



SOUTH BEND COMMON COUNCIL

MEETING AGENDA

Monday, November 27, 2017

7:00 P.M.

1. **INVOCATION- PASTOR EDDIE RUIZ- FISH LAKE COMMUNITY CHURCH**
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**
5. **SPECIAL BUSINESS**
6. **REPORTS FROM CITY OFFICES**
7. **COMMITTEE OF THE WHOLE** **TIME: _____**

BILL NO.

68-17 PUBLIC HEARING 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

70-17 PUBLIC HEARING 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 PUBLIC HEARING 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

80-17 PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SOUTH BEND AND THE COUNTY OF ST. JOSEPH TO PROVIDE CITY MANAGEMENT RESPONSIBILITY FOR THE HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY (THE HPC) AND AMENDING CHAPTER 2

ARTICLE 4, SECTION 2-13, SUB-PART (B) (7) OF THE SOUTH BEND MUNICIPAL CODE TO INCLUDE THIS AS AN ADMINISTRATIVE FUNCTION OF THE DEPARTMENT OF COMMUNITY INVESTMENT

8. **BILLS ON THIRD READING**

TIME: _____

BILL NO.

[68-17](#) THIRD 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

[70-17](#) THIRD 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](#) THIRD 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

[80-17](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SOUTH BEND AND THE COUNTY OF ST. JOSEPH TO PROVIDE CITY MANAGEMENT RESPONSIBILITY FOR THE HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY (THE HPC) AND AMENDING CHAPTER 2 ARTICLE 4, SECTION 2-13, SUB-PART (B) (7) OF THE SOUTH BEND MUNICIPAL CODE TO INCLUDE THIS AS AN ADMINISTRATIVE FUNCTION OF THE DEPARTMENT OF COMMUNITY INVESTMENT

9. **RESOLUTIONS**

BILL NO.

[17-76](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS INTERSECTION OF JEFFERSON BLVD AND MAIN STREET, SOUTH BEND, IN 46601 AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (6) SIX-YEAR REAL PROPERTY TAX ABATEMENT FOR RIVER PARK LEASING CORPORATION

10. **BILLS ON FIRST READING**

BILL NO.

81-17 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

82-17 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 \$49,745 FROM CONSOLIDATED BUILDING FUND—CODE ENFORCEMENT (#600), \$1,500 FROM WATER WORKS DEPOSIT FUND (#624), \$1,000 FROM WATER WORKS SINKING FUND (#625), \$4,500 FROM WATER WORKS DEBT RESERVE O&M (#629), \$30,000 FROM SEWAGE WORKS O&M RESERVE (#643), AND \$148,300 FROM CENTURY CENTER (# 670).

83-17 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 \$125,000 FROM DCI GRANT FUND (#212), \$100,000 FROM STATE SEIZED DRUG MONEY (#216), \$250,000 FROM LIABILITY INSURANCE FUND (#226), \$49,000 FROM COVELESKI STADIUM (#401), \$955,670 FROM VEHICLE-EQUIPMENT LEASING (#750), \$22,500,000 FROM EDDY ST COMMONS CAPITAL (#759), AND \$2,500,000 FROM EDDY ST COMMONS DEBT SERVICE FUND (#760).

84-17 FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 14, SECTION 2-170 OF THE SOUTH BEND MUNICIPAL CODE TO ESTABLISH VARIOUS NEW FUNDS: MORRIS PERFORMING ARTS CENTER SELF-PROMOTED EVENTS FUND (274), PARENTAL LEAVE FUND (714) AND 2017 PARKS BOND FUND (471).

11. UNFINISHED BUSINESS

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, 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 21, 2017
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **MONDAY, NOVEMBER 27, 2017:**

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

- 3:30 P.M.** **ZONING & ANNEXATION** **OLIVER DAVIS, CHAIRPERSON**
1. [Bill No. 68-17](#)- Rezoning pertaining to 403 South Parry Street
 2. [Bill No. 70-17](#)- Rezoning pertaining to Northwest Corner of Niles Ave and Cedar Street
 3. [Bill No. 71-17](#)- Rezoning pertaining to 1032 Wayne Street
 4. Zoning Ordinance Update Briefing- Michael Divita
- 4:15 P.M.** **COMMUNITY INVESTMENT** **GAVIN FERLIC, CHAIRPERSON**
1. [Bill No. 80-17](#)- Transitioning HPC to the Department of Community Investment
 2. [Bill No. 17-76](#)- Designating Tax Abatement Petition pertaining to River Park Leasing Corporation
- 4:40 P.M.** **HEALTH & PUBLIC SAFETY** **JO M. BRODEN, CHAIRPERSON**
1. Homeless Bill of Rights Update- Oliver Davis

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

INFORMAL MEETING OF THE COMMON COUNCIL **TIM SCOTT, 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

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
DIRECTOR OF OPERATIONS

BIANCA L. TIRADO
DEPUTY CLERK
DIRECTOR OF POLICY

JOSEPH R. MOLNAR
ORDINANCE VIOLATIONS
BUREAU CLERK



2017 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-4-17)

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

Regina Williams-Preston, Vice-Chairperson

Oliver Davis, Member

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

Randy Kelly, Vice-Chairperson

Gavin Ferlic, Member

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

Jo Broden, Member

Dr. David Varner, Member

Karen White, Member

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.

Jo Broden, Chairperson

John Voorde, Vice-Chairperson

Oliver Davis, Member

Karen L. White, 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

Gavin Ferlic, Vice-Chairperson

Dave Varner, Member

Randy Kelly, 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, Studebaker 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

Dr. Dave Varner, Vice-Chairperson

Oliver Davis, Member

John Voorde, Member



2017 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-4-17)

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.

John Voorde, Chairperson
Randy Kelly, Vice-Chairperson

Jo M. Broden, 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.01-4-17)

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
Public Works & Property Vacation, Vice Chair

Community Investment Committee, Member
Information & Technology Committee, Member
Utilities Committee, Member

JO BRODEN, 4TH District Council Member

Health and Public Safety Committee, Chairperson
Residential Neighborhood Committee, Vice-Chairperson

Council Rules Committee, Member
Public Works & Property Vacation, 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

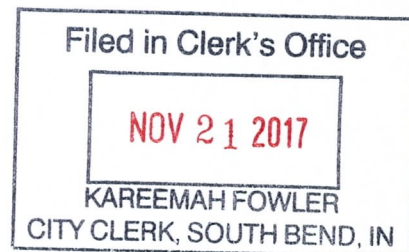
Residential Neighborhood Committee, Chairperson
Personnel & Finance Committee, Chairperson

Community Relations Committee, Member
Council Rules Committee, Member
Health & Public Safety Committee, Member

JOHN VOORDE, AT LARGE Council Member

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

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



CITY OF SOUTH BEND COMMUNITY INVESTMENT

November 21, 2017

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: **River Park Leasing Corp.**

Dear Council Member Ferlic:

Please find the attached information pertaining to a real property tax abatement petition for River Park Leasing Corp.

River Park Leasing Corporation, owned by a South Bend native and entrepreneur, is proposing the development and construction of the first new downtown office structure in decades. While exciting for that reason alone, the project is even more desirable as it will be comprised of Class A office and retail space, with premier fit and finishes offering companies and tenants the highest quality of office space. The proposed building will sit on Jefferson & Main downtown, and will be inclusive of high-end ground-floor retail topped by 5 stories of prime office space. Early renderings will be shared at committee.

It is also important to recognize the extended impact of job creation and retention this development will drive. The owner/developer can only list and be held accountable for the jobs that will be directly created in his top floor business/office. However, from the first floor retail to four additional floors of office space totaling 38,000 square feet of the building, there will be many more “indirect” jobs created and/or retained in South Bend as a result of this development.

CITY OF SOUTH BEND | COMMUNITY INVESTMENT

The owner/developer is, again, a South Bend native. It has been noted that he is pursuing this venture after witnessing a revitalization of downtown South Bend over the past 10 years. Nonetheless, a \$9,000,000.00 investment in world-class office space is a significant risk in any metropolitan area. DCI staff recommends that we partner with the developer to mitigate this risk to a reasonable degree and enable this new development in downtown South Bend. A tax abatement is a meaningful tool allowing ramp-up time for the owner/developer to bring tenants into the new retail/office building.

The Department of Community Investment's recommendation for support of this project is a 6-year, 100% tax abatement. This level of partnership and investment is supported by the petitioner's level of investment and other "points" factors from their Petition Packet, by the algorithms and computations that drive our objective analyses, and by the investment and participation levels (~15%) that we set as a meaningful benchmark for all deals. It is a good investment for the City of South Bend.

In summary the project entails the following:

- Purchase of land at \$50,000.00
- \$9,000,000.00 in Private Investment
- Six-story, 38Ksf class A retail/office space

This packet includes the following:

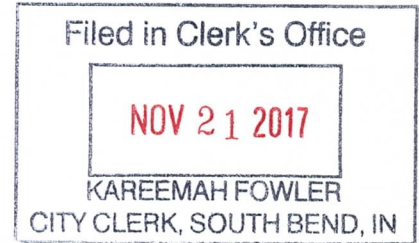
- Department of Community Investment's summary report
- Copy of the petition
- Statement of Benefits form
- Supporting information.

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,



Daniel J. Buckenmeyer
Director, Business Development & Economic Resources
Department of Community Investment
City of South Bend



CITY OF SOUTH BEND COMMUNITY INVESTMENT

TAX ABATEMENT REPORT

TO: SOUTH BEND COMMON COUNCIL
FROM: DANIEL BUCKENMEYER
SUBJECT: REAL PROPERTY TAX ABATEMENT PETITION FOR:
River Park Leasing Corporation
DATE: November 21, 2017

On Tuesday November 21st, 2017, a petition from River Park Leasing Corporation was received and subsequently filed with the City Clerk for real property tax abatement consideration for property to be located at the intersection of Jefferson Boulevard and Main Street, South Bend, IN 46601. 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 the approximately 37,800 sq. ft. class A office building (with first floor retail) which would further support positive impact and growth in downtown South Bend.
- This type of office development hasn't been done in over two decades. The top floor of the proposed five (5) story building will house a new start-up aimed to employ 12-20 professionals in the next 2-3 years.
- \$9,000,000 private investment in the building construction
- Land purchase from the Redevelopment Commission for \$50,000.
- Estimated taxes being abated during six year abatement period – \$1,296,000

EMPLOYMENT IMPACT

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

- Create fifteen (15) direct and permanent full time jobs within 3 years, representing a new annual payroll of \$750,000
- Create indirect full time jobs by leasing office space to tenants
- The hourly wage for managerial and administrative employees is expected at minimum \$25+

ABATEMENT QUALIFICATION

1. A review of the tax abatements previously granted, finds that the petitioner has not been granted or associated with any previous abatements.
2. The Building Commissioner has reviewed the petition and finds the property to be properly zoned for the proposed project.
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 (6) six-year real property tax abatement under section 2-84.2, Tangible 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

Intersection of Jefferson Blvd and Main St, South Bend, IN 46601

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

River Park Leasing Corporation

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 portions of the property located at the intersection of Jefferson Boulevard and Main Street, South Bend, Indiana 46601 which is more particularly described as follows:

Lot 260AA of the record plat of the Original Town of South Bend, Jefferson and Main, Second Replat recorded on March 25, 2013, as Document No. 1308726 in the Office of the Recorder of St. Joseph County

and which has Key Number 018-3007-0231, and 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, 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 (6) six years as shown by the schedule outlined below as well as the attachment pursuant to Indiana Code 6-1.1-12.1-17.

Year 1 - 100%
Year 2 - 100%
Year 3 - 100%
Year 4 - 100%
Year 5 - 100%
Year 6 - 100%

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

RESOLUTION NO. _____

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

Intersection of Jefferson Blvd and Main St, South Bend, IN 46601

AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF A SIX (6) YEAR REAL
PROPERTY TAX ABATEMENT FOR

River Park Leasing Corporation

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 the intersection of Jefferson Boulevard and Main Street, South Bend, Indiana 46601 described as follows:

Lot 260AA of the record plat of the Original Town of South Bend, Jefferson and Main, Second Replat recorded on March 25, 2013, as Document No. 1308726 in the Office of the Recorder of St. Joseph County

and which has Key Number 018-3007-0231, and 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 real property tax deduction for a period of six (6) years as shown by the schedule outlined below as well as 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.

Year 1 - 100%
Year 2 - 100%
Year 3 - 100%
Year 4 - 100%
Year 5 - 100%
Year 6 - 100%

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

Filed in Clerk's Office

NOV 21 2017

6 YEAR

20-Nov-17

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

River Park Leasing Corp

South Bend Portage Township Real Property Tax Abatement Schedule*

South Bend Portage Township

Tax Key Number 018-3007-0231
Current Assessed Value: 0
Estimated Project Cost: 9,000,000

Assessed Value:	Current AV & Tax	Without Abatement	100% Year 1	100% Year 2	100% Year 3	100% Year 4	100% Year 5	100% Year 6
Current Assessed Value	0	0	0	0	0	0	0	0
Base Assessed Value	7,200,000	7,200,000	7,200,000	7,200,000	7,200,000	7,200,000	7,200,000	7,200,000
Less Abatement Deduction	0	0	(7,200,000)	(7,200,000)	(7,200,000)	(7,200,000)	(7,200,000)	(7,200,000)
Net Assessed Value	0	7,200,000	0	0	0	0	0	0

Property Taxes:

Assume constant tax rate of	5.5043%	5.5043%	5.5043%	5.5043%	5.5043%	5.5043%	5.5043%	5.5043%
Gross Tax (tax rate x net assessed value)	0	396,307	0	0	0	0	0	0
Less Circuit Breaker Credit	0	(180,307)	0	0	0	0	0	0
Net Tax	0	216,000	0	0	0	0	0	0

Circuit Breaker Cap	3.00000%	216,000	216,000	216,000	216,000	216,000	216,000	216,000
Circuit Breaker	0	0	0	0	0	0	0	0
Debt Service	0.00000%	0	0	0	0	0	0	0
Circuit Breaker Cap	0	216,000	216,000	216,000	216,000	216,000	216,000	216,000

Year	Existing Taxes	New Project Taxes	Combined Existing & New Taxes	Tax Abated	Net Tax Paid
1	0	216,000	216,000	216,000	0
2	0	216,000	216,000	216,000	0
3	0	216,000	216,000	216,000	0
4	0	216,000	216,000	216,000	0
5	0	216,000	216,000	216,000	0
6	0	216,000	216,000	216,000	0
Totals	0	1,296,000	1,296,000	1,296,000	0

*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.

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://southbendin.gov/government/content/tax-abatement> before processing can be complete



General Information		Project Name	Main modern office	Project Number
Legal name as registered with Secretary of State	River Park Leasing Corporation			
Business structure	Corporation			
Company website	none			
Proposed Project Information				
Proposed project address	SW Corner (Main and Jefferson)	Parent company name		
City, State, Zip	South Bend, IN 46601	Legal owner		
Site acreage or acreage required	.71 Acres	Is the real estate owned or leased		
Square feet of facility	Proposed New (37,783 Office/Retail)	If leased by whom		
Primary Contact Information				
Primary company contact name	Randall Hesser	Title	Secretary and Counsel	
Address of company contact	121 W. Franklin St., Suite 400	Phone	(574) 294-7491	
City, State, Zip	Elkhart, IN 46516	Email		
Senior Official Information				
Company senior official name		Title		
Address of company contact (if different from above)		Phone		
City, State, Zip		Email		
Consultant Information/Agent				
Hired business consultant/agent name	Great Lakes Capital, LLC	Consultant release (Y/N)	Yes	
Address	112 West Jefferson, Ste. 200	Local economic development partners approval (Y/N)	Yes	
City, State, Zip	South Bend, IN 46601	Email	jsmoke@greatlakescapital.com	
Project Overview				
Brief description of your company, project, and why the property is necessary for economic growth	<p>The entrepreneur and developer/building owner is a South Bend native who has seen the revitalization of downtown South Bend over the past 10 years. The developer desires to make a significant proposed investment of at least \$8.5 million to develop and construct a class A office building (with first floor retail) to further support positive impact and growth in downtown South Bend. This type of office development hasn't been done in over 2 decades. The top floor of the proposed 5 story building will house a new start-up aimed to employ 12-20 professionals in the next 2-3 years. This proposed employment will complement new employees with ground floor retail space and office users on floors 2-4. The building will have premier fit and finishes and fill a void at the top of the Class A office market, offering companies and tenants the highest quality of office space.</p>			
Certified Technology Park appropriate	N/A			
Is the project in a Tax Incremental Financing (TIF) area? If so, which?	Yes			
Certify that the Building Permit has not been issued (Y/N)	Correct - no permit	Number of residential units created by project	0	
If this is a petition for personal property tax abatement, has the equipment been installed	N/A			
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?	
	NO			

Filed in Clerk's Office

NOV 21 2017

**KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN**

New Project Investments								
Calendar Year	2016	2017	2018	2019	2020	2021	2022	2023
Land Acquisition			\$ 50,000					
Building Lease Payments								
Building Purchase Costs								
New Building Construction			\$ 9,000,000					
Existing Building Improvements								
New Machinery & Equipment								
Special Tooling/Retooling								
New Furniture/Fixtures								
New Computer/IT Hardware								
New Software								
On-site Rail Infrastructure								
On-site Fiber Infrastructure								
TOTAL	\$ 0							

Full-Time Permanent Indiana-Resident Positions by Calendar Year						
Calendar Year	Jobs retained	Total hourly wage w/o fringe or bonuses	Cumulative # of net NEW full time permanent jobs created at project	Hourly average wage, w/o benefits or bonuses, of cumulative net new jobs	Total training expenditure - not cumulative	Total # to be trained - not cumulative
2016						
2017						
2018						
2019			8	\$25+ (\$50,000/year)	\$20,000	
2020			12	\$25+ (\$50,000/year)		
2021			15	\$25+ (\$50,000/year)		
2022						
2023						
2024						
2025						
2026						
2027						

