

Disclaimer: Undergoing technology updates experienced some loss 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, October 27, 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
Janice I. Talboom	Deputy
Kareemah Fowler	Chief Deputy

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Dr. Varner made a motion that the minutes of the October 13, 2014, meeting of the Council be accepted and placed on file. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

SPECIAL BUSINESS

ANNOUNCEMENT ACKNOWLEDGING ORGANIZATIONS PRESENT:

THE LEADERSHIP CLASS OF 41'
BOYSCOUT TROOP 463 FROM CLAY METHODIST CHURCH
BOYSCOUT TROOP 572 FROM CHRIST KING LUTHERAN CHURCH

ANNOUNCEMENT: REPRESENTING THE CITY ADMINISTRATION WILL BE CHIEF OF STAFF – KATHRYN ROOS AND MAYOR PETE BUTTIGIEG

REPORTS OF CITY OFFICES

There were no reports from City Office.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:05 p.m. Councilmember White made a motion to resolve into the Committee of the Whole. Councilmember Mr. Ferlic 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. 42 -14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY

LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN CLAY TOWNSHIP, CONTIGUOUS THEREWITH COUNCILMANIC DISTRICT 4, RAINBOW CHILD DEVELOPMENT, 17316 & 17288 STATE ROAD 23, SOUTH BEND, INDIANA

Councilmember Scott, Chairperson, reported that the Zoning and Annexation Committee met this afternoon and sends substitute bill 42-14 to the full Council with a favorable recommendation.

Presenter: Christa Hill- Offices on the 11th floor- this is an annexation and rezoning from the R single district in the county to the O district in the city. The property currently has two houses set to be demolished to the north is another single home R Single district, east Memorial Home Care CD district in the city, to the south bank zone Z Commercial district to the county, and across is the foundation center with various medical offices in the county. The building is approximately 10,000 square feet, there are 33 parking spaces. Area plain commission approved the spaces to be 10 feet from the run-way as opposed to the required 15 feet. Landscape is provided around the entire perimeter of the lot. They also shown the foundation landscaping and greenery in the lot. InDot has approved the driveway but the permit needs to be filed. A drainage plan, and erosion control plan is still required. At the Area Plan Commission there was no one to speak in favor or against this petition. At the community meeting there was one question posed whether it matches the city's plan. If you look at the city plan as a whole this space was identified as regional commercial node to extend beyond just the corner pieces. This comes from the Area Plan Commission with a favorable recommendation.

Petitioner: Marty Speeds- North Point Engineering- I'm representing the Rainbow Child Development. I will be happy to answer any questions as Christa mentioned.

Councilmember Scott- can you talk about the overflow basin for the storm water? Petitioner at the early meeting it was asked how the site was going to drain, as you can see on the screen a small portion exist on the Westside used by the bank. What we are proposing to increase that size of that to 3 or 4 times of that amount to handle all the proposed area including parking. It will follow the cities standard.

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 on substitute bill 42-14 and the Third Reading be set for November 10, 2014. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 56 -14

PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST E/W ALLEY SOUTH OF COLFAX AVENUE FROM LAFAYETTE BLVD. TO THE FIRST N/S ALLEY

Council Attorney Kathy reported that the petitioner sent a notice to the office to continue bill 56-14 until the Council meeting on November 10, 2014, Sole moved by Councilmember Scott, motion Seconded by Councilmember Dieter which carried by a voice vote of nine (9) ayes.

BILL NO. 57 -14

PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST /WEST ALLEY NORTH OF LINCOLNWAY WEST FROM THE WEST RIGHT OF WAY LINE OF ELMER ST. TO THE FIRST NORTH /SOUTH ALLEY

Councilmember Henry Davis, Chairperson, reported that the Public Works and Property Vacation Committee met this afternoon and sends bill 57-14 to the full Council with a favorable recommendation.

Presenter Betty Williams was not present for the hearing.

Council Attorney advised for a motion to continue bill 57-14 until November 10, 2014, and notify Mrs. Williams. So moved by Councilmember Dieter. Councilmember Dr. Varner seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 44 -14

PUBLIC HEARING 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

Council Attorney Kathy reported this is a proper motion to accept the new budget pages filed by the Department of Administration and Finance with the office of the City Clerk. So moved by Councilmember Dr. Ferlic. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Schey reported Personnel and Finance Committee met earlier today and sends this bill to the full Council with a favorable recommendation

Mayor Pete- This budget has been prepared obviously largely in my absence over the leadership of Deputy Mayor Mark Neal, by John Murphy and the Controller, and the whole admin and finance team I've become involved late in the game to help see it through, I wanted to be sure to see it through. I want to thank all those who were involved as this is important to our community. We hear you loud and clear from our Councilmembers that this budget needs to be reflective of our neighborhoods.

City Controller- John Murphy- offices on the 12th floor of this building- We started this process on June 5th, with a budget kick off meeting. We want to thank the Mayor's office, the city council attorney, and our team. We are happy to recommend this budget to you.

(This bill was continued in the Council Portion Only)

Councilmember Dr. Ferlic, I move for favorable recommendation on the amended bill 44-14. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 54 -14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEARS 2015, 2016, AND 2017

Councilmember Varner made a motion to hear the substitute version of this bill. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Dieter, made a declaration that he is a former and now retired Police Officer, and my wife is also on the police department for that reason, I was recuse myself as I did at the committee and from the formal vote tonight.

Councilmember Dieter Chairperson, reported that the Health and Public Safety Committee met this afternoon after discussing the pros and cons we send this bill to the full Council with a favorable recommendation.

City Council Attorney but acting as the agent/negotiator between the two- Substitute bill 54-14 outlines all the details in this 12 page ordinance and mirrors the priority of public safety for the city of South Bend. The team focused on providing new mechanism to have fully staffed 260 men and women working for the police department, currently we have 245 officers, 7 that are recruits so we are significantly below that number. Our goals are to get multiple year contract to phase in new programs and to keep our salaries and monitored fringe benefits competitive. As a result it is recommending a 2.2% increase with an exception of the top two ranks, which we're recommending a 3.5% increase across the board for the next 2 years, as those ranks have in the past received 0% increase so that it could go to the pension plans. We increased the lateral entry program to consider the city of the South Bend Police Department, there is an incentive for moving expenses, if you have a degree we are incentivizing that for every year you're on the department, former military incentives. We also included an incentive bonus for referrals to the department. We are hoping this should be a win/win for the team for the FOP and department.

Councilmember White, We would like to say that it was an honor to serve on the team. The goal was to look at not only retention bur recruitment it was nice that we could disagree but then come back together and work together to create a win/win for both sides.

Councilmember Dr. Ferlic- I would like to thank the department and FOP, I enjoyed the pilot programs we are going to inaugurate. One thing we didn't get to minority recruitment as they don't reflect our population. So we need to address that in the future. Congratulations to the administration and the FOP.

Councilmember Scott- I would like to thank the FOP and the administration for their collaboration. You heard a lot of words of incentive it is nice to see creative thinking, it is trying to retain and recruit to help our police department.

