

REGULAR MEETING

May 22, 2023

Be it remembered that the Common Council of the City of South Bend, Indiana met in-person in the Council Chambers of the County-City Building and via Microsoft Teams app on Monday, May 22, 2023, at 7:00 PM. The meeting was called to order by Council President Sharon L McBride, and the Invocation was given by Apostle Dennis Givens of New Horizon Outreach Ministry and Pledge to the Flag was given.

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. If you would like to be called on during the meeting for public input, again please insert your [FULL NAME] and [ADDRESS], in the chat and you will be called on during the relevant time for public input. You will be given five minutes to speak. For citizens that wish to speak during privilege of the floor, please insert the following [FULL NAME] and [ADDRESS], into the chat during that time and the Council President will call on you. You will be given three minutes to speak. Please be sure to unmute yourself prior to giving your remarks.

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

Please note the attached link for the live meeting:

<http://docs.southbendin.gov/WebLink/0/fo/328884/Row1.aspx?dbid=0&dbid=0&startid=328884&startid=328884&row=1&row=1>

INVOCATION

Apostle Dennis Givens – New Horizon Outreach Ministry

PLEDGE OF ALLEGIANCE

ROLL CALL

COUNCIL MEMBERS PRESENT:

Canneth Lee	1 st District, Committee of the Whole *
Sharon L. McBride	3 rd District, President
Troy Warner	4 th District
Eli Wax	5 th District
Sheila Niezgodski	6 th District, Vice-President
Rachel Tomas Morgan	At-Large
Lori K. Hamann	At-Large
Karen L. White	At-Large

COUNCIL MEMBERS ABSENT:

Henry Davis Jr. 2nd District

OTHERS PRESENT:

Dawn M. Jones	City Clerk
Victoria Trujillo	Chief Deputy Clerk
Kenneth Hardy	Deputy Clerk
Bob Palmer	Council Attorney

Councilmembers with an asterisk (*) indicate virtual attendance.

REPORT FROM SUB-COMMITTEE ON MINUTES

There was no report from the sub-committee on minutes.

SPECIAL BUSINESS

23-25 A SPECIAL RESOLUTION OF THE SOUTH BEND COMMON COUNCIL ON BEHALF OF THE RESIDENTS OF SOUTH BEND, HONORING A TRUE VISIONARY, AARON PERRI, EXECUTIVE DIRECTOR OF THE DEPARTMENT OF VENUES PARKS & ARTS, FOR HIS MANY AND TRANSFORMATIVE CONTRIBUTIONS TO THE CITY OF SOUTH BEND

Council President, Sharon McBride, Councilmember Karen White, Councilmember Troy Warner, and Councilmember Sheila Niezgodski presented Special Resolution No. 23-25, honoring Executive Director of Venues, Parks, and Arts, Aaron Perri, for his many contributions to the City of South Bend.

Aaron's family and the Venues, Parks, and Arts team were present to give their remarks. Aaron Perri thanked the council and everyone for the privilege to serve the City of South Bend. He is thankful for the amount of support that he has received from the public servants, sponsors, donors, partners, volunteers, and staff.

Council President, Sharon McBride provided remarks on the accomplishments of Aaron Perri and their working relationship while she was the Vice-Chair of the VPA Committee. She thanked him for his vision, drive, innovative style, and leadership during his tenure with the City of South Bend. Council President opened up the floor to the Common Council to provide their remarks and comments.

Council President, Sharon McBride made a motion to adopt Special Resolution No. 23-25. Councilmember Lori Hamann seconded the motion. The motion Passed by a vote of 8 ayes and 0 nays.

REPORTS FROM CITY OFFICES

There was no report from city offices.

RESOLVE INTO COMMITTEE OF THE WHOLE

Council President, Sharon McBride entertained a motion to resolve into the Committee of the Whole.

Councilmember Karen White made the motion to resolve into the Committee of the Whole. Councilmember, Eli Wax seconded the motion. The motion Passed by a vote of 8 ayes and 0 nays. Council Vice-President, Sheila Niezgodski, presiding.

Council Vice-President, Sheila Niezgodski explained the procedures for the meeting per Article 1, Section 2-11 of the South Bend Municipal Code.