Provide hourly wage information for new employees in the following positions.		
	Full time	Part time
Laborers		
Technical		
Managerial	12 within three (3) years	
Administrative	3 within three (3) years	

Who will be the individual responsible for coordinating with WorkOne on recruiting? **Randall Hesser**

Does your company have an EEO hiring policy? **Yes** Are you an EEO employer? **Yes**

Please list the number of full time and part time minority and/or female employees for each of the last three years:							Please describe your commitment to diversity and inclusion by detailing your outreach and recruitment efforts for the last three years as well as current policies.
Year	N/A		N/A		N/A		
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	
Black							
Hispanic							
Asian							
Indian							
Female							
Other							

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

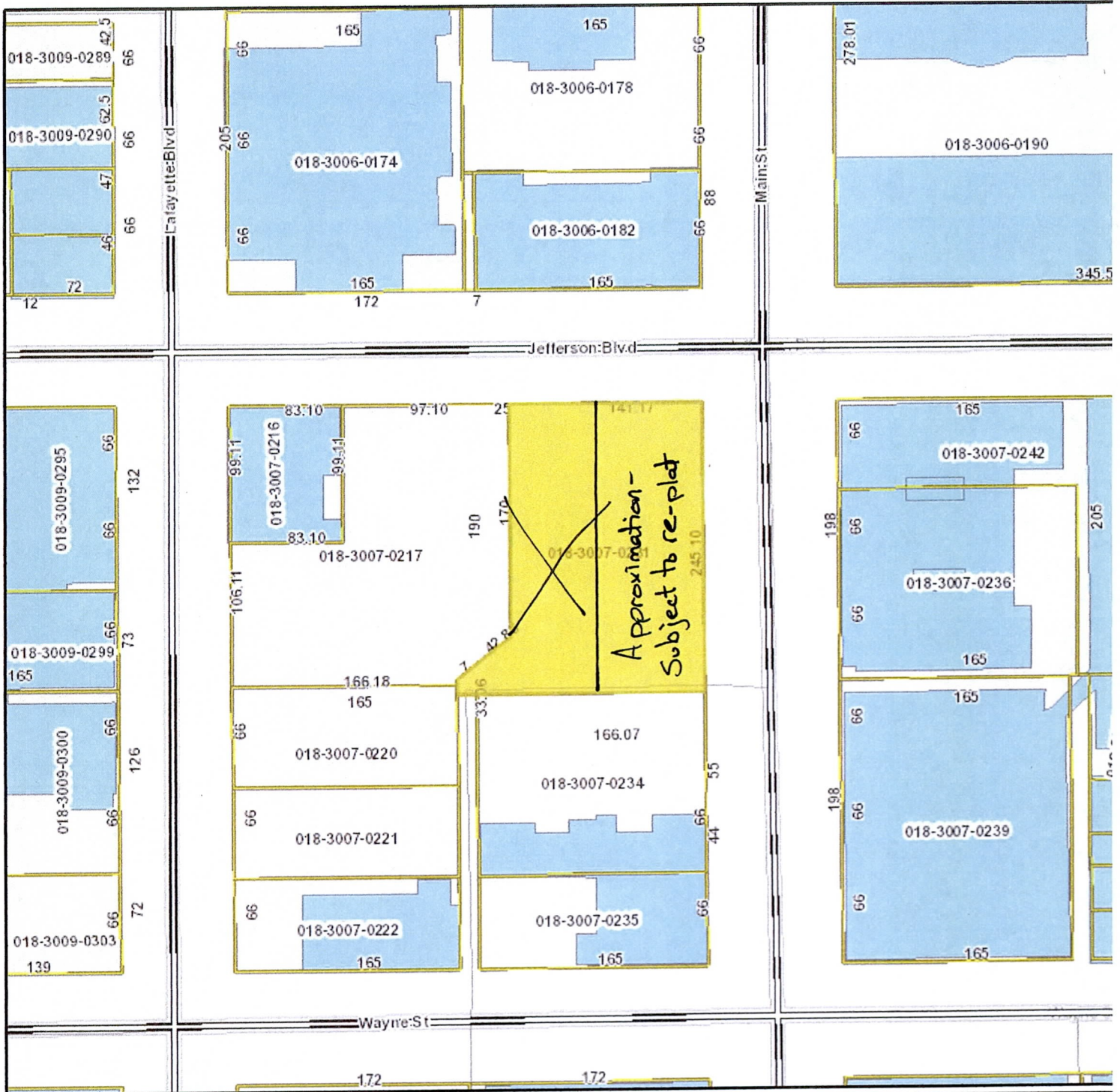
Public Benefit Item:

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%)	Y	20	20
	B.	Purchase Materials from Local Companies (75%)	Y	20	20
	C.	Require Employees vs. Independent Contractors	Y	20	19
	D.	Require Prevailing Wage (Davis Bacon)	N		22
	E.	Require Health Benefits	Y	22	22
	F.	Require Pension Benefits	Y	18	18
	G.	Maintain Affirmative Action Plan	Y	20	20
		Sub-total Construction Related:		119	141
2	Wage & Benefit Related (Owner):				
	A.	Pay Target Wage Levels	Y	33	33
	B.	Provide Health Benefits	Y	34	34
	C.	Provide Pension Benefits	Y	29	29
	D.	Provide Training	Y	28	28
	E.	Provide Child Care	N		15
	F.	Provide Transportation Assistance	N		14
	G.	Provide Employer Assisted Housing program	N		9
	Sub-total Wage & Benefit Related:		124	162	
3	Workforce Related:				
	A.	Create New Jobs	Y	42	42
	B.	Retain Existing Jobs			41
	C.	Maintain Affirmative Action Plan	Y	35	35
	D.	Provide Targeted Hiring Preference			34
	Sub-total Workforce Related:		77	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:		0	84	
Sub-total from Above:			320	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: Ed Linnell Date: November 20, 2017

For Staff Use Only Below This Line					
What is the current assessed value?	Real Property:		Personal Property:		
What is the projected assessed value?	Real Property:		Personal Property:		
What is the tax key number for this project?					
What is the six digit NAICS code?					
Please attach a Google map and street view of the location.					
Please list the amount of real and personal property taxes paid for the last five years when applicable.		Real Property Taxes:	Personal Property Taxes:		
Year One					
Year Two					
Year Three					
Year Four					
Year Five					
Please fill out the following Public Benefit Summary Information and add to total from above.					
		(Y or N)	Points	Points	
Public Benefit Item:					
Project Related:					
5	A.	Redevelop a Site that has Special Needs	Y		49
	B.	Develop Based on Local University Research			35
	C.	Achieve a Physical Element of a Plan	Y	36	36
	Sub-total Project Related:			36	120
6	Super Size Projects (point values are cumulative):				
	A.	100% to 199%	Y	25	25
	B.	200% to 299%	Y	68	68
	C.	300% to 399%	Y		65
	D.	400% and Over			52
Sub-total Super Size Projects:			93	210	
7	Pay for Municipal Infrastructure:				
	A.	Pay for Oversizing or Upgrading			14
	B.	Pay for 26-50% of Extension Cost			26
	C.	Pay for 51-75% of Extension Cost			39
	D.	Pay for 76-100% of Extension Cost			52
Sub-total Infrastructure Related:				131	
Total from Applicant Section:				539	
Total from Staff Section:				461	
Total Public Benefit Points:			129	1000	



Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street
- Building Footprint
- Railroad
- Railroad
- Abandoned Railroad
- Road Centerline
- Railroad Bridge

Michiana Regional GIS Website

txtSubTitle

Map Generated By: Public
Date Printed: 11/21/2017

1 inch = 74.94 feet

Miles

0 0.00 0.01 0.01

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

NOV 21 2017

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN



REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

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 Indiana Code (check one box):

- 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...
2. The statement of benefits form must be submitted to the designating body...
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10...
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property...
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...

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer: River Park Leasing Corporation
Address of taxpayer: c/o Randall Hesser; 121 West Franklin, Suite 400; Elkhart, Indiana 46516
Name of contact person: Randall Hesser
Telephone number: (574) 294-7491
E-mail address:

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: Common Council of City of South Bend
Location of property: SW Corner of Main St. and Jefferson Blvd., South B
County: St. Joseph
DLGF taxing district number: 71-011
Description of real property improvements: Proposed investment of at least \$9,000,000 in the development and construction of a new office building...
Estimated start date: March 2018
Estimated completion date: July 2019

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Table with 6 columns: Current number, Salaries, Number retained, Salaries, Number additional, Salaries. Values: 15, 750000.

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

Table with 3 columns: REAL ESTATE IMPROVEMENTS, COST, ASSESSED VALUE. Rows: Current values, Plus estimated values of proposed project, Less values of any property being replaced, Net estimated values upon completion of project.

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds)
Estimated hazardous waste converted (pounds)

Other benefits taxpayer estimates that the project will result in the creation of at least 15 new full time jobs having an annual payroll of \$750,000 within three years of building completion.

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.
Signature of authorized representative: EDWARD LEWIS HANSEN
Date signed: Nov. 20, 2017
Printed name of authorized representative: EDWARD LEWIS HANSEN
Title: CEO.

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements Yes No
 2. Residentially distressed areas Yes No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

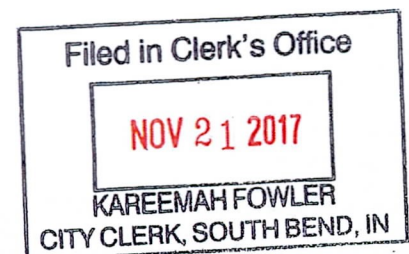
- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. 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. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.





AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

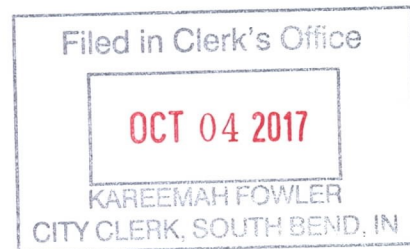
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

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

October 3, 2017

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



RE: Rezoning for 403 South Parry Street, South Bend, IN
APC# 2847-17

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 9th, 2017 Council meeting, and set it for public hearing at your November 27th, 2017 Council meeting. The petition is tentatively scheduled for public hearing at the November 21st, 2017 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

David M Stanton, Jr.
Planner

CC: Bob Palmer

ORDINANCE NO. _____

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

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from SF2 Single Family and Two Family District to LI Light Industrial District to allow for a storage lot.

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 SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: THE EAST 54 FEET OF LOT #2 OF THE PLAT OF "SAMUEL PARRY'S ADDITION TO THE CITY OF SOUTH BEND" AS RECORDED BY DOCUMENT NUMBER 1872008 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDERS OFFICE. CONTAINING 0.07 ACRES OR LESS. SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

be and the same is hereby established as LI LIGHT INDUSTRIAL DISTRICT.

SECTION II. That a Special Exception Use for outdoor storage in excess of twenty (20) percent of the gross floor area of all buildings on the lot in a LI Light Industrial 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 is and shall be subject to commitments as provided by Chapter 21-09.02(d) Commitments, if applicable.

SECTION IV. 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, and full execution of any conditions or Commitments placed upon the approval.

Member of the Common Council

Attest:

City Clerk

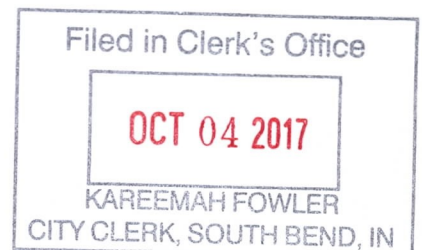
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

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

Mayor, City of South Bend, Indiana

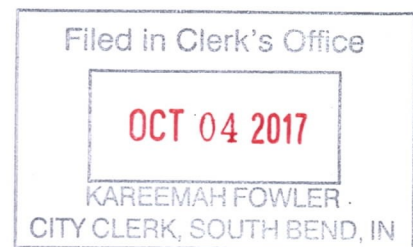
1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED



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:
Address(es) -, 403 South Parry Street, South Bend, Indiana 46624.
- 2) The property Tax Key Number(s) is/are: *Enter property tax key number(s):018-6013-0280*
- 3) Legal Descriptions: *Enter full legal description: See attached.*
- 4) Total Site Area: *Enter total acres to be rezoned: 0.07 Acres.*
- 5) Name and address of property owner(s) of the petition site:
*The Robert Henry Corporation
Attn: Mr. Stephen Henry
404 South Frances Street
South Bend, Indiana 46624
Ph. No. 574-232-2091
E-Mail Address N/A*



Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:
N/A

E-mail N/A

Name and address of additional property owners, if applicable:



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

From: SF2 Single Family Two Family District N/A

To: LI Light Industrial District

- 8) This rezoning is requested to allow the following use(s): *Insert intended use(s): Storage lot.*

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

- 1) *List each variance being requested. See attached.*
- 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: *See Attached*

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

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: *See attached.*
- 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:
 - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein:
 - (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:
 - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan.

* 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.

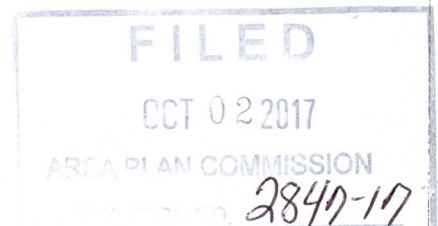
CONTACT PERSON:

*Name: Danch, Harner & Associates, Inc.
Address: 1643 Commerce Drive
South Bend, Indiana 46628
574-234-4003 mdanch@danchharner.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):

Stephen R. Henry _____
John T. Henry _____



Requested Special Exception Use and Variances from the LI Light Industrial District:

Special Exception Use:

- a). Special exception for the parking of company vehicles which *use* includes *outdoor storage* in excess of twenty (20) percent of the *gross floor area* of all *buildings* on the *lot*.

Variances:

- 1). From the required 100 feet of lot width and frontage to 47 feet;
- 2). From the required 50-foot side residential buffer-yard to 2 feet for fencing and gravel parking area;
- 3). From the required 25-foot parking setback to 10 feet along Parry Street and 0 foot along Western Avenue.
- 4). From the maximum allowed 6-foot fence height in the front-yard setback to an 8-foot solid fence 10 feet from the front lot line along Parry Street and 0 feet from the lot line along Western Avenue;
- 5). From the requirement of paved parking lot to gravel;
- 6). From the required minimum landscaping of required perimeter yards to none;
- 7). From the required off-street parking screening to an 8-foot solid fence and evergreens along Parry Street and an 8-foot solid fence along Western Avenue;
- 8). From the Height of Outdoor Storage – Outdoor storage of materials or products shall not exceed the height of the fence.

REASON FOR THE REQUEST(S)

The Petitioners, owners of the property shown on the attached site plan have been for the past several years. The Petition site is adjacent to the Petitioners main Company operation facility known as the Robert Henry Corporation. The Company has been in business in the South Bend area for the past several decades. The Petitioners were in need of additional space to park their Company vehicles. The Petition site located at the southwest corner of Parry Street and Western Avenue became available and was purchased. The existing home was razed and a gravel based was placed over the site to allow for the parking of Company vehicles.

The Petitioners were notified that the property they purchased was not zoned properly for the gravel parking area and that it would need to e rezoned for that use. The Petitioners own property west of and adjacent to the Petition site and it has been used for parking and storage for over the past 20 years.

Based on discussions with the Area Plan Commission and Building Department staffs', it was determined that the property would need to be rezoned to the "LI" Light Industrial District which would be consistent with the zoning of the rest of the Petitioners property where they carry out the Company's operations. The Petition site would also require approval of a Special Exception Use and several variances due to the properties limited size.



The proposed development as shown will require approval of a Special Exception Use and Variances as listed above. More specifically the reason for the Special Exception Use is as follows along with the approval standards:

Special Exception Use request:

- a). Special exception for the parking of company vehicles which *use* includes *outdoor storage* in excess of twenty (20) percent of the *gross floor area* of all *buildings* on the *lot*.

The reason for the Special Exception Use is to be allowed to place Company vehicles on the Petition site. The Petitioners need additional area for their Company vehicles and would prefer to store them at a location close to the main office where the site can be secured and watched with the Company's other stored equipment. At present, there is not another site adjacent to the main company property available for the requested use. The Petitioners plan to screen the parking area from the adjacent properties with a solid fence and along the Parry Street frontage they propose using a solid fence along with evergreen plantings to mitigate the view directly into the parking area. As the Company has been a part of this neighborhood for the past several decades, they believe the small addition to allow for vehicle parking will not impact the adjacent mixed uses.

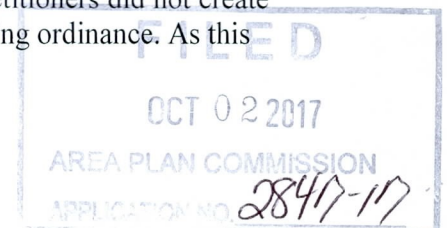
APPROVAL STANDARDS:

Special Exception Use:

- i. The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare. As mentioned above, the Petitioners company has been in operation in the neighborhood for the past several decades. The impact of the proposed minimal expansion for a small vehicle parking area should not have a negative effect on the surrounding area with the proposed improvements to visually screen the use from adjacent properties.
- ii. The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein. As stated above with the proposed fencing and landscaping there should be no adverse effects of surrounding properties or their values.
- iii. The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein. The surrounding uses area mixed with a small amount of residential, a mix of commercial and industrial uses. The addition of a small parking area that is screened would be consistent with other uses in the neighborhood.
- iv. The proposed use is compatible with the recommendations of the City of South Bend *Comprehensive Plan*. The proposed use is not specifically shown in the city's comprehensive plan. The proposed use was designed to have the least amount of impact on the mixed neighborhood uses.