Sgt. Dan- President of the FOP- I want to thank the council and administration for working with us, this was my second go around. We came in had some good ideas, some were far off but we came together. I think recruiting nationwide is down, I think incentives to get guys and gals here in law enforcement will go a long way.

Councilmember Dr. Ferlic- I would also like to thank Council Attorney Kathy for excellent negotiation skills.

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 Henry Davis-I applaud the time spent during negotiations, I'm concerned about the incentive packages for military personnel, folks are concerned about being prisoners within their own cities, I don't promote fear amongst residents. Those things are our reality, if we promote we want more veterans for officers we have to deal with the mental aspects of war and dealing with civilians. Another issue is the recruitment of minorities, I'm not saying that because I'm a black man, I'm talking about men and women. We have not seen those folks being recruiting or retained or they're not in higher ranks themselves. Once again, it is on the back burner for the 7th year. I don't have a confidence on how that works, I'm very concerned.

Councilmember Gavin Ferlic is this a two year agreement, I was confused as on the agenda it states three-years? Council Attorney Kathy that was the substitute bill listed.

Rebuttal: Council Attorney Kathy- we spent a considerable amount of time on that, as we want all employees to be reflective of the diversity in South Bend. The budget may open money for a diversity program that Dr. Ferlic mentioned, second Councilmember Davis, if you didn't have a time to review the Department of Justice program and the transition, is an excellent publication, many of those issues are addressed in there. Councilmember Henry Davis, I'm sure you can

write a great article with statistics that make sense. These comments are not directly coming from me, although they could, but people from the common citizen and how they feel or how they are treated. I think those are two conversations, and it comes from my constituents base, my hope is we can address this in the future, again this is the seventh year.

Dr. Ferlic- I think there is no correlation between the re-militarization of a police force and military recruits. I think it belongs to the culture of the police department, from the leadership on down, that we want to create military type atmosphere. I think it is the leadership of the police captain that promotes that.

Councilmember Mr. Ferlic, I move for favorable recommendation on substitute bill 54-14. Councilmember Scott seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO 55 -14

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEARS 2015, 2016, AND 2017

Councilmember Scott made a motion to hear the substitute version of this bill. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Dieter, Chairperson, Health & Public Safety Committee, reported they met earlier this afternoon and send bill 55-14 to the full Council with a favorable recommendation.

Council Attorney Kathleen Cekanski-Farrand- the agent for fire negotiations- I had the privilege of serving with several councilmembers and the fire association. The fire unit ended voting this afternoon and ratified our three year packet by 83% margin. The goals for the city is to get a multi-year agreement and to stay competitive with salaries, and fringe benefits. Councilmember Schey had much discussion with the Capital fund once we got over that goal, we were able to achieve maintaining competitive salaries of 2% increase, except for captain at a 2.5% percent for that rank. We are only down by 1 in terms of staffing. It was a good discussion, I recommend you send this bill to the full Council with favorable review.

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, I move for favorable recommendation on this bill. Councilmember Dr. Varner seconded the motion which carried by a voice vote of nine (9) ayes.

RISE AND REPORT

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

ATTEST:

ATTEST:

John Voorde, City Clerk

Karen L. White, 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 7:42 p.m. Council President Oliver Davis, presided with nine (9) members present.

Councilmember Henry Davis, Jr. made a motion to reconvene as a Committee of the Whole. Councilmember Dr. Ferlic seconded that motion which was carried by a voice vote of nine (9) ayes.

Councilmember Henry Davis, Jr to reconsider bill 57-14 in the light of the presenter being present. Councilmember Scott seconded the motion which was carried by a voice vote of nine (9) ayes.

BILL NO. 57 -14

PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST /WEST ALLEY NORTH OF LINCOLNWAY WEST FROM THE WEST RIGHT OF WAY LINE OF ELMER ST. TO THE FIRST NORTH /SOUTH ALLEY

Councilmember Henry Davis, Chairperson, reported that the Public Works and Property Vacation Committee met this afternoon and send bill 57-14 to the full Council with a favorable recommendation.

Presenter: Betty Williams- 3920 Roxbury Plaza- We are hoping to vacate the alley on Elmer St. and join the two properties, as the only thing separating is the alley. We want to extend parking, play-yard and a storage shed.

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 Scott, I move for favorable recommendation on this bill. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes

RISE AND REPORT

Councilmember Dr. Varner made a motion to rise and report to full Council. Councilmember Dr. Ferlic 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 7:46 p.m. Council President Oliver Davis, presided with nine (9) members present.

BILLS – THIRD READING

BILL NO. 57 -14

THIRD READING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE ALLEY TO BE VACATED IS THE FIRST EAST /WEST ALLEY NORTH OF LINCOLNWAY WEST FROM THE WEST RIGHT OF WAY LINE OF ELMER ST. TO THE FIRST NORTH /SOUTH ALLEY

This bill had third reading. Councilmember Mr. Ferlic made a motion to pass bill 57-14. Councilmember Dieter seconded the motion which carried a roll call vote of nine (9) ayes.

BILL NO. 44 -14

THIRD 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 third reading. Council Attorney requested a motion to amend as it was in the Committee of the Whole. Sole moved by Councilmember Scott. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Dr. Varner made a motion to pass bill 44-14 as amended. Councilmember White seconded the motion which carried a roll call vote of eight (8) ayes and (1) nay by Councilmember Henry Davis.

BILL NO. 54 -14

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEARS 2015, 2016, AND 2017

This bill had third reading. Council Attorney requested a motion to amend as it was in the Committee of the Whole. Sole moved by Councilmember Scott. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Scott made a motion to pass bill 54-14 as amended. Councilmember White seconded the motion which carried a roll call vote of seven (7) ayes and (1) nay by Councilmember Henry Davis.

BILL NO. 55 -14

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEARS 2015, 2016, AND 2017

This bill had third reading. Council Attorney requested a motion to amend as it was in the Committee of the Whole. Sole moved by Councilmember Dieter. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Mr. Ferlic made a motion to pass bill 55-14 as amended. Councilmember Scott seconded the motion which carried a roll call vote of nine (9) ayes.

RESOLUTIONS

BILL NO. 14 -96

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITH THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 2820 VIRIDIAN DRIVE AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE -YEAR PERSONAL PROPERTY TAX ABATEMENT FOR MACK TOOL & ENGINEERING, INC.

RESOLUTION NO. 4396-14

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

2820 Viridian Drive

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

MACK TOOL & ENGINEERING, 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 2820 Viridian Drive, South Bend, Indiana, and which is more particularly described as follows:

Beg. 1242.51' W Ne Cor Se ¼
Sec 28-38-2e On S Line
Boland S 293' W 260'
N 293' E 260' To
Pob 1.75 Ac

and which has Key Numbers 025-1010-040029, 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 as set forth in Sections 1 through 3 of the Petition for Personal Property Tax Abatement Consideration and that 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 6-1.1-12.1-4.5.

