

Disclaimer: Undergoing technology updates experienced some lost of video & audio recording for dictation.

Be it remembered that the Common Council of the City of South Bend, Indiana met in the Council Chambers of the County-City Building on Monday, April 28, 2014 at 7:00 p.m. The meeting was called to order by Council President Oliver Davis and the Invocation and Pledge to the Flag were given.

ROLL CALL

COUNCILMEMBERS:

Present:	Tim Scott	1 st District
	Henry Davis, Jr.	2 nd District
	Valerie Schey	3 rd District
	Dr. Fred Ferlic	4 th District
	Dr. David Varner	5 th District
	Oliver J. Davis	6 th District, President
	Derek Dieter	At-Large, Vice President
	Gavin Ferlic	At-Large
	Karen L. White	At-Large, Chairperson Committee of the Whole

OTHERS PRESENT:

Kathleen Cekanski-Farrand	Council Attorney
John Voorde	City Clerk
Janice I. Talboom	Deputy
Kareemah Fowler	Chief Deputy

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember White made a motion that the minutes of the April 14, 2014, meeting of the Council be accepted and placed on file. Councilmember Scott seconded the motion which carried by a voice vote of nine (9) ayes.

SPECIAL BUSINESS

SPECIAL MOTION

Council President Oliver Davis requested a special motion to change the Common Council meeting scheduled for May 26, 2014, which is Memorial Day to the following Wednesday, May 28, 2014. Sole moved by Councilmember White. Councilmember Schey seconded the motion which carried forward by a voice vote of nine (9) ayes.

Meeting will start on Wednesday, May 28, 2014 at 7:00pm.

Council President Oliver Davis announced that Bill 17-14, will not be held tonight but on May 28th for the Second and Third Reading on May 28, 2014.

BILL NO. 14 -39

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY COMMENDING AND HONORING THE LATE JEFFREY V. GIBNEY FOR HIS MANY DEDICATED SERVICES AS THE DIRECTOR OF THE CITY'S DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FROM 2007 - 2011



RESOLUTION NO. 4346-14

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND PUBLICLY COMMENDING AND HONORING THE LATE JEFFREY V. GIBNEY FOR HIS MANY DEDICATED SERVICES AS THE DIRECTOR OF THE CITY'S DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FROM 2007 -2011

Whereas, Jeff Gibney was a very creative and dedicated leader in urban renewal and was known by many as a person who dedicated his time and multifaceted talents to carry out these visions; and

Whereas, Jeff was the Director of South Bend Heritage Foundation which worked to revitalize neglected and worn areas of the near westside of South Bend, turned the downtown Robertson's department store into vibrant senior housing apartments, built the Sister Maura Brannick Health Center and the shopping center at Chapin Street and Western Avenue; managed the Northeast Neighborhood Revitalization Organization which helped foster the Eddy Street Commons development and construction of new homes in that area – just to name a few; and

Whereas, in 2007, Jeff was named by Mayor Stephen J. Luecke to be the Director of the Department of Community and Economic Development, and immediately he engaged and involved neighborhood residents into the many projects, some of which resulted in keeping more than a thousand jobs in downtown South Bend by keeping 1st Source Bank and the 1st Source Center an economic hub; building a new entrance to South Bend's minor league ballpark; playing a pivotal role on projects such as the Kroc Center, the building of the new Fire Station No. 2 on Chapin and Lincolnway West, and the relocation and building of the new Studebaker Museum, and the one of his favorite the transformation of "the block" at Washington and Walnut into the West Washington Homes, the rehabilitation of Dunbar Corner, breathing new life into the Natatorium and the Hansel Center, as well as the Charles Martin Youth Center; and

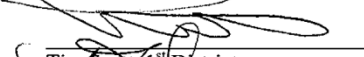
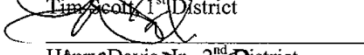
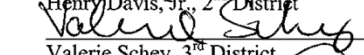
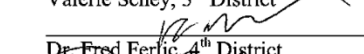
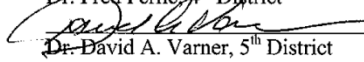
Whereas, Jeff Gibney never lost sight of the many lessons he learned at Central High School , and especially those learned from his mentor and friend Charles Martin.

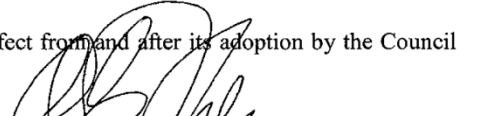
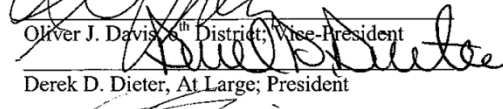

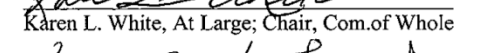
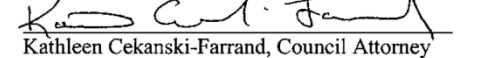
Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The Common Council of the City of South Bend, Indiana, publicly commends and honors the rich life and legacy of Jeffrey V. Gibney for the countless contributions which he made to our City, and especially those which continue to positively impact our City today as a result of his passion, skill and dedication as the Director of the Department of Community and Economic Development from 2007-2011.

Section II. The South Bend Common Council extends its deepest sympathy to the many family and friends of Jeffrey V. Gibney, and especially his daughter, Maggie Gibney; Bill Weeks, Greg Mueller, and his brothers Greg, David and John. The City of South Bend is a better place today because of Jeff's many talents and dedication to rebuilding and revitalizing our community.

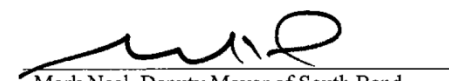
Section III. This Resolution shall be in full force and effect from and after its adoption by the Council and approval by the Mayor.


Tim Scott, 1st District

Henry Davis, Jr., 2nd District

Valerie Schey, 3rd District

Dr. Fred Ferlic, 4th District

Dr. David A. Varner, 5th District


Oliver J. Davis, 6th District; Vice-President

Derek D. Dieter, At Large; President

Gavin Ferlic, At Large

Karen L. White, At Large; Chair, Com. of Whole

Kathleen Cekanski-Farrand, Council Attorney

Attest:

John Voorde, City Clerk

Adopted this 29 day of April, 2014

Mark Neal, Deputy Mayor of South Bend

Councilmember Dieter, presented the Resolution bill 14-39 before the common council. Yesterday there was a ceremony where hundreds of people came out and talked about the relationships and what he did in their lives, especially what he did for this community. He was a fantastic person, a great friendship, now I would like to open it up for those who would like to speak on his behalf.

Maggie- I would like to thank everyone in the community for being there. My dad would be so proud of me for joining a team like this carry on with his legacy and continue to great and beautiful things just like my dad. Thank you very much, appreciate this.

Co-worker- I've worked with Jeff for 25 years in this community. Jeff was a creative person, I don't know that there'll ever be another Jeff. He had courage, and he could stand for things that people in our community would not stand. I'm happy to have worked with Jeff.

