance will not be injured or adversely affected.

The Project is expected to include 120 apartments and 10,000 square feet of retail space on currently vacant land. The Project is expected to continue the City's efforts to redevelop the area which would improve the general welfare of the community and improve the adjacent property through the promotion of future development in the area.

- (iii) The proposed special use will be consistent with the character of the district in which it is located and the land uses authorized therein.

The Project is a part of the City's efforts to redevelop the district, which includes the area surrounding Four Winds Field and the former Studebaker Assembly Plant. The Department of Redevelopment City of South Bend currently owns the land and has agreed to sell it to Mr. Andrew Berlin to promote development like this Project.

- (iv) The proposed use is compatible with the recommendations of the City's Comprehensive Plan.

The Project is a part of the City's efforts to redevelop the district, which includes the area surrounding Four Winds Field and the former Studebaker Assembly Plant. The Department of Redevelopment City of South Bend currently owns the land and has agreed to sell it to Mr. Andrew Berlin to promote development like this Project.

Strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the Property. As provided in the Site Plans and Aerial View of the Property attached hereto, the total acreage and layout of the Property adjacent to Four Winds Field requires certain variances to fit the Project within the Property while also utilizing Four Winds Field. Without the variances and the special exception, the size and the scope of the Project would be substantially limited.

Zoning Classification: CBD Central Business District

Township: Portage

We ask that the BZA consider this petition. J.B. Curry will be presenting this petition at the BZA meeting and I, as attorney for the Petitioner, will be present at the meeting.

Should you require additional information, please let me know.

Sincerely,

Anne E. Fischesser
Faegre Baker Daniels LLP
202 S. Michigan Street, Suite 1400
South Bend, Indiana 46601
(574) 239-1943

Attachments

Parcel ID: 018-3014-051501

ParcelIdCounty	OwnerName	OwnerAddress	OwnerCity	OwnerState	OwnerZIP	PropAddress	PropCity	PropState	PropZIP
018-3013-0465	GRANGER COMMUNITY CHURCH INC	630 E University Dr	Granger	IN	46530	502 WESTERN	SOUTH BEND	IN	46601
018-3014-051501	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3015-0552	412 SB LLC	15131 Clifden Dr	Granger	IN	46530	402 LAFAYETTE	SOUTH BEND	IN	46601
018-3013-0468	JAWORSKI DANIEL	415 S William St	South Bend	IN	46601	415 WILLIAM	SOUTH BEND	IN	46601
018-3015-055601	HOPE HOUSING LP % RESCUE INC	PO BOX 4488	South Bend	IN	46634				
018-3013-0459	SWEET HOME MINISTRIES INC	410 S Taylor St	South Bend	IN	46601	410 TAYLOR	SOUTH BEND	IN	46601
018-3008-0257	FIRST BANK AND TRUST CO. TRUSTEE %FIRST SOURCE BANK TRUST DEPT	P.o.box #1602	South Bend	IN	46634	328 LAFAYETTE	SOUTH BEND	IN	46601
018-3009-0311	JONES PETRIE RAFINSKI CORP	333 Lafayette	South Bend	IN	46601	333 LAFAYETTE	SOUTH BEND	IN	46601
018-3015-0555	412 SB LLC	15131 Clifden Dr	Granger	IN	46530	412 LAFAYETTE	SOUTH BEND	IN	46601
018-3008-0258	FIRST BANK AND TRUST CO. TRUSTEE % FIRST SOURCE BANK TRUST DEPT	P.o.box #1602	South Bend	IN	46634	328 LAFAYETTE	SOUTH BEND	IN	46601
018-3015-0544	ZION HILL MISSIONARY BAPTIST CHURCH INC	310 Monroe St	South Bend	IN	46601	310 MONROE	SOUTH BEND	IN	46601
018-3012-0412	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3012-0421	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				

018-3009-0308	JONES PETRIE RAFINSKI CORP	329 Lafayette	South Bend	IN	46601	325 LAFAYETTE	SOUTH BEND	IN	46601
018-3012-0424	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3014-0515	CITY OF SOUTH BEND IN FBO PARKS AND REC DEPT	227 W Jefferson Blvd	South Bend	IN	46601	501 SOUTH	SOUTH BEND	IN	46601
018-3015-0556	RESCUE INC DBA HOPE RESUE MISSION CORRECT SP FR DEED	P O Box 4488	South Bend	IN	46634	432 LAFAYETTE	SOUTH BEND	IN	46601
018-3008-0256	JONES PETRIE RAFINSKI CORP	325 S LaFayette St	South Bend	IN	46601	322 LAFAYETTE	SOUTH BEND	IN	46601
018-3012-0447	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Bld 1400	South Bend	IN	46601	401 LAFAYETTE	SOUTH BEND	IN	46601
018-3012-0425	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3012-044002	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3012-044004	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3012-041201	CSL REALTY LLC	10802 Executive Center Dr	Little Rock	AR	72211	318 TAYLOR	SOUTH BEND	IN	46601
018-3014-051503	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3012-0452	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601	333 WESTERN	SOUTH BEND	IN	46601
018-3009-0307	JONES PATRIE RAFINSKI CORP	325 S Lafayette	South Bend	IN	46601	317 LAFAYETTE	SOUTH BEND	IN	46601