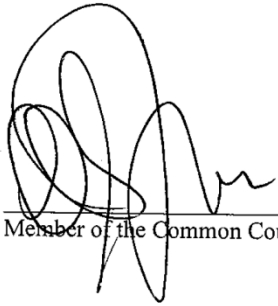
SECTION III. The Common Council hereby accepts the report and recommendation of the Department of Community Investment, and the Community Investment Committee's favorable recommendation, that the area herein described be designated as an Economic Revitalization Area for purposes of personal property 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 (5) five years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

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 10-27-14
NOT APPROVED
ADOPTED 10-27-14

3

Filed in Clerk's Office
OCT 22 2014
JONAS V. GIBSON
CITY CLERK
INDIANAPOLIS, IN

Councilmember Gavin Ferlic, Chairperson, reported that Community Investment Committee met this afternoon and sends bill 14-96 to the full Council favorably.

Presenter: Chris Fielding-14th Floor of this building- we have a 5 year resolution for Mack Tool looking to invest approximately \$4.9 million over the next 5 years in new equipment, with \$1.75 million coming in immediately. They will be adding 35 new jobs to their current facility. The 10 year slide total taxes over 10 year on personal property \$176,918, with a total community benefit of \$358,918 over a 10 year period. Total taxes to be abated over a 5 year period would be \$79,349.

Councilmember Henry Davis- Are those 35 jobs over a 5 year or 10 year period? Chris responded over a 5 year period.

Petitioner: Paul Hart-2325 Waters Edge Ct. - President of Mack Tool Engineering- Mack Tool produces precision aerospace, and medical products. Mr. Hart discussed the various equipment used. Due to the increase global demand for airplanes, the aerospace industry is projected to double in the next 5 to 10 years. In order to grow and stay competitive we must invest in equipment and our people.

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

Councilmember Scott- when I was first elected in the first district, his business was one of the first I visited and he has grown from a handful of people to yearly and yearly increasing his employees and amount in revenue. He has done a great job for what he does for the community and all the equipment. We really appreciate all your effort.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dr. Varner, I move for adoption of Resolution of this bill.
Councilmember Mr. Ferlic seconded the motion which carried by a voice vote of nine (9) ayes

BILL NO. 14 -97

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITH THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 5233 DYLAN DRIVE AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE -YEAR PERSONAL PROPERTY TAX ABATEMENT FOR CHASE PLASTICS

RESOLUTION NO. 4397-14

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

5233 Dylan Drive

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

CHASE PLASTICS

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 5233 Dylan Drive, South Bend, Indiana, and which is more particularly described as follows:

613.6' E.n. N.e. & 613.6'
E Side S.e.n.e Ex: 4.718 Ac to
State and Ex Irr Tract Nel/4 Nel/4
And ex Irr tract cont 5.26 ac +/-
18-38N-2E 9.155 ac tot

12/13 split to 025-1010-017002
Per 1111301/08/09 missed and fixed in 2013
Split to 04-1010-017001
00-01 Split Trans 12204 2/9/1998
Annxd 06-07 per Ord 9587-05
09/10 Pt to Ptg Prairie Manor #2
10/11 pt to ptg Prairie Minor #3

Beg 910.31' from the NW ¼ of
38 2e thence Ne 345.46'
Thence Se 919.19 thence SW 958.27'
Thence Nw 731.96 thence Ne 445.17'
Thence Nw 187.23' thence Ne 167.04'
To point of Beg cont 5.26 Ac +/-

Lot 1 Portage Prairie
Minor #2

RP 1732 04-03-08
09/10

and which has Key Numbers 025-1010-016902, 025-1010-017002, 025-1010-0170 , 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 as set forth in Sections 1 through 3 of the Petition for Personal Property Tax Abatement Consideration and that 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 6-1.1-12.1-4.5.

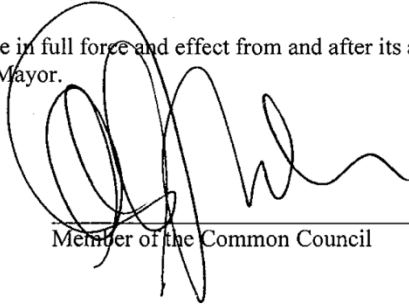
SECTION III. The Common Council hereby accepts the report and recommendation of the Department of Community Investment, and the Community Investment Committee's favorable recommendation, that the area herein described be designated as an Economic Revitalization Area for purposes of personal property 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 (5) five years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

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 10-27-14
NOT APPROVED
ADOPTED 10-27-14

Filed in Clerk's Office
OCT 22 2014
JOHN VOORDE
CITY CLERK, SOUTH BEND, IN

Councilmember Scott- As a declaration, as a purchasing manager for GDC we do buy materials from Chase Plastics, according to the Council Attorney there is no conflict.

Councilmember Gavin Ferlic, Chairperson, Community Investment Committee met this afternoon and send bill 14-66 to the full Council favorably.

Presenter: Chris Fielding-14th Floor of this building- they will be building a new 125,000 sq. ft. facility in the Ameriplex Complex in the airport tiff area. We have two resolutions before you, 5 year personal property tax abatement they will be investing approximately \$265,000 into personal property for their new warehouse, total taxes to be paid over the 5 year period \$12,008, total taxes to be abated\$10,783. Total community benefit of \$1,034,000 over a 10 year period, which \$150,000 assumed from a tiff investment.

Dob Hoff- 6467 Waldon Center Drive, Clarkston, Michigan- We are a plastic registered distributor, located at an older facility. We are looking to increase the technology, as we build a new warehouse, add additional capabilities into this facility in conjunction to the new building we'll be putting in.

Paul Fair- 227 S Main St.- this is not only retained but growing a local employer, they are going to put a large capital investment in our city to extend our work force, we appreciate your support in this resolution.

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 White, I move for adoption of Resolution of this bill. Councilmember Dr. Varner seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 14 -98

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITH THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 5233 DYLAN DRIVE AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (10) TEN -YEAR REAL PROPERTY TAX ABATEMENT FOR CBK LAND DEVELOPMENT LLC

RESOLUTION NO. 4406-14

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY
RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF
SOUTH BEND, INDIANA, COMMONLY KNOWN AS

5233 Dylan Drive

AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF A TEN (10) YEAR REAL
PROPERTY TAX ABATEMENT FOR

CBK Land Development, LLC

WHEREAS, the Common Council of the City of South Bend, Indiana, has adopted a Declaratory Resolution designating certain areas within the City as Economic Revitalization Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as 5233 Dylan Drive, South Bend, Indiana, and which is more particularly described as follows:

613.6' E.n. N.e. & 613.6'
E Side S.e.n.e Ex: 4.718 Ac to
State and Ex Irr Tract Nel/4 Nel/4
And ex Irr tract cont 5.26 ac +/-
18-38N-2E 9.155 ac tot