**PUBLIC HEARINGS
BILL NO.**

11-23 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 PRORTY LOCATED AT 1306, 1330 HIGH ST. AND 909 E BROADWAY ST. COUNILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

Committee Chair Lori K. Hamann stated the Zoning and Annexation Committee previously heard Bill No. 11-23, and it comes to the committee of the whole with an unfavorable recommendation.

Angela Smith, Zoning Administrator, City of South Bend, 227 W Jefferson Blvd., South Bend, Indiana – 14th Floor, stated that the petitioner is seeking a Special Exception to allow for heavy industrial use or salvage yard at 1330, 1306 High St and 909 E. Broadway St. The petitioner has been identified as doing major auto repair with outdoor storage of many vehicles. It has been noted that vehicles have been left on the property in disrepair. The property has grown in intensity over time with vehicles on blocks and extending into the street on Broadway. Based on the information provided to the Council, the petition comes to the full council with an unfavorable recommendation from the Board of Zoning and Appeals. The Petitioner was reminded of the Public Hearing on Friday, May 19, 2023, via a phone call. The Petitioner was not present during the Public Hearing.

Council Vice-President Sheila Niezgodski opened up the floor to the Councilmembers for questions.

Council President, Sharon McBride made a comment on behalf of the neighborhood association and as a resident of the neighborhood. McBride indicated there have been numerous calls and emails to the Council from neighbors regarding this property and it has been a nuisance property for quite some time. The neighbors are concerned about the noise, illegally parked cars parked along the street, and the overflow disrupting the neighborhood. McBride indicated the neighbors have worked hard on the upkeep of this neighborhood and is not in support of Bill No. 11-23.

Council Vice-President, Sheila Niezgodski opened up the floor to the Public to speak on Bill No. 11-23.

Councilmember Davis asked Ms. Smith if there are any upcoming or new design specs for the Mishawaka Avenue area as the current conditions are dated. Ms. Smith replied that she believes River Park is part of one of the neighborhood plans that is currently being worked on by the planning team. The current plans include Mishawaka Avenue and work is taking place. Ms. Smith also indicated the Zoning team utilizes the Vibrant Places Grant that was released and there have been several businesses along Mishawaka Avenue that have contacted her regarding the grant being held by the city. The grant assists with façade improvements and activation along the business front. Ms. Smith indicated that she promotes these types of grants to the petitioners in hopes they take advantage of the opportunities that exist. Ms. Smith stated that as seen with Western Avenue, these types of grants can have a real impact on the entire corridor, and she expects to see improvement along Mishawaka Avenue within the next few years. The design specs for the buildings are just getting started.

Stephanie Rizk, core founder of LangLab at 1302 High Street, South Bend, IN 46601 provided public input on Bill No. 11-23. Ms. Rizk mentioned LangLab is located right next door to the property in question. Ms. Rizk also indicated there were concerns about the loud, disruptive noise. She indicated the noise is disconcerting to the rest of the business owners and residents in the area. There is a baseball field being built a block away and believes it will be such and she does not believe the auto repair shop compliments the future development in the same vicinity.

At-Large Councilmember Karen L. White made a motion to send Bill No. 11-23 to the full council with an unfavorable recommendation.

Councilmember Lori Hamann seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

17-23 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 751 COTTAGE GROVE AVE

Council Vice-President Sheila Niezgodski entertained a motion to hear Bill No.'s 17-23 and 18-23 together. Councilmember Karen White made a motion to hear Bill No.'s 17-23 and 18-23 together.

Councilmember Troy Warner seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

18-23 A 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 630 AND 632 HARRISON ST.

Council Vice-President, Sheila Niezgodski entertained a motion to hear Bill No.'s 17-23 and 18-23 together. Councilmember Karen White made a motion to hear Bill No.'s 17-23 and 18-23 together.

Councilmember Troy Warner seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

Committee Chair Lori K. Hamann stated the Zoning and Annexation Committee previously heard Bill No.'s 17-23 and 18-23 and both Bills come to the committee of the whole with a favorable recommendation.