Webster- Senior Cop Officer for the Salvation Army 900- I'm want to personally thank publicly the legacy of Jeff Gibney. I believe that he paved the way for his community through his love for the community. Thanks Jeff and carry on.

Sam Meyer- I worked with the Department of Community Investments, I have known Jeff for 25 years. I've never worked on an activity or a project for an organization that didn't interact with some of the work that Jeff had done. The city is truly at a loss without him.

Councilmember Tim Scott- I didn't know Jeff as well as my wife knew Jeff, my wife, Karen is the director of the Near Northwest Neighborhood Association. Did some of her work to what Jeff has done in South Bend heritage and Jeff was such an influence, he was incredible. Yesterday was incredible, it was a celebration of Jeff's life, my wife cried her eyes out, it was a lot. We got home that night and we talked about how great Jeff was and what he meant and what he meant to us and there's a saying like, "what would Jesus do?" we kind of replaced it with, "what would Jeff do?" and we actually talked about that and there are so many things we're going to take from Jeff and apply to our lives and try to apply it to everybody that we can influence. So a lot of the stuff we do on council here, comes from what Jeff has started and we truly appreciate him. He will live long, long after this, so thank you so much.

Councilmember Henry Davis- My condolences to you and your family Maggie, I will just continue to pray for your strength. I know it's going to be difficult because it's your father. I would say I just lost my father, so it is an ongoing thing, so my prayers are with you and your family.

Councilmember Schey- I had the opportunity to get to know your father... short time I've been on council and he was a wonderful man and really a vibrant individual so, my thoughts and prayers are with you and your family at this time.

Councilmember Dr. Ferlic- Three words to describe Jeff, I would say (word), courageous and kind and I'll always have great memories of him.

Councilmember President Oliver Davis- Maggie I had good times with your father, we had lunch and breakfast together many times and he helped shape a lot of my ideas that I've had here on the council and there's so and so left of life that I live speak for me and his life speaks for him, no matter if he's not with us presently but it continues to speak every time we drive throughout the city and it speaks for you too, we would like to continue to keep your ups and prayers on a very, very grateful to us as the father in our lives.

Councilmember Dr. Varner- One of the things that stands out is the breakfast we had, I had a large scene with your father when we didn't agree on a lot of things. About 2 weeks later, we developed a meeting and he came up to me and said, "You know Dave, I was thinking about what you said, I think you might be right about that." There's not many people that can do that sort of thing, your father was one of those. I think it says a lot about him and I think that's what I probably admired most about him.

Councilmember Mr. Ferlic- To the Gibney family, thank you for what you have done for us and the community.

Councilmember White- To Maggie and to Jeff's family, I wish to thank you for Sharon, your dad and your brother. I had the pleasure working with Jeff many years and I was struck by his vision, his courage and his commitment to work his vision, in spite of, I can recall what walking down what was called, the "Block" and now to see the West Washington homes . That was because of

your dad had a commitment to equity and he had a commitment to make sure that change was going to come, and I appreciate that and will continue to pull you into my prayers.

BILL NO. 14 -40

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY COMMENDING IUSB PROFESSOR ELIZABETH BENNION WHO SERVES OUR COMMUNITY THROUGH HER EXCELLENCE IN TEACHING, STUDENT - FACULTY INTERACTION AND COLLABORATION IN LIFE -LONG LEARNING

Councilmember Schey- I would like to present you tonight the Resolution commending IUSB Elizabeth Bennion.

Dr. Bennion- Thank you very much I was very excited and proud when you told me about this resolution. I admire your will to go in to Public Office and serving the community because of your love for the community. I want to thank everyone for their support to my work and civic engagement, along with former colleagues that had an impact on my work. I would like to thank my students who challenge me and encourage me to be a role model. Finally I would like to thank my family and their influence, my children like I when I was younger have been to many civic meetings, I appreciate my husband for his support. I love my community, I love South Bend and I thank you for all the work that you do.

Chancellor at IUSB- I have had the opportunity to welcome her as full time faculty recently to IUSB. The American Association and the University have identified civic engagement as one of the high learning practices that a University can. She does a great job in engaging our students throughout the community. She is producing engaged citizens throughout South Bend, thank you Dr. Bennion you are wonderful example of our staff at IUSB.

Angel Hernandez- VP of Production for NIT- one of the things I would like to say when I received a retirement notice from the former host of the show, you're torn to say if this is a good thing or is this an opportunity. I took it as an opportunity to be able to get someone that was engaged in the community and had youth connections, I met Dr. Bennion and was impressed with her. We engaged the community and the professors at Notre Dame, but I already put on the name Dr. Bennion, my associates has a good connection with the Poli-Sci department to give them a survey to see who can be the host of the show. Weeks later the results came is as the best person would be Dr. Bennion. I would like to her for her contribution to our community and making NIT a better station and all the good things she does.

Councilmember White- I would like to ask IUSB faculty to stand to show their support for her. I have the pleasure to not only know her but work with her personally. I appreciate you as a faculty member your excellence and commitment to our community.

Councilmember Mr. Ferlic- I thank you for what you do for South Bend, I have a few friends with younger siblings that attend IUSB and you are always the professor they talk about there.

Councilmember Dieter- thank you for all the hard work and being at South Bend and I was a criminal justice and all your hard work there.

Councilmember Dr. Varner- Thank you for your representing congratulations.

Councilmember Oliver Davis- thank you for being here, again I enjoyed being with your program and few months ago, and I really appreciate when faculty members get involved in the community.

Councilmember Dr. Ferlic- Thank you for your efforts and bringing it to the community.

Councilmember Henry Davis- I also watch the show, and I also call in. Thank you for your commitment and congratulations.

Councilmember Scott- Dr. thank you for your service.

Councilmember Mr. Ferlic made a motion to adopt this Resolution by acclamation.
Councilmember White seconded the motion which carried forward by a voice vote of nine (9) ayes.

BILL NO. 14 -48

**A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, DECLARING
MAY 5TH THROUGH MAY 9TH, 2014 AS
OPPORTUNITY YOUTH WEEK IN SOUTH BEND**

Council Presider Oliver Davis- Presented Resolution 14-48 to the full Council

John Warner- I would like to say thank you, for choosing to do this because it is a choice. He shared some statistics, up to the year 2012 there 6.4 million youth from ages 16-24 who don't have a GED or high school diploma. The graduating class of 2012 between South Bend and City of Mishawaka 1,100 youth dropped out of high school. What we do is something that can be avoided, we have to move to the direction of workforce development as to what is here. It is important that we don't block the programs, we are working with Workone to help those get their diploma or GED. Thank you for being engaged and helping to provide solutions to the problem.

Worker of the program- I would like the city of proclamation as I have the privilege of working with the 16-24 years old, and they appreciate our programs. Part of our program is inspiring confidence in them and letting them know that they are not less because they dropped out of high school. I want to say thank you very much and thank you for your support.

