

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person and via the Microsoft Teams app on Monday, November 14, 2022, at 7:00 p.m. Council President Sharon L. McBride called the meeting to order. Minister Kenneth Hardy of St. Paul Bethel Baptist Missionary Church gave the invocation.

Deputy City Clerk Victoria Trujillo announced: good evening, members of the public. For audio quality, we will be muting everyone not speaking by default to maintain good audio quality for the Council and yourselves. If you would like to speak during the meeting on a specific agenda item, please submit your request in the chat - directions to do so are in the chat. We ask that you provide your [FULL NAME] and [ADDRESS], as those are required for all speakers at in-person Council meetings.

Full audio dialogue of the update is available upon request from the City Clerk’s Office.

**Please note the attached link for the meeting recording:**  
<https://docs.southbendin.gov/WebLink/0/fol/349067/Row1.aspx>

ROLL CALL

COUNCIL MEMBERS PRESENT:

Sharon L. McBride	3 <sup>rd</sup> District, President
Troy Warner	4 <sup>th</sup> District
Eli Wax	5 <sup>th</sup> District
Sheila Niezgodski	6 <sup>th</sup> District, Vice-President
Karen L. White	At-Large
Lori K. Hamann	At-Large
Rachel Tomas Morgan	At-Large

COUNCIL MEMBERS ABSENT:

Canneth Lee	1 <sup>st</sup> District, Committee of the Whole
Henry Davis Jr.	2 <sup>nd</sup> District

OTHERS PRESENT:

Victoria Trujillo	Chief Deputy Clerk
Kenneth Hardy	Deputy Director of Policy
Justin LePla	Director of Special Projects
Bob Palmer	Council Attorney

SUBCOMMITTEE MINUTES

None

SPECIAL BUSINESS

<u>22-54</u>	A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, COMMEMORATING NOVEMBER 19, 2022, AS WOMEN’S ENTREPRENEURSHIP DAY IN SOUTH BEND, INDIANA, AND CELEBRATING WOMEN ENTREPRENEURS WHO PLAY A VITAL ROLE IN STRENGTHENING SOUTH BEND’S ECONOMY
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Bill No. 22-54 was presented by Councilmember Rachel Tomas Morgan and Council Vice-President Sheila Niezgodski.

<u>22-55</u>	A SPECIAL RESOLUTION OF THE SOUTH BEND COMMON COUNCIL,
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COMMEMORATING VETERANS DAY 2022  
AND HONORING ALL VETERANS

Bill No. 22-55 was presented by Council President Sharon McBride and Council Vice-President Sheila Niezgodski.

22-56

A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA COMMEMORATING OVER FIVE YEARS OF SMOKE-FREE ESTABLISHMENTS THROUGH THE PASSAGE OF SOUTH BEND'S CLEAN AIR ORDINANCE

Bill No. 22-56 was presented by Councilmember Rachel Tomas Morgan and Councilmember Karen White.

REPORTS FROM CITY OFFICES

RESULTS OF COMMUNITY SURVEY – DAVID FINLEY, DEPARTMENT OF INFORMATION AND TECHNOLOGY

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Eli wax made a motion to resolve into the committee of the whole, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

PUBLIC HEARINGS

BILL NO.

32-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 316 N. OLIVE ST. COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 32-22 to the full council with a favorable recommendation, which was seconded by Councilmember Karen White. The motion was carried out by a vote of seven (7) ayes.

52-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, THE SOUTHEAST HALF, 120 FEET, OF THE ALLEY EXTENDING BETWEEN GOOD PLACE AND BLYLER PLACE ROUGHLY PARALLEL TO RIVERSIDE DRIVE IN THE CITY OF SOUTH BEND AREA COMMONLY KNOWN AS THE KELLER PARK NEIGHBORHOOD.

Bill No. 52-22 has been tabled until December 12, 2022.

62-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ALLEY VACATION – N-S ALLEY STARTING FROM HILL ST TO FIRST E-W ALLEY BETWEEN CORBY AND KALORAMA (SUBSTITUTE)

Councilmember Troy Warner made a motion to accept Substitute Bill *No. 62-22*, which was seconded by Councilmember Rachel Tomas Morgan. The motion was carried out by a vote of seven (7) ayes.

Councilmember Troy Warner made a motion to send Substitute Bill *No. 62-22* to the full council with a favorable recommendation, contingent on the parcel numbers being included. The motion was seconded by Councilmember Rachel Tomas Morgan and was carried out by a vote of seven (7) ayes.

67-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2022 (SOUTH BEND CHOCOLATE DESTINATION PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

Councilmember Troy Warner made a motion to send Bill *No. 67-22* to the full council with a favorable recommendation, which was seconded by Councilmember Rachel Tomas Morgan. The motion was carried out by a vote of seven (7) ayes.

68-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 19 OF THE SOUTH BEND MUNICIPAL CODE TO APPOINT THE CITY CONTROLLER AS ORDINANCE VIOLATIONS CLERK AND TO MAKE OTHER ASSOCIATED MUNICIPAL CODE AMENDMENTS

Councilmember Eli Wax made a motion to send Bill *No. 68-22* to the full council with a favorable recommendation, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

32-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 316 N. OLIVE ST. COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

RISE AND REPORT

Councilmember Eli Wax made a motion to rise from the Committee of the Whole and report back to the full council, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

REGULAR MEETING RECONVENED

BILLS ON THE THIRD READING

BILL NO.