Angela Smith, Zoning Administrator, City of South Bend, 227 W Jefferson Blvd., South Bend, Indiana – 14th Floor, stated the two petitions, Bill No. 17-23 at 751 Cottage and 18-23, 630 & 632 Harrison are use variances to allow for urban agriculture in the City of South Bend. The City of South Bend has provisions that allow for large-scale plant agricultural or their industrial district or community gardens that are open to the public. The City of South Bend currently does not have anything that covers a for-profit business that works within the neighborhoods. She indicated the City does not want to see these properties zoned “industrial” in these neighborhoods; therefore, a use-variance would be the appropriate action. All properties included in the proposed Bills are vacant lots that will be used for food production and growth that would be utilized by Sun Choke farms. The company will allow production that can be sold within the City of South Bend. Both Bill No.'s 17-23 and 18-23 come before the full council with a favorable recommendation from the Board of Zoning & Appeals. There was an overwhelming show of support at their last meeting. Ms. Smith indicated they have received well over 60 emails and several people attended in person to speak in favor of these two Bills. Angela Smith opened up the floor for a presentation from the Director of Operation of Sunchoke Farms.

Susan Greutman, Owner of Sunchoke Farms, 824 Lindsey St., South Bend, IN 46616 provided a brief introduction of herself and the business, Sunchoke Farms. She also provided reasons why the Council should approve the use variance for the properties included in the Bills.

The floor was open to Councilmembers for questions. Councilmember Eli Wax asked about the time limit for the land use agreement. Susan Greutman responded that the land use agreement is for 5 years.

Councilmember Troy Warner made a motion to send Bill No. 17-23 to the full council with a favorable recommendation.

Councilmember Lori Hamann seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

Councilmember Troy Warner made a motion to send Bill No. 18-23 to the full council with a favorable recommendation.

Councilmember Karen White seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

22-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, VACATE THE FOLLOWING DESCRIBED PROPERTY:THE FIRST NORTH-SOUTH ALLEY LYING WEST OF EDDY STREET, BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF QUIMBY STREET AND BOUNDED ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF THE FIRST EAST-WEST ALLEY LYING NORTH OF QUIMBY STREET, BEING APPROXIMATELY 99.99 LINEAL FEET

Committee Chair Sheila Niezgodski stated the Public Works and Property Vacation Committee previously heard Bill No. 22-23, and it comes to the committee of the whole with a favorable recommendation.

Terry Lang, Professional Surveyor with Wightman, at 1402 Mishawaka Ave, South Bend, IN 46615 presented Bill No. 22-23. Mr. Lang indicated the property is a small section of an alley that runs North and South. He indicated a property owner who requested that this petition come before the council currently owns all four parcels around the area and desires to close the small stretch of property. The other North adjacent part of the property had been vacated years ago. Wightman agrees with the Board of Public Works to close the curb cut and reinstall the sidewalk for the property and the associated easements to cross the property lines. The Petitioner agrees under all the mentioned conditions.

Bruce Gordon, 331 S. Eddy Street, South Bend, IN 46617 provided input on Bill No. 22-23. He indicated he currently owns the property at 331 S. Eddy Street with John Whitmer. He stated this property faces Eddy Street and is located a half block from the location of the property included in the Bill. He indicated he owned property on the corner of Western and 331. The property used to be an insurance office and is now a Real Estate and appraisal office. Mr. Gordon stated two people have been killed in this area due to being a hazardous area. He indicated over the last 10-12 years; the area has dealt with heavy traffic. When the area in front of Jefferson School was redone, vehicles would make U-turns in the street all day. He indicated the need to put a barricade up on his property to block the entrance to their parking lot because he was almost struck by a vehicle. He indicated the Robert Henry Corporation was allowed to block Western Street and now there is no path from Eddy to Frances Street. He believes closing the alley will make the area more congested than it already is and Quimby is too narrow of a street to park and drive through as it is. He stated closing the alley would add to more congestion. He would like the Council to take into consideration the two people that have been killed on Eddy Street for the safety of the people that live in town. He would also like the Council to evaluate the traffic coming from Jefferson School. He would like a median to be created on Jefferson Street to avoid the hazardous traffic conditions in this area. Mr. Gordon would like the Council to consider reopening Western Street and asked the Council to investigate more into the area to determine the best solution for the area.

Conway Jackson, 327-329 Eddy Street, South Bend, In 46617. Mr. Jackson wanted clarification on the plans for the property included in the Bill. Mr. Jackson stated opening the alley would create a problem.

Zoning Administrator, Angela Smith, responded that the section of the alley in question is the north/south alley on the north side of Quimby Street. There is no proposal to vacate the east/west alley. There is also no proposal to vacate anything south of Quimby Street. The petitioner is only seeking to vacate the alley that is surrounded by his property.

