



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: DAWN M. JONES, CITY CLERK
DATE: WEDNESDAY, NOVEMBER 8, 2023
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Monday, November 13, 2023:**

Council Chambers
4th Floor County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601

The Council Chambers will be Open to the Public or Members of the Public May Attend this Meeting Virtually via Microsoft Teams Meeting app here: <https://tinyurl.com/11132023CC>.

4:00 P.M. **COMMUNITY INVESTMENT** **CHAIRPERSON, TOMAS MORGAN**
[Bill No. 23-64](#) – A Resolution Reaffirming the Grant of Real Property Tax Abatement Deductions and Waiver of Non-Compliance for 4836 W. Western Avenue.

4:15 P.M. **PUBLIC WORKS & PROPERTY VACATION** **CHAIRPERSON, NIEZGODSKI**
[Bill No. 62-23](#) – Alley/Street Vacation: East/West Street at 1101 King St. from Kessler Blvd.

4:25 P.M.

ZONING & ANNEXATION

CHAIRPERSON, HAMANN

[Bill No. 53-23](#) – An Ordinance Approving a Petition for 1132 Portage Ave., District 1

[Bill No. 54-23](#) – An Ordinance Approving a Petition for 1128 Portage Ave., District 1

[Bill No. 55-23](#) – An Ordinance Approving a Petition for 1110 S. Main St., District 2

[Bill No. 75-23](#) – An Ordinance Approving a Petition for 1119 Twyckenham Dr., District 4

Council President Sharon L. McBride has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Zoning and Annexation Committee Meeting.

**INFORMAL MEETING OF THE
COMMON COUNCIL**

PRESIDENT, MCBRIDE

1. Discussion of Council Agenda
2. Update and Announcements
3. Adjournment

cc: Mayor James Mueller
Committee Meeting
List Media

NOTICE FOR HEARING AND SIGHT-IMPAIRED PERSONS

Auxiliary Aid or Other Services may be Available upon Request at No Charge.

Please give Reasonable Advance Request when Possible



South Bend Common Council

Meeting Agenda

Monday, November 13, 2023

7:00 PM

The South Bend Common Council meeting will be open to the public at the Council Chambers on the 4th floor of the County-City Building, 227 W. Jefferson Blvd., South Bend, IN 46601

or available by way of a virtual meeting using the Microsoft Teams Meeting App. Public access to the meeting can be granted by this Microsoft Teams

Link: <https://tinyurl.com/111323SBCC>

1. **INVOCATION**

Rev. Ivy Butler Shepherdess – Power in Praise Ministries

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **REPORT FROM SUB-COMMITTEE ON MINUTES**

5. **SPECIAL BUSINESS**

Approval of 2024 South Bend Common Council Meeting Dates & Deadlines

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**
BILL NO.

[53-23](#) 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 PROPERTY LOCATED AT 1132 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[54-23](#) 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 PROPERTY LOCATED AT 1128 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[55-23](#) 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 PROPERTY LOCATED AT 110 S MAIN STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[62-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 2 EAST OF THE 2ND PRINCIPAL MERIDIAN, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 49 ON THE RECORDED PLAT OF NORTHWEST ADDITION 2ND PLAT IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 90°00'00" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF MCCARTNEY STREET, A DISTANCE OF 72.90 FEET; THENCE SOUTH 0°05'13" EAST A DISTANCE OF 269.55 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KING STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0°05'13" EAST A DISTANCE OF 60.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KING STREET; THENCE SOUTH 90°00'00" WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 64.00 FEET; THENCE NORTH 0°05'13" WEST A DISTANCE OF 60.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KING STREET; THENCE NORTH 90°00'00" EAST ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 64.00 FEET TO THE POINT

OF BEGINNING OF THIS DESCRIPTION. CONTAINING 3,840 SQUARE FEET

[75-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1119 N TWYCKENHAM DRIVE COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

8. **RISE AND REPORT**

9. **REGULAR MEETING RECONVENED**

10. **BILLS ON THIRD READING**

BILL NO.

