


**REPORT OF SUB-COMMITTEE ON MINUTES**

**TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:  
THE SUB-COMMITTEE HAS INSPECTED THE MINUTES OF THE**

**DATE: 05-22-2023**

**MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.  
THEREFORE, WE RECOMMEND THE SAME BE APPROVED.**

**THIS RECOMMENDATION FOR APPROVAL IS MADE RECOGNIZING  
THAT 3 CURRENT MEMBERS OF COUNCIL WERE NOT SEATED IN 2023  
AND AS SUCH WILL BE ABSTAINING FROM ANY FORMAL APPROVAL OF  
OLD MINUTES.**

  
TROY WARNER

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

**APPROVED BY THE COMMON COUNCIL ON: 04-22-2024**

**ATTEST:**

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



Be it remembered that the Common Council of the City of South Bend, Indiana met in-person in the Council Chambers of the County-City Building and via Microsoft Teams app on Monday, May 22, 2023, at 7:00 PM. The meeting was called to order by Council President Sharon L McBride, and the Invocation was given by Apostle Dennis Givens of New Horizon Outreach Ministry and Pledge to the Flag was given.

City Clerk Dawn M. Jones announced: Good evening members of the public. For audio quality, we will be muting everyone not speaking by default to maintain good audio quality for the Council and yourselves. If you would like to speak during the meeting on a specific agenda item, please submit your request in the chat – directions to do so are in the chat. We ask that you provide your [FULL NAME] and [ADDRESS], as those are required for all speakers at in-person Council meetings. If you would like to be called on during the meeting for public input, again please insert your [FULL NAME] and [ADDRESS], in the chat and you will be called on during the relevant time for public input. You will be given five minutes to speak. For citizens that wish to speak during privilege of the floor, please insert the following [FULL NAME] and [ADDRESS], into the chat during that time and the Council President will call on you. You will be given three minutes to speak. Please be sure to unmute yourself prior to giving your remarks.

**Please note the attached link for the meeting recording:**

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=364765>

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

ROLL CALL

COUNCIL MEMBERS PRESENT

Canneth Lee	1 <sup>st</sup> District, Committee of the Whole*
Sharon L. McBride	3 <sup>rd</sup> District, President
Troy Warner	4 <sup>th</sup> District
Eli Wax	5 <sup>th</sup> District
Sheila Niezgodski	6 <sup>th</sup> District, Vice-President
Lori K. Hamann	At-Large
Rachel Tomas Morgan	At-Large
Karen L. White	At-Large

COUNCIL MEMBERS PRESENT

Henry Davis Jr.	2 <sup>nd</sup> District
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OTHERS PRESENT

Dawn M. Jones	City Clerk
Victoria Trujillo	Chief Deputy Clerk
Kenneth Hardy	Deputy Clerk
Bob Palmer	Council Attorney

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

SUB-COMMITTEE ON MINUTES

None.

SPECIAL BUSINESS

23-25

A SPECIAL RESOLUTION OF THE SOUTH BEND COMMON COUNCIL ON BEHALF OF THE RESIDENTS OF SOUTH BEND, HONORING A TRUE VISIONARY, AARON PERRI, EXECUTIVE DIRECTOR OF THE DEPARTMENT OF VENUES PARKS & ARTS, FOR HIS MANY AND TRANSFORMATIVE

CONTRIBUTIONS TO THE CITY OF SOUTH BEND

Council President, Sharon McBride, Councilmember Karen White, Councilmember Troy Warner, and Councilmember Sheila Niezgodski presented Special Resolution No. 23-25, honoring Executive Director of Venues, Parks, and Arts, Aaron Perri, for his many contributions to the City of South Bend.

Council President McBride motioned to adopt Special Resolution *No. 23-25.*, which was seconded by Councilmember Hamann, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember White motioned to resolve into the Committee of the Whole, which was seconded by Councilmember Eli Wax and carried by a unanimous vote of acclimation.

PUBLIC HEARINGS

BILL NO.

11-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PRORTY LOCATED AT 1306, 1330 HIGH ST. AND 909 E BROADWAY ST. COUNILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

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

After the second (2<sup>nd</sup>) reading, Council Vice President Niezgodski requested the committee report.