Melody Gonzalez, 327-329 Eddy Steet, South Bend, IN 46617, commented if the alley were to be vacated, then people would drive onto their property to make U-turns whereas they would use the portion of the alley that is seeking to be vacated; therefore, she speaks in opposition of the Bill.

Angela Smith indicated the distance from Eddy to Frances is short enough that the need to drive down or turn around in an alley never occurred to her due to safety precautions to get back onto Eddy Street.

The petitioner stated it doesn't make sense to keep the alley open and funnel cars down the alley that is half the size of Quimby Street. He stated the 40 ft drive to Frances Street to get back onto Eddy Street makes more sense.

Brad Emberton, 615 W. Colfax Street, South Bend, IN 46601, provided comment on Bill No. 22-23. He believes there is a misunderstanding and stated closing the alley would not cause or prevent any of the negative comments made. He indicated the cars that drive through the alley are so close to the houses that they would be able to see in them. Closing the alley would allow the property owners to get a better night's rest. The traffic through the alley is noisy, disruptive,

and a privacy concern for the nearby residents. He does not believe vacating the alley would pose any public safety concerns.

Bruce Gordon made a rebuttal to the previous comments made. Mr. Gordon indicated there is a misunderstanding and if people do not have an alley to turn into, then they may turn to the next property with a curb cut to turn around. Despite the frequency of dropping kids off to school daily, he stated that he has video camera footage of at least twenty people doing U-Turns in this area. He indicated there is a problem with congestion in this area and believes by vacating the property will add to the current problem in that area.

Terry Lang made a rebuttal of Mr. Gordon's comments by mentioning the Board of Public Works, which looks at the safety of the entire city, has reviewed this petition and has sent the petition with the proposed recommendations that Wightman agrees with. He indicated he does not believe the Board would have sent this recommendation if they thought it would create an additional safety factor that would be a hindrance.

Mary Bundy, 318 S. Frances Street, South Bend, IN 46617, spoke in opposition of the proposed Bill. Moved in the neighborhood 11 years ago and indicated the narrowness of Quimby St. has always been an issue. She often wondered why it wasn't made a one-way street. She believes the issues can be resolved by making Quimby St. a one-way street. She wasn't sure who to talk to within the city about her suggestion to make Quimby St. a one-way street and would like if the City Council could give her some direction. She believes this would solve the problem of people attempting to make U-turns or using resident's properties to turn around to drive in the opposite direction.

The floor was opened up to Councilmembers for questions. Councilmember Lori Hamann asked if a traffic study has been completed in this area. Zoning Administrator, Angela Smith responded that a petition to vacate an alley typically doesn't warrant a traffic study to be completed. INDOT controls the devices along Eddy Street as it is a State Highway. The main concern of their staff and the Board of Public Works is to make sure that there isn't any future access to Eddy Street as this is one of the conditions. She indicated there aren't any other curb cuts on Quimby St. Councilmember Hamann wanted to know if there could be an assessment done to determine how the closure of the alley would impact the traffic on Quimby St. Ms. Smith responded Quimby is a city road; however, the study would eliminate additional traffic on Quimby Street by not allowing people from the alley to access out that direction and they would be going up Frances Street. Councilmember Hamann indicated she thinks there may be other concerns in the area and the Council would need to know how the alley vacation may impact an already congested area. Ms. Smith indicated this area is likely to undergo a complete study as they use the federal grant to look at removing the Clover Leaf. Ms. Smith agrees there are street connection issues in this area and there are problems that need to be solved.

Councilmember Eli Wax asked if the intention of the alleys specifically for access to the properties abut the alley or do, they also provide flow-through methods. Zoning Administrator, Angela Smith, indicated the alleys are intended to serve the properties abut the alley, provide rear access of the properties, and to allow for increased density. Councilmember Wax wanted clarification that an alley should never be an alternative roadway. It is solely for people that need access to their house or for pick-up of solid waste. Ms. Smith responded that Councilmember Wax is correct and that is all the alley is intended for.

Councilmember Troy Warner agrees Western St. should be opened. He also agrees that a median needs to go down State Rd. 23. There was discussion about a median between the City of South Bend, Public Works, and the State after the Jefferson School teacher was killed in that area. The State did make a few improvements to the sidewalk and put a flashing crosswalk; however, he believes there is more that needs to be done. He agrees the alley is very small and narrow. He mentioned Robert Henry is planning a new facility and will be selling the land in the area. He also commented that there will need to be continued discussion about the streets and traffic in this area as new developments take place.