[50-23](#) THIRD READING 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 AT 23114 LINCOLN WAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA **(THIRD READING ONLY)**

[53-23](#) 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 1132 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[54-23](#) 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 1128 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[55-23](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, 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 110 S MAIN STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

62-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 2 EAST OF THE 2ND PRINCIPAL MERIDIAN, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 49 ON THE RECORDED PLAT OF NORTHWEST ADDITION 2ND PLAT IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 90°00'00" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF MCCARTNEY STREET, A DISTANCE OF 72.90 FEET; THENCE SOUTH 0°05'13" EAST A DISTANCE OF 269.55 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KING STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0°05'13" EAST A DISTANCE OF 60.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KING STREET; THENCE SOUTH 90°00'00" WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 64.00 FEET; THENCE NORTH 0°05'13" WEST A DISTANCE OF 60.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KING STREET; THENCE NORTH 90°00'00" EAST ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 64.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINING 3,840 SQUARE FEET

75-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1119 N TWYCKENHAM DRIVE COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

11. **RESOLUTIONS**
BILL NO.

23-64

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, REAFFIRMING THE GRANT OF CERTAIN REAL PROPERTY TAX ABATEMENT DEDUCTIONS AND WAIVING NONCOMPLIANCE FOR PROPERTY COMMONLY KNOWN AS 4836 W. WESTERN AVENUE, SOUTH BEND, INDIANA 46619 FOR NILKANTH PROPERTIES, LLC

12. **BILLS OF FIRST READING**

BILL NO.

[76-23](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

[77-23](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 10985-23 TITLED AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE CITY'S SEWAGE WORKS; AUTHORIZING THE ISSUANCE OF ADDITIONAL REVENUE BONDS FOR SUCH PURPOSE IN THE PRINCIPAL AMOUNT NOT TO EXCEED THIRTY-SIX MILLION DOLLARS (\$36,000,000) TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SAID BONDS; ADDRESSING OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN ANTICIPATION OF BONDS; AND REPEALING ORDINANCES INCONSISTENT HEREWITH

[78-23](#) 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 2921 WEST WESTERN AVENUE, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[80-23](#) 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 1410 FORD STREET COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

13. **UNFINISHED BUSINESS**

14. **NEW BUSINESS**

Cancellation of December 25, 2023, South Bend Common Council Meeting

15. **PRIVILEGE OF THE FLOOR**

16. **ADJOURNMENT**

NOTICE FOR HEARING AND SIGHT-IMPAIRED PERSONS

Auxiliary Aid or Other Services may be Available upon Request at No Charge.

Please give Reasonable Advance Request when Possible



2023 COMMON COUNCIL STANDING COMMITTEES (Rev. 04-24-2023)

COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real and personal tax abatement requests and works closely with the Business Development Team.

Rachel Tomas Morgan, Chairperson
Troy Warner, Vice-Chairperson
Henry Davis, Jr., Member

Eli Wax, Member
Thomas Kurzhal, *Citizen Member*
Kaine Kanczuzewski, *Citizen Member*

COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Engagement and Economic Empowerment, Neighborhood Development, and Community Resources Teams within the City's Department of CI and is charged with facilitating partnerships and ongoing communications with other public and private entities operating within the City.

Troy Warner, Chairperson
Lori K. Hamann, Vice-Chairperson
Citizen Member

Canneth Lee, Member
Eli Wax, Member

COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Sharon L. McBride, Member
Sheila Niezgodski, Member

Eli Wax, Member

HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

Eli Wax, Chairperson
Karen L. White, Vice-Chairperson
Rachel Tomas Morgan, Member

Troy Warner, Member
Canneth Lee, Member
Desmont Upchurch, *Citizen Member*

INFORMATION AND TECHNOLOGY COMMITTEE- Innovation

Oversees the various activities of the City's Department of Innovation, which includes the Divisions of Information Technology and 311 so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability and access to GIS data and related technologies are just some of its many activities.

Rachel Tomas Morgan, Chairperson
Lori K. Hamann, Vice-Chairperson
Matthew Coats, *Citizen Member*

Canneth Lee, Member
Maria Gibbs, *Citizen Member*

PARC COMMITTEE- Venues Parks and Arts (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Four Winds Stadium, Morris Performing Arts Center, Studebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, My SB Trails, DTSB relations, and the many recreational and leisure activities offered by the Department of Venues Parks and Arts.

