

**REPORT OF SUB-COMMITTEE ON MINUTES**

**TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:**

**THE SUB-COMMITTEE HAS INSPECTED THE MINUTES OF THE**

**DATE: 12-11-2023**

**MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.**

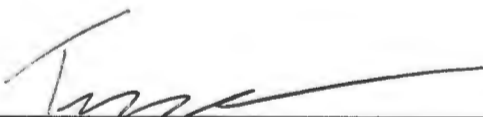
**THEREFORE, WE RECOMMEND THE SAME BE APPROVED.**

**THIS RECOMMENDATION FOR APPROVAL IS MADE RECOGNIZING**

**THAT 3 CURRENT MEMBERS OF COUNCIL WERE NOT SEATED IN 2023**

**AND AS SUCH WILL BE ABSTAINING FROM ANY FORMAL APPROVAL OF**

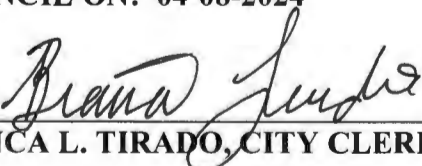
**OLD MINUTES.**

  
\_\_\_\_\_  
TROY WARNER

\_\_\_\_\_  
SHERRY BOLDEN-SIMPSON

**APPROVED BY THE COMMON COUNCIL ON: 04-08-2024**

**ATTEST:**

  
\_\_\_\_\_  
BIANCA L. TIRADO, CITY CLERK

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person on Monday, December 11, 2023, at 7:00 p.m. Council President Sharon McBride called the meeting to order. Pastor Tina Patton of Kingdom Life Christian Cathedral 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/browse.aspx?dbid=0&mediaid=376697>

**Council meetings are also available at Michiana Access Channel on both their website and their Facebook page.**

ROLL CALL

COUNCILMEMBERS 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
Rachel Tomas Morgan	At-Large
Karen L. White	At-Large

COUNCILMEMBERS ABSENT

Lori K. Hamann	At-Large
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OTHERS PRESENT

Dawn M. Jones	City Clerk
Victoria A. Trujillo	Chief Deputy Clerk
Adjia Sambe	Clerk Intern
Bianca Tirado	Council Consultant
Bob Palmer	Council Attorney

Members marked with an asterisk (\*) are in virtual attendance.

SUB-COMMITTEE ON MINUTES

September 25, 2023

Councilmember Eli Wax motioned to approve the September 25, 2023 Common Council meeting minutes, which was seconded by Council Vice President Sheila Niezgodski and carried by a unanimous vote of acclimation with two (2) Councilmembers absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Absent</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

SPECIAL BUSINESS

The South Bend Common Council Youth Advisory Swear-In Ceremony was held.

Council President Sharon L. McBride presented a Special Proclamation awarded by the South Bend Common Council to celebrate the dedication and commitment of Eli Wax to the City.

Council President Sharon L. McBride presented a Special Proclamation awarded by the South Bend Common Council to celebrate the dedication and commitment of Henry Davis, Jr. to the City.

The City Clerk’s Office honored Clerk Jones with a special presentation.

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Troy Warner motioned to resolve into the Committee of the Whole, which was seconded by Councilmember White and carried by a unanimous vote of acclimation with one (1) Councilmember absent.

PUBLIC HEARINGS

BILL NO.

73-23

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 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Councilmember Davis Jr. stated Bill No. 73-23 was previously heard in the Zoning and Annexation Committee and it comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Kari Myers, Department of Community Investment, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that the petitioner purchased the property located at 1044 Lincolnway West approximately twenty (20) years ago from Madison Center who had been using it as a state sanctioned group-home. The petitioner is now using the property as a group residence and therefore requests a special exception. Bill No. 73-23 comes with a favorable recommendation from the Board of Zoning Appeals.

Heather Wiesinger, Property Manager, 1044 Lincolnway West, South Bend IN 46616, stated that they are trying to provide housing for people of low-income.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. asked if the third (3<sup>rd</sup>) floor of the property could eventually be made livable.

Heather Wiesinger stated that it would require a raising of the house’s roof.

Councilmember Lee opened the public hearing.

Katherine Redding, 418 Lamonte Terrace, South Bend IN 46616, stated that she is in favor of Bill No. 73-23.