Councilmember Hamann stated that Bill *No. 11-23* came before the Zoning and Annexation Committee and comes with an unfavorable recommendation.

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

Angela Smith, Zoning Administrator, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that the petitioner is seeking a special exception to allow heavy industrial use at 1330, 1306 High Street and 909 East Broadway Street. The petitioner has done major auto repairs with outdoor storage of many vehicles. It has been noted that vehicles have been left on the property in disrepair. The property has grown in intensity over time with vehicles on blocks and extending into the street. The petition comes to the Full Council with an unfavorable recommendation from the Board of Zoning and Appeals.

Council President Sharon McBride stated that the Council has received numerous messages stating that the petitioner’s property is a nuisance property.

Council Vice President Niezgodski opened the public hearing.

Stephanie Rizk, owner of LangLab, at 1302 High Street, South Bend IN 46601, spoke in opposition of Bill *No. 11-23*. Stephanie Rizk stated the property has been a nuisance to the neighborhood.

Council Vice President Niezgodski closed the public hearing and asked the Council for comments.

Councilmember White motioned to send Bill No. 11-23 to the Full Council with an unfavorable recommendation, which was seconded by Councilmember Hamann and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

17-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 751 COTTAGE GROVE AVE

18-23

A PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 630 AND 632 HARRISON ST.

Councilmember White motioned to hear Bill No. 17-23 and Bill No. 18-23 together, which was seconded by Councilmember Warner, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

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

After the second (2<sup>nd</sup>) reading, Council Vice President Niezgodski requested the committee report.

Councilmember Hamann stated that Bill No. 17-23 and Bill No. 18-23 both come from the Zoning and Annexation Committee with favorable recommendations.

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

Angela Smith, Zoning Administrator, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that Bill No. 17-23 and Bill No. 18-23 are use variances to allow for urban agriculture. The properties are formally vacant lots that will be used for food production and growth. Bill No. 17-23 and Bill No. 18-23 both come from the Board of Zoning Appeals with favorable recommendations. There have been many residents showing support for these bills.

Susan Greutman, Owner of Sunchoke Farms, 824 Lindsey St., South Bend, IN 46616 provided a brief introduction of herself and her business, Sunchoke Farms. Susan Greutman also provided reasons why the Council should approve the use variance for the properties included in the bills.

Council Vice President Niezgodski requested comments from the Council.

Councilmember Wax requested information regarding the land -use agreement.

Angela Smith stated that the land-use agreement is a five (5) year agreement.



Council Vice President Niezgodski held the public hearing, and nobody spoke.

Councilmember Warner motioned to send Bill No. 17-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Hamann and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

Councilmember Warner motioned to send Bill No. 18-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember White and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

22-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH-SOUTH ALLEY LYING WEST OF EDDY STREET, BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF QUIMBY STREET AND BOUNDED ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF THE FIRST EAST-WEST ALLEY LYING NORTH OF QUIMBY STREET, BEING APPROXIMATELY 99.99 LINEAL FEET

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

After the second (2<sup>nd</sup>) reading, Council Vice President Niezgodski stated that Bill No. 22-23 came before the Public Works and Property Vacation Committee and comes with a favorable recommendation.

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

Terry Lang, Professional Surveyor with Wightman, 1402 Mishawaka Ave, South Bend IN 46615, stated that the property outlined in Bill No. 22-23 is a small section of an alley that runs north and south. The petitioner currently owns all four (4) parcels around the area and desires to close a small stretch of property. The northern adjacent part of the property had been vacated years ago. Bill No. 22-23 comes from the Board of Public Works with a favorable recommendation.

Council Vice President Niezgodski asked the Council for comments, and nobody spoke.

Council Vice President Niezgodski opened the public hearing.

Bruce Gordon, 331 S. Eddy Street, South Bend IN 46617, stated that, due to high traffic, Eddy Street has become hazardous. Bruce Gordon stated that closing this alley would limit options for drivers and cause more reckless driving.

Conway Jackson, 327-329 Eddy Street, South Bend IN 46617, requested clarification regarding the plans for the property.

Angela Smith, Zoning Administrator, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that the section of the alley in question is the north/south alley on the north side of Quimby Street. There is no proposal to vacate the east/west alley. There is also no proposal to vacate anything south of Quimby Street. The petitioner is only seeking to vacate the alley that is surrounded by his property.