12/13 split to 025-1010-017002
Per 1111301/08/09 missed and fixed in 2013
Split to 04-1010-017001
00-01 Split Trans 12204 2/9/1998
Annxd 06-07 per Ord 9587-05
09/10 Pt to Ptg Prairie Manor #2
10/11 pt to ptg Prairie Minor #3

Beg 910.31' from the NW ¼ of
38 2e thence Ne 345.46'
Thence Se 919.19 thence SW 958.27'
Thence Nw 731.96 thence Ne 445.17'
Thence Nw 187.23' thence Ne 167.04
To point of Beg cont 5.26 Ac +/-

Lot 1 Portage Prairie
Minor #2

RP 1732 04-03-08

and which has Key Numbers 025-1010-0170, 025-1010-016902, and 025-1010-017002 be designated as an Economic Revitalization Area; and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

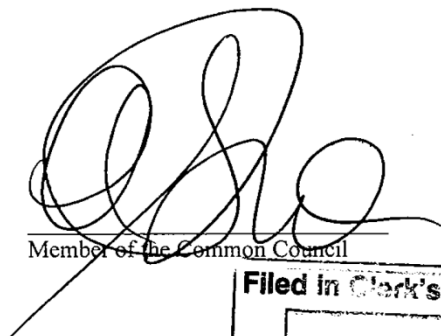
WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

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

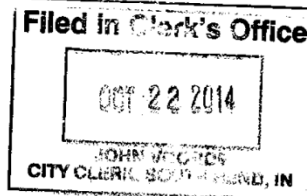
SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for Real property tax abatement only and is limited to two (2) calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted Real property tax deduction for up to a period of ten (10) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

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



Member of the Common Council



PRESENTED 11-10-14
NOT APPROVED
ADOPTED 11-10-14

Councilmember Gavin Ferlic, Chairperson, Community Investment Committee met this afternoon and sends bill 14-98 to the full Council favorably.

Presenter: Chris Fielding-14th Floor of this building- Chase Plastics will own the building, total projected cost \$4,885,000. Total taxes to be paid over the 10 year period \$960,185, total taxes to be abated \$546,000 over a 10 year period. Chase Plastics had the option to move anywhere and they chose South Bend. These incentive are pending state and senate approval.

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 Mr. Ferlic, I move for adoption of Resolution of this bill. Councilmember Scott seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 14 -90

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING A CERTAIN AREA WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 1203 NORTH NOTRE DAME AVENUE AS A RESIDENTIALLY DISTRESSED AREA FOR PURPOSES OF A (5) FIVE -YEAR RESIDENTIAL REAL PROPERTY TAX ABATEMENT FOR MICHAEL SEAMON

RESOLUTION NO. 4399-14

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY
RESOLUTION DESIGNATING A CERTAIN AREA WITHIN THE CITY OF
SOUTH BEND, INDIANA, COMMONLY KNOWN AS

1203 North Notre Dame Avenue

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

Michael Seamon

WHEREAS, the Common Council of the City of South Bend, Indiana, has adopted a Declaratory Resolution designating certain areas within the City as Residentially Distressed Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as 1203 North Notre Dame Avenue, South Bend, Indiana, and which is more particularly described as follows:

Lot 30
Univ Hts

and this property has Tax Key Number 018-5123-4382 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, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for a residentially distressed area have been met.

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:

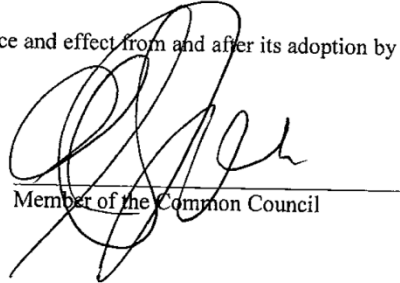
- A. That the description of the proposed redevelopment meets the applicable standards for such development.
- B. That the estimate of the value of the redevelopment is reasonable for projects of this nature;
- C. That the other benefits about which information was requested are benefits that can be 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 confirms its Declaratory Resolution designating

the area described herein as a Residentially Distressed Area for the purposes of tax abatement. Such designation is for Real property tax abatement only and is limited to five (5) calendar years from the date of adoption of the Declaratory Resolution by the Common Council as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

SECTION V. The Common Council hereby determines that the property owner is qualified for and is granted Real property tax deduction for a period of five (5) years, and further determines that the petition complies with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12.1 et seq.

SECTION VI. 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 10-27-14
~~NOT APPROVED~~
ADOPTED 10-27-14

Filed in Clerk's Office
SEP 15 2014
JOHN W. JOHNSON
CITY CLERK, SOUTH BEND, IN

Presenter- Brock Zeeb- 14th floor of this building- I'm representing the home-owner for a 5 year residential real property tax abatement. Total expected to invest \$425,000 to build a new 2600 square foot home. Total taxes to be paid \$26,855 over a 5 year period, total taxes to be abated \$1,893.

Dale Davon- 17871 State Rd 23-Representing the homeowner, it seeks tax abatements in the neighborhood, others have gotten it in the past, and they seek to do the same.

Councilmember Dieter- When do you plan on starting construction make sure you put scraps in the dumpster. Petitioner responded right away before the snow falls.

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, I move for adoption of Resolution of this bill. Councilmember Dieter seconded the motion which carried by a voice vote of eight (8) ayes.

(Councilmember Henry Davis Jr. exited from Council)

BILL NO. 14 -92

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE AREA BOARD OF ZONING APPEALS OF ST. JOSEPH COUNTY, INDIANA FOR THE PROPERTY LOCATED AT 3226 E. JEFFERSON BOULEVARD, SOUTH BEND, INDIANA

RESOLUTION NO. 4400-14

**A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND, INDIANA,
APPROVING A PETITION OF THE AREA
BOARD OF ZONING APPEALS
FOR THE PROPERTY LOCATED AT**

3226 E. Jefferson Boulevard
South Bend, Indiana 46615

WHEREAS, Indiana Code Section 36-7-4-918.6, requires the Common Council to give notice pursuant to Indiana Code Section 5-14-1.5-5, of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests pursuant to Indiana Code Section 36-7-4-918.4, and

WHEREAS, the Area Board of Zoning Appeals has made a recommendation, pursuant to applicable state law.

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

SECTION I. The Common Council has provided notice of the hearing on the Petition from the Area Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for the property located at:

3226 E. Jefferson Boulevard
South Bend, Indiana 46615

in order to permit

Operate a child care facility without residing at the facility which is in a SF1 Zoned District.

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Area Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

SECTION III. The Common Council of the City of South Bend, Indiana, hereby finds that:

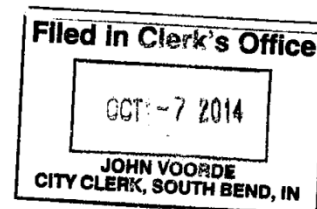
1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
2. The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;
3. The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive plan;

SECTION IV. Approval is subject to the Petitioner complying with the reasonable conditions established by the Area Board of Zoning Appeals which are on file in the office of the City Clerk.

