

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person on Monday, December 12, 2022, at 7:00 p.m. Council President Sharon L. McBride called the meeting to order. Kenneth Hardy 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.

**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 <sup>st</sup> District, Committee of the Whole
Henry Davis Jr.	2 <sup>nd</sup> District
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
Lori K. Hamann	At-Large
Rachel Tomas Morgan	At-Large
Karen L. White	At-Large

OTHERS PRESENT:

Dawn Jones	City Clerk
Kenneth Hardy	Deputy Director of Policy
Justin LePla	Director of Special Projects
Bob Palmer	Council Attorney

SUBCOMMITTEE MINUTES

Discussion on the content of minutes.

SPECIAL BUSINESS

Swearing-in of the 2023 Youth Advisory Council

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Henry Davis Jr. motioned to resolve into the committee of the whole, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

PUBLIC HEARINGS

BILL NO.

63-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP,

CONTIGUOUS THEREWITH: COUNCILMANIC DISTRICT NO. 1, FOR 21275 CLEVELAND ROAD, SOUTH BEND, INDIANA

Council Vice-President Sheila Niezgodski motioned to send Bill No. 63-22 to the full council with a favorable recommendation, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

69-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE 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 Troy Warner motioned to table Bill No. 69-22 to January 9, 2023, which was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of eight (8) ayes and one (1) nay (Councilmember Henry Davis Jr. voted nay).

75-22

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

Council Vice-President Sheila Niezgodski motioned to send Bill No. 75-22 to the full council with a favorable recommendation, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

76-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE 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)

Council Vice-President Sheila Niezgodski motioned to send Bill No. 72-22 to the full council with a favorable recommendation, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

77-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF

THE SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2022

Councilmember Rachel Tomas Morgan motioned to send Bill *No. 72-22* to the full council with a favorable recommendation, which was seconded by Councilmember Troy Warner and carried by a vote of nine (9) ayes.

RISE AND REPORT

Councilmember Lori Hamann motioned to rise from the Committee of the Whole and report back to the full council, which was seconded by Councilmember Troy Warner and carried by a vote of nine (9) ayes.

REGULAR MEETING RECONVENED

BILLS ON THE THIRD READING

BILL NO.

75-22

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

Council Vice-President Sheila Niezgodski motioned for the passage of Bill *No. 75-22*, which was seconded by Councilmember Rachel Tomas Morgan and carried by a vote of nine (9) ayes.

76-22

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE 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 Rachel Tomas Morgan motioned for the passage of Bill *No. 76-22*, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

77-22

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2022

Council Vice-President Sheila Niezgodski motioned for the passage of Bill *No. 77-22*, which was seconded by Councilmember Troy Warner and carried by a vote of nine (9) ayes.

RESOLUTIONS

22-59

RESOLUTION ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN GERMAN TOWNSHIP (CLEVELAND-SHELLBARK ANNEXATION AREA)

Councilmember Canneth Lee motioned to adopt Resolution *No. 22-59*, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

22-60

RESOLUTION ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AN UPDATED AND SUPERCEDING RESOLUTION OF THE SOUTH BEND COMMON COUNCIL CONCERNING CLIMATE RECOVERY AND OUR COMMITMENT TO DEVELOP A CLIMATE ACTION PLAN AIMED AT GREENHOUSE GAS REDUCTIONS FOR THE CITY OF SOUTH BEND AND TO SUPPORT OTHER CLIMATE-RELATED INITIATIVES.

Councilmember Canneth Lee motioned to adopt Resolution *No. 22-60*, which was seconded by Councilmember Karen White and carried by a vote of nine (9) ayes.

BILLS ON FIRST READING

BILL NO.

78-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1144 CORBY BLVD. COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Karen White motioned to send Bill *No. 78-22* to the South Bend Plan Commission for a public hearing January 17, 2023, and to the Zoning and Annexation Committee for a public hearing and third reading on January 23, 2023. The motion was seconded by Council Vice-President Sheila Niezgodski and carried by a vote of nine (9) ayes.

79-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 7468 AND 7686 VORDEN PARKWAY. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Lori Hamann motioned to send Bill *No. 79-22* to the Board of Zoning Appeals for a public hearing on January 3, 2023, and to the Zoning and Annexation Committee for a public hearing and third reading on January 9, 2023. The motion was seconded by Councilmember Canneth Lee and carried by a vote of nine (9) ayes.

UNFINISHED BUSINESS

Council President Sharon McBride reminded the council they will have an executive session December 13, 2022 at 2:00 for the second interviews for the CRB. The council will then reconvene at December 15, 2022 at 4:00 in the informal conference room. The committee meeting notes will be due December 31, 2022.

Councilmember Lori Hamann motioned to cancel the December 26, 2022 council meeting, which was seconded by Councilmember Canneth Lee and carried by a vote of nine (9) ayes.

NEW BUSINESS

Councilmember Henry Davis Jr. brought up that there was a traffic jam on the corner of Colfax and Main Street, and stated a worker shared with him that there are numerous problems with traffic at the parking garage, as well as workers being understaffed and underpaid.

Councilmember Canneth Lee motioned to accept the council meeting dates for 2023 which was seconded by Councilmember Rachel Tomas Morgan and carried by a vote of nine (9) ayes.

PRIVILEGE OF THE FLOOR

Justin LePla, Director of Special Projects for the City Clerk's Office with offices on the 4<sup>th</sup> floor of the County-City Building discussed the relationship between the Council and the Clerk's office.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 9:53 p.m.