Council President McBride motioned to send Bill No. 73-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember White and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
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Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

76-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated Bill No. 76-23 was previously heard in the Personnel and Finance Committee and comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Jitin Cain, Deputy Director of Public Works, with offices on the 13<sup>th</sup> floor of the County-City Building, stated that Bill No. 76-23 creates a flat rate for storm water usage fees for nonresidential customers.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. requested clarification regarding the current storm water ordinance.

Jitin Cain stated that Bill No. 76-23 does not raise rates for people outside of City limits, and only reverts nonresidential customers back to a flat rate rather than the recently attempted multi-tiered rate.

Council Vice President Niezgodski stated that the new flat rate is lower than the multi-tiered rate.

Councilmember Lee held the public hearing, and nobody spoke.

Council Vice President Niezgodski motioned to send Bill No. 76-23 to the Full council with a favorable recommendation, which was seconded by Councilmember Davis Jr. and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

79-23

PUBLIC HEARING 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 CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated Bill No. 76-23 was previously heard in the Personnel and Finance Committee and comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Kyle Willis, City Controller, with offices on the 12<sup>th</sup> floor of the County-City Building, stated that Bill No. 79-23 allows for an investment of City funds with maturities of more than two (2) years but no more than five (5) years. These investments cannot comprise of more than twenty-five percent (25%) of the total portfolio. These investments come in the form of certificate of deposits money market funds, United States treasury notes, and United States treasury bills.

Councilmember Lee asked the Council for comments.

Council Vice President Niezgodski asked if the current investment policies are guided by the State.

Kyle Willis answered yes.

Councilmember Tomas Morgan asked if this bill causes any change regarding the current investment policy of the City.

Kyle Willis answered no.

Councilmember Lee held the public hearing, and nobody spoke.

Council Vice President Niezgodski motioned to send Bill No. 79-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

80-23

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 1410 FORD STREET COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Councilmember Henry Davis Jr. stated Bill No. 80-23 was previously heard in the Zoning and Annexation Committee and comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Skip Morrell, Zoning Specialist, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that Bill No. 80-23 seeks to have a special exception to permit the property located at 1410 Ford Street to operate as a duplex. Bill No. 80-23 comes with a favorable recommendation from the Board of Zoning Appeals.

William Trozzy, petitioner, 913 Roosevelt Street, South Bend IN 46616, stated approval for Bill No. 80-23.

Councilmember Lee asked the Council for comments, and nobody spoke.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Warner motioned to send Bill No. 80-23 to the Full council with a favorable recommendation, which was seconded by Councilmember Davis Jr. and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

81-23

PUBLIC HEARING 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 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201), \$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELEAF FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated Bill No. 81-23 was previously heard in the Personnel and Finance Committee and comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Kyle Willis, City Controller, with offices on the 12<sup>th</sup> floor of the County-City Building, stated that Bill No. 81-23 appropriates additional funds for certain departmental and city service operations for the year 2023.

Councilmember Lee asked the Council for comments.

Councilmember Wax asked for clarity regarding the appropriations for Venues Parks and Arts (VPA).

Kyle Willis stated that VPA lost their Financial Director late last year, resulting in some incorrect budgeting.

Councilmember Lee requested information regarding the purpose of these appropriations.

Kyle Willis stated that the appropriations are to help clean up the budget at the end of the year.

Councilmember Wax stated that these appropriations are more than a budget transfer, as they seek to spend dollars that had not already been budgeted for.

Councilmember Warner stated that there is four hundred and fifty-two thousand dollars (\$452,000) in additional funding from outside sources in the form of a grant.

Councilmember Tomas Morgan asked if the grant would offset the anticipated new appropriations.

Kyle Willis stated that the grant is to be used for building improvements for the MLK Project, and that once the project is funded the remaining funds will be reimbursed.

Council Vice President Niezgodski asked if VPA has since hired a new Financial Director.

Kyle Willis answered yes.

Councilmember Lee held the public hearing, and nobody spoke.

Council Vice President Niezgodski motioned to send Bill No. 81-23 to the Full council with a favorable recommendation, which was seconded by Council President McBride and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

82-23

PUBLIC HEARING ON 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 2023 (SUBSTITUTE)

Councilmember Warner motioned to accept Substitute Bill No. 82-23, which was seconded by Councilmember Wax and carried by a unanimous vote of acclimation with one (1) Councilmember absent.