SECTION V. The 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 10-27-14
NOT APPROVED
ADOPTED 10-27-14



Councilmember Scott, Chairperson, Zoning and Annexation Committee met this afternoon and sends bill 14-92 to the full Council favorably.

Presenter- Mark- 125 S Lafayette Blvd- Special request to allow a daycare facility in the SF1 district it comes from zoning and annexation committee with favorable recommendation with 3 requirements, 1.that the driveway be widen by 20 feet, 2. The trees need to be removed for safety entering and exit 3. The shrubs be trimmed to 3 feet for safely moving in and out. To date all three requirements have been met by petitioner we request a favorable recommendation.

Prince Jones- 52090 Brendan Hills Drive, Granger- We propose to operate a class 1 childcare home to be consistent with Indiana code 12-17.2-5. The childcare will look like any other home, the home will look like any other home, a maximum of 12 children per the code.

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, I move for adoption of Resolution of this bill. Councilmember Dieter seconded the motion which carried by a voice vote of eight (8) ayes.

BILL NO. 14 -95

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN CLAY TOWNSHIP, RAINBOW CHILD ANNEXATION AREA

RESOLUTION NO. 4401-14

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, ADOPTING A WRITTEN FISCAL PLAN AND
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN
ANNEXATION AREA IN CLAY TOWNSHIP
(RAINBOW CHILD ANNEXATION AREA)**

WHEREAS, there has been submitted to the Common Council of the City of South Bend, Indiana, an Ordinance and a petition by all (100%) property owners which proposes the annexation of real estate located in Clay Township, St. Joseph County, Indiana, which is more particularly described at Section I of this Resolution; and

WHEREAS, the territory proposed to be annexed encompasses approximately 2.65 acres of land containing single family houses, which property is at least 12.5% contiguous to the current City limits, i.e., approximately 25.0% contiguous, generally located on the east side of State Road 23 (17288 and 17316 State Road 23), and it is anticipated that the annexation area will be used for a day care center; and

WHEREAS, this development will require a basic level of municipal public services of a non-capital improvement nature, including police and fire protection, street and road maintenance, street sweeping, flushing, snow removal, and sewage collection, as well as services of a capital improvement nature, including street and road construction, sidewalks, street lighting, a sanitary sewer system, a water distribution system, and a storm water system and drainage plan; and

WHEREAS, the South Bend Common Council now desires to establish and adopt a fiscal plan and establish a definite policy showing: (1) the cost estimates of services of a non-capital nature, including police and fire protection, street and road maintenance, street sweeping, flushing, and snow removal, and sewage collection, and other non-capital services normally provided within the corporate boundaries; and services of a capital improvement nature including street and road construction, street lighting, a sanitary sewer extension, a water distribution system, and a storm water system to be furnished to the territory to be annexed (2) the method(s) of financing those services; (3) the plan for the organization and extension of those services; (4) that services of a non-capital nature will be provided to the annexed area within one (1) year after the effective date of the annexation, and that they will be provided in a manner equivalent in standard and scope to similar non-capital services provided to areas within the corporate boundaries of the City of South Bend, regardless of similar topography, patterns of land use, and population density; (5) that services of a capital improvement nature will be provided to the annexed area within three (3) years after the effective date of the annexation within the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and (6) the plan for hiring the employees or other governmental entities whose jobs will be eliminated by the proposed annexation; and

WHEREAS, The Board of Public Works and the Board of Public Safety of the City of South Bend, have each approved a written fiscal plan and established a policy for the provision of services to the territory proposed to be annexed, which plan and policy the Common Council finds to be appropriate and in the best interest of the City, and, which it desires to adopt.

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

SECTION I. It is in the best interest of the City of South Bend and the area proposed to be annexed that the following described real property located in Clay Township, St. Joseph County, Indiana be annexed to the City of South Bend:

Part of the Southwest Quarter of the Southeast Quarter of Section 29, Township 38 North, Range 3 East located in St. Joseph County, Indiana described as follows:

Commencing at the Southeast Corner of said Quarter Quarter Section thence North 00 degrees 17 minutes 29 seconds East along the East Line of said Quarter Quarter Section 200.00 feet to the Point of Beginning of the herein described parcel; thence North 90 degrees 00 minutes 00 seconds West 197.64 feet; thence North 00 degrees 00 minutes 00 seconds East 80.00 feet; thence North 90 degrees 00 minutes 00 seconds West 143.66 feet to the eastern right-of-way of State Road 23; thence continuing North 90 degrees 00 minutes 00 seconds West 123.62 feet to the western right-of-way of State Road 23; thence North 43 degrees 16 minutes 41 seconds East along last said right-of-way 430.58 feet; thence South 89 degrees 04 minutes 26 seconds East 121.78 feet to the eastern right-of-way of State Road 23; thence continuing South 89 degrees 04 minutes 26 seconds East 49.97 feet; thence South 00 degrees 17 minutes 29 seconds West along said east line 390.71 feet to the Point of Beginning containing 2.65 Acres more or less.

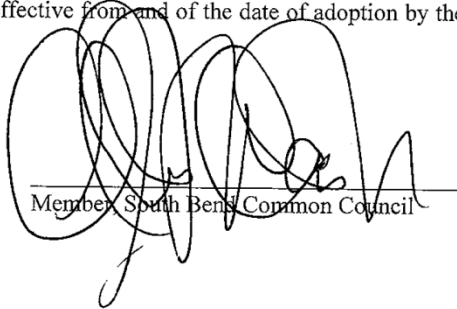
SECTION II. That it shall be and hereby is now declared and established that it is the policy of the City of South Bend, to furnish to said territory services of a non-capital nature, such as police and fire protection, street and road maintenance, street sweeping, flushing, and snow removal, within one (1) year of the effective date of the annexation in a manner equivalent in standard and scope to services furnished by the City to other areas of the City regardless of similar topography, patterns of land utilization, and population density; and to furnish to said territory, services of a capital improvement nature such as street and road construction, sidewalks, a street light system, a sanitary sewer system, a water distribution system, a storm water system and drainage plan, within three (3) years of the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density.

SECTION III. That the South Bend Common Council, shall and does hereby now establish and adopt the Fiscal Plan, attached hereto as Exhibit "A", and made a part hereof, for the furnishing of said services to the territory to be annexed, which provides, among other things, that the existing public water main on the west side of State Road 23 is adequate to cover the needs of this

anticipated development; that the existing sanitary sewer line may need to be extended to fully service this area which shall be at the developer's expense along with any tap permits or other utility improvements, all in compliance with State and local law, that no additional street lighting will be necessary; and that no new roads or streets will be required.

SECTION IV. As a condition of this annexation, any future alteration to the property must meet City of South Bend's building and zoning requirements.

SECTION V. This Resolution shall be effective from and of the date of adoption by the Common Council.