Requested Variances:

- 1). From the required 100 feet of lot width and frontage to 47 feet. The property as shown has existed with the shown lot dimensions for the past several decades. The Petitioners did not create the existing lot size, but are required to meet the standard based on the zoning ordinance. As this



property will be used with other property owned by the Petitioners and adjacent to the Petition site, it will allow for more efficient use of the properties.

2). From the required 50-foot side residential buffer-yard to 2 feet for fencing and gravel parking area. The city's ordinance requires a 50-ft. setback from residential properties. The Petition site is adjacent to the home to the south. The Petitioners other properties to the west are also just as close to the home to the use and the Petitioners used fencing to screen the gravel storage area for the past 20 or more years. The Petitioner proposes being consistent with the screening provided with an 8-ft. tall solid fence.

3). From the required 25-foot parking setback to 10 feet along Parry Street and 0 foot along Western Avenue. As the proposed use of the property is for parking the Petitioners are planning to place an 8-ft. solid screening fence along with evergreen trees to mitigate a direct view to the parking area. This proposed screening to enhance the streetscape would soften the effect of the proposed small parking area.

4). From the maximum allowed 6-foot fence height in the front-yard setback to an 8-foot solid fence 10 feet from the front lot line along Parry Street and 0 feet from the lot line along Western Avenue. As mentioned above the Petitioners are attempting to screen the proposed small parking area from the street and adjacent properties. The city ordinances have an intent to screen the front of vehicles for parking lots. This is done with low shrubs. The Petitioners understand they are parking larger company vehicles and want to screen the parking area with a more substantial screen. The proposal is an 8-ft. solid fence with landscaping along Parry Street and just fencing along Western Avenue since that street is more of a main drive into the Company parking/storage area. The Petitioners also plan at a future date to vacate the portion of Western Avenue adjacent to and west of the petition site.

5). From the requirement of paved parking lot to gravel. The existing parking storage lot owned by the Petitioners and used for the last 20 plus years is gravel and has been maintained that way. There have been no problems with the use of gravel in that lot and no negative impact on any surrounding property. They would desire to maintain the same gravel material for the surface of the small proposed parking area to be consistent with the other lot.

6). From the required minimum landscaping of required perimeter yards to none. The Petitioners would ask to be allowed to use the proposed evergreen screening along Parry Avenue to meet the perimeter tree requirement for both frontage streets. They believe these evergreen trees would exceed the requirement of 2 trees.

7). From the required off-street parking screening to an 8-foot solid fence and evergreens along Parry Street and an 8-foot solid fence along Western Avenue. As mentioned above the Petitioners believe the proposed use of fencing and larger plant material will exceed the intent of the city's ordinances to screen parking areas from public streets and adjacent properties.

8). From the Height of Outdoor Storage – Outdoor storage of materials or products shall not exceed the height of the fence. The Petitioners would state that some of the vehicles that would in the small parking area would exceed the height of the 8-ft. solid fence. The “bucket” portion of the vehicles could be as high as 12 feet. The proposal to have evergreens along the frontage of Parry Street is to help mitigate a direct view of these vehicles.



APPROVAL STANDARDS:

Variances:

- 1). The approval will not be injurious to the public health, safety, morals and general welfare of the community because this area already contains industrial sites of varying types of uses and intensity of site use along with residential uses and mixed commercial uses. This is an expansion of a small parking and storage area for a business that has been in the neighborhood for decades. The proposed site improvements of screening and landscaping will be made to meet the intent of the city's requirements. The Petitioners would hope the Commission Members would agree that as proposed this development and industrial user will blend with the other mixed type of users in the area.
- 2). The use and value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because the use being proposed use is industrial and the proposed use will be screened from adjacent properties. There will also be site improvements to help bring the development closer to the existing development standards for industrial users in the city.
- 3). The strict application of the terms of the zoning ordinance will result in the practical difficulties in the use of the property because the existing site, which is adjacent to the Petitioners main property, cannot be enlarged to meet several of the latest development standards as listed in the city's zoning ordinances. The petitioners do not believe the intent of the existing zoning standards is to place unreasonable restrictions which would prevent the use of a property. There has been an attempt made to make improvements to the site which meet the intent of the present ordinances.

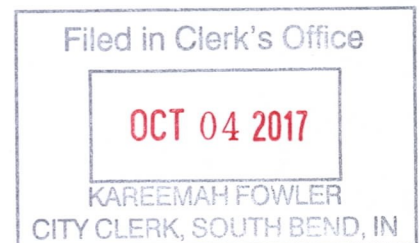


LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: THE EAST 54 FEET OF LOT # 2 OF THE PLAT OF "SAMUEL PARRY'S ADDITION TO THE CITY OF SOUTH BEND" AS RECORDED BY DOCUMENT NUMBER 1872008 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE.

CONTAINING 0.07 ACRES MORE OR LESS.

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



Filed in Clerk's Office

OCT 04 2017



PRELIMINARY SITE PLAN
 PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST,
 CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.



AERIAL VIEW

LEGAL DESCRIPTION:
 THAT PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, WHICH IS DESCRIBED AS: THE EAST 1/4 OF LOT # 2 OF THE PLAT OF "SAMUEL PARRY'S ADDITION TO THE CITY OF SOUTH BEND" AS RECORDED BY DOCUMENT NUMBER 35229 OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE, CONTAINING 0.07 ACRES OR LESS, SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

TABULATED DATA

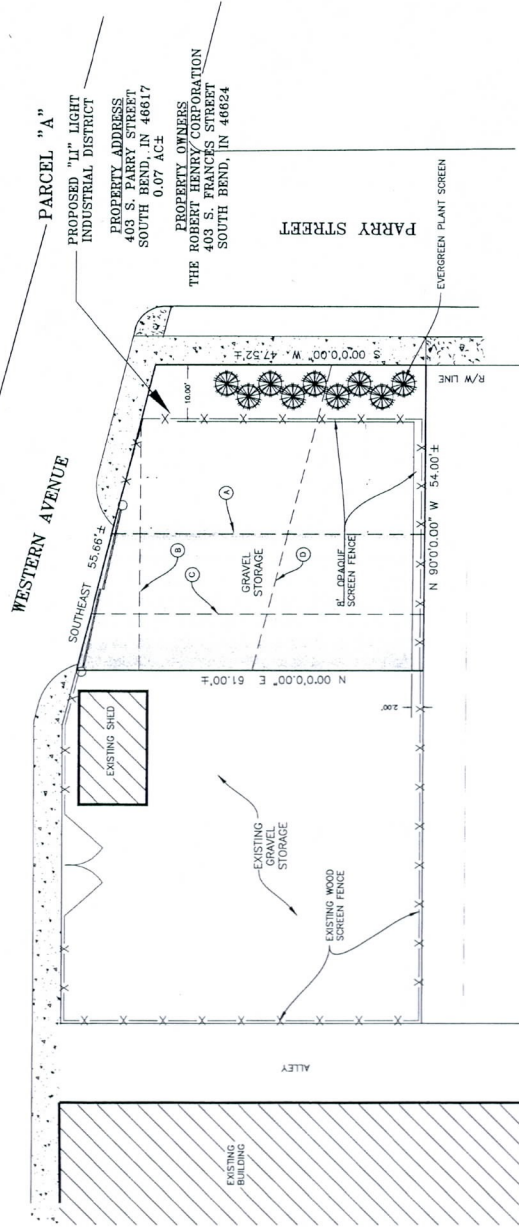
1. ACREAGE OF PARCEL "A"	0.071 ACRES
2. EXISTING ZONING PARCEL "A"	"S12" SINGLE FAMILY-TWO FAMILY DISTRICT
3. PROPOSED ZONING PARCEL "A"	"L1" LIGHT INDUSTRIAL DISTRICT
4. PROPOSED LANDUSE:	GRAVEL STORAGE LOT
5. PROPOSED LAND COVERAGE (PARCEL "A"): SQUARE FOOTAGE	% OF SITE
A. TOTAL	8,776
B. OPEN SPACE	35,229
TOTAL	2,930
100.00	

REQUESTED REZONING FOR PARCEL "A":
 1). FROM "S12" SINGLE FAMILY-TWO FAMILY DISTRICT TO "L1" LIGHT INDUSTRIAL DISTRICT.

SETBACKS LEGEND:

- Ⓐ 30' SETBACK LINE ALONG PARRY STREET
- Ⓑ 40' RESIDENTIAL BUFFER FROM SOUTH LOT LINE
- Ⓒ 10' SIDE-YARD SETBACK LINE
- Ⓓ 30' SETBACK LINE ALONG WESTERN AVENUE

FEEDBACKERS:
 THE ROBERT HENRY CORPORATION DANCH, HARNER & ASSOCIATES, INC.
 1643 COMMERCE DRIVE
 SOUTH BEND, IN 46824
 (574) 234-4003
 ATTN: MICHAEL DANCH



REQUESTED SPECIAL EXCEPTION USE & VARIANCES FOR PARCEL "A":

- Requested Special Exception Use and Variances from the L1 Light Industrial District:**
- Special Exception Use:**
 a) Special exception for the parking of company vehicles which now includes outdoor storage in excess of twenty (20) percent of the gross floor area of all buildings on the lot.
- Variances:**
 1) From the required 100 feet of lot width and frontage to 47 feet;
 2) From the required 50-foot side residential buffer yard to 2 feet for fencing and gravel parking area;
 3) From the required 25-foot parking setback to 10 feet along Parry Street and 0 feet along Western Avenue;
 4) From the maximum allowed 6-foot fence height in the front-yard setback to an 8-foot solid fence (0 feet from the front lot line along Parry Street and 0 feet from the lot line along Western Avenue);
 5) From the requirement of paved parking lot to gravel;
 6) From the required minimum landscaping of required perimeter yard to none;
 7) From the required 40-foot setback to the 8-foot solid fence and evergreen along Parry Street and an 8-foot solid fence along Western Avenue;
 8) From the 18-inch of outdoor storage - Outdoor storage of materials or products shall not exceed the height of the fence.



REVISIONS

DATE	DRAWN BY	CHECKED BY	DATE	BY
9/29/17	MS	MS		
10/02/17	MS	MS		
10/03/17	MS	MS		
10/09/17	MS	MS		

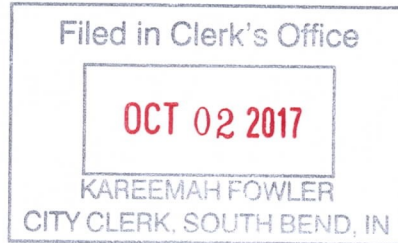
DHA
 Danach, Harnier & Associates, Inc.
 Landscapers - Professional Land Planners
 1643 Commerce Drive • South Bend, IN 46824
 Phone: (574) 234-4003 • Fax: (574) 234-4118

DHIA

Danch, Harner & Associates, Inc.

Land Surveyors ■ Professional Engineers
Landscape Architects ■ Land Planners
Office: (574)234-4003 / (800)594-4003 ■ Fax: (574)234-4009
1643 Commerce Drive ■ South Bend, IN 46628

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



October 2, 2017

RE: 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

Dear Council Members:

On behalf of our clients, we are requesting the approval of the Vacation for all the Public Streets and Alleys known as 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.

The reason for this request is to allow for the future development of property adjacent to the the proposed vacated streets and alleys.

If you have any questions concerning this matter, please feel free to give me a call at 234-4003.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Danch", written over a horizontal line.

Michael J. Danch
President
Danch, Harner & Associates
File No. 170160

Cc: Board of Public Works City of South Bend

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

To the Common Council
of the City of South Bend, Indiana

Date: 9-12-17


We, the undersigned property owner(s), petition you to vacate:

- 1). Street Vacation – Eddy Street from Corby Street running south 180 feet more or less.
- 2). Street Vacation – Corby Street from Eddy Street running west 90 feet more or less.
- 3). Street Vacation – Corby Street from Eddy Street running east 230 feet more or less.
- 4). Alley Vacation – The First East/West Alley between Howard Street on the west and running east 140 feet more or less to the First North/South Alley east of South Bend Avenue.

Tax Key Numbers owned by the Petitioners:

<i>18-5030-1085.05</i>	<i>18-5030-1085</i>	<i>18-5087-3082.01</i>	<i>18-5030-1085.01</i>	<i>18-5094-3311</i>
<i>18-5094-3318</i>	<i>18-5094-3319</i>	<i>18-5094-3326</i>	<i>18-5094-3327</i>	<i>18-5094-3328</i>
<i>18-5094-3325</i>	<i>18-5094-3324</i>	<i>18-5094-3323</i>	<i>18-5094-3322</i>	<i>18-5087-3085</i>
<i>18-5087-3086</i>	<i>18-5087-3087</i>	<i>18-5087-3088</i>	<i>18-5087-3088</i>	<i>18-5087-3089</i>
<i>18-5087-3090</i>	<i>18-5087-3090</i>	<i>18-5087-3091</i>	<i>18-5087-3092</i>	<i>18-50873093</i>

NAME (signed & printed) & ADDRESS



For- Five Corners LLC
814 Marietta Street
South Bend, Indiana 46601

Office of the City Clerk
Kareemah Fowler, City Clerk
Room 455-County-City Building
South Bend, IN 46601
574-235-9221

CONTACT PERSON NAME:
Michael J. Danch
Danch, Harner & Associates, Inc.
1643 Commerce Drive
South Bend, Indiana 46628
e-mail: mdanch@danchharner.com

ORDINANCE NO. _____

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

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 properties:

- 1). Street Vacation – Eddy Street from Corby Street running south 180 feet more or less.
- 2). Street Vacation – Corby Street from Eddy Street running west 90 feet more or less.
- 3). Street Vacation – Corby Street from Eddy Street running east 230 feet more or less.
- 4). Alley Vacation – The First East/West Alley between Howard Street on the west and running east 140 feet more or less to the First North/South Alley east of South Bend Avenue.

hereby determines that it is desirable to vacate said properties.

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 Tax Key Numbers may be injuriously or beneficially affected by such vacating:

<i>18-5030-1085.05</i>	<i>18-5030-1085</i>	<i>18-5030-1085.02</i>	<i>18-5030-1085.03</i>	<i>18-5030-1086</i>
<i>18-5030-1086.01</i>	<i>18-5030-1086.06</i>	<i>18-5030-1086.02</i>	<i>18-5030-1086.03</i>	<i>18-5030-1086.07</i>
<i>18-5030-1085.01</i>	<i>18-5030-1086.04</i>	<i>18-5030-1086.05</i>	<i>18-5106-3747</i>	<i>18-5106-3745</i>
<i>18-5106-3738</i>	<i>18-5098-3483</i>	<i>18-5094-3311</i>	<i>18-5087-3096</i>	<i>18-5087-3095</i>
<i>18-5087-3094</i>	<i>18-5087-3093</i>	<i>18-5087-3092</i>	<i>18-5087-3091</i>	<i>18-5087-3090</i>
<i>18-5087-3089</i>	<i>18-5087-3088</i>	<i>18-5087-3087</i>	<i>18-5087-3086</i>	<i>18-5087-3085</i>
<i>18-5094-3326</i>	<i>18-5094-3319</i>	<i>18-5094-3327</i>	<i>18-5092-3257</i>	<i>18-5092-3258</i>
<i>18-5092-3261</i>	<i>18-5092-3262</i>	<i>18-5092-3263</i>	<i>18-5092-3260</i>	<i>18-5092-3259</i>
<i>18-5094-3329</i>	<i>18-5094-3328</i>	<i>18-5094-3325</i>	<i>18-5094-3324</i>	<i>18-5094-3323</i>
<i>18-5094-3322</i>	<i>18-5087-3082.01</i>	<i>18-5087-3097</i>		

SECTION IV. The purpose of the vacation of the real properties is to vacate that portion of all the Public Alleys and Streets in the described area to allow for the development of some of the adjacent property.

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 _____, 2017, at _____ o'clock _____. m.

