

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, August 25, 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
	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

Absent:	Henry Davis, Jr.	2 nd District (Medical Absence)
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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 Schey made a motion that the minutes of the August 11, 2014, meeting of the Council be accepted and placed on file. Councilmember seconded the motion which carried by a voice vote of eight (8) ayes.

SPECIAL BUSINESS

President Council announced that we will be extending applications for Animal Control Commission and MBE/ WBE Diversity Board, deadline for applicants is September 5 and meetings held Monday, September the 8. Interview times will be publicized during that time.

BILL NO. 14 -78

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PUBLICLY COMMENDING AND HONORING MAY LEE JOHNSON FOR THE MANY CONTRIBUTIONS SHE HAS MADE TO OUR COMMUNITY AS A GIFTED JOURNALIST



RESOLUTION NO. 4383-14



A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND PUBLICLY COMMENDING AND HONORING MAY LEE JOHNSON FOR THE MANY CONTRIBUTIONS SHE HAS MADE TO OUR COMMUNITY AS A GIFTED JOURNALIST

Whereas, the South Bend Common Council notes that one of South Bend’s residents, who graduated from St. Joseph High School and Indiana University South Bend, began her journalism career with the *South Bend Tribune* in 1995 when she began “inserting” in the *Tribune*’s basement; and

Whereas, the Common Council further notes that May Lee Johnson later began working in “Camera Plate Making and Later Imaging”; and in 2002, May Lee “was brought upstairs” and given the opportunity to write and tap into her many journalist talents; and

Whereas, May Lee’s “Tales of the Westside” later known as “Tales” was just the beginning of an award-winning *South Bend Tribune* series which focused on our diverse community; and

Whereas, May Lee captured the stories and voices of many – from her writing “Our in the Cold: The Faces of Need” where she focused on real life experiences of individuals who had their heat turned off during the winter, which resulted in such awareness that policies were changed so that such utility services could not be turned off until April, rather than in the dead of winter; to being a Reporter for *Today’s Catholic* where she covered news in South Bend and Mishawaka, as well as the local Black Catholic community; and

Whereas, May Lee also put the spot light on many local seniors who participated in the Senior Olympics, who were given the chance to play and laugh during their “Golden Years”; and

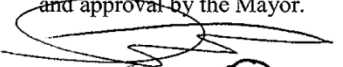
Whereas, May Lee’s article “Students Embark on Civil Rights Bus Tour” was published on August 9, 2014. It brought to life the “energy and enthusiasm of IU South Bend college students” as 30 freshmen experienced historic civil rights sites on a bus tour, which has been part of the Summer Leadership Academy since 2002, so that the history of the Black and Chicano civil rights movements could be shared.

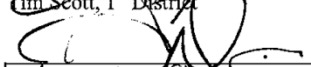
Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:

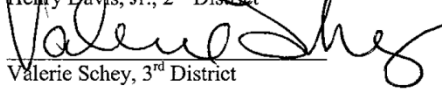
Section I. The Common Council of the City of South Bend, Indiana, publicly honors and thanks **MAY LEE JOHNSON** for her many insights and writings which focused on many topics and created a new opportunity for discussion, which may not have otherwise taken place.

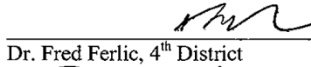
Section II. The Common Council wishes **MAY LEE JOHNSON** continued success, and hopes that her life will continue to be enriched with bold new experiences with her family as she begins a new chapter when she relocates to Arizona, where many new adventures await to be embraced and experienced.


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

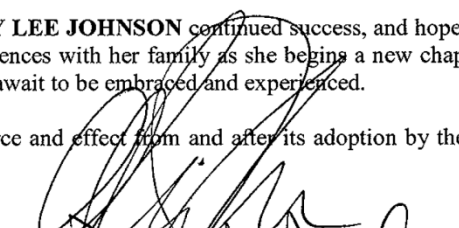

Tim Scott, 1st District

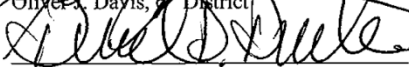

Henry Davis, Jr., 2nd District

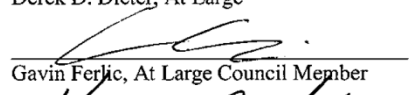

Valerie Schey, 3rd District



Dr. Fred Ferlic, 4th District


Dr. David A. Varner, 5th District


Oliver A. Davis, 6th District


Derek D. Dieter, At Large

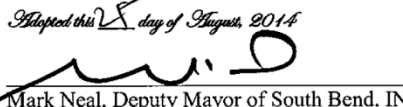

Gavin Ferlic, At Large Council Member


Karen L. White, At Large Council Member


Kathleen Cekanski-Farrand, Council Attorney

Attest:

John Voorde, City Clerk

Adopted this 5 day of August, 2014

Mark Neal, Deputy Mayor of South Bend, IN

Council President presented a presentation in honor of May Lee.

Councilmember Scott as a journalism graduate, thank you for all your hard work for all the neighborhoods that you reported on.

Councilmember Schey as the fork life of the government that they call the media I am so thankful for all that you and your colleagues due to keep us informed and engaged on what is going on in the government so thank you for the dedication of your field.

Councilmember Ferlic Thank You. You made our city better.

Councilmember Varner I would like to thank May Lee that I appreciate all the work that she has done in the community and there's a lot of people that don't know that I appreciate people who are out on the street and who go to the heart of the matter in the community. And of all the journalist that I know for a long time a lot of them can sit in there office and try to write stories but your one that goes right to the heart of the matter. So I appreciate all of the years that you've done that. That's a very unique talent you have to be able to go get the information first hand. You will be truly missed you've done a lot of great things, just not on the west side but all over south bend. And I don't think people until there their will appreciate what you've done. But I've been there and I really appreciate all you've done so Thank You very much.

Councilmember Dieter Thank You May Lee, I've always enjoyed your work and you certainly will be missed.

Councilmember White I would like to personally thank Ms. Johnson. I first became aware when May Lee was a young lady. We attended the same church. We are from the lake "as it's called" and I've had the pleasure of having her as my student at IU south bend, so I appreciate your dedication and your commitment to the world and the love of excellence that you have established not only for yourself but for the South Bend Tribune. I cannot tell you the number of individuals who have contacted me about the tales of the west side you have bought a very positive perception. In regards to the stories and the individuals that you have covered. This here lately I have had the opportunity of having Ms. Johnson work with me for a leadership academy and the students are still asking me when you are you going to come back. So again you will be very much missed.

May Lee- Mr. Voorde I've heard many times about your lovely daughter. I just wanted to share a little story about Karen and myself. Today was a really rough day, because I woke up and I was like what am I going to do and things just started horrible from ground 1. It reminded me in 1968, I flunked anatomy 2 times and I had to graduate with general studies. I looked at Karen and said I can't take it, I don't know this stuff I was going crazy. She said May Lee just got settle down and take the test. And I passed it and I was too sick to go to the graduation but eventually I was at home on day and they'd bring me that red diploma from IUSB. And today again she captured my Father's spirit and lifted me back up and reminded me that there's still a lot of fire in this earth. There is life after this. I would not be able to be who I am without them. But they would not be who they are without me. Thank you for recognizing me.

Councilmember made a motion to for adoption for this resolution. Councilmember seconded that motion, which carried by a voice vote of eight (8) ayes.

BILL NO. 14 -79

**A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, PUBLICLY
COMMENDING AND HONORING THE SOUTH BEND
EASTSIDE 110 ALL STAR TEAM FOR A GREAT**

DISTRICT TOURNAMENT AND A GREAT
2014 SEASON

Councilman Ferlic presented a presentation honoring the South Bend Eastside 110 All Star Team for a great district tournament.

The Coach of the Team- speaking on behalf of East Side League Baseball- I would like to thank the counsel for recognizing us. Specially councilmen Ferlic he did a wonderful job, I put some of these words together but he's the one who ran with it, I am not nearly that good. One of my group of kids, wherever we go whether it's in the state of Indiana or out of the state of Indiana everybody comments " hey those kids really act like young gentlemen on and off the field". It's truly a privilege to coach these kids. I've been in this for 53 years and it's on run for another. So trust me that's rare especially in today's group. I want to thank all the parents, without them none of this happens. It truly is a pleasure to coach them. The coach shared with the council about each child present on the team.

Councilmember Scott That was just absolutely amazing and we wish you guys the best of luck, good job and hopefully we see you guys back here.