Member South Bend Common Council

PRESENTED 10-27-14
NOT APPROVED
ADOPTED 10-27-14

Filed in Clerk's Office
OCT 27 2014
JOHN VOORDE
CITY CLERK, SOUTH BEND, IN

Councilmember Scott, Chairperson, Zoning and Annexation Committee met this afternoon and send bill 14-95 to the full Council with a favorable recommendation.

Presenter- Mark DaVito- Offices on the 14th floor- this fiscal plan addresses a provision service area, no capital improvements by the city for this annexation, sewer and water available from Douglas Rd, with connections to be done at the petitioner's expense. State Road 23 will be annexed and will be added the 4th District. We ask for the adoption of this plan

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 White moved for adoption of Resolution of this bill. Councilmember Dr. Varner seconded the motion which carried by a voice vote of eight (8) ayes.

(Councilmember Henry Davis, returned to Council)

BILL NO. 14 -91

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AN ORDER OF THE ST. JOSEPH COUNTY AREA PLAN COMMISSION APPROVING CERTAIN DECLARATORY RESOLUTIONS AND AMENDMENTS TO THE DEVELOPMENT PLANS FOR THE AIRPORT ECONOMIC DEVELOPMENT AREA, THE NEAR NORTHEAST NEIGHBORHOOD DEVELOPMENT AREA, AND THE SOUTHSIDE DEVELOPMENT AREA ADOPTED BY THE SOUTH BEND REDEVELOPMENT COMMISSION

RESOLUTION NO. 4402-14

**A RESOLUTION OF THE
COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA,
APPROVING AN ORDER OF THE ST. JOSEPH COUNTY AREA PLAN
COMMISSION APPROVING CERTAIN DECLARATORY RESOLUTIONS
AND AMENDMENTS TO THE DEVELOPMENT PLANS FOR THE
AIRPORT ECONOMIC DEVELOPMENT AREA, THE NEAR NORTHEAST
NEIGHBORHOOD DEVELOPMENT AREA, AND THE SOUTHSIDE
DEVELOPMENT AREA ADOPTED BY THE SOUTH BEND
REDEVELOPMENT COMMISSION**

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), governing body of the City of South Bend (the "City") Department of Redevelopment (the "Department") and the Redevelopment District of the City of South Bend, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission on August 28, 2014, approved and adopted its Resolution No. 3227 entitled "Resolution of the South Bend Redevelopment Commission Designating and Declaring a Certain Area as a Redevelopment Area for the Purpose of Amending the Boundaries of the South Side Development Area and its Allocation Area and to Amend the Development Plan for the South Side Development Area" (the "SSDA Declaratory Resolution"); and

WHEREAS, the SSDA Declaratory Resolution (i) designated and declared a certain area within the City to be a redevelopment area and an allocation area for purposes of tax increment financing (the "SSDA Expansion Area") to expand the existing South Side Development Area (the "South Side Area") to include the former Scottsdale Community Center in the South Side Area; (ii) added the Scottsdale Community Center to the South Side acquisition list; and (iii) approved an amendment (the "SSDA Plan Amendment") to the development plan for the South Side Area (as amended by the SSDA Plan Amendment, such plan shall be referred to herein as the "SSDA Plan"); and

WHEREAS, the Commission on August 28, 2014, approved and adopted its Resolution No. 3228 entitled "Resolution of the South Bend Redevelopment Commission Designating and Declaring Certain Areas as Redevelopment Areas and Adding Certain Territory from the South Bend Central Development Area for the Purpose of Amending the Boundaries of the Northeast Neighborhood Development Area and the Northeast Neighborhood Development Area Allocation Area No.1 and Approving an Amendment to the Development Plan for Said Area" (the "NNDA Declaratory Resolution"); and

WHEREAS, the NNDA Declaratory Resolution (i) consolidated into the Northeast Neighborhood Development Area (the "Northeast Neighborhood Area") certain territory which was previously part of the South Bend Central Development Area (the "Central Development Area"); (ii) designated and declared certain areas within the City to be redevelopment areas and allocation areas for purposes of tax increment financing (the "NNDA Expansion Area") to expand the existing Northeast Neighborhood Area; (iii) transferred certain previously included property on the Central Development Area acquisition list to the NNDA acquisition list; and (iv) approved an amendment (the "NNDA Plan Amendment") to the development plan for the Northeast Neighborhood Area (as amended by the NNDA Plan Amendment, such plan shall be referred to herein as the "NNDA Area Plan"); and

WHEREAS, the Commission on August 28, 2014, approved and adopted its Resolution No. 3229 entitled "Resolution of the South Bend Redevelopment Commission Designating and Declaring Certain Areas as Economic Development Areas to Amend the Boundaries of the Airport Economic Development Area by Adding the Remainder of the South Bend Central Development Area, Certain Territory of the West Washington-Chapin Development Area and Certain Expansion Areas to the Airport Economic Allocation Area No. 1 and Approving of an Amendment to the Development Plan for the Airport Economic Development Area" (the "Airport Area Declaratory Resolution"); and

WHEREAS, the Airport Area Declaratory Resolution (i) consolidated into the Airport Economic Development Area (the "Airport Area") the portion of the remaining territory of the Central Development Area; (ii) added certain territory of the West Washington-Chapin Development Area (the "WWC Area") into the Airport Area; (iii) designated and declared certain areas within the City to be economic development areas and allocation areas for purposes of tax increment financing (the "Airport Area Expansion Areas") to expand the existing Airport Area; (iv) removed certain territory from the Airport Area; (v) terminated the allocation provisions relating to the Downtown Medical Services District within the City; (vi) added certain parcels of property to the Airport Area acquisition list; (vii) transferred certain previously included property on the Central Development Area acquisition list to the Airport Area acquisition list; (viii) transferred certain previously included property on the WWC Area acquisition list to the Airport Area acquisition list; and (ix) approved an amendment (the "Airport Area Plan Amendment") to the economic development plan for the Airport Area (as amended by the Airport Area Plan Amendment, such plan shall be referred to herein as the "Airport Area Plan"); and

WHEREAS, on October 21, 2014, the St. Joseph County Area Plan Commission (the "Plan Commission") adopted and approved its resolution, a copy of which is attached hereto as Exhibit A, determining the SSDA Declaratory Resolution, the NNDA Declaratory Resolution and the Airport Area Declaratory Resolution (collectively, the "Declaratory Resolutions") and the SSDA Plan, the NNDA Plan and the Airport Area Plan (collectively, the "Development Plans") as respectively amended by the SSDA Plan Amendment, the NNDA Plan Amendment and the Airport Area Plan Amendment (collectively, the "Plan Amendments"), and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolutions and the Development Plans, as respectively amended by the Plan Amendments, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the City; and

WHEREAS, the Common Council of the City (the "Common Council") is the legislative body of the City and now desires to approve the Plan Commission Order in order to permit the Commission to continue to proceed with the redevelopment and economic development of the South Side Area, the Northeast Neighborhood Area and the Airport Area;

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

SECTION I. The Plan Commission Order is hereby approved, ratified and confirmed in all respects.