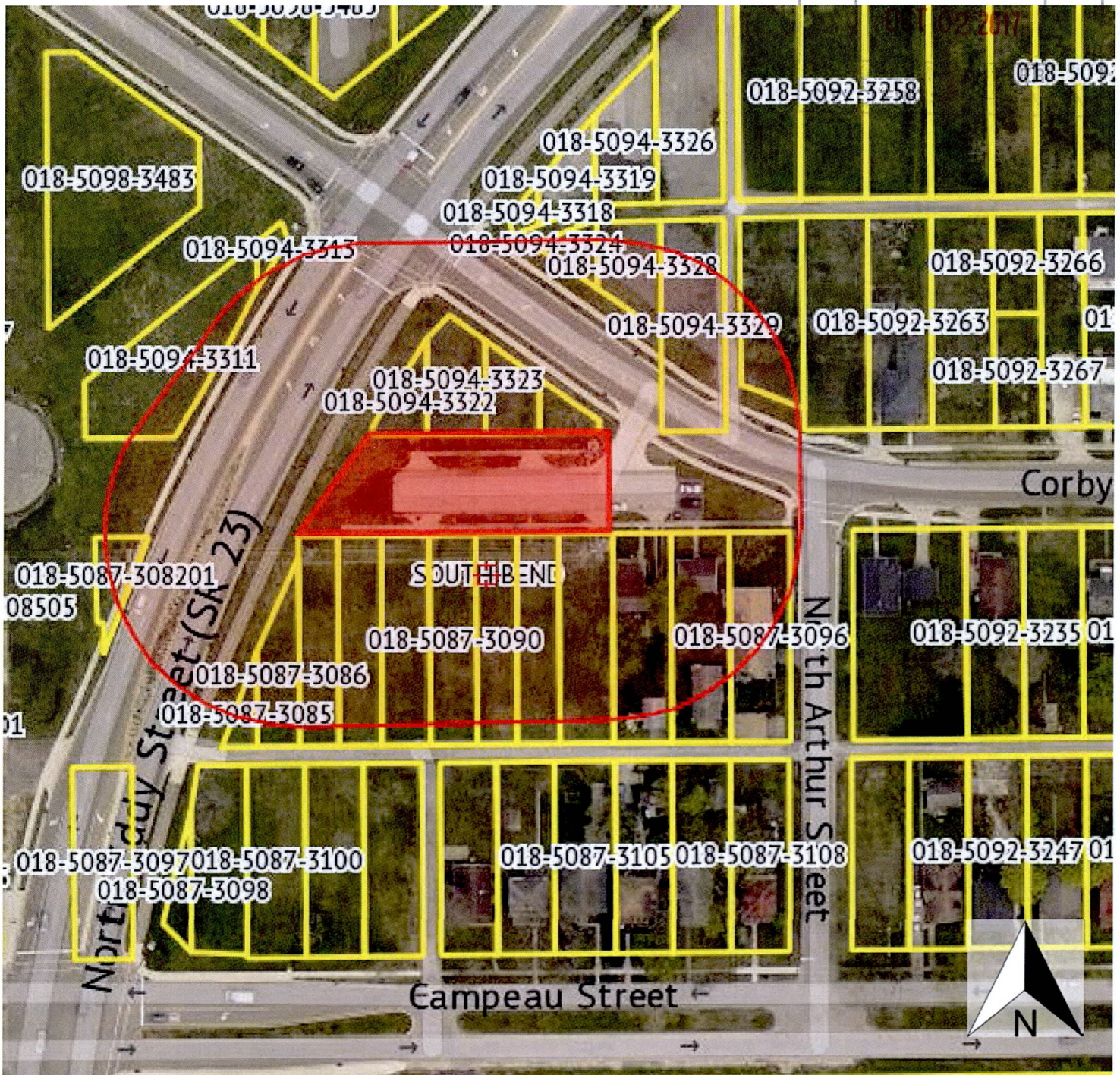
City Clerk

Approved and signed by me on the _____ day of _____, 2017, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana



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



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

 150' Buffer

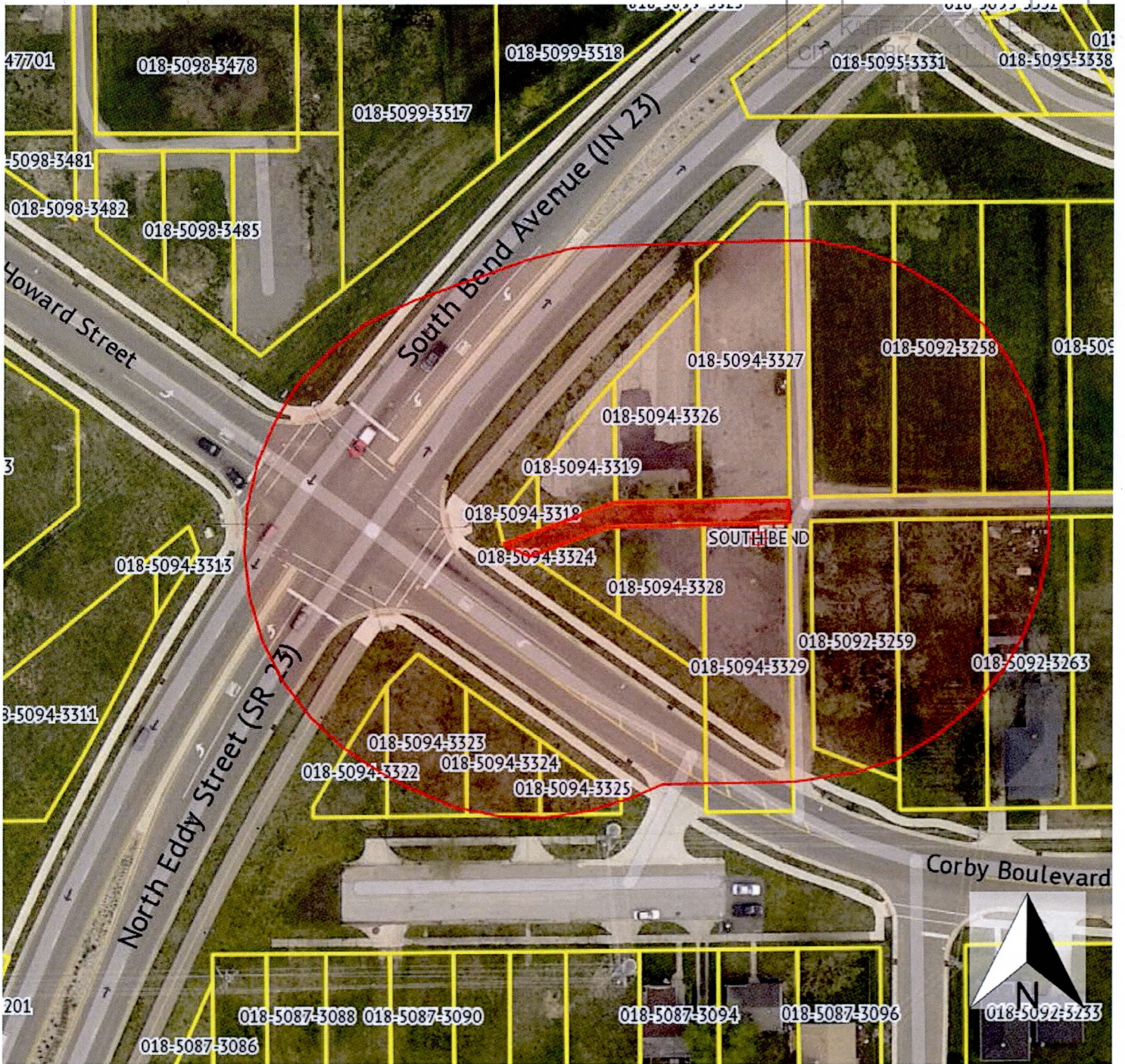
*Address List attached

Date Prepared: 9/8/2017

Alley Vacation 150' Radius Map 1 of 3 Danch, Harner & Associates, Inc.

The alley to be vacated is the EW area S of Corby, 78' to N bounds of lots 1-6 and 321, running E 244' from E RoW of N. Eddy St. on S edge, and running E 185' from E RoW of N. Eddy on N edge.

OCT 02 2017



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

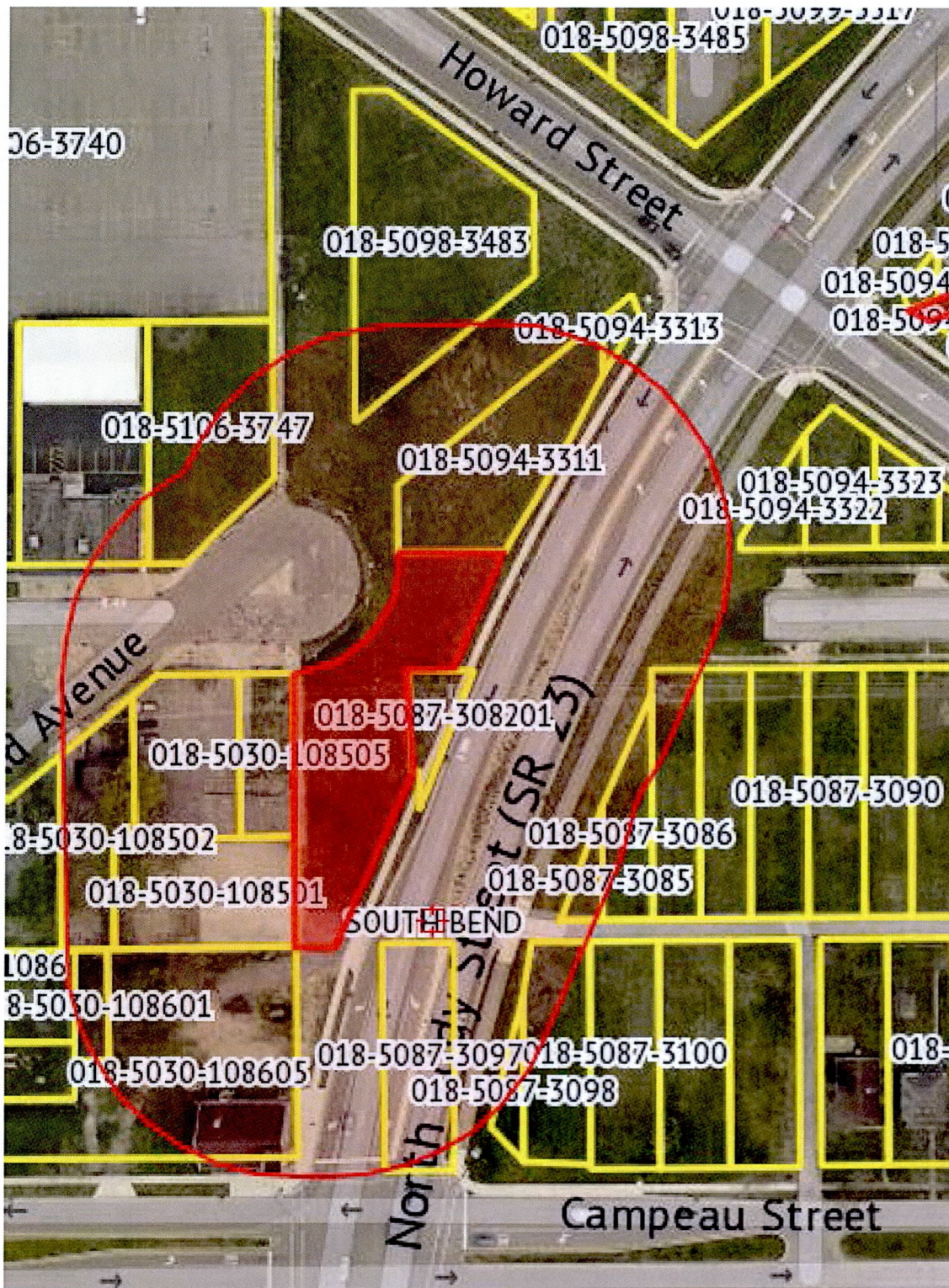
 150' Buffer

*Address List attached

Date Prepared: 9/8/2017

Alley Vacation 150' Radius Map 2 of 3 Danch, Harner & Associates, Inc.

The alley to be vacated is 12' in width, and is the EW area N of Corby, from E RoW of intersection of SR23/Corby/Howard Sts, running E 169' to W RoW of NS alley.



Filed in Clerk's Office

OCT 02 2017

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN



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

150' Buffer
*Address List attached

Date Prepared: 9/8/2017

**Alley Vacation 150' Radius Map 3 of 3
Danch, Harner & Associates, Inc.**

The area to be vacated is a parcel running N from NE corner of Lot 5 180', circling E bounds of cul de sac to SW corner of Lot 1 running 71' E to SE corner of Lot 1, then S approx. 202' excluding irregular parcel .073 ac.



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

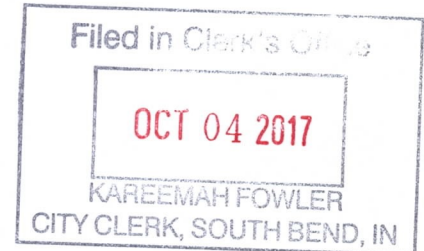
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

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

October 3, 2017

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



RE: Rezoning for Northeast Corner of Niles Avenue and Cedar Street, South Bend, IN
APC# 2848-17

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 9th, 2017 Council meeting, and set it for public hearing at your November 27th, 2017 Council meeting. The petition is tentatively scheduled for public hearing at the November 21st, 2017 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

David M Stanton, Jr.
Planner

CC: Bob Palmer

ORDINANCE NO. _____

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

STATEMENT OF PURPOSE AND INTENT

The petitioner is seeking a rezoning from MU Mixed Use District to CBD Central Business District to allow a parking lot

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 SOUTHEAST QUARTER OF SECTON 1, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: LOT # 9A OF THE PLAT OF "EAST BANK 2ND REPLAT" AS RECORDED BY DOCUMENT NUMBER 1124355 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE.

CONTAINING 1.2 ACRES MORE OR LESS.

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

be and the same is hereby established as CBD CENTRAL BUSINESS 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

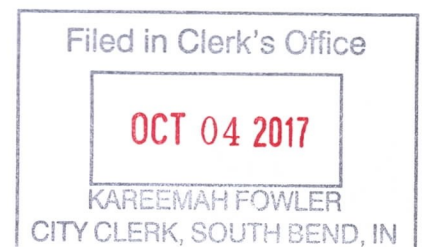
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

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

Mayor, City of South Bend, Indiana

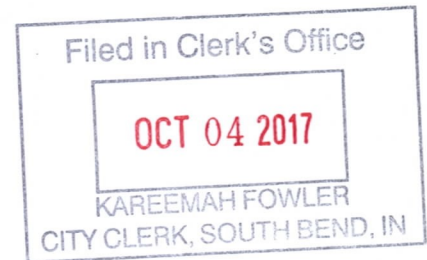
1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED



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:
Address(es) -, Northeast corner of Niles Avenue & Cedar Street, South Bend, Indiana 46617.
- 2) The property Tax Key Number(s) is/are: *Enter property tax key number(s): 018-5008-0195*
- 3) Legal Descriptions: *Enter full legal description: See attached.*
- 4) Total Site Area: *Enter total acres to be rezoned: 1.2 Acres.*
- 5) Name and address of property owner(s) of the petition site:
*Beacon Health System Inc.
Attn: Mr. Michael J. O'Neill
615 North Michigan Street
South Bend, Indiana 46601
Ph. No. 574-523-3367
E-Mail Address N/A*



Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:
N/A

E-mail N/A

Name and address of additional property owners, if applicable:



- 7) It is desired and requested that this property be rezoned:
From: *MU Mixed Use District CBD Community Business District*
To: *CBD Central Business District*
- 8) This rezoning is requested to allow the following use(s): *Insert intended use(s): Parking lot.*

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

- 1) *List each variance being requested. See attached.*
- 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: *See Attached*

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

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: *N/A*
- 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:
 - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein:
 - (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:
 - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan.

* 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:

*Name: Danch, Harner & Associates, Inc.
 Address: 1643 Commerce Drive
 South Bend, Indiana 46628
 574-234-4003 mdanch@danchharner.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):

Michelle D. ... CAO
Beacon Health System

FILED
 OCT 02 2017
 AREA PLAN COMMISSION
 APPLICATION NO. *284877*

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTON 1, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: LOT # 9A OF THE PLAT OF "EAST BANK 2ND REPLAT" AS RECORDED BY DOCUMENT NUMBER 1124355 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDER'S OFFICE.

CONTAINING 1.2 ACRES MORE OR LESS.

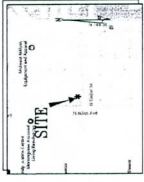
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

Filed in Clerk's Office
OCT 04 2017
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

FILED
OCT 02 2017
AREA PLAN COMMISSION
APPLIC. NO. 2848-17

PRELIMINARY SITE PLAN

PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.



AERIAL VIEW

LEGAL DESCRIPTION:
 THAT PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AS SHOWN ON THE PLAT OF "EAST BANK 2ND REPEAT" AS RECORDED BY DOCUMENT NUMBER 112455 IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA CONTAINING 1.22 ACRES MORE OR LESS, SUBJECT TO ALL LEGAL, RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

- JABALIEL/DMA**
1. ACREAGE OF PARCEL "A"..... 1.204 ACRES
 2. EXISTING ZONING PARCEL "A"..... "CBD" CENTRAL BUSINESS DISTRICT & "MU" MIXED USE
 3. PROPOSED ZONING PARCEL "A"..... "CBD" CENTRAL BUSINESS DISTRICT
 4. PROPOSED LANDUSE..... PARKING LOT
 5. PROPOSED LAND COVERAGE (PARCEL "A"): SQUARE FOOTAGE... X OF SITE
 A. PROPOSED DRIVE/WALKS..... 33,995 64.71
 B. OPEN SPACE..... 18,877 100.00
 TOTAL..... 52,872 100.00
 6. TOTAL NUMBER OF SPACES PROVIDED..... 102 SPACES

REQUESTED REZONING FOR PARCEL "A":

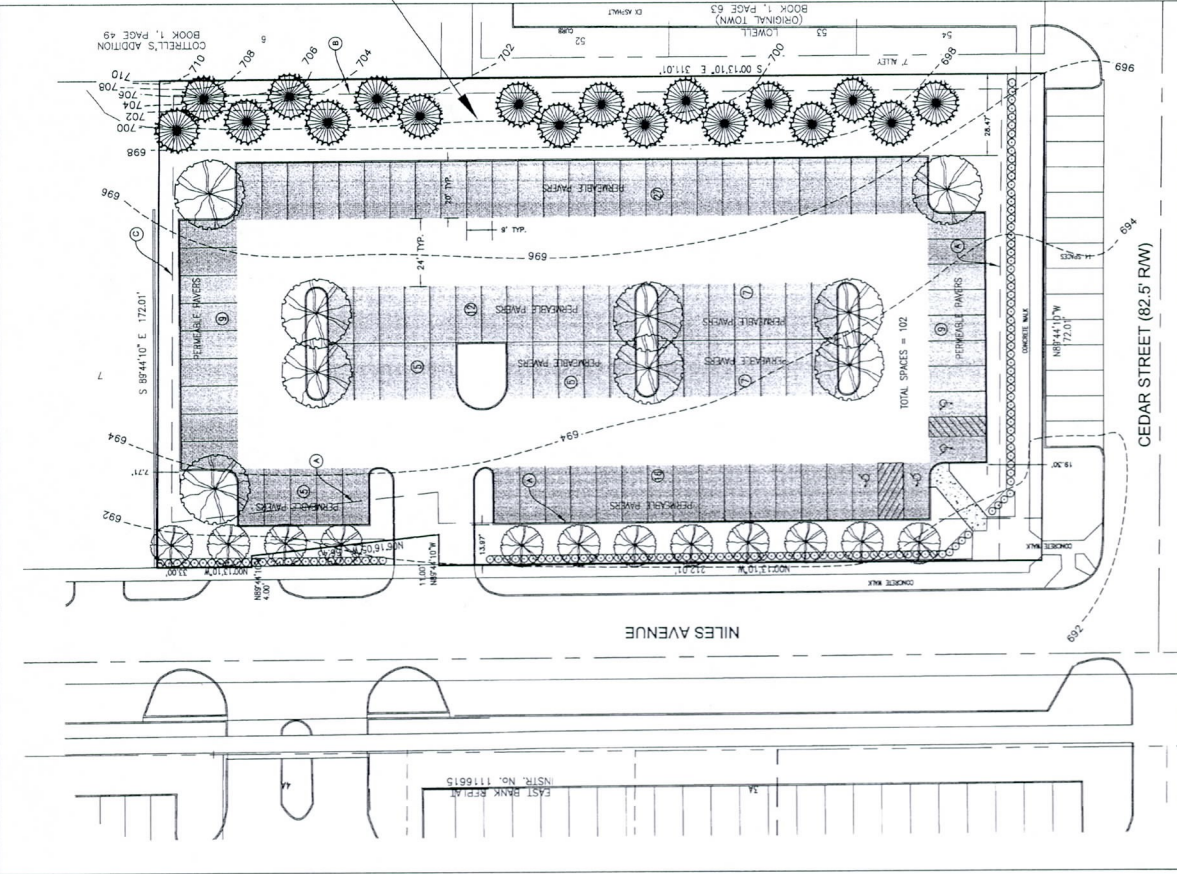
- 1). FROM "MU" MIXED USE DISTRICT AND "CBD" CENTRAL BUSINESS DISTRICT TO "CBD" CENTRAL BUSINESS DISTRICT.