Councilmember Troy Warner made a motion to send Bill No. 22-23 to the full council with a favorable recommendation.

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Councilmember Rachel Tomas Morgan seconded the motion.
The motion Passed by a vote of 7 ayes and 1 nay.

Councilmember Hamann – (nay)	Councilmember Wax – (aye)
Vice President Niezgodski – (aye)	Councilmember White – (aye)
Councilmember Lee – (aye)	Councilmember Tomas Morgan – (aye)
Councilmember Warner – (aye)	President McBride (aye)

RISE AND REPORT

Council Vice President entertained a motion to Rise from the Committee of the Whole and Report back to the full council.

Councilmember Rachel Tomas Morgan made a motion to rise and report back to the full council.

Councilmember Rachel Tomas Morgan seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

REGULAR MEETING RECONVENED

BILLS ON THIRD READING

BILL NO.

11-23 THIRD 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 1306, 1130 HIGH ST. AND 909 E BROADWAY ST. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice President Niezgodski indicated Bill No. 11-23 comes to the full council with an unfavorable recommendation from the Committee of the Whole.

Councilmember Troy Warner made a motion to reject Bill No. 11-23.
Councilmember Lori Hamann seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

17-23 THIRD 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 PROPERT LOCATED AT 751 COTTAGE GROVE AVE

Council Vice President Niezgodski indicated Bill No. 17-23 comes to the full council with a favorable recommendation from the Committee of the Whole.

Councilmember Rachel Tomas Morgan made a motion to adopt Bill No. 17-23.
Councilmember Troy Warner seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

18-23 THIRD 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 630 AND 632 HARRISON ST.

Council Vice President Niezgodski indicated Bill No. 18-23 comes to the full council with a favorable recommendation from the Committee of the Whole.

Councilmember Karen White made a motion to adopt Bill No. 18-23.

Councilmember Sheila Niezgodski seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

22-23 PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, VACATING THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH-SOUH ALLEY LYING WEST OF EDDY STREET, BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF QUIMBY STREET AND BOUNDED ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF THE FIRST EAST-WEST ALLEY LYING NORTH OF QUIMBY STREET, BEING APPROXIMATELY 99.9 LINEAL FEET

Council Vice President Niezgodski indicated Bill No. 22-23 comes to the full council with a favorable recommendation from the Committee of the Whole.

Councilmember Rachel Tomas Morgan made a motion to adopt Bill No. 22-23.
Councilmember Karen White seconded the motion.
The motion Passed by a vote of 7 ayes and 1 nay.

- Councilmember Wax – (aye)
- Councilmember White – (aye)
- Councilmember Tomas Morgan – (aye)
- Councilmember Hamann – (nay)
- Council Vice-President Niezgodski – (aye)
- Councilmember Lee – (aye)
- Councilmember Warner – (aye)
- President McBride – (aye)

RESOLUTIONS
BILL NO.

23-23 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 521 NORTH WILLIAM STREET, SOUTH BEND, IN 46616 AND ECONOMIC REVITALIZAITON AREA FOR THE PURPOSES OF A FOUR-YEAR (4) REAL PROPERTY TAX ABATEMENT

Erik Glavich, Director of Growth and Opportunity, Community Investment, City of South Bend – 14th Floor presented on Bill No. 23-23. Mr. Glavich presented before the Council a Declaratory Resolution for a 4-year Real Property Tax Abatement for property located at the Southwest corner of West Navarre Street and North Williams Street. The property used to be a funeral home for many years and has been vacant over the last few years. It is currently owned by David A. Nufer, LLC, the petitioner seeking the tax abatement for this property. Mr. Nufer is the owner of Burton’s Laundry, and he plans to build a brand-new laundry facility on this property. Burton’s Laundry has been an establishment in the City of South Bend for many years or since 1976. They currently have thirteen stores across the city and surrounding areas. Burton’s Laundry currently employes fifty people in their stores.