Councilmember Scott- thank you for what you do this is truly a void that is desperately needed.

Councilmember Henry Davis- thank you for what you do, we will be talking about this issue later on how we can provide solutions, we are right there with you. Thank you for your commitment.

Councilmember Schey- I echo my colleagues sentiments, it is very important what you do.

Councilmember Dr. Ferlic- what was the statistic you quoted? Petitioner- class of 2012 between South Bend and City of Mishawaka 1,100 youth dropped out of high school.

Councilmember Dr. Varner- Thank you very much. I will be getting in contact with you, as the council will be going out and talking to the community and teenagers out there so I will get with you to get some more information to pass along while we are out there. Thank you.

Councilmember Mr. Ferlic- Thank you for what you do for our city.

Councilmember White- I just want to add my thanks as well, a lot of time people don't believe what they hear. The numbers are alarming we do have a lot of work to do in this community to address not only the drop out but those that have been pushed out. I appreciate the work that you do.

Councilmember Dr. Varner made a motion to adopt this Resolution by acclamation.
Councilmember Scott seconded the motion which carried forward by a voice vote of nine (9) ayes.

ANNOUNCEMENT: REPRESENTING THE CITY ADMINISTRATION WILL BE CHIEF OF STAFF – KATHRYN ROSS

REPORTS OF CITY OFFICES

REPORT FROM DEPUTY MAYOR – MARK NEAL

Just a couple things I would like to highlight, last week we went over the first base of planning, this is a chance to talk about things that really matter. We will continue to work with Community Investment on things that we can do. Secondly, our SMART program had several graduates last week, as a partnership to train 48 people in 12 week sessions to get certifications to help with entering into the workforce. Employers are anxious to get these candidates out. I want to highlight out several of our programs that are making are city more efficient. I want to thank you for the presentations earlier this evening and encourage you to keep the dialogue going.

Councilmember Scott- can you check, I sent a message regarding trash and leaf pick up that was supposed to be picked up today but it was not

Councilmember Henry Davis- I have a same issue on my side, my own yard waste has not been picked up. Deputy Mayor- you see should significant changes we ask that you call 311 if you have issues.

Councilmember Davis- referred to the corridor fund as it may be an issue with allocating those \$300,000 to a different fund. Deputy Mayor- you can address those issues with the budget with the state.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:51 p.m. Councilmember made a motion to resolve into the Committee of the Whole. Councilmember ---- seconded the motion which carried by a voice vote of nine (9) ayes. Councilmember Schey, Chairperson, presiding.

Councilmember Schey, explained the procedures to be followed for tonight's meeting in accordance with Article 1, Section 2-11 of the South Bend Municipal Code.

Councilmember Schey stated that a brochure may be found on the railing in the Council Chambers explaining those procedures.

PUBLIC HEARINGS

BILL NO. 22 -14

PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST /WEST ALLEY SOUTH OF VINE STREET, FROM THE EAST RIGHT OF WAY OF 20TH STREET, EAST TO THE FIRST NORTH /SOUTH ALLEY FOR A DISTANCE OF 133.5 FEET AND A WIDTH OF 14 FEET

Councilmember Henry Davis, Jr., Chairperson, Public Works and Property Vacation Committee, reported that they met this afternoon on this bill and send bill 22-14 to the full Council with no recommendation.

Presenter: Bryan Long- 2103 Ave, Indianapolis, In- I'm here to represent the construction group. One of the main issues was the access of 21st being closed off, we have made that change in our plans. We have had some recent events this afternoon and have made multiple request to the community liaison and we have not heard back from them in the last 3 weeks, I have additional greenspace along with additional parking, we are asking for preliminary approval. We have already had 2 committee meetings and they were not present and had ample notice, and I believe they are not here today.

Councilmember Henry Davis, Jr can you tell us about the letter? Petitioner responded, I emailed Councilmember Schey that we had multiple communication with the liaison but have not heard back from them of request of approval or denial.

Councilmember Schey- I do know that another company will be making additional parking, to help too.

Councilmember Ferlic- at this point have you received any responses? Petitioner- the next stage is demolishing it, then putting parking and greenspace

Councilmember Dieter- there has never been any communication? How many one way and inquiries that you have had? Petitioner- there has been at least one phone call and two email that they have not responded too.

Councilmember Dr. Varner- I don't see anything wrong we have had provisional approvals before to keep things moving along. We have done it before.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Those wishing to speak in opposition:

Dave Wilson- 1109 21st St- I'm exactly two homes from that alley, I don't have a problem closing the alley off but I would like to see the alley towards IU stay open, there's always cars on both side making it hard to make the turn. I would advise making no parking one side of the street. Councilmember Schey responded I believe that is what they are suggesting.

Councilmember Henry Davis made a motion for favorable recommendation to full Council concerning this bill. Councilmember Scott seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 17-14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 5 OF THE SOUTH BEND MUNICIPAL CODE IN ITS ENTIEREY AND REPLACING IT WITH A NEW CHAPTER 5 ENTITLED RESPONSIBLE ANIMAL AND PET OWNERSHIP CARE AND CONTROL REGULATIONS

Council Attorney Kathy due to the legal advertisement that will take place. The motion to accept substitute bill 17-14 on file with the City Clerk and Public Hearing on May 28, 2014 meeting with Health and Public Safety. Sole moved by Henry Davis, Seconded by Dr. Varner which carried by a voice vote of nine (9) ayes.

BILL NO. 26 -14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 9, ARTICLE 5 OF THE SOUTH BEND MUNICIPAL CODE BY INCLUDING NEW SECTION 9 -30 ENTITLED LIMITED FEE EXEMPTIONS FOR EMERGENCIES INVOLVING LOCAL UNITS OF GOVERNMENT GOVERNED BY MUTUAL AID AGREEMENT

Councilmember Dieter, Chairperson, Health and Public Safety Committee, reported that they met this afternoon on this bill and send bill 26-14 to the full Council with a favorable recommendation.

Presenter: Joe Lopez- 1220 S Michigan St- What we would like to do is change the ordinance in St. Joseph County to not be charged with municipalities

Councilmember Henry Davis, Jr.- Does FEMA take care of any of that? Petitioner responded no they do not, you have to apply for FEMA funding.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Henry Davis. Jr made a motion for favorable recommendation to full Council concerning this bill. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 29 -14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AUTHORIZING VARIOUS CITY DEPARTMENTS TO ACCEPT PAYMENTS BY CERTAIN FINANCIAL INSTRUMENTS INCLUDING BANK CARD AND CREDIT CARD AND TO AUTHORIZE FEE AND ESTABLISH PROCEDURES FOR SUCH USAGE

Councilmember Schey, Chairperson, Personal and Finance Committee, reported that this committee met this afternoon and send this bill to the full Council with a favorable recommendation.