SETBACKS LEGEND:

- Ⓐ 15' SETBACK LINE
- Ⓑ 5' REAR-YARD SETBACK LINE
- Ⓒ 5' SIDE-YARD BUILDING SETBACK

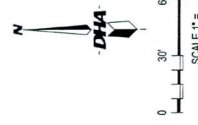
PETITIONERS:
 BEACON HEALTH SYSTEMS
 615 N. MICHIGAN STREET
 SOUTH BEND, IN 46628
 ATTN: MICHAEL DANCH

SUBSCRIBERS & ENGINEERS:
 DANCH, HARMER & ASSOCIATES, INC.
 143 COMMERCE DRIVE
 SOUTH BEND, IN 46628
 ATTN: MICHAEL DANCH



PARCEL "A"
 PROPOSED "CBD" CENTRAL BUSINESS DISTRICT
 PROPERTY ADDRESS
 VACANT LAND NORTHEAST CORNER OF CEDAR STREET AND NILES AVENUE
 SOUTH BEND, IN 46617
 1.22 ACRES
 PROPERTY OWNERS
 BEACON HEALTH SYSTEMS INC.
 615 N. MICHIGAN STREET
 SOUTH BEND, IN 46628

Filed in Clerk's Office
OCT 04 2017
 KAREEMAH FOWLER
 CITY CLERK, SOUTH BEND IN



DATE	DRAWN BY	CHECKED BY	DATE	BY
9/20/17				
11/20/17				
11/20/17				
11/20/17				

REVISIONS

DHA
 Danach, Harmer & Associates, Inc.
 Landscape Architects • Planning Engineers
 143 Commerce Drive • South Bend, IN 46628



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

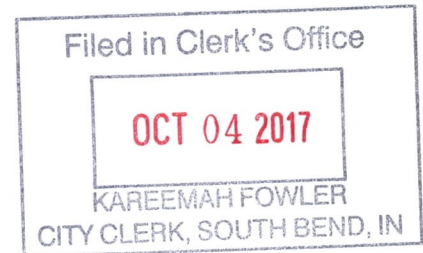
LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

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

October 3, 2017

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



RE: Rezoning for 1032 Wayne Street, South Bend, IN
APC# 2846-17

Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 9th, 2017 Council meeting, and set it for public hearing at your November 27th, 2017 Council meeting. The petition is tentatively scheduled for public hearing at the November 21st, 2017 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "DMS".

David M Stanton, Jr.
Planner

CC: Bob Palmer

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY
LOCATED AT 1032 WAYNE STREET, COUNCILMANIC DISTRICT NO. 4 IN THE
CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

The petitioner is seeking a rezoning from SF2 Single Family and Two Family District to
MU Mixed Use District to allow an office with 2nd story residential

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 1 Listers Subdivision of Cottrells Large Lot 23

be and the same is hereby established as MU MIXED USE 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

Filed in Clerk's Office
OCT 04 2017
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

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:

*1032 Wayne, South Bend, IN 46617
This is located at the southwest corner of Wayne Street and Eddy Street*

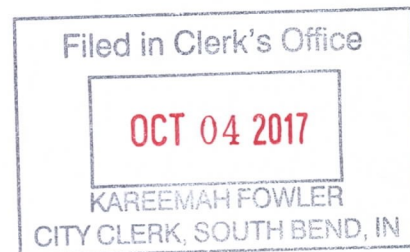
2) The property Tax Key Number(s) is/are: *018-6006-0124 / 71-08-12-284-010.000-026*

3) Legal Descriptions: *Lot 1 Listers Sub of Cottrells Large Lot 23*

4) Total Site Area: *0.1*

5) Name and address of property owner(s) of the petition site:

*Emberton Development LLC (Attn: Brad Emberton)
PO Box 1236
South Bend, IN 46624
574-286-7119
b.emberton@outlook.com*



Name and address of additional property owners, if applicable:

6) Name and address of contingent purchaser(s), if applicable:

Not applicable



Name and address of additional property owners, if applicable:

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

From: *SF2 Single Family Two Family District Additional zoning district, if applicable*

To: *MU Mixed Use District*

8) This rezoning is requested to allow the following use(s): *Residential on the 2nd story and professional office on the street level.*

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

1) *Rezoning to MU (no variance from MU zoning)*

2) A statement on how each of the following standards for the granting of variances is met:

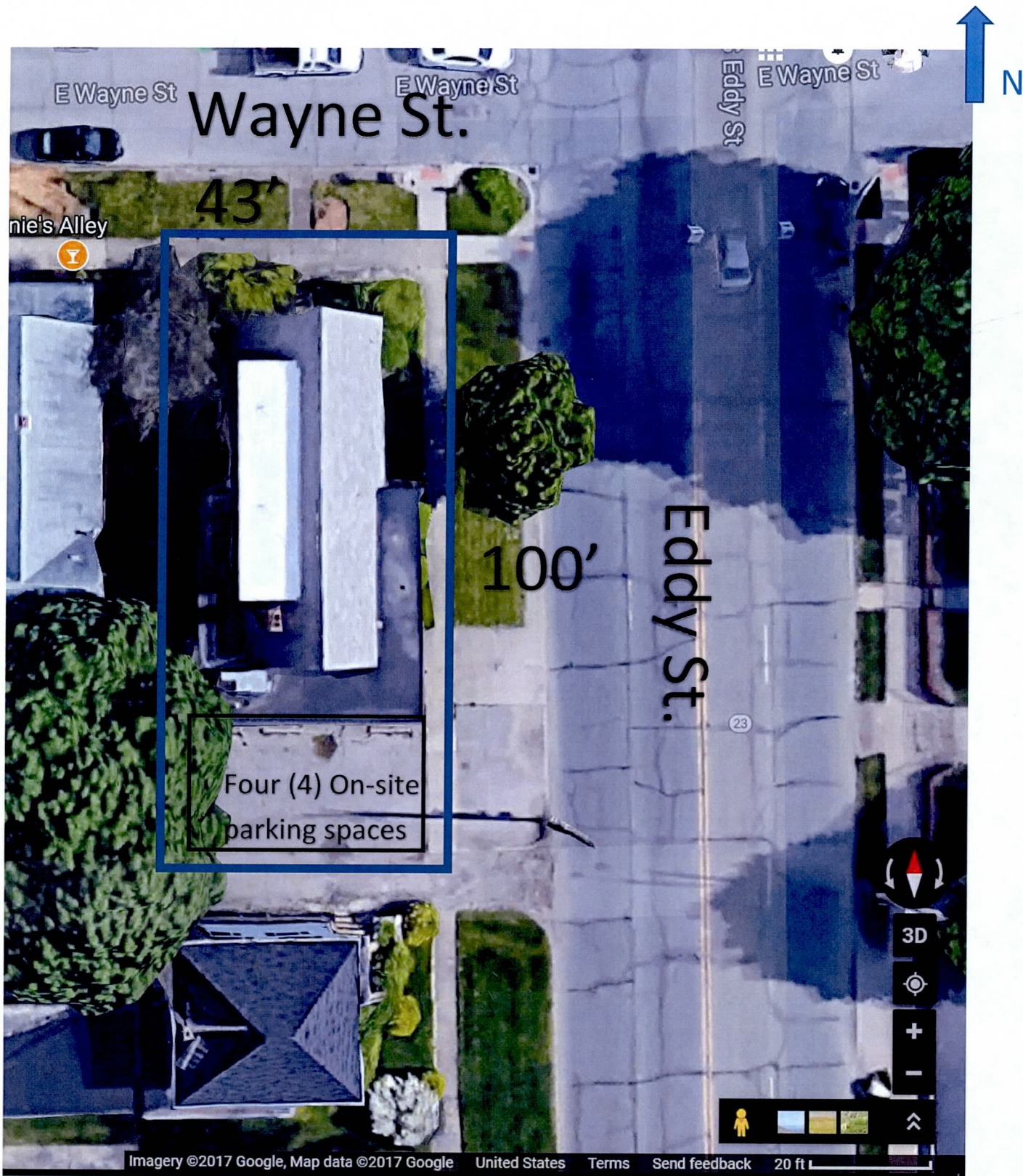
(a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *The proposed use is the same as this property has been used for decades. The property was previously zoned MU until the owner petitioned for a rezoning to SF2 to reduce their tax burden. This was Rezone ID 2500-09 While the rezone to SF2 was granted, the property was never physically converted to accommodate residential use. The proposed use of the property supports the City's Quality of Life by offering a diverse mixed use housing choice located within our dynamic downtown. It supports the Howard Park Neighborhood Plan's goal to offer alternative types of housing for young individuals*

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):

BRAD EMBERTON
[Signature]
Member Owner

FILED
OCT 02 2017
AREA PLAN COMMISSION
APPLICATION NO. 2846-17

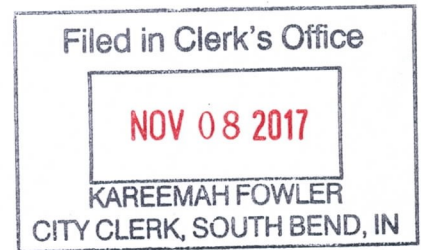


1032 Wayne Street, South Bend, IN, 46617

1,556 SF

Filed in Clerk's Office
OCT 04 2017
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

FILED
OCT 02 2017
AREA PLAN COMMISSION
2846-17



CITY OF SOUTH BEND

COMMUNITY INVESTMENT

November 8, 2017

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

RE: Interlocal agreement on Historic Preservation

Dear President Scott:

This ordinance is one of two necessary Council actions to provide for a smooth transition of Historic Preservation Commission (HPC) staff from the County to the City, as planned for in the 2018 budget. This first ordinance, which needs to be passed before the end of the year, includes the Council's approval of the interlocal agreement between the City and the County and adds historic preservation to the duties of the Department of Community Investment (DCI). The second ordinance will make conforming amendments to the zoning provisions related to historic preservation and will follow the normal process through the Area Plan Commission.

As you know, the HPC will continue to operate in service of the residents and property owners of the City and the County through this staffing transition. The mission of the HPC remains to identify architecturally or historically significant buildings, structures, sites, and objects; to promote the protection and preservation of the same in a manner that enhances both human and economic welfare; and to accommodate development and redevelopment in both the City and County.

The interlocal agreement between the City and the County provides a clear path forward for the transition and provides for continuity of services, authorities, and designations, specifically:

Bill No. _____

ORDINANCE NO. _____

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF
SOUTH BEND AND THE COUNTY OF ST. JOSEPH TO PROVIDE CITY
MANAGEMENT RESPONSIBILITY FOR THE HISTORIC PRESERVATION
COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY (THE HPC) AND
AMENDING CHAPTER 2 ARTICLE 4, SECTION 2-13, SUB-PART (B) (7) OF THE
SOUTH BEND MUNICIPAL CODE TO INCLUDE THIS AS AN ADMINISTRATIVE
FUNCTION OF THE DEPARTMENT OF COMMUNITY INVESTMENT**

STATEMENT OF PURPOSE AND INTENT

On September 10, 1973 the City of South Bend (the City) adopted Ordinance No. 5565-73 and on May 14, 1973 the County of St. Joseph (the County) adopted Ordinance No. 154-73, both of which ordinances mutually established the Historic Preservation Commission of South Bend and St. Joseph County (the HPC). The HPC's mission is to identify within the City and the County architecturally or historically significant buildings, structures, and objects, and to promote their protection and preservation in a manner that enhances human and economic welfare and that accommodates development and redevelopment in the City and the County.

The City and the County have agreed and determined pursuant to the attached, proposed Interlocal Agreement (Exhibit 1) that it is in their respective best interest that the City assume responsibility from the County for the day-to-day management of historic preservation matters related to or that may come before the HPC.

In accepting such management responsibility, the City is willing to accept the transfer to its employment of existing County staff positions consisting of two full-time positions and one part-time position serving the HPC by creating analogous positions within the City's Department of Community Investment. The County will reimburse the City on an hourly basis at an agreed rate for certain time expended by such staff persons performing work related to historic preservation matters outside the corporate boundaries of the City.

The 2018 budget ordinance and the 2018 non-bargaining employee wage and salary ordinance recently approved by this Common Council (Ordinances Nos. 10499-17 and 10546-17 respectively) have included and provided for the funds needed to pay for the HPC's operations, including but not limited to the costs of employees hired by the City to fill the staff positions serving the HPC during calendar year 2018.

The Interlocal Agreement identified and approved by this ordinance (Exhibit 1) is authorized pursuant to Ind. Code §36-1-7, the Interlocal Cooperation Act, which provides that one or more governmental agencies may exercise jointly or by one entity on behalf of others, powers that may be exercised by such units severally.

The transfer of the HPC management responsibility to the City's Department of Community Investment requires an amendment to The South Bend Municipal Code at Chapter 2, Article 4, Section 2-13, Sub-part (B)(7). Further amendments to the zoning provisions of the South Bend Municipal Code (Chapter 21, Article 13) are also required by this Interlocal Agreement, but these amendments will be undertaken separately because a different approval process is needed.

It is desirable, advantageous, and in the public interest of the City to enter into this Interlocal Agreement (Exhibit 1 hereto), and to amend the South Bend Municipal Code at Chapter 2, Article 4, Section 2-13, Subpart (B)(7).

NOW, THEREFORE, be it ordained by the Common Council of the City of South Bend, Indiana, that:

SECTION I. The Council hereby approves the Interlocal Agreement in the form attached hereto as Exhibit "1" by and between the City of South Bend and the County of St. Joseph for the City's management responsibility for the Historic Preservation Commission of South Bend and St. Joseph County, Indiana.

SECTION II. Chapter 2, Article 4, Section 2-13, Sub-part (B) (7) shall be amended to read in its entirety as follows:

Section 2-13. Departments established.

(B). In addition to functions statutorily provided, the administrative functions of the departments of the City shall be as follows:

.....

(7) Community Investment Department

- (a) Redevelopment;
- (b) Community Development;
- (c) Housing programs;
- (d) Economic Development;
- (e) Planning;

- (f) Neighborhood development;
- (g) License issuance
- (h) Historic Preservation Commission

SECTION III. This Ordinance shall take effect upon its passage by this Common Council and signature by the Mayor, conditioned upon St. Joseph County's executive and legislative approval of the same Interlocal Agreement.

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 _____, 2017, at _____ o'clock ____ m.

City Clerk

Approved and signed by me on the ____ day of _____, 2017, at ____ o'clock ____ m.

Mayor, City South Bend, Indiana

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

Filed in Clerk's Office
NOV 08 2017
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

EXHIBIT A

Interlocal Agreement

[This portion left intentionally blank]

NOV 08 2017

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

INTERLOCAL AGREEMENT

This Interlocal Agreement (this "Agreement") is made as of the ___ day of _____, 2017, by and between the Board of Commissioners of St. Joseph County, Indiana (the "County") and the City of South Bend, Indiana (the "City") (each a "Party," and together the "Parties").

WHEREAS, by virtue of the City's Ordinance No. 5565-73 adopted on September 10, 1973, and the County's Ordinance No. 154-73 adopted on May 14, 1973, the Historic Preservation Commission of South Bend and St. Joseph County (the "HPC") was established as a joint board for purposes of historic preservation in the City and the County; and

WHEREAS, the Parties desire to continue the HPC's jurisdiction and operations in service of the residents and property owners of the City and the County; and

WHEREAS, the City is willing to assume from the County the responsibility for the day-to-day management of historic preservation matters related to or that may come before the HPC; and

WHEREAS, in accepting such management responsibility, the City is willing to accomplish the transfer of the existing County staff positions serving the HPC to City employment by creating analogous positions within the City's administration; and

WHEREAS, the administrative efficiencies of transferring such management responsibility and staff positions to the City will benefit the County; and

WHEREAS, Ind. Code 36-1-7, the Interlocal Cooperation Act, authorizes one or more governmental entities to exercise, jointly or by one entity on behalf of the others, powers that may be exercised by such units severally; and

WHEREAS, the Parties agree that it is desirable, advantageous, and in the public interest to enter into an Agreement for joint and cooperative action as embodied herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, and pursuant to the authority granted the parties under Ind. Code § 36-1-7, the City and County agree as follows:

Article I. Mission

Section 1.01. Mission. The Parties agree that the HPC's mission is to identify architecturally or historically significant buildings, structures, sites, and objects in the City and the County and to promote the protection and preservation of the same in a manner that enhances both human and economic welfare and that accommodates development and redevelopment in the City and the County.

