



## **SOUTH BEND COMMON COUNCIL**

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### **MEETING AGENDA**

Monday, October 9, 2017

7:00 P.M.

1. **INVOCATION- DOUGLAS SPARKS, BISHOP OF THE EPISCOPAL DIOCESE OF NORTHERN INDIANA**
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**
5. **SPECIAL BUSINESS**

BILL NO.

[11-2017](#) A SPECIAL PROCLAMATION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY RECOGNIZING THE 100 YEAR ANNIVERSARY OF THE HISTORIC SANCTUARY AT 310 W. MONROE ST AS THE SITE OF THE FIRST AFRICAN-AMERICAN CHURCH IN SOUTH BEND

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**

**TIME:** \_\_\_\_\_

BILL NO.

[48-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING A SECTION OF CHAPTER 2, ARTICLE 6 OF THE SOUTH BEND MUNICIPAL CODE PERTAINING TO TAX ABATEMENTS

[66-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE SOUTH BEND MUNICIPAL CODE AT CHAPTER 17, ARTICLE 1, SECTION 17-4 TO ADDRESS PROCEDURES FOR DOWNSPOUT DISCONNECTIONS

[51-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF SEVERAL DEPARTMENTS OF THE CIVIL CITY OF SOUTH BEND, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018 INCLUDING ALL OUTSTANDING CLAIMS AND

OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

- [52-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DESIGNATED ENTERPRISE FUNDS OF THE CITY OF SOUTH BEND, INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018 INCLUDING ALL OUTSTANDING CLAIMS, AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT.
- [59-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE SOUTH BEND CITY CLERK FOR CALENDAR YEAR 2018
- [60-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE COMMON COUNCIL MEMBERS FOR CALENDAR YEAR 2018
- [61-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE MAYOR FOR CALENDAR YEAR 2018
- [62-17](#) PUBLIC HEARING ON AN ORDINANCE FIXING MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NON-BARGAINING EMPLOYEES OF THE CITY OF SOUTH BEND, INDIANA, FOR THE CALENDAR YEAR 2018
- [63-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA FIXING MAXIMUM WAGES OF TEAMSTER EMPLOYEES FOR CALENDAR YEARS 2017-2020
- [64-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, RE-AFFIRMING ORDINANCE NO. 10472-16 AND FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEAR 2018
- [65-17](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEARS 2018, 2019, 2020 AND 2021

8. **BILLS ON THIRD READING**

**TIME:**\_\_\_\_\_

BILL NO.

- [48-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING A SECTION OF CHAPTER 2, ARTICLE 6 OF THE SOUTH BEND MUNICIPAL CODE PERTAINING TO TAX ABATEMENTS
- [59-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE SOUTH BEND CITY CLERK FOR CALENDAR YEAR 2018
- [60-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE COMMON COUNCIL MEMBERS FOR CALENDAR YEAR 2018
- [61-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE MAYOR FOR CALENDAR YEAR 2018
- [62-17](#) THIRD READING ON AN ORDINANCE FIXING MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NON-BARGAINING EMPLOYEES OF THE CITY OF SOUTH BEND, INDIANA, FOR THE CALENDAR YEAR 2018
- [63-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA FIXING MAXIMUM WAGES OF TEAMSTER EMPLOYEES FOR CALENDAR YEARS 2017-2020
- [64-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, RE-AFFIRMING ORDINANCE NO. 10472-16 AND FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEAR 2018
- [65-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEARS 2018, 2019, 2020 AND 2021

[66-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE SOUTH BEND MUNICIPAL CODE AT CHAPTER 17, ARTICLE 1, SECTION 17-4 TO ADDRESS PROCEDURES FOR DOWNSPOUT DISCONNECTIONS

**BILLS CONTINUED IN COUNCIL PORTION ONLY**

[50-17](#) THIRD READING ON AN ORDINANCE OF THE CITY OF SOUTH BEND, INDIANA, LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSES OF THE CIVIL CITY OF SOUTH BEND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018

[54-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING, ADOPTING AND APPROVING THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION' S 2018 BUDGET AND LEVYING THE TAX AND FIXING THE RATE OF THE TAXATION FOR THE PURPOSE OF RAISING REVENUE TO FUND THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION, SOUTH BEND, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018

9. **RESOLUTIONS**

BILL NO.

[17-57](#) 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 211 W. MONROE STREET

[17-60](#) 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 325 SOUTH WALNUT STREET, SOUTH BEND, INDIANA 46617 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR MASTERBILT, INCORPORATED

[17-62](#) 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 3333 N KENMORE ST, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (7) SEVEN-YEAR REAL PROPERTY TAX ABATEMENT FOR TRI-PAC, INC.