The petitioner is committing to \$2.37 million of private investment into this facility and is seeking a 4-year tax abatement. \$1.6M will be included in construction costs and \$770,000 in equipment costs. The facility will be located in the Near Northwest Neighborhood. Since the former property is vacated, the current estimated annual taxes are \$156.00. Over the four-year abatement, the estimated taxes to be paid are \$174,690.00. The estimated taxes to be paid during the 4-year abatement period are \$38,248. The estimated taxes abated during the 4-year abatement period is \$136,442. After the project is completed, he anticipates the estimated annual taxes to be \$43,516. The estimated taxes to be paid after 10 years are \$281,737 (\$1,560 w/o the project), 15 years is \$500,100 (\$2,346 w/o the project), after 20 years is \$718,463 (\$3,128 w/o the project).

Council President Sharon McBride opened the floor to Councilmembers for questions. There were no questions at this time from the Council.

Council President McBride opened the floor to the public for questions. There were no questions from the public.

There were no further comments from Councilmembers regarding Resolution No. 23-23.

Councilmember Troy Warner made a motion to adopt Resolution No. 23-23.

Councilmember Lori Hamann seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

BILLS OF FIRST READING

BILL NO.

23-23 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 3003 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 23-23 to the South Bend Board of Zoning and Appeals on June 5, 2023, to the Zoning & Annexation Committee, and Public Hearing and 3rd Reading on June 12, 2023.

Councilmember Lori Hamann seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

24-23 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 1127, 1131, AND 1135 WEST WESTERN AVENUE, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice President Karen White made a motion to send Bill No. 24-23 to the South Bend Board of Zoning and Appeals on June 5, 2023, to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 12, 2023.

Councilmember Troy Warner seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

25-23 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 1436 BOWMAN, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 25-23 to the South Bend Board of Zoning and Appeals on June 5, 2023, to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 12, 2023.

Council Vice President Sheila Niezgodski seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

26-23 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 2402 S TWYCHENHAM DRIVE, COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 26-23 to the South Bend Board of Zoning and Appeals on June 5, 2023, to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 12, 2023.

Council Vice-President Sheila Niezgodski seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

27-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE AND SEEKING A SPECIAL EXCEPTION USE FOR THE PROPERTY LOCATED AT 1319, 1323, AND 1333 LINCOLNWAY WEST AND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 27-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember Canneth Lee seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

28-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 735 AND 737 CLEVELAND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 28-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Council Vice-President Sheila Niezgodski seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

29-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 752 CLEVELAND, 1216 AND 1218 VAN BUREN, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice-President Sheila Niezgodski made a motion to send Bill No. 29-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember Troy Warner seconded the motion.
The motion Passed by a vote of 9 ayes and 0 nays.

30-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 901 AND 905 BLAINE AVE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 30-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Council Vice-President Sheila Niezgodski seconded the motion.
The motion Passed by a vote of 8 ayes and 0 nays.

31-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 909 AND 911

SHERMAN COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Karen White made a motion to send Bill No. 31-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember Troy Warner seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

32-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 906 AND 910 LAWDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice-President Sheila Niezgodski made a motion to send Bill No. 32-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember Eli Wax seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

33-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 816 AND 822 LAWDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Council Vice-President Sheila Niezgodski made a motion to send Bill No. 33-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember Rachel Tomas Morgan seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

34-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 744 AND 746 CLEVELAND COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Lori Hamann made a motion to send Bill No. 34-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Council Vice-President Sheila Niezgodski seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

35-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 900 S FRANKLIN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Troy Warner made a motion to send Bill No. 35-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember Tomas Morgan seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

36-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 809 AND 813

CLEVELAND COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Rachel Tomas Morgan made a motion to send Bill No. 36-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Council Vice-President Sheila Niezgodski seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

37-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1215 AND 1217 VAN BUREN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Rachel Tomas Morgan made a motion to send Bill No. 37-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Council Vice-President Sheila Niezgodski seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays.

38-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1202 S LAFAYETTE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember **Troy Warner** made a motion to send Bill No. 38-23 to the Zoning & Annexation Committee, and for Public Hearing and 3rd Reading on June 26, 2023.

Councilmember **Troy Warner** seconded the motion.

The motion Passed by a vote of 8 ayes and 0 nays

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Councilmember Troy Warner would like to congratulate one of the City of South Bend's newest sergeants, Sergeant Randall Goering and thank him for his service.

Councilmember Karen White visited some of the schools in the empowerment zone, except for Coquillard. Her experience was very positive and there was a high level of engagement from the students. Councilmember White encourages other Councilmembers to visit the schools in the empowerment zone.