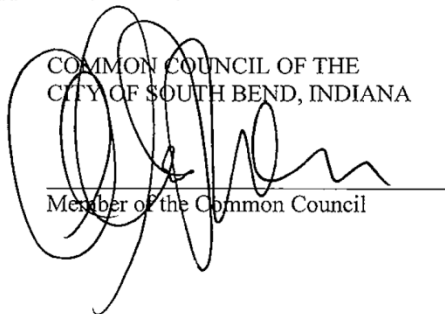
SECTION II. The determination that the Airport Area Expansion Areas constitute an economic development area under the Act is hereby approved pursuant to Section 41(c) of the Act. The determination that the SSDA Expansion Area and the NNDA Expansion Area each constitutes a redevelopment area is hereby approved pursuant to Section 15 of the Act.

SECTION III. The determination to consolidate certain territory of the Central Development Area into the Northeast Neighborhood Area is hereby approved.

SECTION IV. The determination to consolidate certain territory of the Central Development Area and certain territory of the WWC Area into the Airport Area is hereby approved.

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

COMMON COUNCIL OF THE
CITY OF SOUTH BEND, INDIANA



Member of the Common Council

PRESENTED 10-27-14
NOT APPROVED
ADOPTED 10-27-14

US.54744386.03

- 3 -

Filed in Clerk's Office
OCT 21 2014
JOHN VOORDE
CITY CLERK, SOUTH BEND, IN

Council Attorney Kathy Cekanski, motion to accept the substitute bill on file with the office of the City Clerk. So moved Councilmember White. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Gavin Ferlic, Chairperson, Community Investment Committee met this afternoon and send bill 14-91 to the full Council favorably.

Presenter- Scott Boyd- Offices on the 14th floor- the title was not read correctly, I would like to thank everyone on council in committee meetings involved in this process. The city is proposing to withdrawal its tax increment financing districts to allow for additional public resources to be spent to improve our neighborhoods. We have done 21 major economic development projects, with over \$175 million in private investment, which will lead to an additional \$5 million dollars to the tax base per year, as these projects are phased in the next 6-8 years. From a human capital component over 1,300 jobs have been announced through project, with almost 380 jobs come online before the end of the year. We have a smart program to identify and connect employers to employees. We are focusing on the quality of life and revitalization. The core concept is to provide new and enhanced amenities. This will be a multi-faceted effort, and getting the planning together. He spoke on the different initiative to help with the neighborhoods and beautification of the city. He spoke to the tiff realignment to allow more funding for the city. He illustrated the modifications planned for the city. They are changing the boundaries of the tiff district, to allow more funds into the city. We have over a dozen public meetings and I appreciated the dialogue.

Councilmember Henry Davis- What is the timeline for these projects, how will we pay for them, and who gets the priority? Presenter- we are looking to expand the tiff district in order to find a funding mechanism to be covered through tiff, which will not impact the general fund. There is a timeline for the main streets and corridors, short-term is getting the streets right going out to bid this fall and spring. Mid-term plan we will be looking to pick up parcels if they have not been moved by the city, for minimal cost of legal fees only as agreed upon by the county. Long-term development is the blossoming of redevelopment opportunities like this. Councilmember Davis- what is the price tag for the total projects? How do we move these projects with minimal amount of money? Presenter- Western is around \$1.4 million, then we will continue to pursue the other projects as funds become available. Tiff funds do not come around the General Funds, our average revenue is around \$24 million, we know there is a reserve of at least \$1 million, so the budget is roughly \$24 million per year.

Council President can you highlight how the curb and sidewalks will work, and can you talk about the cemetery? Presenter, we know there is a significant maintenance cost attached to the budget, the tiff fund areas will not be covered by the city but the developers will be responsible. With the cemetery we will be expanding the land, and building a park next to it.

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

Those wishing to speak in favor:

Chad- 1862 N Adams St- I work with city extensively on the cemetery, we want to invest in things that have the biggest impact, and solve more than one problem. We empathetically connect to the neighborhood.

Peg Adams- 7452 N Middle Lane- Our chapter has chosen for our historic project the cemetery in honor of Schuyler Colfax. We have accumulated funds throughout the year to update the cemetery. We celebrate them every year by decorating their grave sites.

Sampson Tess- This helps the city become nimble and creative, I want to thank them for reaching out to the community and asking for feedback. Everywhere we went they were asking about how we include the diversity of our community.

Christopher Huff- 1831 College St- What motivated me is the condition of the cemetery, I even included a petition to expand the cemetery so it becomes an asset. I finally see concurrency in zoning, park planning, smart streets planning... Now the tiff districts are being aligned with this project. I'm very pleased with this.

Kathy Shutz- 911 Leland Ave- I also served on the committee, there is a lot of excitement to ask what our vision is and having an action plan. It has been wonderful doing this together. Please support this vision.

Bill Langley 929 Lincoln Way- As architects we promote the value and the thought to bring to our community. The results have been impactful, in revitalization of our city.

Willow Wetherall- 1741 Mall St- I support tiff redistricting, I have been watching the plans for not only smart streets but the revitalization of our city.

Brick Hokinson- 415 Main Building- I'm here to support the tiff of smart streets and the revitalization plan are crucial to continue the revitalization of South Bend. We ask for your support in approving the realignment.

Rebecca Kiser- 913 Diamond St- I'm here to support the tiff changes. I guess that no-one lives in a neighborhood where crime and poverty are taking over. Lincoln Way west has a chance, to attract others to the city of South Bend. With this project we will bring a new hope to that neighborhood.

Noreen Muran- 1760 W Colfax- We are happy to have a chance to keep up this area and help our neighborhoods.

June Brock-1807 W Washington- I would like to thank the Council, I'm here to mention a few things your vote you have to continue to be active more than just the committee you're on, this is critical that we get this right, we finally have a group that says let's put South Bend first. I encourage you to work together on this. The administration needs to help the council and the council needs to help the administration.

Tim Hevered- I want to reinforce that the status quo is not working, we have a good plan in front of you. Let's not deliberate lets implement.

Lin Collard-4900 W Washington- I've lived in South Bend all my life, this is a good plan. I see a lot of questions in it. I have been advocating for Western Ave for a long time, we are multi-cultural. There should be consistency and continuity along Western Ave. She addressed several issues with how tiffs are aligned and having continuity throughout the city.

Harry- 217 S Michigan- I'm excited to see several initiatives being started and being successful. I'm excited to see this whole thing tie together. Thank you for your support.

Those wishing to speak in opposition:

Henry Davis, Sr- 215 N Cher- I've lived in South Bend my whole life, where the cemetery was in our backyard. Now I live on the far Northwest side. I'm not against improvement, I'm against the smart streets. Streets that have trees in the middle of the street. Look at Western Ave. it took 10 minutes to get to one side to the other. That hinders growth, that's one way to restrict an area. What we need to do is start to attract businesses, it's a good vision, but we need jobs, we need to be stable.

Rebuttal was none.