Article II. Statutory Authority; Purpose and Duration of Agreement

Section 2.01. Authority. The Parties make this Agreement under the authority and subject to the terms and provisions of the Interlocal Cooperation Act, Ind. Code 36-1-7 (the "Act"). The Parties agree that, upon its full approval by the City and the County (and their respective fiscal bodies), this Agreement will satisfy each requirement of Section 4(a) of the Act, exempting it from the necessity of approval by the Indiana Attorney General.

Section 2.02. Purpose. Pursuant to Section 3(a)(2) of the Act, the Parties agree that the purpose of this Agreement is to continue the HPC's operations in pursuance of its above-stated mission and to provide for the effective management of historic preservation matters related to or that may come before the HPC, including the Parties' mutual coordination of the transfer of management responsibility from the County to the City.

Section 2.03. Duration. Pursuant to Section 3(a)(1) of the Act, the Parties agree that this Agreement shall become effective on January 1, 2018 (the "Effective Date"), and will continue until December 31, 2018; provided, however, that this Agreement shall thereafter automatically renew for successive one (1) year terms unless terminated as provided herein.

Section 2.04. Termination. Pursuant to Section 3(a)(4) of the Act, the Parties agree that either Party may terminate this Agreement, by the adoption of a resolution by its executive, no later than August 1 of the calendar year such Party wishes to be the final calendar year of this Agreement, resolving to terminate this Agreement as of December 31 of that calendar year. In the event of the termination of this Agreement, the Parties agree to cooperate to insure the smooth transition from the existing structure of the HPC, as a joint board, to separate boards operating independently by the City and the County, respectively. If such termination occurs within five (5) years of the Effective Date of this Agreement, the County will be entitled, upon written request to the City, to recover and take possession of the equipment, office furniture, vehicles, and any other personal property or assets the County contributed to the HPC (or to the County staff members serving the HPC), irrespective of whether the County made such contribution of assets before or after the Effective Date of this Agreement. If such termination occurs more than five (5) years after the Effective Date of this Agreement, the County will have no right to recover any equipment, office furniture, vehicle, or any other personal property or asset the County contributed to the HPC (or to the County staff members serve the HPC) and will not be entitled to any compensation or payment for the value thereof.

Article III. Administration

Section 3.01. Governing Ordinances; Non-preemption. The Parties mutually acknowledge that, as of the Effective Date of this Agreement, (a) Article 13 of Chapter 21 of the South Bend Municipal Code, as may be amended from time to time (the "City Ordinance"), governs the HPC's functions and processes concerning historic preservation matters within in the corporate boundaries of the City; and (b) Title XV, Chapter 154, §§ 154.245-154.263 of the St.

Joseph County Code of Ordinances, as may be amended from time to time (the "County Ordinance"), govern the HPC's functions and processes concerning historic preservation matters within the unincorporated areas of the County. In addition, the Parties mutually acknowledge that the HPC has operated continuously since its creation as a joint board by the City and the County in 1973, and that, pursuant to Ind. Code § 36-7-11-2(a), the City, the County, and the HPC are not required to observe the other provisions of Ind. Code 36-7-11.

Section 3.02. Joint Board; HPC Authority Preserved. Pursuant to Section 3(a)(5)(b) of the Act, the Parties agree that the HPC will continue to operate as a joint board composed of representatives of the Parties (as provided herein) and that both Parties will be represented on the joint board. Neither the adoption of this Agreement nor any alteration of the City Ordinance or the County Ordinance attendant with the adoption of this Agreement will undermine, invalidate, or otherwise affect in any way the HPC's actions, determinations, contracts, or exercises of authority occurring or commencing before the Effective Date of this Agreement.

Section 3.03. HPC Powers. Pursuant to Section 3(b) of the Act, the Parties mutually acknowledge that the HPC has only the powers delegated to it by this Agreement. Specifically, the Parties delegate to the HPC the power to conduct the functions and execute the processes set forth in the City Ordinance and the County Ordinance, respectively, as each may be amended from time to time. The County agrees, however, that it will not amend the County Ordinance in any respect that would enlarge the powers or responsibilities of the HPC without the prior consent of the City, as expressed by a written acknowledgment of the Mayor of the City.

Section 3.04. Bylaws and Rules; Public Access Laws. The Parties agree that the HPC shall adopt such bylaws and rules as are appropriate and necessary for holding meetings, taking official action, and otherwise conducting the HPC's business. The HPC will conduct its business in accordance with the Indiana Open Door Law, Ind. Code 5-14-1.5, and the Indiana Access to Public Records Act, Ind. Code 5-14-3.

Section 3.05. HPC Membership. The HPC will continue to be a board of nine (9) appointed members, each of whom will be interested and knowledgeable in matters of local historic preservation. The membership shall be appointed as follows:

(a) The Board of Commissioners of the County, the County Council, the Mayor of the City, and the Common Council of the City shall each appoint two (2) at-large members, designating not more than one member from any major political party and giving consideration to persons residing in areas having historic significance.

(b) The eight (8) members appointed as provided in Section 3.04(a) above shall in turn appoint the ninth member, who shall be an architectural historian.

Each member of the HPC shall serve without compensation for a term of three (3) years, which terms will continue to be staggered with respect to one another in accordance with the provisions

of Section 154.249 of the County Ordinance, as such Section was in effect prior to the Effective Date of this Agreement. If a vacancy on the HPC occurs by resignation or otherwise, the unexpired term shall be filled within thirty (30) days of the vacancy by the appropriate appointing body. Whenever a member fails to attend four (4) consecutive, regularly scheduled meetings, the HPC may determine the position to be vacant and certify to the appropriate appointing body that the position is vacant. Within a reasonable time after receiving such certification, the appropriate appointing body shall appoint another and different member for the remainder of the unexpired term. In addition to the foregoing, the Parties agree that each member of the HPC will serve at the pleasure of his or her appointing body and may be removed at any time for any reason or no reason.

Section 3.06. Mutual Cooperation. Each Party will ensure that its respective appointees to the HPC will cooperate in good faith with all other members of the HPC in holding meetings, taking official actions, and otherwise conducting the business of the HPC. Each member appointed by the City will act in the best interests of the County on matters pertaining to properties or issues outside the corporate boundaries of the City, and each member appointed by the County will act in the best interests of the City on matters pertaining to properties or issues within the corporate boundaries of the City.

Section 3.07. Property Handling. Pursuant to Section 3(a)(6) of the Act, the Parties agree that all real and personal property acquired, held, or disposed of in connection with the operations of the HPC upon and after the Effective Date of this Agreement will be acquired, held, or disposed, as the case may be, in the name of the City and subject to the legal procedures and requirements for acquisition, holding, and disposal of real and personal property that apply to the City's Board of Public Works.

Section 3.08. Staffing. Pursuant to Section 3(a)(3) of the Act, the Parties agree that the City will be solely responsible for providing adequate support staff to the HPC. Notwithstanding the City's acceptance of the Transferred Employees (as defined below), the City will have no obligation to continue the same support staff structure used by the County prior to the Effective Date of this Agreement or to employ the same number of persons in support staff roles as the number of such persons employed by the County prior to the Effective Date of this Agreement. In its sole discretion, the City may increase or decrease the number of and alter the duties of all HPC-related support staff members employed by the City.

Article IV. Transition of Staff Positions; Assets; Storage

Section 4.01. Existing Staff. The Parties mutually acknowledge that as of the time of the Parties' execution of this Agreement, the County employs individuals in two (2) full-time staff positions and one (1) part-time staff position, which positions support the day-to-day operations of HPC-related business (collectively, the "County Staff Positions").

Section 4.02. Transition Planning. The Parties agree to use reasonable efforts to develop a written transition plan and to cooperate in all aspects of the City's assumption of responsibility for day-to-day management of historic preservation matters related to or that may come before the HPC, including the City's creation of positions within the City's administration analogous to the County Staff Positions to support the HPC on and after the Effective Date of this Agreement (the "City Staff Positions").

Section 4.03. Transfer of Employees to the City.

(a) Upon establishing the City Staff Positions, the City will fill the City Staff Positions by accepting the transfer of and hiring each County employee holding a County Staff Position as of the time of the Parties' execution of this Agreement (each a "Transferred Employee"). Each Transferred Employee's employment by the County will terminate upon the commencement of his or her employment by the City. The Parties will make good faith efforts to facilitate the integration of the Transferred Employees into City employment, and the City will afford each Transferred Employee the following treatment:

(1) Each Transferred Employee will be, for all purposes, an at-will employee of the City, and the Parties mutually acknowledge and agree that this Agreement does not and will not constitute an employment contract in any respect. Subject to the terms of this Section 4.03, all of the City's personnel and employment policies, including the Employee Handbook, the City of South Bend Ethics Code, and the departmental policies of the City's Department of Community Investment ("DCI"), will apply to each Transferred Employee.

(2) Each full-time Transferred Employee will be eligible to receive all benefits the City offers to full-time employees in accordance with and subject to the limitations stated in its policies and practices, as the same may be established and altered from time to time. The City will not offer benefits to any part-time Transferred Employee.

(3) The City will credit each Transferred Employee with all vacation time and sick time accrued by such person as a County employee through and including the day on which his or her employment by the County terminates. The City will not credit a Transferred Employee any amount of other personal time or paid time-off, irrespective of the amount accrued during the period of such person's employment by the County.

(4) The City will credit each Transferred Employee with the number of years of service in a County Staff Position for the limited purpose of determining vacation time accrual during the period of such person's employment by the City.

Section 4.04. Reporting Relationship; No HPC Employees. The Parties acknowledge and agree that each employee holding a City Staff Position, whether such employee is a Transferred Employee or was otherwise hired by the City, will adhere to any internal reporting structure determined by the Executive Director of DCI. While employees holding City Staff Positions and other employees of the City will be expected to communicate and cooperate with members of the HPC, as appropriate and as permitted by law, no employee of the City will have a reporting relationship with any member of the HPC or with the HPC at large. The Parties mutually acknowledge that the HPC may not and will not have employees of its own.

Section 4.05. Transfer of Assets. The County will transfer to the City, and will direct the HPC to transfer to the City, for the use of the HPC and City employees in connection with the HPC's operations, ownership of all equipment, office furniture, vehicles, and other items (collectively, the "Assets") used for the HPC's operations as of the time of the Parties' execution of this Agreement held in the name of the County or in the name of the HPC, respectively. The County agrees that the Assets will be transferred free of any liens, encumbrances, or other liabilities. The Parties will coordinate in good faith to accomplish said transfer of ownership and will deliver to one another such instruments as may be required therefor.

Section 4.06. Temporary Storage. Pursuant to Section 11 of the Act, the Parties are authorized to provide facilities to carry out this Agreement. Following the Effective Date of this Agreement, the County will provide easily accessible and convenient storage facilities for any and all HPC-related materials, documents, supplies, and the like that cannot be accommodated in the City's office space at the time the City assumes management responsibility for HPC matters. Within three (3) years after the Effective Date of this Agreement, the City will accept and take possession of any and all HPC-related materials, documents, supplies, and the like remaining in the County's possession. At all reasonable times during the period that the County retains possession of such items, the County will provide the City access to and use of the same.

Section 4.07. Transition Update. In addition to providing monthly reports in 2018, as agreed under Section 5.02(a)(3) of this Agreement, the City will provide to the County an oral or written update on the transition of the Transferred Employees to City employment no earlier than two (2) months after but no later than four (4) months after the Effective Date of this Agreement.

Article V. Funding

Section 5.01. Accounting. With reference to Section 4(a)(3) of the Act, the Parties mutually delegate to the Controller of the City the duty to receive, disburse, and account for all monies of the HPC in accordance with applicable laws.

Section 5.02. Financing; City Budget. Pursuant to section 3(a)(3) of the Act, the Parties agree that the City and the County will jointly finance the operations of the HPC in the manner set forth in this Agreement.

(a) For calendar year 2018, subject to approval by the South Bend Common Council, the City will provide a budget of One Hundred Fifty-Eight Thousand Two Hundred Thirteen Dollars (\$158,213.00) for the HPC's operations, from which the City will pay, among other costs and expenses, the costs of employees hired by the City to fill the City Staff Positions. The County will reimburse the City for the portion of costs incurred by the City in employing persons in the City Staff Positions to serve the HPC in its operations associated with historic preservation matters outside the corporate boundaries of the City, which portion will be determined and paid as follows:

(1) Each employee of the City serving as a support staff member for the HPC shall accurately track and record, in minimum increments of thirty (30) minutes, his or her time spent on HPC-related matters outside the corporate boundaries of the City and, separately, HPC-related matters within the corporate boundaries of the City.

(2) Upon monthly invoicing from the City, the County will promptly pay the City a sum equal to Thirty-Seven and 50/100 Dollars (\$37.50) multiplied by the number of hours spent by City employees within the invoiced period working on matters outside the corporate boundaries of the City, in addition to the sum of out-of-pocket expenses for office supplies, photocopying, travel, and the like attributable to such work on matters outside the corporate boundaries of the City.

(3) Unless approved by the County in advance, through the appropriation of sufficient funds for reimbursement of the City's costs, the City will not expend more than three hundred (300) hours working on matters outside the corporate boundaries of the City. The County agrees to work in good faith with the City to accommodate any request by the City that the County approve additional hours of work in excess of the limited stated in the foregoing sentence. For calendar year 2018 only, the City will provide to the County monthly reports summarizing the Transferred Employees' activities and time spent on matters outside the corporate boundaries of the City.

(4) From time to time, the Parties may agree for the City (through its employees filling the City Staff Positions) to provide to the County certain services constituting a qualified Section 106 review under the National Historic Preservation Act of 1966 in exchange for fees paid by the County pursuant to the terms of a contract separate and apart from this Agreement (each a "Section 106 Engagement"). No time spent by the City in performing its obligations under a Section 106 Engagement will be deducted from or otherwise affect the allotment of hours established under Section 5.02(a)(3) of this Agreement.

(b) For each calendar year after calendar year 2018, the City will present to the County an annual report and provide a budget for the HPC's operations. The Parties will

negotiate in good faith to determine, based on past experience, the appropriate commitment of time by City employees to HPC-related matters outside the corporate boundaries of the City and reimbursement by the County therefor, provided, however, that said reimbursement will remain at a rate not less than Thirty-Seven and 50/100 Dollars (\$37.50) per hour.

Section 5.03. HPC Revenues. The Parties anticipate that the HPC will generate certain revenues in its ordinary operations, including, without limitation, fees collected from applicants for certificates of appropriateness (collectively, the "HPC Revenues"). The City will commit, through appropriate budgeting mechanisms, all HPC Revenues solely to activities and/or functions associated with historic preservation, including the City's costs in supporting and managing the HPC's operations, provided, however, that the City will identify and select such activities and/or functions in its sole discretion.

Article VI. Miscellaneous

Section 6.01. Legal Counsel. In light of the City's assumption of responsibility under this Agreement for managing historic preservation matters related to or that may come before the HPC, the Parties mutually acknowledge and agree that, strictly for purposes of Ind. Code § 36-4-9-12, the HPC constitutes a board of the City. Accordingly, the HPC may not employ any attorney without the authorization of the City's Corporation Counsel. The City's Corporation Counsel, in a manner determined in her sole discretion, will provide for legal counsel to serve the HPC by counseling the City staff on historic preservation matters, attending meetings of the HPC, preparing necessary legal documents, and otherwise assisting the HPC in conducting its business. In the event the City's costs in providing for such legal counsel to the HPC are or become substantial, as determined by the City in its discretion, the County agrees to negotiate in good faith with the City concerning the County's payment of the costs attributable to the work performed by such legal counsel with respect to historic preservation matters outside the corporate boundaries of the City.

Section 6.02. Grants. Both Parties shall cooperate and use reasonable efforts to ensure the HPC maintains eligibility for available grants in the future, as well as for those grants already awarded to HPC for fiscal year 2018, including, but not limited to, executing amendments to the Certification Agreements with the State Certified Local Government Coordinator for continuation of Certified Local Government status for both the City and the County, and to take any other actions reasonably required to maintain grant eligibility.

Section 6.03. Recordation and Filing. In accordance with Section 6 of the Act, the Parties agree (a) to record this Agreement in the Office of the Recorder of St. Joseph County not later than three (3) business days after its execution by the Parties, and (b) within sixty (60) days after recordation, to file this Agreement with the State Board of Accounts of Indiana.

Section 6.04. Copies. Following recordation, an executed copy of this Agreement and any amendments hereto shall be given each to the Executive Director of the HPC, the

Administrative Assistant to the St. Joseph County Council, the Administrative Assistant to the St. Joseph County Board of Commissioners, the Administrative Assistant to the Mayor of the City of South Bend, and the Administrative Assistant to the South Bend Common Council, as well as to the County Attorney and the City's Corporation Counsel.

Article VII. General Provisions

Section 7.01. Amendment. The Parties, by mutual agreement in writing, may amend, modify and supplement this Agreement. The failure of any Party to enforce at any time any provision of this Agreement shall not be construed to be a waiver of such provision, nor in any way to affect the validity of this Agreement or any part hereof or the right of such party thereafter to enforce each and every such provision. No waiver of any breach of this Agreement shall be held to constitute a waiver of any other or subsequent breach.

Section 7.02. Assignment. No Party may assign this Agreement or any of its rights, interests, obligations, or duties hereunder, whether by operation of law or otherwise, without the express written consent of the other Party.