The next Council Committee and Common Council meeting is scheduled for Monday, June 12, 2023.

Council Vice-President Sheila Niezgodski mentioned that the West Side Memorial Day Parade is scheduled for Monday, May 29, 2023. You can meet at the corner of Ford and Lombardy at 8 am. She invites the community to join them.

PRIVILEGE OF THE FLOOR

Sue Kessim – 4022 Kennedy Drive South Bend, IN wanted to follow-up on the abatements. She wanted to know if 10 years and \$0.00 is legal. She has heard back from Bianca Tirado, and she will be having a meeting about the missing financial reports on the website. Her and another

Councilmember's FOIA's (Freedom of Information Act) for the rape kits were denied. She indicated that she did not ask for names, she asked for quantity of rape kits and was still denied. She indicated she still has not heard about the sidewalks on Byron and Springbrook in the 5th District. She indicated she was pleased to have found that the City of South Bend had a GIS specialist. She has asked for the crime maps and the lighting map be overlaid so people can see areas of high crime and no lighting. She would also like to see an overlay of key places such Work One, the hospital and clinics, and bus routes. She mentioned there were no bus routes to Work One for quite some time. She also thinks it is a good idea to have a GIS overlay for code enforcement and hot spots. She is still in the process of conducting research on how to reduce violence in the community. She has produced over 30 ideas on how to reduce violence so far. This week she will be interviewing people at the Juvenile Justice Center. She indicated they are short of over 70 CASA advocates, guardian, and foster parents. She indicated more mentors are needed and Real Services is currently seeking grandparent mentors. Ms. Kessim has had conversations with Better World Books about books for prisons and they may be getting books and literacy programs in their prisons. She indicated there are five hundred methadone slots in the County and a six-month waiting list. She has continued to research and has produced thirty ideas to reduce crime. Ms. Kessim asked the Council when the start of the budget season is.

Council Vice-President Sheila Niezgodski indicated that she has followed up with Sue Kessim in an email dated May 09, 2023, and in that email, she mentioned there has been zero tax abatements approved for 10 years. Vice-President Niezgodski also indicated the State Law does allow tax abatements up to 20 years. She also sent the link to where Sue Kessim can find it in the Indiana State Code. She indicated she has responded to some of the questions brought before the council and mentioned Ms. Kessim is correct as far as the remainder of the questions. Vice-President Niezgodski indicated they will need to investigate some of the questions presented as some are related to County and not City business. Vice-President Niezgodski indicated that some of the reports may not have been compiled in the drop-down menu on the city website where she was looking, and she may not be looking at the correct city page. Vice-President Niezgodski indicated they are working through the availability of the budget hearing locations with the Chamber and other outside meeting venues. Vice-President suspects that by early next week, she may have the budget hearing dates and that information will be disseminated to city officials first and then to the public.

Gelasius Morgan, 717 St. Louis Blvd., South Bend, IN 46617 – approached the podium to discuss the recent crime in the City of South Bend, IN and how the city/community leaders can unite as a whole to combat violence. He emphasized the importance of resiliency, embracing the power within, engaging in open dialogue, listening to one another's concerns, fostering a sense of unity, reaching out to one another, forging connections, and working together to find innovative solutions to overcome these challenges in our city and creating safer neighborhoods. He mentioned everyone should embrace the power of collaboration, drawing upon diverse perspectives. He indicated change takes time and effort and requires an unwavering dedication, perseverance, and a shared vision. He mentioned that as community leaders, the council's influence is crucial in guiding this way forward. He believes in the power of unity, hope, and collective action to create a thriving community and inspire others. Mr. Morgan asked the Council what they can do as community leaders to combat the rising crime rate using legislation.

President McBride responded she would like to have Mr. Morgan's contact information to set up a meeting for further dialogue and his input. She mentioned there are different solutions the South Bend Police Department and the South Bend Common Council are implementing individually and collectively. President McBride welcomes Mr. Morgan to speak with any of the Councilmembers to provide input on how they can continue to work together. She agreed Mr. Morgan has a profound message and that there is a problem with violence in the city of South Bend. She expressed interest in the passion and commitment Mr. Morgan has and welcomed furthering the conversation.

There was no further input from the public during privilege of the floor.

ADJOURNMENT

There being no further business to come before the Council, President Sharon L. McBride adjourned the meeting at 8:46 p.m.