018-3014-051502	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601					
018-3012-0422	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601					

PARCEL ID: 018-3014-051502

ParcelIdCounty	OwnerName	OwnerAddress	Owner City	Owner State	Owner ZIP	PropAddress	PropCity	PropState	PropZIP
018-3015-0570	FLAMINGOS INC	425 S Main St	South Bend	IN	46601	425 MAIN	SOUTH BEND	IN	46601
018-3008-0267	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601	333 MAIN	SOUTH BEND	IN	46601
018-3014-051501	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3015-0552	412 SB LLC	15131 Clifden Dr	Granger	IN	46530	402 LAFAYETTE	SOUTH BEND	IN	46601
018-3015-056301	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd	South Bend	IN	46601	504 LAFAYETTE	SOUTH BEND	IN	46601
018-3015-0575	BELL PATRICIA J REV TRUST PATRICIA J BELL & JULE L BELL SR CO TRUSTEES	3912 Valencia Way	Naples	FL	34112	210 MONROE	SOUTH BEND	IN	46601
018-3015-0544	ZION HILL MISSIONARY BAPTIST CHURCH INC	310 Monroe St	South Bend	IN	46601	310 MONROE	SOUTH BEND	IN	46601
018-3015-0573	TASHA BAILEY BRANDY & BEN GROUP LLC	9434 Indianapolis Blvd	Highland	IN	46322	211 MONROE	SOUTH BEND	IN	46601
018-3015-0566	TRANSFORMATIONAL SPACES INC	401 S Main St	South Bend	IN	46601	202 WESTERN	SOUTH BEND	IN	46601
018-3015-055601	HOPE HOUSING LP % RESCUE INC	PO BOX 4488	South Bend	IN	46634				
018-3009-0308	JONES PETRIE RAFINSKI CORP	329 Lafayette	South Bend	IN	46601	325 LAFAYETTE	SOUTH BEND	IN	46601
018-3008-0256	JONES PETRIE RAFINSKI CORP	325 S LaFayette St	South Bend	IN	46601	322 LAFAYETTE	SOUTH BEND	IN	46601

018-3008-0257	FIRST BANK AND TRUST CO. TRUSTEE %FIRST SOURCE BANK TRUST DEPT	P.o.box #1602	South Bend	IN	46634	328 LAFAYETTE	SOUTH BEND	IN	46601
018-3015-0572	TASHA BAILEY BRANDY & BEN GROUP LLC	9434 Indianapolis Blvd	Highland	IN	46322	429 MAIN	SOUTH BEND	IN	46601
018-3015-0563	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd Ste 1400	South Bend	IN	46601	520 LAFAYETTE	SOUTH BEND	IN	46601
018-3015-0555	412 SB LLC	15131 Clifden Dr	Granger	IN	46530	412 LAFAYETTE	SOUTH BEND	IN	46601
018-3008-0258	FIRST BANK AND TRUST CO. TRUSTEE %FIRST SOURCE BANK TRUST DEPT	P.o.box #1602	South Bend	IN	46634	328 LAFAYETTE	SOUTH BEND	IN	46601
018-3014-0515	CITY OF SOUTH BEND IN FBO PARKS AND REC DEPT	227 W Jefferson Blvd	South Bend	IN	46601	501 SOUTH	SOUTH BEND	IN	46601
018-3015-0556	RESCUE INC DBA HOPE RESUE MISSION CORRECT SP FR DEED	P O Box 4488	South Bend	IN	46634	432 LAFAYETTE	SOUTH BEND	IN	46601
018-3014-051504	RUN FASTER RUN LLC	501 W South Street	South Bend	IN	46601	525 LAFAYETTE	SOUTH BEND	IN	46601
018-3014-051503	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3014-051502	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601				
018-3015-0571	FLAMINGOS INC	425 S Main St	South Bend	IN	46601	425 MAIN	SOUTH BEND	IN	46601
018-3012-0452	DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND	227 W Jefferson Blvd 1400	South Bend	IN	46601	333 WESTERN	SOUTH BEND	IN	46601
018-3009-0311	JONES PETRIE RAFINSKI CORP	333 Lafayette	South Bend	IN	46601	333 LAFAYETTE	SOUTH BEND	IN	46601