Section 7.03. Entire Agreement. This Agreement, as it may be amended from time to time, encompasses the entire agreement of the Parties concerning its subject matter, and no understanding, discussion, negotiation, or agreement will be binding on the Parties unless it is set forth herein. Without limiting the generality of the foregoing sentence, the Parties agree that this Agreement supersedes and replaces any and all pre-existing interlocal agreement(s) between them regarding the HPC.

Section 7.04. Severability. Should any part of this Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or against public policy, said offending section shall be void and of no effect, and shall not render any other section herein, nor this Agreement as a whole, invalid. Those rights, interests, obligations, and duties hereunder, which by their nature should survive, shall remain in effect after termination, suspension, or expiration hereof.

Section 7.05. Counterparts. This Agreement may be executed in counterparts, each of which when executed shall be deemed to be an original, and such counterparts, together, shall constitute but one and the same Agreement.

Section 7.06. Governing Law and Jurisdiction. This Agreement shall be governed by the laws of the State of Indiana, and any dispute relating to the subject of or arising out of this Agreement shall be subject to the sole and exclusive jurisdiction of the Circuit and Superior Courts of St. Joseph County, Indiana.

[Signature page follows.]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above written.

ST. JOSEPH COUNTY, INDIANA

CITY OF SOUTH BEND, INDIANA

Andrew T. Kostielney, President of the Board of Commissioners

Pete Buttigieg, Mayor

Deborah Fleming, D.M.D., Vice President of the Board of Commissioners

ATTEST:

Kareemah Fowler, City Clerk

Dave Thomas, Member of the Board of Commissioners

ATTEST:

Michael J. Hamann, St. Joseph County Auditor

APPROVED pursuant to St. Joseph County Council _____ No. _____:

APPROVED pursuant to South Bend Common Council _____ No. _____:

Rafael Morton, President of the St. Joseph County Council

Tim Scott, President of the South Bend Common Council

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CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 20, 2017

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

RE: December 2017 Transfer Ordinance

Dear President Scott,

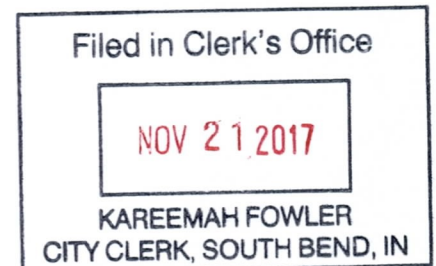
During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2017, we plan to propose adjustments during four time periods—March, June, October 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 27, 2017 with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

Jennifer C. Hockenhull
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 2017

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing budgets (Ordinances #10457-16 and 10458-16 passed on October 24, 2016) 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 2017.

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 _____, 2017, at _____ o'clock ____ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2017, at _____ o'clock ____ . m.

Mayor, City of South Bend, Indiana

City of South Bend, Indiana
December 2017 Budget Transfers
(budget transfers between expenditure categories or departments within the same fund)
November 16, 2017

Common Council Approved - 12/16/17 - Bill No. ##

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
General Fund	Mayor's Office	Other Services / Office Equipment R&M	Jennifer Hockenhu	101-0101-413.36-02		450	Small repair and maintenance cost over budget
General Fund	Mayor's Office	Capital Lease / Principle	Jennifer Hockenhu	101-0101-413.37-11		125	Copier lease slightly more than budgeted
General Fund	Mayor's Office	Other Services / Education & Training	Jennifer Hockenhu	101-0101-413.39-70		250	Additional training for new employees
General Fund	Mayor's Office	Personnel / Unemployment Comp	Jennifer Hockenhu	101-0101-413.11-07		\$ -	Use unspent funds to cover above
General Fund	City Clerk	Supplies / Other Office Supplies	Jennifer Coffman	101-0201-411.21-04		1,000	Office supplies needed
General Fund	City Clerk	Postage	Jennifer Coffman	101-0201-411.32-02		(500)	Account has available budget
General Fund	City Clerk	Travel - Hotel	Jennifer Coffman	101-0201-411.32-23		(500)	Account has available budget
General Fund	Common Council	Supplies / Other Office Supplies	Jennifer Coffman	101-0301-411.21-04		1,500	Office supplies needed
General Fund	Common Council	Supplies / Small Office Equipment	Jennifer Coffman	101-0301-411.21-16		10,000	Off-site meeting mobile office equipment
General Fund	Common Council	Professional Services / Legal	Jennifer Coffman	101-0301-411.31-01		(11,500)	Account has available budget
General Fund	Administration & Finance	R&M Services / Office Equip R&M	Jennifer Hockenhu	101-0401-415.36-02		580	Copier maintenance
General Fund	Administration & Finance	Other Services / Dues & Memberships	Jennifer Hockenhu	101-0401-415.39-11		2,600	Diversity & Inclusion memberships
General Fund	Administration & Finance	Other Services / Education & Training	Jennifer Hockenhu	101-0401-415.39-70		4,500	Payroll & HR training
General Fund	Administration & Finance	Other Services / Misc Charges & Svcs	Jennifer Hockenhu	101-0401-415.39-89		4,500	Diversity meeting costs
General Fund	Administration & Finance	Personnel / Health Insurance	Jennifer Hockenhu	101-0401-415.11-08		(12,180)	Account has available budget
General Fund	Legal Department	Supplies / Small Office Equipment	Jennifer Hockenhu	101-0501-415.21-05		4,900	Cover the cost of office window blinds
General Fund	Legal Department	Personnel / Regular Wages	Jennifer Hockenhu	101-0501-415.10-01		(4,900)	Account has available budget
General Fund	Police Department	Operating Supplies / Uniforms	Danny Cocanower	101-0801-421.22-05		50,000	Uniforms for additional recruits
General Fund	Police Department	Operating Supplies / Other	Danny Cocanower	101-0801-421.22-24		65,000	Drug incinerator, shot guns, shot gun lights, fuming chamber
General Fund	Police Department	Other Services / Misc Charges & Svcs	Danny Cocanower	101-0801-421.39-89		20,000	Building remodel, boiler work, overhead door
General Fund	Police Department	Equip Purchases / Police Equipment	Danny Cocanower	101-0801-421.43-06		35,000	Bomb suit
General Fund	Police Department	Personnel / PERF - Police	Danny Cocanower	101-0801-421.11-06		(70,000)	Account has available budget, savings from reduced number of officers
General Fund	Police Department	Personnel / Health Insurance	Danny Cocanower	101-0801-421.11-08		(100,000)	Account has available budget, savings from reduced number of officers
General Fund	Fire Department	Professional Services / Other	Danny Cocanower	101-0901-422.31-06		45,000	Cover currently encumbered expenses and additional costs anticipated to year end
General Fund	Fire Department	R&M Services / Radio Equip R&M	Danny Cocanower	101-0901-422.36-06		155,000	Additional radios
General Fund	Fire Department	Personnel / FLSA	Danny Cocanower	101-0901-422.10-07		(50,000)	Account has available budget, savings from lowered costs
General Fund	Fire Department	Personnel / FICA - Fire	Danny Cocanower	101-0901-422.11-02		(50,000)	Account has available budget, savings from lowered costs
General Fund	Fire Department	Personnel / PERF - Fire	Danny Cocanower	101-0901-422.11-05		(50,000)	Account has available budget, savings from lowered costs
General Fund	Fire Department	Personnel / Health Insurance	Danny Cocanower	101-0901-422.11-08		(50,000)	Account has available budget, savings from lowered costs
Parks & Recreation	Marketing	Operating Supplies / Recreation Supplies	Jennifer Hockenhu	201-1110-452.22-23		10,000	Purchase promotional supplies using promotions services funds
Parks & Recreation	Marketing	Other Services / Promotions	Jennifer Hockenhu	201-1110-452.33-03		(10,000)	Purchase promotional supplies using promotions services funds
Parks & Recreation	Maintenance	R&M Services / Auto Equipment R&M	Jennifer Hockenhu	201-1101-452.36-03		71,000	Cost to repair vehicles higher than anticipated
Parks & Recreation	Maintenance	Personnel / Health Insurance	Jennifer Hockenhu	201-1101-452.11-08		(71,000)	Use unspent funds to cover above
Motor Vehicle Highway	Public Works - Street Dept	Equip Purchases / Furniture & Fixtures	Terri Swift	202-0607-431.43-01		12,000	Purchase signal cabinet
Motor Vehicle Highway	Public Works - Street Dept	Operating Supplies / Signals/Lights	Terri Swift	202-0607-431.22-40		(12,000)	Account has available budget
Parks - Recreation	Recreation	Other Services / Other Professional Services	Jennifer Hockenhu	203-1103-452.31-06		15,000	Original budget included contracted instructors as part time personnel instead of professional services (as required for various audits)
Parks - Recreation	Recreation	Personnel / Part Time	Jennifer Hockenhu	203-1103-452.10-09		(15,000)	
Liability Insurance	Workers Comp	Workers Compensation	Jennifer Hockenhu	226-0418-671.34-01		100,000	Cost of workers' comp higher than anticipated due to several surgeries and large claims in 2017.
Liability Insurance	Workers Comp	Refunds	Jennifer Hockenhu	226-0417-672.39-01		(100,000)	
Loss Recovery Fund	Public Works - Water Works	Contractual Services / Recycling	Roxanne Lawson	227-0640-601.39-55		24,000	Water Works has 5 additional vessels that require new granular activated carbon

City of South Bend, Indiana
December 2017 Budget Transfers
(budget transfers between expenditure categories or departments within the same fund)
November 16, 2017

Common Council Approved - 12/16/17 - Bill No. ##

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Loss Recovery Fund	Community Investment	Professional Services / Other	Roxanne Lawson	227-1001-460.31-06		\$ -	to be replaced. Estimated cost of South vessels 1, 2, 3, and 4 is \$115k. Olive vessel 12 is \$28k. Ignition Park soil remediation project is not going forward in 2017
Human Rights Grant Fund	Neighborhoods	Personnel / Health Insurance	Rahman Johnson	258-1009-415.11-08		16,000	Original employee in this position did not take city health insurance, therefore, it was not budgeted.
Human Rights Grant Fund	EEOC	Personnel / Wages	Rahman Johnson	258-1008-415.10-01		\$ -	
EMS Operating Fund	EMS	Operating Supplies / Other	Danny Cocanower	288-0902-422.22-24		100,000	Cover supplies
EMS Operating Fund	EMS	R&M Services / Other Equip R&M	Danny Cocanower	288-0902-422.36-05		50,000	Cover services
EMS Operating Fund	Fire Training Center	Operating Supplies / Other	Danny Cocanower	288-0909-422.22-24		15,000	Equipment for recruits
EMS Operating Fund	Fire Training Center	R&M Services / Other Equip R&M	Danny Cocanower	288-0909-422.36-05		10,000	Repairs to equipment
EMS Operating Fund	EMS	Equip Purchases / Materials & Equipment	Danny Cocanower	288-0902-422.43-09		25,000	Additional equipment to be purchased
EMS Operating Fund	EMS	Personnel / Regular Wages	Danny Cocanower	288-0902-422.10-01		\$ (200,000)	Account has available budget, savings from lowered costs
IT / Innovation / 311 Call Center	Information Technology	Personnel / Regular Wages	Amy Shirk	279-0672-415.10-01		90,000	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / Permanent Part-Time	Amy Shirk	279-0672-415.10-09		2,543	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / FICA - Regular	Amy Shirk	279-0672-415.11-01		6,000	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / PERF - Regular	Amy Shirk	279-0672-415.11-04		6,000	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / Health Insurance	Amy Shirk	279-0672-415.11-08		15,000	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / Life Insurance	Amy Shirk	279-0672-415.11-09		100	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / Unemployment Compensation	Amy Shirk	279-0672-415.11-07		(1,772)	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Information Technology	Personnel / Cell Phone Allowance	Amy Shirk	279-0672-415.11-24		(7,180)	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Innovation & Performance	Personnel / Regular Wages	Amy Shirk	279-0673-415.10-01		(40,165)	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Innovation & Performance	Personnel / PERF - Regular	Amy Shirk	279-0673-415.11-04		(19,486)	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Innovation & Performance	Personnel / Unemployment Compensation	Amy Shirk	279-0673-415.11-07		(1,040)	Redistribute personnel costs between departments
IT / Innovation / 311 Call Center	Innovation & Performance	Personnel / Health Insurance	Amy Shirk	279-0673-415.11-08		(50,000)	Redistribute personnel costs between departments
County Option Income Tax	Highways & Streets	Communication / Telephone	Jennifer Hockenhu	404-0617-431.32-04		76,500	Telephone costs increased due to circuit costs; IT was able to eliminate various lines to save considerable amounts going forward.
County Option Income Tax	Highways & Streets	Other Services / Misc Charges & Svcs	Jennifer Hockenhu	404-0617-431.39-89		7,500	County charges for Archives and Weights & Measures high than anticipated
County Option Income Tax	Information Technology	Operating Supplies / Other Office Supplies	Jennifer Hockenhu	404-0672-415.21-04		(358)	To use unspent funds to cover telephone costs
County Option Income Tax	Information Technology	Operating Supplies / Small Office Equipment	Jennifer Hockenhu	404-0672-415.21-05		(2,239)	To use unspent funds to cover telephone costs
County Option Income Tax	Information Technology	Operating Supplies / Computer Equipment	Jennifer Hockenhu	404-0672-415.23-25		(5,325)	To use unspent funds to cover telephone costs
County Option Income Tax	Information Technology	Other Services / Other Professional Services	Jennifer Hockenhu	404-0672-415.31-06		(38,321)	To use unspent funds to cover telephone costs
County Option Income Tax	Information Technology	R&M Services / Computer Equipment	Jennifer Hockenhu	404-0672-415.36-04		(12,163)	To use unspent funds to cover telephone costs
County Option Income Tax	Information Technology	Other Services / Education & Training	Jennifer Hockenhu	404-0672-415.39-70		(1,683)	To use unspent funds to cover telephone costs
County Option Income Tax	Information Technology	Capital / Computer Equipment & Network	Jennifer Hockenhu	404-0672-415.43-08		(1,411)	To use unspent funds to cover telephone costs
County Option Income Tax	Community Investment	Other Services / Other Professional Services	Jennifer Hockenhu	404-1001-460.31-06		(22,500)	To use unspent funds to cover telephone costs and archive costs
County Option Income Tax	Park Maintenance	Other Services / Neighborhood Partnerships	Jennifer Hockenhu	404-1101-460.39-79		3,902	Block by Block contract slightly higher than originally budgeted
County Option Income Tax	Community Investment	Other Services / Other Professional Services	Jennifer Hockenhu	404-1001-460.31-06		(3,902)	Account has available budget
County Option Income Tax	Police Department	R&M Services / Auto Equip R&M	Danny Cocanower	404-0801-421.36-03		100,000	Increased vehicle repairs due to aging fleet
County Option Income Tax	Police Department	Central Services Gasoline	Danny Cocanower	404-0801-421.22-01		\$ -	Account has available budget
Parks Capital	Maintenance	Operating Supplies / Small Tools and Equip	Jennifer Hockenhu	405-1101-452.23-21		10,000	Cover cost of replacement motors
Parks Capital	Maintenance	Capital / Motor Equipment	Jennifer Hockenhu	405-1101-452.43-02		24,000	Cover cost of additional equipment
Parks Capital	Maintenance	Capital / Land Improvements	Jennifer Hockenhu	405-1101-452.36-09		(34,000)	Use unspent funds to cover cost of equipment and motors
Major Moves Construction	Administration & Finance	Capital Improvements / Streets & Alleys	Ron O'Connor	412-0401-415.42-03		1	INDOT payment for US 31 utility relocation
Major Moves Construction	Administration & Finance	R&M Services / Building R&M	Ron O'Connor	412-0401-415.36-01		(1)	Account has available budget
Consolidated Building Fund	Animal Care & Control	Personnel / Regular Wages	Ron O'Connor	600-1207-415.10-01		\$ -	
						\$ 7,625	Night callouts

City of South Bend, Indiana
December 2017 Budget Transfers
(budget transfers between expenditure categories or departments within the same fund)
November 16, 2017

