

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person on Monday, January 9, 2023, 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/360589/Row1.aspx>

ROLL CALL

COUNCIL MEMBERS PRESENT:

Canneth Lee	1 st District, Committee of the Whole
Henry Davis Jr.	2 nd District
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
Rachel Tomas Morgan	At-Large
Karen L. White	At-Large

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

SEPTEMBER 12, 2022, SEPTEMBER 26, 2022,
OCTOBER 10, 2022, OCTOBER 24, 2022,
NOVEMBER 14, 2022, NOVEMBER 28, 2022,
DECEMBER 12, 2022

Councilmember Troy Warner stated that the minutes just consist of the bill titles and votes, and no substance. The bills require a general substance of all matters proposed discussed and decided, and in his opinion, the list of bills and votes taken does not fulfill that requirement.

Councilmember Eli Wax agreed with Councilmember Warner’s statement.

There was no motion to approve the minutes.

SPECIAL BUSINESS

None.

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Eli Wax motioned to resolve into the committee of the whole, which was seconded by Councilmember Troy Warner and carried by a vote of nine (9) ayes.

PUBLIC HEARINGS

BILL NO.

52-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: 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

This bill was tabled until February 13, 2023, as requested by the petitioner.

69-22

A COUNCIL DISCUSSION 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

Council Member Henry Davis Jr. motioned to send Bill No. 69-22 to the full council with a favorable recommendation, which was seconded by Councilmember Eli Wax and failed by a vote of four (4) ayes and five (5) nays.

Council President Sharon L. McBride – Aye	Council Vice President Sheila Niezgodski – Nay
Councilmember Henry Davis – Aye	Councilmember Karen White – Nay
Councilmember Eli Wax – Aye	Councilmember Canneth Lee – Nay
Councilmember Lori Hamann – Aye	Councilmember Troy Warner – Nay
	Councilmember Rachel Tomas-Morgan – Nay

Council Member Rachel Tomas Morgan motioned to send Bill No. 69-22 to the full council with a unfavorable recommendation, which was seconded by Councilmember Troy Warner and carried by a vote of seven (7) ayes and two (2) nays.

Council Vice President Sheila Niezgodski – Aye	Council President Sharon L. McBride - Aye
Councilmember Karen White – Aye	Councilmember Henry Davis – Nay
Councilmember Canneth Lee – Aye	Councilmember Eli Wax – Nay
Councilmember Troy Warner – Aye	Councilmember Lori Hamann – Aye
Councilmember Rachel Tomas-Morgan – Aye	

71-22

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 1502 MIAMI ST. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

This bill was tabled until January 23, 2023, as requested by the petitioner.

74-22

PUBLIC HEARING 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

Councilmember Karen White motioned to send Bill No. 74-22 to the full council with a favorable recommendation, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

79-22

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 PROPERTY LOCATED AT 7468 AND 7686 VORDEN PARKWAY. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Eli Wax motioned to send Bill No. 79-22 to the full council with a favorable recommendation, which was seconded by Councilmember Henry Davis Jr. and carried by a vote of nine (9) ayes.

RISE AND REPORT

Councilmember Henry Davis Jr. motioned to rise from the Committee of the Whole and report back to the full council, which was seconded by Councilmember Eli Wax and carried by a vote of nine (9) ayes.

REGULAR MEETING RECONVENED

BILLS ON THE THIRD READING

BILL NO.

63-22

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF 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 (THIRD READING ONLY)

Councilmember Karen White motioned for the passage of Bill No. 63-22, which was seconded by Councilmember Lori Hamann and carried by a vote of nine (9) ayes.

69-22

THIRD 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 Troy Warner motioned to reject Bill No. 69-22, which was seconded by Councilmember Rachel Tomas Morgan and carried by a vote of six (6) ayes and three (3) nays.

Council Vice President Sheila Niezgodski – Aye	Council President Sharon L. McBride – Nay
Councilmember Karen White – Aye	Councilmember Henry Davis – Nay

Councilmember Canneth Lee – Aye	Councilmember Eli Wax – Nay
Councilmember Troy Warner – Aye	Councilmember Lori Hamann – Aye
Councilmember Rachel Tomas-Morgan – Aye	

74-22

THIRD 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

Councilmember Rachel Tomas Morgan motioned for the passage of Bill *No. 74-22*, which was seconded by Councilmember Karen White and carried by a vote of nine (9) ayes.

79-22

THIRD 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 PROPERTY LOCATED AT 7468 AND 7686 VORDEN PARKWAY. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice-President Sheila Niezgodski motioned for the passage of Bill *No. 79-22*, which was seconded by Councilmember Troy Warner and carried by a vote of nine (9) ayes.

RESOLUTIONS

There are no resolutions.

BILLS ON FIRST READING

There are no bills on first reading.

UNFINISHED BUSINESS

There is no unfinished business.

NEW BUSINESS

Council Vice President Niezgodski stated that March 1, 2023 is the deadline for citizens to apply to become a citizen members for a standing committee. The Martin Luther King Jr. breakfast will be at 7:30 a.m. on January 16, 2023. Lawrence Greenspun reached out and stated the 2045 Plan engagement process will be ending on March 31, 2023.

Councilmember Henry Davis Jr. stated his accomplishments for the 2nd district as a councilmember, and stated his concerns over the current administration not allowing him to speak at ground breakings in his district.

Councilmember Karen White stated the Council will receive updates in the following months on environmental concerns and issues from the Saint Joseph Health Department and leadership from the County Council.

Councilmember Canneth Lee stated he hopes in the coming year the Council can work together to represent the community and make South Bend a better place.

Councilmember Rachel Tomas Morgan stated that time during the council meetings should not be used to make campaign speeches.

PRIVILEGE OF THE FLOOR

Sharon Banicki, 3822 Ford Street, stated her concerns over what is happening in the council with money being spent and meeting minutes not being submitted. Banicki shared her frustrations about

how councilmembers will have press conferences and ask how residents feel about their hardships, but don't do anything or give suggestions to improve the situation, and how shootings are increasing in the neighborhoods. Banicki suggested bringing back specialty gang violence and drug police units.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 8:26 p.m.

DRAFT