Presenter: John Murphy- City Controller with Offices on the 14th floor- we have credit cards in many of our departments, we have accepted several thousand transactions this way and are looking for approval for all financial institutions.

Councilmember Davis- you stated that you would check to see if the rent fees building department could take credit cards in the future? Petitioner responded that is possible.

This being the time heretofore set for Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dr. Varner made a motion for favorable recommendation to full Council concerning this bill. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

RISE AND REPORT

Councilmember Dr. Ferlic made a motion to rise and report to full Council. Councilmember Scott seconded the motion which carried by a voice vote of nine (9) ayes.

ATTEST:

ATTEST:

John Voorde, City Clerk

Valerie Schey, Chairperson
Committee of the Whole

REGULAR MEETING RECONVENED

Be it remembered that the Common Council of the City of South Bend reconvened in the Council Chambers on the fourth floor of the County-City Building at 9:07 p.m. Council President Oliver Davis, presided with nine (9) members present.

BILLS - THIRD READING

BILL NO. 22 -14

THIRD READING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST /WEST ALLEY SOUTH OF VINE STREET, FROM THE EAST RIGHT OF WAY OF 20TH STREET, EAST TO THE FIRST NORTH /SOUTH ALLEY FOR A DISTANCE OF 133.5 FEET AND A WIDTH OF 14 FEET

This bill had third reading. Councilmember Dr. Varner made a motion to pass bill 22-14 with a written commitment or agreement with the public City Clerk's office. Councilmember White seconded the motion which carried.

Councilmember Henry Davis- if IUSB says they don't want it to happen, he has to start the entire process all over again?

Council Attorney- IUSB was provided ample notice on the property in regards to this developer and the parking. The petitioner pointed out some of those concerns.

Councilmember White- the citizens' concerns have been addressed, as it is a very narrow street to avoid traffic, which was their main concern but the entrance was moved to avoid that.

Councilmember Attorney- however we want closure.

Councilmember Henry Davis- the process that we are applying here do we continue to hold up meetings for an organization that is not willing to participate, I don't want there to be a problem later on when it comes to someone else, I want it to be equal.

Council Attorney there is not a burden that has been made, if anyone feels they've been harmed in anyway can file a petition in 30 days.

Councilmember Dr. Varner- I just want to state that a notice of acceptance has been sent out.

The bill carried by a roll call vote of nine (9) ayes.

BILL NO. 26 -14

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 9, ARTICLE 5 OF THE SOUTH BEND MUNICIPAL CODE BY INCLUDING NEW SECTION 9 -30 ENTITLED LIMITED FEE EXEMPTIONS FOR EMERGENCIES INVOLVING LOCAL UNITS OF GOVERNMENT GOVERNED BY MUTUAL AID AGREEMENT

This bill had third reading. Councilmember Mr. Ferlic made a motion to pass bill 26-14. Councilmember Dr. Varner seconded the motion which carried a roll call vote of nine (9) ayes.

BILL NO. 29 -14

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AUTHORIZING VARIOUS CITY DEPARTMENTS TO ACCEPT PAYMENTS BY CERTAIN FINANCIAL INSTRUMENTS INCLUDING BANK CARD AND CREDIT CARD AND TO AUTHORIZE FEE AND ESTABLISH PROCEDURES FOR SUCH USAGE

This bill had third reading. Councilmember White made a motion to pass bill 29-14. Councilmember Dieter seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

RESOLUTIONS

BILL NO. 14 -41

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 2115 WEST WESTERN AVENUE TO BE AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE (5) YEAR REAL PROPERTY TAX ABATEMENT FOR IRBN, INC

RESOLUTION NO. 4341-14

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

2115 WEST WESTERN AVENUE

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE (5) YEAR PERSONAL PROPERTY TAX ABATEMENT FOR

IRBN, INC

WHEREAS, a petition for personal property tax abatement consideration has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the area commonly known as 2115 West Western Avenue, South Bend, Indiana, and which is more particularly described as follows:

Beg 603.53' E of Inter of
E Right of Way of Olive Street
N Right of Way of Western Ave
W 1/2 NE 1/4 Sec 10-37-2e
Cont Approx 6.622 Ac +/-

and which has Key Number 018-4096-358109, be designated as an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code § 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds pursuant to Indiana Code § 6-1.1-12.1-4.5 et seq., that:

- a. the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type;
- b. That the estimate of the number of individuals that will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed installation of new manufacturing equipment;
- c. That the estimate of the annual salaries of those individuals that will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed installation of new manufacturing equipment;
- d. any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed new manufacturing equipment; and
- e. the totality of benefits is sufficient to justify the deduction requested.

SECTION II. The Common Council hereby determines and finds that the proposed new manufacturing equipment can be reasonably expected to yield the benefits identified in the Statement of Benefits and Petition for Tax Incentives completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code 6-1.1-12.1-4.5.

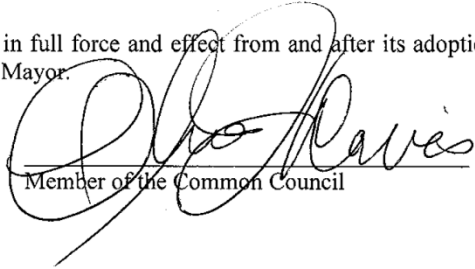
SECTION III. The Common Council hereby accepts the report and recommendation of the Department of Community Investment, and the Community Investment Committee's favorable recommendation, that the area herein described be designated as an Economic Revitalization Area for purposes of personal property tax abatement and hereby makes such a designation.

SECTION IV. The Common Council determines that such designation is for personal property tax abatement only and shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

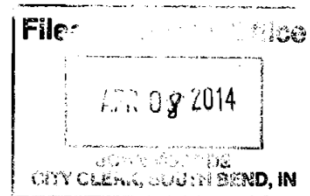
SECTION V. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of five (5) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17; provided however, the Petitioner may not receive an economic revitalization area deduction if it receives an enterprise zone investment deduction under I.C. 6-1.1-45 for the same property.

SECTION VI. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Personal Property Tax Abatement to be published pursuant to Indiana Code 5-3-1, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION VII. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.


Member of the Common Council

PRESENTED 4-14-14
NOT APPROVED
ADOPTED 4-14-14



Presenter- City Proxy- 14th floor of this building- estimated they will invest \$620,000 in equipment, taxes estimated \$25, 029, taxes to be abated \$28,096, this project is estimated to bring 5 jobs.

Petitioner: 2115 W. Western Ave. - I would like to thank you for these incentives and be a part of South Bend. We plan on doing events and programs, it's a very impressive old building that needs tender love and care. We want to provide food to food banks and help others in the community.

This being the time heretofore set for Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dieter made a motion for adoption to full Council concerning this bill. Councilmember Henry Davis, Jr. seconded the motion which carried by a roll call count of nine (9) ayes.