Canneth Lee, Chairperson
Troy Warner, Vice-Chairperson
Beth Sanford, *Citizen Member*

Henry Davis, Jr., Member
Rachel Tomas Morgan, Member
Citizen Member



PERSONNEL AND FINANCE COMMITTEE

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations, and other fiscal matters, as well as personnel policies, health benefits and related matters.

Sheila Niezgodski, Chairperson
Troy Warner, Vice-Chairperson
Rachel Tomas Morgan, Member

Eli Wax, Member
Canneth Lee, Member

PUBLIC WORKS AND PROPERTY VACATION COMMITTEE

Oversees the various activities performed by the Building Department, the Department of Public Works and related public works and property vacation issues.

Sheila Niezgodski, Chairperson
Karen L. White, Vice-Chairperson
Jason Piontek, *Citizen Member*

Lori K. Hamann, Member
Carl Littrell, *Citizen Member*

RESIDENTIAL NEIGHBORHOODS COMMITTEE

Oversees the various activities and issues related to neighborhood development and enhancement.

Karen L. White, Chairperson
Canneth Lee, Vice-Chairperson
Amika Micou, *Citizen Member*

Henry Davis, Jr., Member
Sheila Niezgodski, Member
Lakeyue Williams, *Citizen Member*

UTILITIES COMMITTEE

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers, and all related matters.

Henry Davis, Jr., Chairperson
Eli Wax, Vice-Chairperson
Citizen Member

Troy Warner, Member
Lori K. Hamann, Member
Citizen Member

ZONING AND ANNEXATION COMMITTEE

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Lori K. Hamann, Chairperson
Henry Davis, Jr., Vice-Chairperson
James Snodgrass, *Citizen Member*

Sheila Niezgodski, Member
Karen L. White, Member

SUB-COMMITTEE ON MINUTES

Reviews the minutes prepared by the Office of the City Clerk of the regular, special, and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council.

Troy Warner, Member

Eli Wax, Member



2023 COMMON COUNCIL STANDING COMMITTEES (Rev.01-09-2023)

CANNETH LEE, 1ST District Council Member

Chairperson, Committee of the Whole

PARC Committee, Chairperson

Residential Neighborhoods Committee, Vice-Chairperson
Community Relations Committee, Member

Health & Public Safety Committee, Member
Information & Technology Committee, Member
Personnel & Finance Committee, Member

HENRY DAVIS, JR. 2ND District Council Member

Utilities Committee, Chairperson

Zoning & Annexation Committee, Vice-Chairperson
Community Investment Committee, Member

Residential Neighborhoods Committee, Member
PARC Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

President

Council Rules Committee, Member

TROY WARNER, 4TH District Council Member

Community Relations Committee, Chairperson

Personnel & Finance Committee, Vice-Chair
PARC Committee, Vice-Chairperson

Health & Public Safety Committee, Member
Utilities Committee, Member
Sub-Committee on the Minutes, Member

ELI WAX, 5TH District Council Member

Health & Public Safety Committee, Chairperson

Utilities Committee, Vice-Chairperson
Community Investment, Member
Personnel & Finance Committee, Member

Community Relations Committee, Member
Sub-Committee on Minutes, Member
Council Rules Committee, Member

SHEILA NIEZGODSKI, 6TH District Council Member

Vice-President

Personnel & Finance Committee, Chairperson

Public Works & Property Vacation, Chairperson
Council Rules Committee, Member

Residential Neighborhoods Committee, Member
Zoning & Annexation Committee, Member

RACHEL TOMAS MORGAN, AT LARGE Council Member

Information & Technology Committee, Chairperson

Community Investment Committee, Chairperson
Health & Public Safety Committee, Member

PARC Committee, Member
Personnel & Finance Committee, Member

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhoods Committee, Chairperson

Health & Public Safety Committee, Vice-Chairperson

Public Works & Property Vacation, Vice Chairperson
Zoning & Annexation Committee, Member

LORI K. HAMANN, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

Information & Technology Committee, Vice-Chairperson
Community Relations Committee, Vice-Chairperson

Public Works & Property Vacation, Member
Utilities Committee, Member