Melody Gonzalez, 327-329 Eddy Steet, South Bend IN 46617, spoke in opposition of the bill stating that if the alley were to be vacated people would possibly drive onto her property to make U-turns whereas currently, they use the portion of the alley that the petitioner is seeking to vacate.

Angela Smith indicated the distance from Eddy Street to Frances Street is short enough that the need to turn around in the alley would be ill-advised due to safety precautions one (1) would face trying to get back onto Eddy Street.

Bruce Gordon stated that it would not be safer to keep the alley open to funnel cars down given that the alley is half the size of Quimby Street. Bruce Gordon stated that the forty foot (40ft) drive to Frances Street would be much safer.

Brad Emberton, 615 West Colfax Street, South Bend IN 46601, stated that the closing of the alleyway would not exacerbate any of the issues previously discussed. The alleyway is only six feet (6ft) wide and creates a nuisance for the homes on either side.

Brad Gordon stated that he believes closing the alley will not help with traffic concerns, rather it will worsen traffic conditions.

Terry Lang reiterated that the Board of Public Works looks at safety concerns all over South Bend and they have given Bill *No. 22-23* a favorable recommendation.

Mary Bundy, 318 South Frances Street, South Bend IN 46617, stated that she has lived in the area for over eleven (11) years, and believes that making Quimby Street a one-way street would alleviate most of the safety concerns residents have with the area.

Council Vice President Niezgodski closed the public hearing and asked the Council for comments.

Councilmember Hamann asked if there had been a traffic study completed in this area.

Angela Smith stated that a traffic study had not been done because petitions for alley vacations typically do not require traffic studies. Eddy Street is a State highway, and the main concern of the Board of Public Works was to ensure there would be no future access to Eddy Street, and Bill *No. 22-23* satisfies that request.

Councilmember Wax requested information regarding the alleys in the area.

Angela Smith stated that the alleys are for access to the adjacent homes and are not built to be used as roads to divert traffic.

Councilmember Warner stated that Western Avenue should be opened and stated that a median should be put on State Road twenty-three (23). Councilmember Warner stated that he drove past the alley and believes there needs to be continued discussion regarding traffic in the area.

Councilmember Warner motioned to send Bill *No. 22-23* to the Full Council with a favorable recommendation, which was seconded by Councilmember Tomas Morgan and carried by a vote of seven (7) ayes, one (1) nay, and one (1) councilmember absent.

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

RISE AND REPORT

Councilmember Tomas Morgan motioned to rise from the Committee of the Whole and report back to the Full Council, seconded by Councilmember Wax and eight (8) ayes with one (1) councilmember absent.

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

REGULAR MEETING RECONVENED

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

BILLS ON THE THIRD READING

BILL NO.

11-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PRORTY LOCATED AT 1306, 1330 HIGH ST. AND 909 E BROADWAY ST. COUNILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

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

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

Council Vice President Niezgodski stated Bill No. 11-23 was heard in the Committee of the Whole and comes to the Full Council with an unfavorable recommendation.

Councilmember Warner motioned to reject Bill No. 11-23, seconded by Councilmember Tomas Morgan, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

17-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 751 COTTAGE GROVE AVE

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

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

Council Vice President Niezgodski stated Bill No. 17-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Tomas Morgan motioned for the passage of Bill No. 17-23, seconded by Councilmember Warner, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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



Councilmember Rachel Tomas Morgan – <i>Aye</i>	
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18-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 630 AND 632 HARRISON ST.

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

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

Council Vice President Niezgodski stated Bill No. 18-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember White motioned for the passage of Bill No. 18-23, seconded by Council Vice President Niezgodski, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

22-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH-SOUTH ALLEY LYING WEST OF EDDY STREET, BOUNDED ON THE SOUTH BY THE NORTH RIGHT OF WAY LINE OF QUIMBY STREET AND BOUNDED ON THE NORTH BY THE SOUTH RIGHT OF WAY LINE OF THE FIRST EAST-WEST ALLEY LYING NORTH OF QUIMBY STREET, BEING APPROXIMATELY 99.99 LINEAL FEET

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

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

Council Vice President Niezgodski stated Bill No. 22-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Tomas Morgan motioned for the passage of Bill No. 22-23, seconded by Councilmember White, and carried by a vote of seven (7) ayes, one (1) nay, and one (1) councilmember absent.