32-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A

PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 316 N. OLIVE ST. COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Sheila Niezgodski made a motion to adopt Bill *No. 32-22*, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

52-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, THE SOUTHEAST HALF, 120 FEET, OF THE ALLEY EXTENDING BETWEEN GOOD PLACE AND BLYLER PLACE ROUGHLY PARALLEL TO RIVERSIDE DRIVE IN THE CITY OF SOUTH BEND AREA COMMONLY KNOWN AS THE KELLER PARK NEIGHBORHOOD.

Bill No. 52-22 has been tabled until December 12, 2022.

62-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ALLEY VACATION – N-S ALLEY STARTING FROM HILL ST TO FIRST E-W ALLEY BETWEEN CORBY AND KALORAMA (SUBSTITUTE)

Councilmember Karen White made a motion to accept Substitute Bill *No. 62-22*, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

Councilmember Troy Warner made a motion to adopt Substitute Bill *No. 62-22*, which was seconded by Councilmember Sheila Niezgodski and was carried out by a vote of seven (7) ayes.

67-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS “TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2022 (SOUTH BEND CHOCOLATE DESTINATION PROJECT)” AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

Councilmember Rachel Tomas Morgan made a motion to adopt Bill *No. 67-22*, which was seconded by Councilmember Sheila Niezgodski. The motion was carried out by a vote of seven (7) ayes.

68-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 19 OF THE SOUTH BEND MUNICIPAL CODE TO APPOINT THE CITY CONTROLLER AS ORDINANCE VIOLATIONS CLERK AND TO MAKE OTHER ASSOCIATED MUNICIPAL CODE AMENDMENTS

Councilmember Eli Wax made a motion to adopt Bill *No. 68-22*, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

RESOLUTIONS

BILL NO.

22-53

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING THE ISSUANCE OF SCRAP METAL / JUNK DEALERS / RECYCLING OPERATION LICENSES FOR THE CALENDAR YEAR 2022 PURSUANT TO SECTIONS 4-51 OF THE SOUTH BEND MUNICIPAL CODE

Councilmember Karen White made a motion to adopt Bill *No. 22-53*, which was seconded by Councilmember Lori Hamann. The motion was carried out by a vote of seven (7) ayes.

22-57

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 511 NORTH NOTRE DAME AVENUE, SOUTH BEND, IN 46617 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF AN EIGHT (8) YEAR REAL PROPERTY TAX ABATEMENT FOR ND QOZB LLC

Councilmember Rachel Tomas Morgan made a motion to adopt Bill *No. 22-57*, which was seconded by Councilmember Troy Warner. The motion was carried out by a vote of seven (7) ayes.

BILLS ON FIRST READING

BILL NO.

69-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1405 PORTAGE AVE. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Lori Hamann made a motion to send Bill *No. 69-22* to the Board of Zoning Appeals on December 5, 2022, and to the Zoning and Annexation Committee for public heading and third reading on December 12, 2022. The motion was seconded by Councilmember Eli Wax and carried out by a vote of seven (7) ayes.

70-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 3409 S ST JOSEPH ST. COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Lori Hamann made a motion to send Bill *No. 70-22* to the Board of Zoning Appeals on December 5, 2022, and to the Zoning and Annexation Committee for public heading and third reading on December 12, 2022. The motion was seconded by Councilmember Troy Warner and carried out by a vote of seven (7) ayes.

71-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF

THE ADVISORY BOARD OF ZONING APPEALS  
FOR THE PROPERTY LOCATED AT 1502  
MIAMI ST. COUNCILMANIC DISTRICT NO. 3  
IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill *No. 71-22* to the Board of Zoning Appeals on December 5, 2022, and to the Zoning and Annexation Committee for public heading and third reading on December 12, 2022. The motion was seconded by Councilmember Rachel Tomas Morgan and carried out by a vote of seven (7) ayes.

72-22

FIRST READING ON AN ORDINANCE OF THE  
COMMON COUNCIL OF THE CITY OF SOUTH  
BEND, INDIANA, AMENDING CHAPTER 1,  
SECTION 1 - 4 OF THE SOUTH BEND  
MUNICIPAL CODE ADDRESSING SIX  
COUNCILMANIC DISTRICTS

Councilmember Troy Warner made a motion to send Bill *No. 72-22* to the Rules Committee on November 28, 2022, for public heading and third reading. The motion was seconded by Councilmember Lori Hamann and carried out by a vote of seven (7) ayes.

UNFINISHED BUSINESS

Council President Sharon McBride stated the council will be receiving information regarding the C.R.B. second interviews.

NEW BUSINESS

Council President Sharon McBride stated the Rules Committee will have a meeting and public hearing regarding the redistricting on November 21, 2022, at 5:30 p.m. The meeting will be held in the council chambers and will be open to the public. The last council meeting of the year will be on December 12, 2022, and due to the Thanksgiving holiday, the filing day will be moved from Wednesday, November 23, 2022, to Monday, November 21, 2022, by noon.

PRIVILEGE OF THE FLOOR

Caleb Bauer, Director of Community Investment with offices on the 14<sup>th</sup> floor of the County-City Building, shared details regarding the “Coolest Thing Made In Indiana” tournament.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 9:28 p.m.