- [17-64](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SUPPORTING THE INCLUSION OF THREE PROPERTIES WITHIN THE RIVER WEST DEVELOPMENT AREA (AIRPORT AREA), NAMELY: LEEPER PARK, THE MUSEUM CAMPUS, AND THE CITY CEMETERY
- [17-65](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SUPPORTING THE CITY ADMINISTRATION'S STUDY OF AT-GRADE RAILROAD CROSSINGS FOR THE PURPOSE OF CREATING ADDITIONAL QUIET ZONES IN THE CITY
- [17-66](#) 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 3333 N KENMORE ST, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR TRI-PAC, INC.
- [17-68](#) A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER SUPERSEDING A CONFIRMATORY RESOLUTION AND MODIFYING AND 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 REAL PROPERTY TAX ABATEMENT FOR GLC SBDC II, LLC

10. **BILLS ON FIRST READING**

BILL NO.

- [67-17](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 24605 CLEVELAND ROAD, SOUTH BEND, INDIANA
- [68-17](#) FIRST READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE AND SEEKING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 403 S, PARRY STREET COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA
- [69-17](#) FIRST READING ON AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTIES: STREET VACATION- EDDY STREET FROM CORBY STREET SOUTH 180 FEET +/-, CORBY STREET FROM EDDY STREET WEST 90 FEET +/-, CORBY STREET FROM EDDY STREET EAST

230 FEET +/-, THE FIRST EAST/WEST ALLEY BETWEEN HOWARD STREET ON THE WEST AND THE FIRST NORTH/SOUTH ALLEY EAST OF SOUTH BEND AVENUE, SOUTH BEND, INDIANA

[70-17](#) FIRST READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF NILES AVENUE AND CEDAR STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[71-17](#) FIRST READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1032 WAYNE STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[72-17](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 2 RESIDENTIAL DISTRICTS TO AMEND AVERAGE FRONT SETBACK PROVISIONS; ARTICLE 3 COMMERCIAL / MIXED USE DISTRICTS TO REMOVE MAXIMUM AREA REQUIREMENTS FOR OUTDOOR SEATING FOR RESTAURANTS IN THE O OFFICE DISTRICT, LB LOCAL BUSINESS DISTRICT AND CB COMMUNITY BUSINESS DISTRICT, AND ADD PROVISION TO ALLOW OUTDOOR SEATING IN THE GB GENERAL BUSINESS DISTRICT; AND ARTICLE 7 GENERAL REGULATIONS TO ALLOW REQUIRED LANDSCAPING TO BE PLACED WITHIN RIGHT-OF-WAY AND EXEMPT THE MU MIXED USE DISTRICT FROM MINIMUM PARKING REQUIREMENTS.

[73-17](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 1 BASIC PROVISIONS TO REVISE CLEAR SIGHT AREA REQUIREMENTS AND PRIVATE STREET WIDTHS, ARTICLE 2 RESIDENTIAL DISTRICTS TO REVISE GRADE LEVEL IMPROVEMENT STANDARDS, AND ARTICLE 3 COMMERCIAL / MIXED USE DISTRICTS TO REVISE DRIVE-THROUGH FACILITY STANDARDS

[74-17](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 1 BY ALLOWING USES PERMITTED IN A LESS INTENSE DISTRICT TO BE PERMITTED IN A MORE INTENSE DISTRICT

[75-17](#) 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 2017

[76-17](#) 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 2017 OF \$40,000 FROM GENERAL FUND (#101), \$117,571 FROM PARKS FUND (#201), \$25,000 FROM COMMUNITY INVESTMENT OPERATING FUND (#211), \$80,000 FROM STATE-SEIZED DRUG MONEY FUND (#216), \$2,733 FROM UNSAFE BUILDING FUND (#219), \$97,000 FROM LOCAL ROADS & STREETS FUND (#251), \$25,000 FROM POLICE GRANTS FUND (#292), \$90,000 FROM FEDERAL DRUG ENFORCEMENT FUND (#299), \$362 FROM ZOO ENDOWMENT FUND (#403), \$40,000 FROM PARKS CAPITAL FUND (#405), \$11,755 FROM PROJECT RELEAF FUND (#655), AND \$396,500 FROM SMART STREETS DEBT SERVICE FUND (#756).

[77-17](#) 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 2017 OF \$20,000 FROM EMS OPERATING FUND (#287), \$7,823 FROM CONSOLIDATED BUILDING FUND – CODE ENFORCEMENT (#600), \$100,000 FROM SEWER INSURANCE FUND (#640), \$288,850 FROM SEWAGE WORKS OPERATIONS & MAINTENANCE FUND (#641), \$10,800 FROM SEWAGE DEPRECIATION FUND (#642) AND \$200 FROM 2011 SEWER BOND FUND (#659).

[78-17](#) A FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING A SECTION OF CHAPTER 2, ARTICLE 6, SECTION 2-84.14 OF THE SOUTH BEND MUNICIPAL CODE PERTAINING TO TAX ABATEMENTS

11. **UNFINISHED BUSINESS**

BILL NO.

[12-17](#) AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN CLAY TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 4, FOR 17330 STATE ROAD 23, SOUTH BEND, INDIANA

12. **NEW BUSINESS**

13. **PRIVILEGE OF THE FLOOR**

14. **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, 4<sup>th</sup> 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.*