

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 28, 2022, at 7:00 p.m. Council President Sharon L. McBride called the meeting to order. FR Jim Fenstermaker, C.S.C., of Holy Cross School gave the invocation.

City Clerk Dawn M. Jones 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:

Canneth Lee	1 st District, Committee of the Whole
Henry Davis Jr.	2 nd District (Virtual)
Sharon L. McBride	3 rd District, President
Troy Warner	4 th District
Eli Wax	5 th District
Sheila Niezgodski	6 th District, Vice-President
Lori K. Hamann	At-Large (Virtual)
Rachel Tomas Morgan	At-Large

COUNCIL MEMBERS ABSENT:

Karen L. White	At-Large (Excused)
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OTHERS PRESENT:

Dawn Jones	City Clerk
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

None.

REPORTS FROM CITY OFFICES

Venues, Parks, and Arts Update – Aaron Perri, Executive Director

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Eli Wax motioned to resolve into the committee of the whole, which was seconded by Councilmember Canneth Lee and carried by a vote of eight (8) ayes.

PUBLIC HEARINGS

BILL NO.

64-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 613 S WARREN ST., COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner motioned to send Bill *No. 64-22* to the full council with a favorable recommendation, which was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of eight (8) ayes.

65-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1036 AND 1044 LINCOLNWAY EAST, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

Councilmember Eli Wax motioned to accept Substitute Bill *No. 65-22*, which was seconded by Councilmember Troy Warner and was carried by a vote of eight (8) ayes.

Councilmember Rachel Tomas Morgan motioned to send Substitute Bill *No. 65-22* to the full council with a favorable recommendation, which was seconded by Council President Sharon McBride and carried by a vote of eight (8) ayes.

66-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DR E BETWEEN W LINDENWOOD DR S AND AUTEN RD., COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Eli Wax motioned to send Bill *No. 66-22* to the full council with a favorable recommendation, which was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of eight (8) ayes.

72-22

PUBLIC HEARING 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 Rachel Tomas Morgan motioned to send Bill *No. 72-22* to the full council with a favorable recommendation, which was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of eight (8) ayes.

RISE AND REPORT

Councilmember Eli Wax motioned to rise from the Committee of the Whole and report back to the full council, which was seconded by Council President Sharon McBride and carried by a vote of eight (8) ayes.

REGULAR MEETING RECONVENED

BILLS ON THE THIRD READING

BILL NO.

64-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 613 S WARREN ST., COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Rachel Tomas Morgan motioned for the passage of Bill No. 64-22, which was seconded by Councilmember Canneth Lee and carried by a vote of eight (8) ayes.

65-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1036 AND 1044 LINCOLNWAY EAST, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

Council Vice-President Sheila Niezgodski motioned for the passage of Substitute Bill No. 65-22, which was seconded by Councilmember Lori Hamann and carried by a vote of eight (8) ayes.

66-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DR E BETWEEN W LINDENWOOD DR S AND AUTEN RD., COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Canneth Lee motioned for the passage of Bill No. 66-22, which was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of seven (7) ayes (Councilmember Lori Hamann was not present during the vote).

72-22

PUBLIC HEARING 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 Canneth Lee motioned for the passage of Bill No. 72-22, which was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of eight (8) ayes.

RESOLUTIONS

22-58

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION 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 Troy Warner motioned to adopt Resolution *No. 22-58*, which was seconded by Councilmember Rachel Tomas Morgan and carried by a vote of eight (8) ayes.

BILLS ON FIRST READING

BILL NO.

74-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 505 IRELAND RD., 4412 FELLOWS ST., AND 4422 FELLOWS ST., COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice-President Sheila Niezgodski motioned to send Bill *No. 74-22* to the Zoning and Annexation Committee for a public hearing and third reading on January 9, 2023. The motion was seconded by Councilmember Troy Warner and carried by a vote of seven (7) ayes (Councilmember Lori Hamann was not present during the vote).

75-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SOUTH BEND FOR THE CALENDAR YEAR 2023

Councilmember Eli Wax motioned to send Bill *No. 75-22* to the Personnel and Finance Committee for a public hearing and third reading on December 12, 2022. The motion was seconded by Councilmember Troy Warner and carried by a vote of eight (8) ayes.

76-22

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 FOR THE YEAR 2022 OF \$840,000 FROM THE GENERAL FUND (#101), \$968,222 FROM THE PARKS & RECREATION FUND (#201), \$135,000 FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$25,000 FROM THE LAW ENFORCEMENT CONTINUING EDUCATION FUND (#220), \$2,300,000 FROM THE CENTRAL SERVICES FUND (#222), \$294,000 FROM THE LIABILITY INSURANCE FUND (#226), \$226,000 FROM THE MVH RESTRICTED FUND (#266), \$875,000 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$210,000 FROM THE WATER WORKS OPERATIONS FUND (#620), \$224,165 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), AND \$550,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670)

Councilmember Canneth Lee motioned to send Bill *No. 76-22* to the Personnel and Finance Committee for a public hearing and third reading on December 12, 2022. The motion was seconded by Councilmember Eli Wax and carried by a vote of eight (8) ayes.

77-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, 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 2022

Councilmember Troy Warner motioned to send Bill No. 77-22 to the Personnel and Finance Committee for a public hearing and third reading on December 12, 2022. The motion was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of eight (8) ayes.

UNFINISHED BUSINESS

Council President Sharon McBride stated the last council meeting for the year will be December 12, 2022.

Councilmember Henry Davis Jr. thanked the council and the clerk's office for helping with the Heroes Camp.

NEW BUSINESS

Council President Sharon McBride stated that an organizational meeting will take place on January 3, 2023, at 5:00. The meeting will take place in the informal conference room.

PRIVILEGE OF THE FLOOR

None.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 8:12 p.m.