BILL NO. 14 -42

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 2115 WEST WESTERN AVENUE AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A TWO (2) YEAR REAL PROPERTY TAX ABATEMENT FOR VIDA REALTY, LLC

RESOLUTION NO. 4342-14

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

2115 West Western Avenue

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A
TWO-YEAR (2) REAL PROPERTY
TAX ABATEMENT FOR

VIDA REALTY, LLC

WHEREAS, a petition for real property tax abatement has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana requesting that the area commonly known as 2115 West Western Avenue, South Bend, Indiana, and which is more particularly described as follows:

Beg. 603.53' E of Inter of
E Right of Way of Olive Street &
N Right of Way of Western Avenue
W ½ NE ¼ Sec 10-37-2E
Cont Approx 6.622 Ac +-

and which has Key Number 018-4096-358109, be designated as an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code § 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the Petition for Real Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements of Indiana Code § 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds the following:

A. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed **occupation of the eligible vacant building**;

B. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed **occupation of the eligible vacant building**;

C. **That the proposed occupation of the eligible vacant building will increase the tax base and assist in the rehabilitation of the Economic Revitalization Area;**

D. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed **occupation of the eligible vacant building**; and

E. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code § 6-1.1-12.1-3.

SECTION III. The Common Council hereby determines and finds that the proposed **occupation of the eligible vacant building** can be reasonably expected to yield benefits identified in the Statement of Benefits, the Petition for Real Property Tax Abatement Consideration, and the Memorandum of Agreement between the Petitioner and the City of South Bend, and that the Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code § 6-1.1-12.1-3.

SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real property tax abatement.

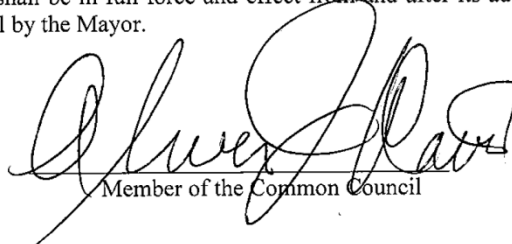
SECTION V. The designation as an Economic Revitalization Area shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of **two (2)** years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

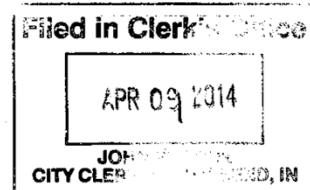
SECTION VII. The Common Council hereby determines that the annual amount for which similar buildings in the county were leased or rented or offered for lease or rent during the period the eligible vacant building was unoccupied is approximately in the amount of \$142,500.

SECTION VIII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.


Member of the Common Council

PRESENTED 4-14-14
NOT APPROVED
ADOPTED 4-14-14



Presenter- City Proxy- 14th floor of this building- this is a piggy back off previous bill. Taxes estimated to be paid \$7,592, taxes to be abated \$13,187 in a two year period.

This being the time heretofore set for Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dr. Ferlic made a motion for adoption to full Council concerning this bill. Councilmember Scott seconded the motion which carried by a roll call count of nine (9) ayes.

BILL NO. 14 -43

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 1902 WEST SAMPLE STREET AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE (5) YEAR PERSONAL PROPERTY TAX ABATEMENT FOR LIPPERT COMPONENTS MANUFACTURING INC

RESOLUTION NO. 4333-14

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

1902 West Sample Street

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A
TWO-YEAR (2) REAL PROPERTY
TAX ABATEMENT FOR

Lippert Components Manufacturing Inc.

WHEREAS, a petition for real property tax abatement has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana requesting that the area commonly known as 1902 West Sample Street, South Bend, Indiana, and which is more particularly described as follows:

Lot 1
Project X Minor Sub
03-04 New Replat TR 5162-7-18-2002

and which has Key Number 71-018-09041-00, be designated as an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code § 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the Petition for Real Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements of Indiana Code § 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds the following:

A. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed **occupation of the eligible vacant building;**

B. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed **occupation of the eligible vacant building;**

C. **That the proposed occupation of the eligible vacant building will increase the tax base and assist in the rehabilitation of the Economic Revitalization Area;**

D. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed **occupation of the eligible vacant building; and**

E. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code § 6-1.1-12.1-3.

SECTION III. The Common Council hereby determines and finds that the proposed **occupation of the eligible vacant building** can be reasonably expected to yield benefits identified in the Statement of Benefits, the Petition for Real Property Tax Abatement Consideration, and the Memorandum of Agreement between the Petitioner and the City of South Bend, and that the Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code § 6-1.1-12.1-3.

SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real property tax abatement.

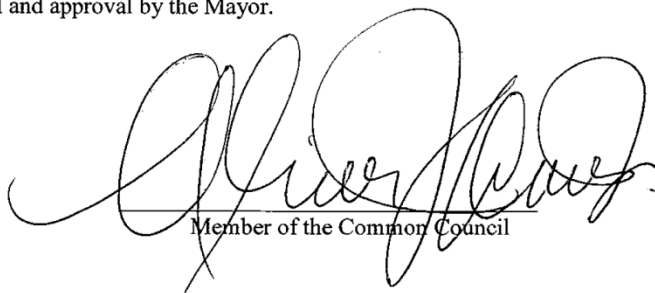
SECTION V. The designation as an Economic Revitalization Area shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of **two (2)** years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

SECTION VII. The Common Council hereby determines that the annual amount for which similar buildings in the county were leased or rented or offered for lease or rent during the period the eligible vacant building was unoccupied is approximately in the amount of \$1,078,274.

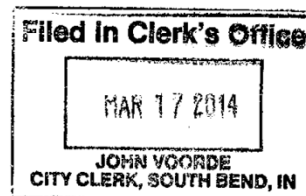
SECTION VIII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.



Member of the Common Council

PRESENTED 3-24-14
NOT APPROVED
ADOPTED 3-24-14



Presenter- City Proxy- 14th floor of this building- Lippert will invest \$1.3 million over the next two years, creating 200 new jobs, and annual payroll of \$5.2 million over the next two years.

Council Attorney is checking the number of jobs, as there was some confusion on the number of jobs. Council Attorney requested a motion to review this one at the end of resolutions so we can

go on file and look at the numbers. Sole moved by Councilmember Scott, seconded by Councilmember Mr. Ferlic which carried forward by a voice vote of nine (9) ayes.