Clerk Jones read the substitute bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Substitute Bill No. 82-23 was previously heard in the Personnel and Finance Committee, and it comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Kyle Willis, City Controller, with offices on the 12<sup>th</sup> floor of the County-City Building, stated that Bill No. 82-23 covers various budget transfers for departments within the City.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. asked Kyle Willis how long he has been with the City.

Kyle Willis answered, ten (10) months.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Tomas Morgan motioned to send Bill No. 82-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

84-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS “TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)” AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO (SUBSTITUTE)

Council Vice President Niezgodski motioned to accept Substitute Bill No. 84-23, which was seconded by Council President McBride and carried by a unanimous vote of acclimation with one (1) Councilmember absent.

Clerk Jones read the substitute bill to the Council for its second (2<sup>nd</sup>) reading.

After the second (2<sup>nd</sup>) reading, Councilmember Lee requested the committee report.

Councilmember Tomas Morgan stated that Substitute Bill No. 84-23 was previously heard in the Community Investment Committee, and it comes to the Committee of the Whole with a favorable recommendation.

Councilmember Lee requested that the petitioner(s) state their name and address and share key points before the Council.

Erik Glavich, Director of Growth and Opportunity, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that Bill No. 84-23 authorizes the City to proceed with a forgivable loan for a development known as the Monreaux project. The project will redevelop land located at 505 South Michigan Street, for apartments. The Redevelopment Commission approves of Bill No. 84-23. The Economic Development Commission recommends the Council approve Bill No. 84-23.

Councilmember Lee stated that this is a great opportunity to help an African-American woman develop property of this magnitude and asked the Council for comments.

Councilmember Davis Jr. asked if there had been a study on the City’s return on investment (ROI) regarding tax abatements and Tax Increment Financing (TIF).

Erik Glavich stated that the City has seen increased assessed values for properties that received tax abatements.

Councilmember Tomas Morgan asked if the City foresees the distribution of more forgivable loans in the future.

Erik Glavich answered yes and stated that the Diamond View Apartments project is expected to move forward in a similar manner to the Monreaux project due to having a tight timeline. The City’s ability to speed up the process for investors will ensure more investments in the future, but forgivable loans should only be considered on a case-by-case basis rather than making it the standard for all investments.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Tomas Morgan motioned to send Bill No. 84-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) Councilmember absent.



Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

85-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

Councilmember Lee stated that Bill No. 85-23 has been tabled indefinitely.

RISE AND REPORT

Council Vice President Niezgodski motioned to rise from the Committee of the Whole and report back to the Full Council, which was seconded by Councilmember Wax and carried by a unanimous vote of acclimation with one (1) Councilmember absent.

REGULAR MEETING RECONVENED

President McBride stated the Full Council is now back in session. This portion of our meeting is where bills are given a third (3<sup>rd</sup>) reading and action is taken regarding bills that were heard during the Committee of the Whole.

BILLS ON THE THIRD READING

BILL NO.

73-23

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 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 73-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Lee motioned for the passage of Bill No. 73-23, which was seconded by Council Vice President Niezgodski, and carried by a vote of seven (7) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Nay</i>	

76-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO

UPDATE THE MONTHLY STORM WATER USER FEES

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 76-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember White motioned for the passage of Bill No. 76-23, which was seconded by Councilmember Warner, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

79-23

PUBLIC HEARING 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 CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 79-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Council Vice President Niezgodski motioned for the passage of Bill No. 79-23, which was seconded by Councilmember Warner, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

80-23

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 1410 FORD STREET COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 80-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Council Vice President Niezgodski motioned for the passage of Bill No. 80-23, which was seconded by Councilmember Tomas Morgan, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>

Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

81-23

PUBLIC HEARING 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 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201), \$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELEAF FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 81-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Lee motioned for the passage of Bill No. 81-23, which was seconded by Council Vice President Niezgodski, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

82-23

PUBLIC HEARING ON 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 2023 (SUBSTITUTE)

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 82-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Tomas Morgan motioned for the passage of Bill No. 82-23, which was seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

84-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS “TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONTREAUX PROJECT)” AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO (SUBSTITUTE)

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated Bill No. 84-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Tomas Morgan motioned for the passage of Bill No. 84-23, which was seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

RESOLUTIONS

23-65

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 3607 SOUTH MAIN STREET, SOUTH BEND, INDIANA 46614 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A NINE-YEAR (9) REAL PROPERTY TAX ABATEMENT FOR THE NEXIS CENTER, LLC

Clerk Jones read the resolution to the Council.

