



OFFICE OF THE CITY CLERK DAWN M. JONES, CITY CLERK

Public Works & Vacation Committee April 25, 2022 4:31 P.M.

Committee Members Present: Sheila Niezgodski, Lori Hamann, Karen White,
Carl Littrell, Jason Piontek

Committee Members Absent: None

Other Council Present: Canneth Lee, Sharon L. McBride, Troy Warner,
Eli Wax, Henry Davis Jr., Rachel Tomas Morgan

Other Council Absent:

Others Present: Dawn Jones

Presenters: Regina Williams, Thelma Williams

Agenda: Bill No. 12-22- Alley Vacation for FNWNA Development

Full audio dialogue of the meeting is available upon request from the City Clerk's Office.

Committee Chair Sheila Niezgodski called to order the Public Works & Vacation meeting at 4:31 p.m.

Clerk Jones responds with roll call of five (5) present.

Bill No. 12-22

Committee Chair Sheila Niezgodski states, there is a quorum present. Requests for presenter for Bill No. 12-22 Alley Vacation.

Regina Williams Preston, 838 N. Elmer, Thelma Williams 1748 N. Olive St. Preston states, we are member of the Far Northwest Neighborhood Association. We are requesting vacating the alley north south between Keller and Marquette. On the northwest side of town, the 1700 block, we own four (4) lots facing Meade St. and we are looking to develop those into affordable housing. We have based on different site plans, our goal is that we will be able to enter through the alley. One of the big concerns for our neighborhood, seniors specifically, entering in the back typically cause two major problems. One is safety. Two is the in the wintertime, it is hard to enter due to the snow. There was also a discussion about the possibility of doing curb cuts. I know per zoning, we were going back and forth early on about what the site plan would look like. That was another option. If we were able to do curb cuts, we could prevent having to go through the back and we



could do some homes so that they enter from the front. Either of those situations, we were advised, would require an alley vacation so we would have the ability to develop that as desired.

Committee Member Karen White asks would either option work.

Regina Williams Preston responds, we were initially told that the city based on the zoning area, aren't allowing curb cuts. That is one reason we needed to have the alley vacated. Again, one of the concerns was if you're entering a property through the alleys in South Bend, there's typically issues with the snow. If we own that, that we can agree and go ahead and improve that alley so that would we'd be able to shovel it in the winter and even put up more lighting.

Committee Chair White clarifies, currently, we're looking at entering from the back.

Regina Williams states, the first property that we are proposing, the site plan has an entrance from the back.

Committee Member Lori Hamann asks if we are vacating the entire alley or requesting a portion of the map in the packet.

Regina Williams states, we are requesting vacation of the entire alley from Keller to Marquette. Currently there is an access all the way through. It has been overgrown for years. There are bushes growing that would have to be uprooted to make it an actual alley again.

Committee Member Hamann asks if most of these homes on the lots identified are occupied.

Regina Williams states, yes, the homes are occupied and currently our lots are vacant lots. The neighbors were in favor. Most of them over the years, have taken over the alleys with mowing and caring for them.

Carl Littrell asks how you are getting the alley on your site plan or an access on your site plan when you are not allowed to curb cut once the alley is gone. You either have a curb on Meade St. or Keller to connect to. And no curb cuts are allowed.

Regina Williams states, currently Keller is just grass. There is no curb at all.

Angela Smith, Zoning Administrator, offices located on the 14th floor. The ordinance says that you can't have a curb cut if an alley is present. If they vacate the alley, then they would be entitled to a curb cut.

Karen Boyles, City Engineer, offices located on the 13th floor states, it is based on your intent. If you're going to use the alley for access, then we should maintain the alley. If you really want the curb cut and the access off the front, then the vacation makes sense. Every owner along there will inherit some new land as a part of their property.

Regina Williams states, we have talked to all the property owners along there. We are ready, we maintain each section of the alley. It has been the natural way that we've cared for the property around here. Every has already taken ownership and action. This would simply make it official.



Committee Member Hamann asks with the addition of property comes the addition of property taxes and if everyone agrees to assume those additional taxes.

Regina Williams states, that's not a point that I asked. I am not sure if they know that.

Committee Chair Niezgodski states, there will be a utility easement across the back of that property for years. They would have to maintain a utility easement.

Angela Smith states, you can do anything you want. You can build over it. They have the right to be there and to remove anything that is in their way.

Committee Chair Niezgodski requests to move to the full Council for questions.

Council Member Lee states, the property is not being utilized. It is a really good idea to vacate it. Being vacated now, curbs can be cut from the street and that makes sense. Nobody is using it. I would suggest or ask that you make sure you talk with the neighbors and let them know that they're going to get more property.

Committee Chair Niezgodski requests for questions from the public to speak in favor of Bill No. 12-22.

Clerk Jones responds with no one is wising to speak in favor of Bill No. 12-22.

Committee Chair Niezgodski requests if there is anyone to speak against Bill No. 12-22 that is present in the chamber. Requests any questions from the committee. I'd like to entertain a motion regarding Bill No. 12-22.

Committee Member White, Motions for Bill No. 12-22 to be sent to the Committee of the Whole with a favorable recommendation.

Committee Member Hamann, Seconded.

Committee Chair Niezgodski states there has been a motion and seconded to send Bill No. 12-22 to the Committee of the Whole. Requests Clerk Jones complete roll call.

Clerk Jones responds with five (5) ayes.

Committee Chair Niezgodski states Bill No. 12-22 will be sent to the Committee of the Whole with a favorable recommendation.

Adjourned.

Respectfully Submitted,

Sheila Niezgodski, Committee Chair