Councilmember White- I would like to thank everyone that participated in this process. I applaud the efforts of the administration, we had a diverse committee and worked well together. It's a good plan a great beginning. It sends a good message to those in that corridor as it expands in to those neighborhoods. The resolution has my full support.

Councilmember Gavin Ferlic-I would like to thank you to all members of the public, there was lot of great input. Also thank you to the administration and Scott for Community Investment.

Councilmember Dieter- I would like to thank the administration for their work and those who put in their time. In the big picture this is how a community should work. This is the first step as we continue to build. I'm in full support of this.

Councilmember Dr. Varner- One of the dilemmas we face, the area first has to be glided, there's a problem with that. We ought to dedicate funds to those areas as that creates problems if not addressed. We will run into problems if 40% is tiff districts as we are not going to have funds for this city. We need to do something about Leeper Park it's one of our historical parks in South Bend. We should address all areas, I think there are still things that need to be worked out. However, it was exciting to see all the support. So I will support it.

Councilmember Dr. Ferlic-Leeper Park is in the tiff district. I'm very concerned as Dr. Varner is with the 40/60 ratio. I think we can become great again. This is a tremendous opportunity. The citizens and administration have created a great plan.

Councilmember Schey- The proposal has great potential to spur economic growth. I think Scott and the administration have provided tons of information regarding this bill. The track record that Scott has created is very positive and gives me confidence in trusting him on this bill. I'm grateful for the curbs and sidewalks that came out of the citizens input, along with extending the tiff district. I feel this is a win/win for everyone.

Councilmember Henry Davis- I have reservations on how we can make this happen, not just how we can pay for it but the split of the tiff for the city is 40% and does not bring in money back to the city. I can't honor this project if we are spending money on those wanting to come in versus the ones that are already in the community. I cannot support that.

Councilmember Scott- It is crucial how our corridors look. It takes effort in all of us to make this happen to work out the corridors. It takes leadership, administration, council to commit and step up. This area really deserves that investment. There are good and bad things about tiff districts. There is still room for improvement and adjustments.

Council President Davis- This year has been an interesting year. When I saw Scott's number on my cell phone he was calling me to come to different meetings, about different businesses as potential investors. Thank you Mayor for all the things that you have done. As we look forward to the future we have to respect the past. This has been a great year to see things come to past. Let's move forward.

Councilmember Scott, I move for adoption of substitute bill 14-91. Councilmember Dr. Varner seconded the motion which carried by a voice vote of eight (8) ayes, and (1) nay by Councilmember Henry Davis, Jr.

BILL NO. 14 -94

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PROPOSING THAT A STUDY COMMISSION BE ESTABLISHED TO STUDY CURRENT TIF ECONOMIC DEVELOPMENT POLICES AND PROCEDURES

Document No Longer Available

Councilmember Henry Davis made a motion to strike bill number 14-94. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 14 -99

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, PROPOSING THAT THE UNIVERSITY OF NOTRE DAME BE FORMALLY INVITED TO EXPLORE MORE CREATIVE OPTIONS FOR IT TO BE A KEY FINANCIAL PARTNER WITH THE CITY OF SOUTH BEND IN THE DEVELOPMENT, CREATION AND SUSTAINABILITY OF A VIABLE CITY -WIDE MODEL ON CRIME PREVENTION FOR OTHER MUNICIPALITIES THROUGHOUT THE COUNTRY TO EMULATE

Document No Longer Available

Councilmember Scott made a motion to strike bill 14-99. Councilmember Dr. Varner seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 14 -100

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, RECOGNIZING THE 2ND MONDAY OF OCTOBER AS INDIGENOUS PEOPLES DAY ALSO TO BE KNOWN AS NATIVE AMERICANS DAY

Document No Longer Available

Council Attorney Kathy requested a motion to continue 14-100 to November 10, 2014. So moved by Councilmember Henry Davis, Councilmember Dr. Ferlic second the motion which carried by a voice vote of nine (9) ayes.

BILLS - FIRST READING

BILL NO. 59 -14

FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING SECTION 6 -37.1 OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING VACANT BUILDING MAINTENANCE AND REGISTRATION

This bill had first reading. Councilmember Scott made a motion to refer bill 59-14 to the Health and Public Safety Committee for Second and Third Reading for Public Hearings November 10, 2014. Councilmember Mr. Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 60 -14

FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING VARIOUS SECTIONS OF ARTICLE 12 OF CHAPTER 13 OF THE SOUTH BEN MUNICIPAL CODE ADDRESSING CHRONIC PROBLEM PROPERTY REGULATIONS

This bill had first reading. Councilmember Scott made a motion to refer bill 60-14 to the Health and Public Safety Committee for Second and Third for Public Hearings for November 10, 2014. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

UNFINISHED BUSINESS

REPORTS FROM AREA PLAN COMMISSION

BILL NO. 47-14 – AMEND CHAPTER 21 – DEFINITION OF ACCESSORY STRUCTURES
BILL NO. 48-14 – AMEND CHAPTER 21 – NEW SUBSECTIONS RELATIVE TO THE OUTDOOR DISPLAY AND SALES OF AUTOMOBILES

Councilmember Dr. Varner made a motion to refer these bills to the Zoning & Annexation Committee and set them for Public Hearing and Third Reading on November 10, 2014. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes

NEW BUSINESS

Council President Oliver Davis, I would like to thank those who went to the wake and the funeral of our late colleague, we were able send flowers on behalf of the Council.

PRIVILEGE OF THE FLOOR

Jesse Davis- P.O. BOX 10205- I want to report to the Council that when the report is complete on the Chief of Staff house that you receive a report. I want you to pull records on the vacant and housing initiative, a lot of those homes are old, I heard a ton of rumors that this is not happening. They're not being taking care of properly as it would slow the process down.

Councilmember Henry Davis- Wasn't there an ordinance that I pushed through that when a 1,000 houses, in a 1,000 days was initiated there was supposed to be a criteria to send to council a quarterly report, I haven't seen that report since the first time the listed it. That form is supposed to come to the council prior to demolish taking place.

Robert Clark-Hebert- 3220 E 40th, Anchorage, Alaska- The last three falls, I've taken on youth volunteers and bike rides. I just came from a 45 day bike ride and saw a lot of sites. When I got here I met some of the youth. My observations about South Bend is very positive. You have a great city, I will be coming back and will start my next ride September 11th. You have another ally and supporter.

Clarence Franklin- 4720 Merryville Circle- I'm here to submit a form that I spoke about in the last meeting, I will ask that it be an item for the next agenda on the December 8th meeting.

Noreen Muran- 1760 W Colfax- we are very happy with the tiff and we have some complaints. 35 years we will forest your neighborhood with trees, and we helped plant them. Our tree we have to cut them and maintain them. It is easy to get rid of a tree but the stumps are more expensive to get rid of. The city threatened us to get rid of them in one day. We would like to get help from the city.

ADJOURNMENT

There being no further business to come before the Council, President Oliver Davis adjourned the meeting at 9:55 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Oliver Davis, President