Councilmember Schey Great Job guys keep it up.

Councilmember Ferlic All I can say is wow coach. From what I've heard tonight your the ultimate mentors and coach's. I was star struck, by your love of the game and your love of the players. And the respect you show for them when you say thank you. I mean you are truly a role model for all of us. Thank you.

Councilmember Varner I really appreciate it, the way you described each person and your passion you described them with and that was really amazing to me. And when I think about your league and you talk about Ripley, I think the way that he played ball watching it when he was going for that record. I remember that as a kid. And the way of the classiness and the professionalism that he brought to the game of baseball is where I see these young men going. I really think that models the behavior.

Councilmember Dieter Congratulations to you all. And I wanted to say something to the coach too. The fact of the matter is I think you found your comfort zone. Your right where you belong.

Councilmember Gavin Ferlic First of all great job young men. All my sons were named after baseball players, actually the middle son is Chuck Wagner. That was a long time ago, well seems like it but, wasn't that far. But I want to tell all you players that when you get home tonight to thank your parents,

Grandparents, aunts and uncles of all the people who've helped you get here. By buying that new bat you had to have, the new gloves, the necklaces, or the batting gloves, the shoes, the under armor and everything that you guys want when that new east bay comes or in the catalog. You've got some great coaches and you've got some great leaders. So I hope all of you continue playing baseball, it's a great sport, you can do a lot with it in your life even if you don't go into professional ball. But again that a lot of work and a lot of fun. And like I said you've got some great coaches and mentors so congratulations.

Councilmember White I would just like to add my words of thank you and congratulations. Truly it is beyond a sport, that you have the opportunity to touch and pull into the lives of these young men. And for that we are so grateful. To the young men, I know that school has started, we expect excellent grades from you, I will contact the coach to get a grade report at the end of the semester. Thank you so much and congratulations again.

I move to adopt this by acclamation. Councilmember seconded the motion which carried by a voice vote of eight (8) ayes.

ANNOUNCEMENT: REPRESENTING THE CITY ADMINISTRATION WILL BE KATHRYN ROOS CHIEF OF STAFF (Kathryn was not present)

REPORTS OF CITY OFFICES-DEPUTY MAYOR

Deputy Mayor reported on two things, a reminder about the budget meetings. Most Monday's and Wednesday's are not on council Monday's for the next four weeks or so. I know that council member Schey is part of the Personal Finance team working with Joe Murphy to set up a public meeting on September 24 at the O'Brian Center, and looking for a second date as well. So we can go over the entire budget, soon as that gets done I will make sure to publish that. Finally, I want to note this is the last week of regular season. And I know that the team is working hard and all the coaches are working hard to beat the attendance record. Tomorrow night is park the park, as well as pack the park. They have great deals and are just promoting and trying to break the record. I think we need to add somewhere around 3,500 or so a game per week to make it. Alright thank you

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:36 p.m. Councilmember Schey made a motion to resolve into the Committee of the Whole. Councilmember Varner seconded the motion which carried by a voice vote of eight (8) ayes. Councilmember Oliver Davis, President, presiding.

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

PUBLIC HEARINGS

BILL NO 41 -14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING SECTIONS OF CHAPTER 9, ARTICLE 3, OF THE SOUTH BEND MUNICIPAL CODE TO ADDRESS AMBULANCE /MEDICAL SERVICE FEES

Councilmember made a motion to hear the second substitute. Councilmember seconded that motion, which carried with a voice vote of eight (8) ayes.

The Health & Public Safety committee met and send this to the full council with a favorable recommendation.

Presenter: Steven. Representing South Bend Fire Department- 1222 S Michigan St. - The proposal in front of you is basically a request of the council to increase the ambulance user fees in association with the increase of reimbursed by the office of Medicare which is release yearly. Basically the fire department has requested to increase these rates pretty much yearly over the last 5 years or so. However they have not been increased since the beginning of 2013. Since that time, there's been two separate Medicare increases, we are asking is able to amend the ordinance and reap the benefits of those Medicare increases and how we report to the council three times a year.

A Public Hearing was held at this time.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember made a motion for favorable recommendation to full Council concerning this bill as amended. Councilmember seconded the motion which carried by a voice vote of eight (8) ayes.