BILL NO. 14 -44

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING A CERTAIN AREA WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 1020 SAINT PETER STREET AS A RESIDENTIALLY DISTRESSED AREA FOR PURPOSES OF A FIVE (5) YEAR RESIDENTIAL REAL PROPERTY TAX ABATEMENT FOR ROBERT AND CATHERINE KOSSLER

RESOLUTION NO. 4352-14

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND DESIGNATING A CERTAIN AREA WITHIN
THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS

1020 Saint Peter Street

AS A RESIDENTIALLY DISTRESSED AREA FOR PURPOSES OF A
(5) FIVE-YEAR RESIDENTIAL REAL
PROPERTY TAX ABATEMENT FOR

Robert and Catherine Kossler

WHEREAS, a Statement of Benefits and a petition for residential real property tax abatement have been submitted to and filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the area commonly known as 1020 Saint Peter Street, South Bend, Indiana, and which is more particularly described as follows:

THAT PART OF THE NORTHWEST QUARTER SECTION 1, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA, WHICH IS DESCRIBED AS LOT "B" AS SHOWN ON THE PLAT OF "SORIN'S SECOND SUBDIVISION SIXTH REPLAT" RECORDED JUNE 13TH, 2012 IN THE OFFICE OF THE ST. JOSEPH COUNTY, INDIANA RECORDER AS INSTRUMENT NO. 1217687. CONTAINING 0.17 ACRES MORE OR LESS SUBJECT TO ALL LEGAL RIGHT -OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

and this property has Tax Key Number 018-5104-3651, be designated as a Residentially Distressed Area under the provisions of Indiana Code 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as a Residentially Distressed Area under Indiana Code 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as a Residentially Distressed Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the petition for real property tax abatement and the Statement of Benefits form meet the requirements of Indiana Code 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds that the area meets one of the following conditions as formally established in Ordinance No. 9394-03, which was passed on February 10, 2003:

- A. The area is comprised of parcels that are either unimproved or contain only one (1) or two (2) family dwellings designed for up to four (4) families, including accessory buildings for those dwellings; or
- B. Any dwellings in the area are not permanently occupied and are:
 - i. the subject of an order issued under IC 36-7-9; or
 - ii. evidencing significant building deficiencies; or
- C. Parcels of property in the area:
 - i. have been sold and not redeemed under IC 6-1.1-24 and IC 6-1.1-25; or
 - ii. are owned by a unit of local government; or
- D. A significant number of dwelling units within the area are not permanently occupied or a significant number of parcels in the area are vacant land; or
- E. A significant number of dwelling units within the area are:
 - i. the subject of an order issued under IC 36-7-9; or
 - ii. evidencing significant building deficiencies; or
- F. The area has experienced a net loss in the number of dwelling units, as documented by census information, local building and demolition permits, or certificates of occupancy, or the areas are owned by Indiana or the United States; or,
- G. The area (plus any areas previously designated under this subsection) will not exceed ten percent (10%) of the total area within the Council's jurisdiction.

SECTION III. The Common Council also hereby determines and finds the following:

- A. That the description of the proposed redevelopment meets the applicable standards for such development.
- B. That the estimate of the value of the redevelopment is reasonable for projects of this nature;

- C. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment; and
- D. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code 6-1.1-12.1-3.
- E. The deduction will not be allowed unless the dwelling is rehabilitated to meet local code standards for habitability.
- F. The deduction will not be allowed unless the dwelling rehabilitation is completed within five (5) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION IV. The Common Council hereby determines and finds that the proposed described redevelopment can be reasonably expected to yield benefits identified in the Statement of Benefits and the petition for real property tax abatement consideration and that the Statement of Benefits form prescribed by the State Board of Accounts are sufficient to justify the deduction granted under Indiana Code 6-1.1-12.1-3.

SECTION V. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as a Residentially Distressed Area and hereby adopts a Resolution designating this area as a Residentially Distressed Area for purposes of real property tax abatement.

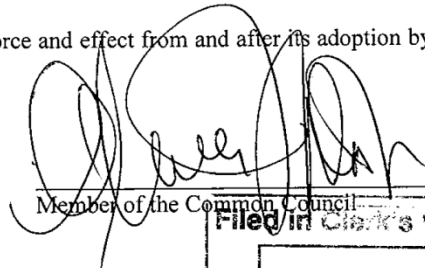
SECTION VI. The designation as a Residentially Distressed Area shall be limited to five (5) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION VII. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of five (5) years.

SECTION VIII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code 5-3-1 and Indiana Code 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION IX. Pursuant to Indiana Code 6-1.1-12.1-2, the rehabilitation must meet all local code standards for habitability as a specific condition of having such property designated as a residentially distressed area.

SECTION X. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.


Member of the Common Council

PRESENTED 4-28-14
NOT APPROVED
ADOPTED 4-28-14

3

Filed in Clerk's Office
APR 23 2014
JOHN VOORDE
CITY CLERK, SOUTH BEND, IN

Councilmember Gavin. Ferlic- Community Investment sends 14-44 to the full council for favorable recommendation

City Proxy- Offices of the 14th floor- the resolution for personal property taxes and real property tax abatement, taxes to be paid about \$1,800 and taxes to be abated will be \$18,000.

Petitioner: Catherine Kossler- 1234 N End St, Ohio- we are looking to build a two story house, traditional private home, part of the revitalization for the area.

Councilmember Dieter- this is a 5 year not a 1 year? Petitioner responded correct.

This being the time heretofore set for Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dieter made a motion for adoption to full Council concerning this bill. Councilmember Scott seconded the motion which carried by a roll call count of nine (9) ayes.

BILL NO. 14 -45

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
211 WEST WASHINGTON STREET AN ECONOMIC
REVITALIZATION AREA FOR PURPOSES OF A
FOUR (4) YEAR REAL PROPERTY TAX ABATEMENT
FOR THE TOWER AT WASHINGTON SQUARE LLC

RESOLUTION NO. 4353-14

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

211 West Washington Street

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FOUR (4)
YEAR REAL PROPERTY TAX ABATEMENT FOR

THE TOWER AT WASHINGTON SQUARE LLC

WHEREAS, a petition for real property tax abatement has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana requesting that the area commonly known as 211 West Washington Street, South Bend, Indiana, and which is more particularly described as follows:

Lots 239 & 240 &
Vac Alley W & Adj
O P

and which has Key Number 018-1008-0321 be designated as an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code § 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the Petition for Real Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements of Indiana Code § 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds the following:

A. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

B. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

C. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

D. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

E. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation; and

F. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code § 6-1.1-12.1-3.

SECTION III. The Common Council hereby determines and finds that the proposed described redevelopment or rehabilitation can be reasonably expected to yield benefits identified in the Statement of Benefits, Sections 1 through 3 of the Petition for Real Property Tax Abatement Consideration and the Memorandum of Agreement between the Petitioner and the City of South Bend, and that the Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code § 6-1.1-12.1-3.


SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real property tax abatement.

SECTION V. The designation as an Economic Revitalization Area shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of up to four (4) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

SECTION VII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION VIII. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.


Member of the Common Council

PRESENTED 4-28-14
NOT APPROVED
ADOPTED 4-28-14

Filed in Clerk's Office
APR 23 2014
JOHN VOGLER
CITY CLERK, SOUTH BEND, IN

Councilmember Gavin. Ferlic- Community Investment sends 14-44 to the full council for favorable recommendation

City Proxy- Offices of the 14th floor- this is the Chase tower building it is expected the petitioner will invest \$3 million over the next two years, taxes to be abated over that time period \$40,091, taxes abated \$1,172,000, to create 1 job or 2 jobs

Andrew Nimtz- 211 W Washington St- I'm here to adopt a tax abatement, anticipated spending between \$5-6 million dollars for the first two years.