Councilmember Tomas Morgan stated that Bill No. 23-65 was previously heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

Council President McBride requested that the petitioner(s) state their name and address and share key points before the Council.

Mark Bemenderfer, Manager of Business Development, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that Bill No. 23-65 requests a nine (9) year tax abatement for a mixed-use development that, once complete, will contain a commercial kitchen, a health clinic, multiple community event spaces, and office space on the second (2<sup>nd</sup>) floor.

Dr. LaRissa Buggs, 3607 South Main Street, South Bend IN 46614, stated that the various focuses of the Nexus Center (family health and wellness, financial literacy, economic development, economic education) will result in crime prevention. Tax abatements were initially discussed before the purchase of the building, but the City said to come back once the building had been purchased. After the building was purchased, the City said that it was then too late to pursue the original tax abatement.

Pastor David Buggs, 3607 South Main Street, South Bend IN 46614, stated that the tax abatement process needs to be reviewed, but that he is appreciative of the current Department of Community Investment.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember White stated that she agrees with Dr. LaRissa Buggs and Pastor David Buggs. Councilmember White stated appreciation for the Department of Community Investment, Councilmember Warner, and Councilmember Wax.

Councilmember Warner stated appreciation for the investment made by Dr. LaRissa Buggs and Pastor David Buggs.

Pastor David Buggs reiterated the difficulty of the tax abatement process.

Councilmember Lee thanked Dr. LaRissa Buggs and Pastor David Buggs for their commitment to South Bend.

Councilmember Dr. Davis stated that the South Bend Regional Chamber’s Director of Economic Development should serve as a liaison for businesses looking to invest in South Bend.

Councilmember White stated that she remembers the previous Director of Economic Development but is unsure of who currently holds the title.

Council Vice President Niezgodski thanked Dr. LaRissa Buggs and Pastor David Buggs for their commitment to South Bend.

Council President McBride thanked Dr. LaRissa Buggs and Pastor David Buggs for their generosity.

Councilmember Warner motioned for the adoption of Bill No. 23-65, which was seconded by Council Vice President Niezgodski, and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

BILLS ON FIRST READING

BILL NO.

86-23

FIRST 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 3001, 3011 AND 3015 WEST WESTERN, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Clerk Jones read the bill to the Council for its first (1<sup>st</sup>) reading.

Councilmember White motioned to send Bill No. 86-23 to the Board of Zoning Appeals on January 2, 2024, and to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on January 8, 2024, which was seconded by Council Vice President Niezgodski and carried by a unanimous vote of acclimation with one (1) Councilmember absent.

UNFINISHED BUSINESS

None.

NEW BUSINESS

The swear-ins for new Councilmembers will be on January 1, 2024, at the Century Center.

PRIVILEGE OF THE FLOOR

Logan Foster, 1138 College Street, South Bend IN 46628, stated that the Police Transparency Hub is not working properly.

Stacy Davis Gates, with offices located at 1901 W. Carroll Avenue, Chicago IL 60612, stated that Councilmember Davis Jr. is her brother and her hero.

Seham Kafafi, 511 North Francis Street, South Bend IN 46617, stated support for a Gaza ceasefire resolution.

Tatiana Rosales, 645 Ostemo Place, South Bend IN 46617, stated support for a Gaza ceasefire resolution.

Sarah Seto, 511 North Francis Street, South Bend IN 46617, stated support for a Gaza ceasefire resolution.

Caesar De Leon, 1901 East 4<sup>th</sup> Street, Mishawaka IN 46544, stated opposition to the United States.

Katherine Redding, 418 Lamonte Terrace, South Bend IN 46616, stated a concern regarding the treatment of minority contractors.

Javier Rufino, 414 Court of the Royal Arms Drive, South Bend IN 46637, stated support for a Gaza ceasefire resolution.

Jorden Giger, 302 South Falcon Street, South Bend IN 46619, stated appreciation for Councilmember Davis Jr.

Marcus Ward, 201 East Broadway Street, South Bend IN 46601, stated concerns regarding the treatment of Demline, LLC.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 9:47 p.m.