RISE AND REPORT

Councilmember Scott made a motion to rise and report to full Council. Councilmember Varner seconded the motion which carried by a voice vote of eight (8) 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 8:40 p.m. Council President Oliver Davis, presided with eight (8) members present.

BILLS – THIRD READING

BILL NO. 41 -14

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING SECTIONS OF CHAPTER 9, ARTICLE 3, OF THE SOUTH BEND MUNICIPAL CODE TO ADDRESS AMBULANCE /MEDICAL SERVICE FEES

This bill had third reading. Councilmember Schey made a motion to amend this bill as in the Committee of the Whole. Councilmember Varner seconded the motion which carried by a voice vote of eight (8) ayes. Additionally, Councilmember Gavin Ferlic made a motion to pass this bill as amended in the Committee of the Whole. Councilmember Scott seconded the motion which carried. The bill passed by a roll call vote of eight (8) ayes.

RESOLUTIONS

There were no resolutions to resolve on this evening’s agenda.

BILLS - FIRST READING

BILL NO.43-14

FIRST READING ON A BILL OF THE CITY OF SOUTH BEND, INDIANA, LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSES OF THE CIVIL CITY OF SOUTH BEND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015

This bill had first reading. Councilmember Schey made a motion to refer this bill to the Personnel & Finance Committee and set it for Public Hearing and Second Reading on September 22, 2014 and Third Reading on October 13, 2014. Councilmember Varner seconded the motion which carried by the voice vote of eight (8) ayes.

BILL NO. 44 -14

FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF SEVERAL DEPARTMENTS OF THE CIVIL CITY OF SOUTH BEND, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

This bill had first reading. Councilmember Schey made a motion to refer this bill to the Personnel & Finance Committee and set it for Public Hearing and Second Reading on September 22, 2014 and Third Reading on October 13, 2014. Councilmember Varner seconded the motion which carried by the voice vote of eight (8) ayes.

BILL NO. 45 -14

FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DESIGNATED ENTERPRISE FUNDS OF THE CITY OF SOUTH BEND INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 INCLUDING ALL OUTSTANDING CLAIMS, AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

This bill had first reading. Councilmember Schey made a motion to refer this bill to the Personnel & Finance Committee and set it for Public Hearing and Second Reading on September 22, 2014 and Third Reading on October 13, 2014. Councilmember Varner seconded the motion which carried by the voice vote of eight (8) ayes.

BILL NO. 46 -14

FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING, ADOPTING AND APPROVING THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION'S 2015 BUDGET AND LEVYING THE TAX AND FIXING THE RATE OF THE TAXATION FOR THE PURPOSE OF RAISING REVENUE TO FUND THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION, SOUTH BEND, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015

This bill had first reading. Councilmember Schey made a motion to refer this bill to the Personnel & Finance Committee and set it for Public Hearing and Second Reading on September 22, 2014 and Third Reading on October 13, 2014. Councilmember Varner seconded the motion which carried by the voice vote of eight (8) ayes.

UNFINISHED BUSINESS

At the previous meeting August 11, there was a filed complaint regarding complaint against a councilmember. As of today there are three filed, one is out of the city, and the third one by the inquiry and it will not be addressed at this time, so there is no action in the rule committee at this time.

NEW BUSINESS

Councilmember Schey, The Tiff districts will be realigned this Thursday, the redevelopment commission will be asked to approve the realignment, I would like some input. The other thing is the STEM funding, about project the lead the way forward, I am supportive but have concerns about using Tiff dollars and I would like council's approval on this.

Clerk Voorde, I appreciate the clarification we will not be discussing this on this week. There will be multiple opportunities for public hearing and will come before council in September.

PRIVILEGE OF THE FLOOR

Jesse Davis- P.O. Box 10205 South Bend- I have questions about the nuisances ordinance passed and it seems that there are a lot of police cars and the sidewalk program and that the diversity on the contracts is not apparent and a contractor out of South Bend.

Brown- 222 E Lombard St- I'm disturbed by two councilman that one was for park rangers and one was against it, the park rangers also have a dangerous job not just police officers. They should be honored for the job that they do

ADJOURNMENT

There being no further business to come before the Council, President Oliver Davis adjourned the meeting at 7:53 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Oliver Davis, President