This being the time heretofore set for Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Councilmember Henry Davis- how many businesses have been lost or have moved out since the Chase tower came to a hit over two years ago? Petitioner responded, was able to tell him off the top of his head, I would say about 50%, hopefully we hit the bottom and can raise back up.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Mr. Ferlic made a motion for adoption to full Council concerning this bill. Councilmember White seconded the motion which carried by a roll call count of nine (9) ayes.

BILL NO. 14 -46

A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, APPROVING
ISSUANCE OF BONDS OF THE SOUTH BEND
REDEVELOPMENT DISTRICT

RESOLUTION NO. 4354-14

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF SOUTH BEND, INDIANA, APPROVING ISSUANCE OF BONDS
OF THE SOUTH BEND REDEVELOPMENT DISTRICT**

WHEREAS, the South Bend Redevelopment Commission (the "Commission") has adopted a resolution (the form of which is attached hereto as Exhibit A) authorizing the issuance of bonds of the South Bend Redevelopment District (the "District") in an aggregate principal amount not to exceed \$3,700,000 (the "Bonds"), to provide funds to pay for all or a portion of the costs of refunding those certain South Bend Redevelopment District Special Taxing District Bonds of 2002 (the "Refunding"); and

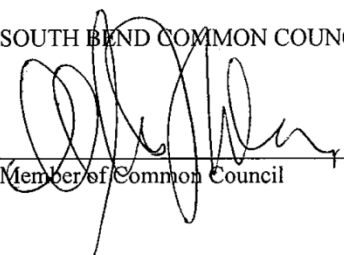
WHEREAS, the Common Council of the City of South Bend, Indiana (the "City") now desires to approve the issuance of the Bonds as required under Indiana Code 6-1.1-17-20.5 and Indiana Code 36-7-14-25.1(p);

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:

SECTION 1. The Common Council hereby approves of the issuance of the Bonds of the District to finance the Refunding, in an aggregate principal amount not to exceed \$3,700,000, pursuant to Indiana Code 6-1.1-17-20.5 and Indiana Code 36-7-14-25.1(p).

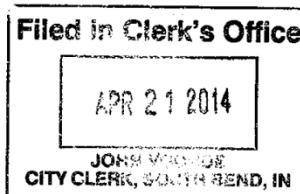
SECTION 2. This Resolution shall be in full force and effect from and after its passage by the Common Council and compliance with law.

SOUTH BEND COMMON COUNCIL



Member of Common Council

PRESENTED 4-28-14
NOT APPROVED
ADOPTED 4-28-14



Councilmember Gavin. Ferlic- Community Investment sends bill 14-46 to the full council for favorably.

Presenter: Phil- 100 South Bend- the Resolution before you is the issuance bond adopted in 2002, the outstanding principal amount is \$3,405,000. He discussed the bond and the impact that it would have on the city.

This being the time heretofore set for Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dieter made a motion for adoption to full Council concerning this bill. Councilmember White seconded the motion which carried by a roll call count of nine (9) ayes.

BILL NO. 14 -49

A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, CALLING
FOR CREATIVE AND SUSTAINABLE INITIATIVES
ADDRESSING MORE COMPREHENSIVE
PROGRAMMING, YOUTH UNEMPLOYMENT AND
ENTREPRENEUR PROGRAMS

RESOLUTION NO. 4355-14

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, CALLING FOR CREATIVE AND SUSTAINABLE INITIATIVES ADDRESSING MORE
COMPREHENSIVE PROGRAMMING,
YOUTH UNEMPLOYMENT AND ENTREPRENEUR PROGRAMS**

Whereas, the federal Bureau of Labor Statistics “Unemployment Rates for Metropolitan Areas Monthly Rankings” shows that the “South Bend-Mishawka, IN Metropolitan Statistical Area” has a 7.6 unemployment rate, however the unemployment insurance has been extended resulting in an even higher percentage; and

Whereas, in the 44-page January 2014 publication entitled *In This Together: The Hidden Cost of Young Adult Unemployment*, many alarming facts were highlighted, some of which included the following:

- “Millennials aged 18 to 34 have now seen double-digit unemployment rates for over 70 consecutive months...” [p. 5]
- “The youngest workers, aged 16 to 24, are even worse off, with unemployment rates well over twice the national average – at 15 percent...” [p. 5];
- “...one unemployed 18 to 24 year old will cost the federal and respective state government over \$4,100 annually in forgone tax revenue and benefits received...” [p. 7]
- “...each unemployed 25 to 34 year old will cost his or her federal and state government a staggering \$9,875 annually...” [p. 7]; and

Whereas, the Common Council recognizes that “Young Invincibles”, who authored the above-referenced publication, is a non-profit organization which seeks to “amplify the voices of young Americans and expand opportunity...” who were hosted by South Bend in 2012; and

Whereas, unfortunately, many of the findings in the Young Invincibles report are also being witnessed in the City of South Bend, with far too high an unemployment rate of our youth, and limited effective programs in place to address these growing concerns; and

Whereas, many of the policy recommendations set forth in *In This Together: The Hidden Cost of Young Adult Unemployment*, such as expanding paid service in order to reconnect “young adults to the labor force”; reinstating grant programs; providing apprenticeship programs; and creating “career internships” are recommendations which should be pursued.

Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The Common Council of the City of South Bend, Indiana, believes that addressing the following priorities would help jump-start needed opportunities for unemployment youth in our community, of building stronger partnerships with the South Bend Community School Corporation and therefore recommends that collaborative efforts be pursued so that the following objectives may become reality:

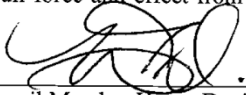
1. That additional revenue be dedicated to the Martin Luther King Center and the Charles Black Youth Center for more comprehensive programming and entrepreneur programing opportunities;
2. That expanded partnerships between the City of South Bend and the South Bend Community School Corporation be pursued which include, but are not limited to:

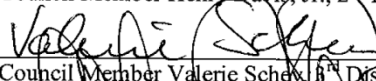
Resolution on Opportunities for Youth
Page 2

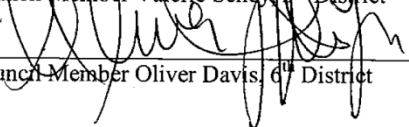
- Open access to gymnasiums and swimming pools
- Access to computer labs
- Developing vocational trade programs

3. That a Summer Jobs Program for Youth be expanded to provided year round internship programs;
4. That the City of South Bend create a City Welcome Wagon experience which would share information on key city services and provide opportunities to build partnerships with residents and businesses moving to the City; and

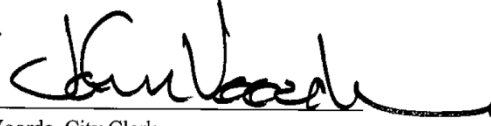
Section II. This Resolution shall be in full force and effect from and after its adoption by the Council and approval by the Mayor.