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Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Consolidated Building Fund	Animal Care & Control	Personnel / Seasonal & Interns	Ron O'Connor	600-1207-415.10-03		825	Extra help needed through summer months
Consolidated Building Fund	Animal Care & Control	Office Supplies / Central Stores	Ron O'Connor	600-1207-415.21-03		90	Necessary supplies like kitty litter, gloves, etc
Consolidated Building Fund	Animal Care & Control	Office Supplies / Other Supplies	Ron O'Connor	600-1207-415.21-04		150	Additional supplies needed for daily operations
Consolidated Building Fund	Animal Care & Control	Operating Supplies / Medical	Ron O'Connor	600-1207-415.22-20		13,000	More of animals being taken in, more vaccinations and medical care being performed
Consolidated Building Fund	Animal Care & Control	Professional Services / Veterinary	Ron O'Connor	600-1207-415.31-09		3,200	More of animals being taken in, more spraying and neutering being performed
Consolidated Building Fund	Animal Care & Control	Liability Insurance	Ron O'Connor	600-1207-415.34-02		10	Increase to cover monthly allocation
Consolidated Building Fund	Animal Care & Control	Utilities / Electric	Ron O'Connor	600-1207-415.35-01		7,000	Increased utility expenses
Consolidated Building Fund	Animal Care & Control	Utilities / Trash Removal	Ron O'Connor	600-1207-415.35-03		1,000	Increased trash service expenses
Consolidated Building Fund	Animal Care & Control	Utilities / Water	Ron O'Connor	600-1207-415.35-04		1,500	Increased water usage due to flushing water main over period of weekend
Consolidated Building Fund	Animal Care & Control	R&M Services / Office Equip R&M	Ron O'Connor	600-1207-415.36-02		225	Additional purchase
Consolidated Building Fund	Animal Care & Control	R&M Services / Auto Equip R&M	Ron O'Connor	600-1207-415.36-03		5,500	Maintenance on older fleet
Consolidated Building Fund	Animal Care & Control	R&M Services / Radio Equip R&M	Ron O'Connor	600-1207-415.36-06		50	Follow up repairs on radio equipment
Consolidated Building Fund	Animal Care & Control	Other Services / Security	Ron O'Connor	600-1207-415.39-12		500	Additional service call for malfunctioning alarm
Consolidated Building Fund	Animal Care & Control	Other Services / Bank Credit Card Chgs	Ron O'Connor	600-1207-415.39-39		100	Increased usage of credit cards for intake of animals
Consolidated Building Fund	Animal Care & Control	Other Services / Education & Training	Ron O'Connor	600-1207-415.39-70		100	Employee training costs
Consolidated Building Fund	Animal Care & Control	Other Services / Cremation Services	Ron O'Connor	600-1207-415.39-88		500	Cover cremation service costs
Consolidated Building Fund	Animal Care & Control	Personnel / Permanent Part-Time	Ron O'Connor	600-1201-415.10-09		(15,000)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Personnel / Parking Allowance	Ron O'Connor	600-1201-415.11-22		(1,875)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Professional Services / Collection Agency	Ron O'Connor	600-1201-415.31-39		(5,000)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Postage	Ron O'Connor	600-1201-415.32-02		(2,000)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Telephone	Ron O'Connor	600-1201-415.32-04		(2,500)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Travel - Hotel	Ron O'Connor	600-1201-415.32-23		(500)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	R&M Services / Radio Equip R&M	Ron O'Connor	600-1201-415.36-06		(1,500)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Other Services / Education & Training	Ron O'Connor	600-1201-415.39-70		(3,000)	Transfer to help cover Animal Care & Control costs
Consolidated Building Fund	Code Enforcement	Other Services / Misc Charges & Svcs	Ron O'Connor	600-1201-415.39-89		(10,000)	Transfer to help cover Animal Care & Control costs
						\$ -	
Parking Garage	Parking Enforcement	Other Services / Other Professional Services	Jennifer Hockenhuell	601-0463-645.31-06		45,000	New program through Block by Block was not originally budgeted - estimate to cover costs for remainder of the year
Parking Garage	Eddy Street	Other Services / Other Professional Services	Jennifer Hockenhuell	601-0465-645.31-06		(15,900)	Use unspent funds to cover BBB
Parking Garage	Leighton Garage	R&M Services / Building R&M	Jennifer Hockenhuell	601-0462-645.36-01		(29,100)	Use unspent funds to cover BBB
						\$ -	
Solid Waste Fund	Public Works - Solid Waste	Repairs & Maint / Auto Equipment	Carol Kurzhall	610-0610-791.36-03		100,000	Repair expenses trending higher than expected
Solid Waste Fund	Public Works - Recycling	SW MD Recycling Fee	Carol Kurzhall	610-0615-791.31-08		(100,000)	Budget not needed, fees now on residents' property tax bill
						\$ -	
Water Works O&M	Public Works - Water Works	Professional Services / Engineering	Roxanne Lawson	620-0640-658.31-02		35,000	Fund a portion of the design costs for Prairie Avenue Water Main Loop Project
Water Works O&M	Public Works - Water Works	Utility Services / Electric	Roxanne Lawson	620-0640-601.35-01		25,000	Distribution systems electricity costs expected to be greater than budgeted
Water Works O&M	Public Works - Water Works	Contractual Services - Other	Roxanne Lawson	620-0640-657.31-35		67,500	Increased volume in credit card transactions and customer bill production
Water Works O&M	Public Works - Water Works	Utility Services / Electric	Roxanne Lawson	620-0640-657.35-01		800	Customer Service Center utility costs higher than expected
Water Works O&M	Public Works - Water Works	R&M Services / Building R&M	Roxanne Lawson	620-0640-657.36-01		3,500	Unanticipated repair work at Customer Service Center
Water Works O&M	Public Works - Water Works	Interfund Transfer	Roxanne Lawson	620-0640-658.50-02		58,000	Transfer system development charge payments to Water Works Depr Fund 622
Water Works O&M	Public Works - Water Works	Personnel Benefits / Health Insurance	Roxanne Lawson	620-0640-658.11-08		(45,000)	Unanticipated change in employee coverage elections
Water Works O&M	Public Works - Wastewater	Plumbing Contractors	Roxanne Lawson	620-0630-711.61-02		(100,000)	Anticipate reduction in annual expense
Water Works O&M	Public Works - Water Works	Contractual Svcs / Computer Related Svcs	Roxanne Lawson	620-0640-603.31-37		(16,000)	Anticipate unused software support budget
Water Works O&M	Public Works - Water Works	Contractual Svcs / Computer Related Svcs	Roxanne Lawson	620-0640-606.31-37		(20,000)	Anticipate unused software support budget
Water Works O&M	Public Works - Water Works	Water System Repairs	Roxanne Lawson	620-0640-606.36-61		(6,800)	Less service work performed throughout the year
						\$ -	
Century Center	Services	Personnel / Regular Wages	Brandon Gerlach	670-0406-645.10-01		84,400	Additional funds needed to cover salaries through end of year
Century Center	Food & Beverage	Personnel / Regular Wages	Brandon Gerlach	670-0420-645.10-01		(43,100)	Overestimated personnel costs for Food & Beverage division
Century Center	Food & Beverage	Personnel / Hourly Wages	Brandon Gerlach	670-0420-645.10-02		(21,400)	Overestimated personnel costs for Food & Beverage division
Century Center	Food & Beverage	Personnel / FICA - Regular	Brandon Gerlach	670-0420-645.11-01		(13,400)	Overestimated personnel costs for Food & Beverage division
Century Center	Food & Beverage	Personnel / Health Insurance	Brandon Gerlach	670-0420-645.11-08		(6,500)	Overestimated personnel costs for Food & Beverage division
						\$ -	
Self-funded Employee Benefits	Wellness Clinic	Operating Supplies / Other	Amy Shirk	711-0425-671.22-24		20,000	Prescription costs are higher than anticipated through clinic
Self-funded Employee Benefits	Wellness Clinic	Professional Services / Other	Amy Shirk	711-0425-671.31-06		(20,000)	Clinic costs lower than budgeted
						\$ -	
Unemployment Comp	Administration & Finance	Unemployment Compensation	Amy Shirk	713-0401-671.11-07		18,000	Unemployment claims higher than expected

City of South Bend, Indiana

December 2017 Budget Transfers

(budget transfers between expenditure categories or departments within the same fund)
November 16, 2017

Common Council Approved - 12##/17 - Bill No. ##

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Unemployment Comp	Administration & Finance	Outplacement Services	Amy Shirk	713-0401-671.31-25		(18,000)	Account has available budget
Equipment/Vehicle Leasing	N/A	Capital Lease - Principal	Amy Shirk	750-0000-413.37-11		186	Small payment to pay off debt service for 2015 Vehicle/Equip Lease Bond #2
Equipment/Vehicle Leasing	N/A	Equip Purchases / Motor Equipment	Amy Shirk	750-0000-413.43-02		229,814	Cover remaining vehicles to be purchased with bond funds during 2017
Equipment/Vehicle Leasing	N/A	Operating Supplies / Other	Amy Shirk	750-0000-413.22-24		(230,000)	Account has available budget
Parks Bond Capital	Parks Department	Supplies / Furniture & Fixtures	Amy Shirk	751-1101-452.21-09		6,207	Experience Lodge furniture
Parks Bond Capital	Parks Department	Operating Supplies / Other	Amy Shirk	751-1101-452.22-24		3,793	Various Park supplies
Parks Bond Capital	Parks Department	Capital / Land Improvements	Amy Shirk	751-1101-452.42-01		(10,000)	Account has available budget
Smart Streets Bond Capital	Community Investment	Paying Agent Fees	Beth Leonard	753-1001-460.38-03		1,500	Smart Streets bond fees
Smart Streets Bond Capital	Community Investment	Capital Improvements / Land	Beth Leonard	753-1001-460.42-01		(1,500)	Account has available budget
				Grand Total		\$	

Filed in Clerk's Office
NOV 21 2017
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN



CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 20, 2017

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

RE: December 2017 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 2017, we plan to propose adjustments during four time periods—March, June, October and December.

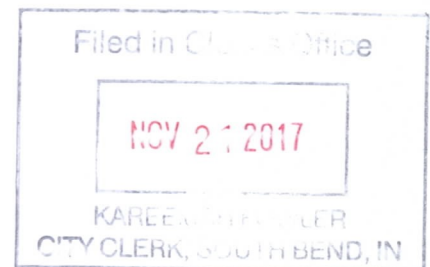
Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

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 27, 2017 with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

Jennifer C. Hockenhill
City Controller



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 2017 OF \$49,745 FROM CONSOLIDATED BUILDING FUND – CODE ENFORCEMENT (#600), \$1,500 FROM WATER WORKS DEPOSIT FUND (#624), \$1,000 FROM WATER WORKS SINKING FUND (#625), \$4,500 FROM WATER WORKS DEBT RESERVE O&M (#629), \$30,000 FROM SEWAGE WORKS O&M RESERVE (#643), AND \$148,300 FROM CENTURY CENTER (#670).

STATEMENT OF PURPOSE AND INTENT

The Common Council passed the City's 2017 operating and capital budgets in 2016 (Ordinance #10458-16 passed on October 24, 2016), 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 2017 and set apart within the following designated funds for operational expenses as follows:

<u>Fund</u>	<u>Amount</u>
Consolidated Building Fund (#600)	\$ 49,745
Water Works Deposit Fund (#624)	1,500
Water Works Sinking Fund (#625)	1,000
Water Works Debt Reserve O&M (#629)	4,500
Sewage Works O&M Reserve (#643)	30,000
Century Center (#670)	148,300
TOTAL	<u><u>\$ 235,045</u></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:

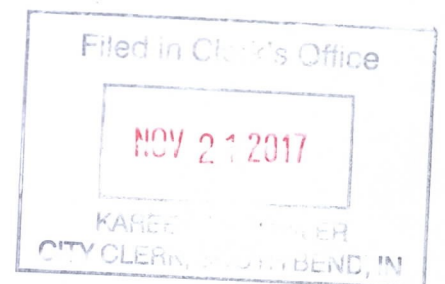
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the _____ day of _____, 2017, at _____ o'clock __ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2017, at _____ o'clock __ . m.

Mayor, City of South Bend, Indiana



City of South Bend, Indiana
December 2017 Additional Appropriation Requests - Enterprise Funds
 (increase or decrease in total fund expenditures)
 November 15, 2017

Common Council Approved - 12/##/17 - Bill No. ##

Fund Name	Department Name	Account Name	Fiscal Officer/ Contact Name	Account Number	Project Number	Budget Increase/ (Decrease)	Justification
Consolidated Building Fund	Code Enforcement	Other Professional Services	Ron O'Connor	600-1201-415.31-06		\$ 49,745	7 emergency demolitions funded by CDBG. Demos required to be complete and invoiced prior to receiving reimbursement of CDBG funding.
Water Works Customer Deposit	Public Works - Water Works	Interfund Transfer	Roxanne Lawson	624-0640-658.50-02		\$ 1,500	Increased interest earnings need to be transferred to Fund 620
Water Works Sinking Fund	Public Works - Water Works	Interfund Transfer	Roxanne Lawson	625-0640-658.50-02		\$ 1,000	Increased interest earnings need to be transferred to Fund 620
Water Works O&M Reserve	Public Works - Water Works	Interfund Transfer	Roxanne Lawson	629-0640-658.50-02		\$ 4,500	Increased interest earnings need to be transferred to Fund 620
Sewage Works O&M Reserve	Public Works - Wastewater	Interfund Transfer	Carol Kurzhal	643-0630-415.50-02		\$ 30,000	Increased interest earnings need to be transferred to Fund 641
Century Center	Services	Personnel / Regular Wages	Brandon Gerlach	670-0406-645.10-01		6,600	Additional funds needed to cover salaries through end of year
Century Center	Services	R&M Supplies / Building Materials	Brandon Gerlach	670-0406-645.23-01		13,500	Unanticipated expenses due to an aging facility
Century Center	Services	R&M Supplies / Other Supplies	Brandon Gerlach	670-0406-645.23-99		30,000	Unanticipated expenses due to an aging facility
Century Center	Services	Professional Services / Other	Brandon Gerlach	670-0406-645.31-06		33,000	Incentive fee and professional services needed to cover cost through end of year
Century Center	Services	Commission Payments	Brandon Gerlach	670-0406-645.31-21		54,000	Increased commission payments due to increased audio sales
Century Center	Services	Other Services / Misc Charges & Svcs	Brandon Gerlach	670-0406-645.39-89		1,200	Small budget overage
Century Center	Food & Beverage	Operating Supplies / Linen & Décor	Brandon Gerlach	670-0420-645.22-72		10,000	More events than budgeted
						\$ 148,300	
				Grand Total		\$ 235,045	

Filed in Clerk's Office
 NOV 21 2017
 KAREEMAH FOWLER
 CITY CLERK, SOUTH BEND, IN



CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 20, 2017

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

RE: December 2017 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 2017, we plan to propose adjustments during four time periods—March, June, October and December.

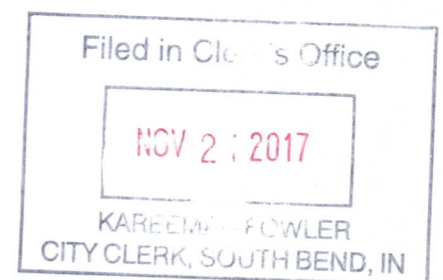
Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

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 27, 2017 with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

Jennifer C. Hockenull
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 2017 OF \$125,000 FROM DCI GRANT FUND (#212), \$100,000 FROM STATE SEIZED DRUG MONEY (#216), \$250,000 FROM LIABILITY INSURANCE FUND (#226), \$49,000 FROM COVELESKI STADIUM (#401), \$955,670 FROM VEHICLE-EQUIPMENT LEASING (#750), \$22,500,000 FROM EDDY ST COMMONS CAPITAL (#759), AND \$2,500,000 FROM EDDY ST COMMONS DEBT SERVICE FUND (#760).

STATEMENT OF PURPOSE AND INTENT

The Common Council passed the City's 2017 operating and capital budgets in 2016 (Ordinance #10457-16 passed on October 24, 2016) 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 2017 and set apart within the following designated funds for expenditures as follows:

<u>Fund</u>	<u>Amount</u>
DCI Grant Fund (#212)	\$ 125,000
State Seized Drug Money (#216)	100,000
Liability Insurance (#226)	250,000
Coveleski Stadium (#401)	49,000
Equipment/Vehicle Leasing (#750)	955,670
Eddy St Commons Capital (#759)	22,500,000
Eddy St Commons Debt Service (#760)	2,500,000
TOTAL	\$ 26,479,670

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 _____, 2017 at _____ o'clock __ . m.

Deputy City Clerk

Approved and signed by me on the _____ day of _____, 2017 at
_____ o'clock __ . m.

Mayor, City of South Bend, Indiana

Filed in Clerk's Office

NOV 2 2017

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

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

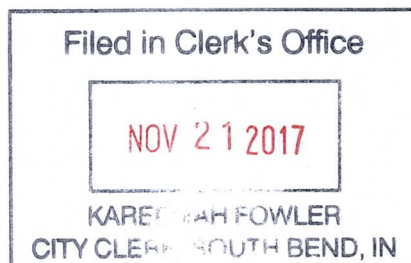


PHONE 574/ 235-9822
FAX 574/ 235-9928

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 21, 2017

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 2018 City budget, the need has arisen to add three (3) funds to properly account for revenue and expenditures of the City of South Bend. One fund is being established to fund self-promoted events of the Morris Performing Arts Center. One fund is being established to fund a Parental Leave program for the employees of the City. One fund is being established to record the revenues and expenditures relating to the 2017 Parks Bond.

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 27, 2017 with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2017.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Hockenhill".

Jennifer C. Hockenhill
City Controller

NOV 21 2017

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 14, SECTION 2-170 OF THE SOUTH BEND MUNICIPAL CODE TO ESTABLISH VARIOUS NEW FUNDS: MORRIS PERFORMING ARTS CENTER SELF-PROMOTED EVENTS FUND (274), PARENTAL LEAVE FUND (714) AND 2017 PARKS BOND FUND (471).

STATEMENT OF PURPOSE AND INTENT

During the preparation and adoption of the 2018 City Budget, the need has arisen to add three (3) Funds to properly account for revenue and expenditures of the City of South Bend. The Morris Performing Arts Center (PAC) Self Promoted Events Fund will be used for shows and events that will be self-promoted through the Morris PAC and will be funded with ticket sale revenues. The Parental Leave fund will be used to offer Parental Leave to City employees based on a new policy. The Parks Bond Fund will be used for the revenues and expenditures related to the 2017 Parks Bond to improve the City's parks and trail system. These Funds consists of Fund Numbers 274, 714, and 471 respectively, and will be effective January 1, 2018.

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

SECTION I. Effective January 1, 2018, 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 2-170.27. Morris Performing Arts Center Self-Promoted Events Fund

The Morris Performing Arts Center Self-Promoted Events Fund (No. 274) is established to account for the revenue and expenditures related to events and activities that the Morris Performing Arts Center self-promotes or self-sponsors.

Section 2-170.28. Parental Leave Fund

The Parental Leave Fund (No. 714) is established to account for the revenues and expenditures relating to the Parental Leave policy established by the administration for the employees of the City.

Section 2-170.29. 2017 Parks Bond Fund

The 2017 Parks Bond Fund (No. 471) is established to account for the revenues and expenditures relating to the 2017 Parks Bond established to improve the parks and trails system throughout the City of South Bend.

SECTION IV. This ordinance shall be in full force and effect on January 1, 2018 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