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

RESOLUTIONS

BILL NO.

23-23

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA,

COMMONLY KNOWN AS 521 NORTH WILLIAM STREET, SOUTH BEND, IN 46616 AND ECONOMIC REVITALIZATION AREA FOR THE PURPOSES OF A FOUR-YEAR (4) REAL PROPERTY TAX ABATEMENT

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

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

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14<sup>th</sup> floor of the County-City Building, stated that Bill No. 23-23 is a declaratory resolution for four (4) year real property tax abatement for property located at the southwest corner of West Navarre Street and North Williams Street. The property used to be a funeral home and has now been vacant for years. The petitioner, owner of Burton’s Laundry, seeks to build a new laundry facility at the location.

Council President McBride requested questions from the Council, and nobody spoke.

Council President McBride held the public hearing, and no members of the public spoke.

Councilmember Warner motioned for the adoption of Resolution No. 23-23, seconded by Councilmember Hamann, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

BILLS ON FIRST READING

BILL NO.

23-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 3003 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 23-23 to the South Bend Board of Zoning Appeals on June 5, 2023, and to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 12, 2023, seconded by Councilmember Hamann and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

24-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE



SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1127, 1131, AND 1135 WEST WESTERN AVENUE, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember White motioned to send Bill No. 24-23 to the South Bend Board of Zoning Appeals on June 5, 2023, and to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 12, 2023, seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

25-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1436 BOWMAN, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 25-23 to the South Bend Board of Zoning Appeals on June 5, 2023, and to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 12, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

26-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 2402 S TWYCHENHAM DRIVE, COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 26-23 to the South Bend Board of Zoning Appeals on June 5, 2023, and to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 12, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

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

27-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE AND SEEKING A SPECIAL EXCEPTION USE FOR THE PROPERTY LOCATED AT 1319, 1323, AND 1333 LINCOLNWAY WEST AND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 27-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Councilmember Lee and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

28-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 735 AND 737 CLEVELAND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 28-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

29-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 752 CLEVELAND, 1216 AND 1218 VAN BUREN, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 29-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

30-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 901 AND 905 BLAINE AVE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 30-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

31-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 909 AND 911 SHERMAN COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember White motioned to send Bill No. 31-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

32-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 906 AND 910 LAWDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 32-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Councilmember Wax and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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



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

33-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 816 AND 822 LAWNDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 33-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Councilmember Tomas Morgan and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

34-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 744 AND 746 CLEVELAND COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Hamann motioned to send Bill No. 34-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

35-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 900 S FRANKLIN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 35-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Councilmember Tomas Morgan and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

36-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 809 AND 813 CLEVELAND COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Tomas Morgan motioned to send Bill No. 36-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

37-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1215 AND 1217 VAN BUREN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Tomas Morgan motioned to send Bill No. 37-23 to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

38-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1202 S LAFAYETTE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner motioned to send Bill No. 38-23 to the South Bend Board of Zoning Appeals on June 5, 2023, and to the Zoning and Annexation Committee for a third (3<sup>rd</sup>) reading and public hearing on June 26, 2023, seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

Councilmember Troy Warner congratulated Sergeant Randall Goering and thanked him for his service.

Councilmember Karen White stated that she had a very positive experience visiting some of the schools in the empowerment zone and stated that there was a high level of engagement from the students. Councilmember White encourages other Councilmembers to visit the schools in the empowerment zone.

Council President McBride stated that the next Council Committee and Common Council meeting is scheduled for Monday, June 12, 2023.

Council Vice-President Sheila Niezgodski stated that the West Side Memorial Day Parade is scheduled for Monday, May 29, 2023.

PRIVILEGE OF THE FLOOR

Sue Kesim, 4022 Kennedy Drive, South Bend IN 46614, inquired about tax abatements, FOIA requests, sidewalks, GIS requests, violence prevention, prison literacy, and budget hearings.

Gelasius Morgan, 717 St. Louis Boulevard, South Bend IN 46617, spoke about the rise of violent crime.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 8:46 p.m.