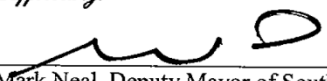

 Council Member Henry Davis, Jr., 2nd District


 Council Member Valerie Schey, 8th District

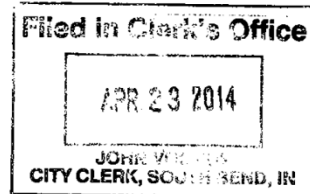

 Council Member Oliver Davis, 6th District

Adopted this ___ day of April, 2014 by the South Bend Common Council.

Attest:

 John Voorde, City Clerk

Approved by:

 Mark Neal, Deputy Mayor of South Bend
 South Bend, Indiana

PRESENTED 4-28-14
 NOT APPROVED
 ADOPTED 4-28-14



Councilmember White, Chairperson, Personal and Finance Committee met this afternoon and send bill 14-49 to the full Council favorably.

Presenter: Councilmember Henry Davis, Jr.,- read the resolution to the full Council to point out the details, pointed out the 7.6% is only good for people who can still file unemployment so the number is actually a lot higher. The city over the last few months has seen a number of shootings, and approaching a summer with not the best conditions right. There is a potential of overflow of children that might meet of at these facilities. We need to make sure they are fully staffed and fully funded. Along with programs for trainings for youth employment so they are less likely to participate in a violent activity.

Deputy Mark Neal- I just want to thank Councilmember Henry Davis for bringing this forward. I am excited about the number of programs going on in a number of our park centers. I support the expansion of programs.

Phil St. Clair- Director of Parks and Rec for South Bend- I support any effort to help the youth in our community. This will help to fund additional programs, we do have some great programs already going on. But we want to focus making sure we have the funds for each facility.

Councilmember Dieter- in the aspect of the legally aspect of additional funding, this can be used all over the city as soon as there's some type of plan developed?

Council Attorney- this allows the corporation to move forward

Councilmember Schey- it is my understanding that two center have been recognized, are these the first priority? Councilmember Henry Davis, Jr. responded these are the priority as these operate very similar.

Councilmember Mr. Ferlic- I thoroughly support youth increased programing during the summer. In Section 4 what is the city welcome wagon experience? Councilmember Henry Davis, Jr it has been something that happened in the past, it's being able to promote what is going on in the city, these points will go back to the community to be hatched out and executed.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Those wishing to speak in favor:

Elderly Woman-1454 46617- Spoke in favor of increased programing

Isaac- 132 Merrill Way- I work with youth from 18-35 at the Martin Center for the last four years. There is 75 youth in the program, we need more funding and staff to make a bigger impact and help educate them.

Charles W. Taylor- 3803 St. Piper Cole Run- Not only do I support this, but we need good funds to help our youth and keep crimes down. In the bible it says train up a child in the way that they should go. I ask that you do the right thing.

Lily- 1338 Johnson St- I work for the South Bend School Corporation, I live in an area that is very high in crime. Being in the school corporation, I try to encourage them to a positive outlet but it is hard to do when they have no outlet in their community. With this bill will take our area to a higher level, and I support all community centers.

Jesse Davis- P.O. Box 10205- if you can find sources to fund corporations and build two-way streets, we can sure fund programs that will keep our youth off the streets. I'm tired of people talking about the violence but not doing anything about them. Any program that supports our youth needs to be supported.

Anthony Scott- 214 N Sadie St- Thank God for Facebook else I wouldn't know about this council meeting. What struck my mind is entrepreneurship, especially for young African males,

many of them have trouble getting job. I have 25 years of driving a school bus, I've seen some things and I know we can turn things around, with some additional funding. I'm going to be a volunteer, we need to support, and I can't think of any other centers to do this.

David Pruitt- 3706 W Jefferson- We have a lot of things going on with the young kids in the neighborhood, I'm trying to build up the community. My family works there and we do need funding so I can come in and help build programs myself. I went through the violence and have taken a bullet. I ask for your support.

Detective Emory -4231 Irish Hills Dr.-I'm here to support Henry Davis, we don't fund after school programs we will end up funding it one way or another, whether in jail or elsewhere. We need to fund it on the front end and show compassion we can show our citizens we care about our city.

Emily- 12th floor- I do stay in the heart of the violence. I am agreeing with Henry, I think the organization should go to many different places. I am a mother of 5 children, in the city. I help with other single parents to help them train their families and assist with those parents to help introduce programs. We have a lot of community programs, we need the people out there to help our kids. Please put the kids out on the program first. Get that together and get the funds out and the community will be cleaned up.

Those wishing to speak in opposition were none. Councilmember Mr. Ferlic made a motion to adopt bill 14-49. Councilmember Schey seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

BILLS - FIRST READING

BILL NO. 31-14

FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING VARIOUS SECTIONS IN ARTICLE 10 OF CHAPTER 14 OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING SMOKEFREE AIR' REGULATIONS

This bill had first reading. Councilmember White made a motion to refer this bill to the Health and Public Safety Committee for Public Hearing for Second and Third Reading on May 12, 2014. Councilmember Mr. Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

UNFINISHED BUSINESS

REPORT FROM AREA PLAN COMMISSION

BILL NO. 24-14- AMEND CHAPTER 21 – ARTICLE 4 AND 6

BILL NO. 25-14 – REZONING – 4525 SOUTH BURNETT DRIVE

Councilmember White made a motion that bill 24-14 and 25-14 be sent to Zoning and Annexation Committee for a hearing on May 12, 2014. Councilmember Dr. Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

BILL 14-47 – SET COUNCIL MEETING DATE OF 05/12/14 FOR A FIVE (5) YEAR REAL PROPERTY ABATEMENT FOR LOCK JOINT TUBE

Councilmember Scott made a motion to refer this bill to the Community Investment Committee and set it for Second and Third Reading on May 12, 2014. Councilmember Schey seconded the motion which carried by a voice vote of nine (9) ayes.

NEW BUSINESS

Councilmember Scott I just like to thank the city of South Bend, Code Enforcement, Deputy Mayor Mark Neal, Mayor's Office, leadership group, many residence of the near Northwest, Chambers of Commerce for coming out in a grassroots cleaning 200 city blocks on Saturday from yard waste to trash. We had members from the city council. It was a successful program to get volunteers out and make a difference in the city.

PRIVILEGE OF THE FLOOR

Jody Elizabeth- I work in community relations and am new to the company and just want to introduce myself, and I thank you so much for help with us being out there.

ADJOURNMENT

There being no further business to come before the Council, President Oliver Davis adjourned the meeting at 9:06 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Oliver Davis, President