

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: 09-11-2023

MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.

THEREFORE, WE RECOMMEND THE SAME BE APPROVED.

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



TROY WARNER

SHERRY BOLDEN-SIMPSON

APPROVED BY THE COMMON COUNCIL ON: 05-13-2024

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, September 11, 2023, at 7:00 PM. The meeting was called to order by Council President Sharon L. McBride, and the Invocation was given by Pastor Debra Givens of New Horizons 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 Council and yourselves. If you would like to speak during the meeting on a specific agenda item, please submit your request in the chat - directions to do so are in the chat. We ask that you provide your [FULL NAME] and [ADDRESS], as those are required for all speakers at in-person Council meetings.

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=370431>

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 st District, Committee of the Whole
Henry Davis Jr.*	2 nd District
Sharon L. McBride	3 rd District, President
Troy Warner	4 th District
Eli Wax	5 th District
Sheila Niezgodski	6 th District, Vice-President
Rachel Tomas Morgan	At-Large
Karen L. White	At-Large

COUNCIL MEMBERS ABSENT:

Lori K. Hamann	At-Large
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OTHERS PRESENT:

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

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

SUB-COMMITTEE ON MINUTES

None.

SPECIAL BUSINESS

None.

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Troy Warner motioned to resolve into the Committee of the Whole, which was seconded by Councilmember Karen 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>Aye</i>

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

PUBLIC HEARINGS

BILL NO.

48-23

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

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

After the second (2nd) reading, Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Bill No. 48-23 came before the Zoning and Annexation Committee and comes with an unfavorable recommendation.

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

Tim Corcoran, Director of Planning and Acting Zoning Administrator, with offices on the 14th floor of the County-City Building, stated that the petitioner is not present and has not been present at the prior two (2) Council meetings.

Councilmember Lee requested comments from the Council.

Council Vice President Niezgodski stated that the petitioner has wasted the time of the Council and the time of the taxpayers.

Councilmember Warner asked if there had been communications with the petitioner.

Tim Corcoran answered no.

Councilmember Henry Davis Jr. asked if it is required for the petitioner to attend the Council meeting.

Tim Corcoran answered no, the petitioner is not required to attend, but it is common practice for the petitioner to attend.

Council President McBride stated that she has questions for the petitioner that have gone unanswered due to their continued absence.

Councilmember Warner stated that it is ill-advised to decide on a group residence exception without the presence of the petitioner.

Councilmember Lee opened the public hearing.

Logan Foster, 1138 College Street, South Bend IN 46628, stated that if the petitioner was serious about their request for a special exception, then they would be present at the Council meeting.

Councilmember Lee closed the public hearing and asked the Council for comments.

Councilmember White asked if the petitioner knew they were out of compliance regarding zoning ordinances.

Tim Corcoran answered yes and stated that the incompliance was made clear during the Rental Safety Verification Program (RSVP) process.

Councilmember Lee stated that the previous owner was able to operate as a group home, but the petitioner needs a special exception to operate as a group residency.

Councilmember Warner motioned to send Bill No. 48-23 to the Full Council with an unfavorable recommendation, which was seconded by Councilmember Rachel Tomas Morgan and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

51-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING AND ESTABLISHING THE BOUNDARIES OF A NEW MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT “THE EXPANDED WEST RIVERFRONT DISTRICT” (SUBSTITUTE)

Councilmember White motioned to accept Substitute Bill No. 51-23, which was seconded by Councilmember Warner and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

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

Councilmember Wax motioned to hear Bill No. 51-23 and Bill No. 52-23 together for purposes of the public hearing, which was seconded by Council Vice President Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

52-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING AND ESTABLISHING THE BOUNDARIES OF A NEW MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT “THE EXPANDED EAST RIVERFRONT DISTRICT”

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

Councilmember Lee requested the committee reports.

Councilmember Tomas Morgan stated that Bill No. 51-23 and Bill No. 52-23 both went before the Community Investment Committee, and both come with a favorable recommendation.

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill No. 51-23 and Bill No. 52-23 would expand the existing Riverfront Development Project area. Since 2012, thirty-two (32) riverfront three (3) way liquor licenses have been issued.

Councilmember Lee requested questions from the Council.

Councilmember Wax requested information regarding how the City could handle businesses that are deemed to be a detriment to the public.

Erik Glavich stated that the permits are reviewed annually, and businesses that are deemed to be a detriment to the public would not likely receive a renewal. A business that would be newly eligible for the discounted liquor license but already has a three (3) way liquor license would need to relinquish their current license and endure a waiting period of about one (1) year before being able to apply for the discounted license. A business that would be newly eligible for the discounted three (3) way liquor license and has a two (2) way liquor license can apply without having to wait.

Councilmember Davis Jr. stated support for the expansion of the Riverfront District and requested more information regarding the number of liquor licenses being added and lost.

Erik Glavich stated that there were six (6) businesses that had liquor licenses but were no longer using them. Two (2) of those businesses have been replaced with businesses that are utilizing liquor licenses. There was also a business that moved out of the riverfront area that had to apply for a new three (3) way liquor license. There have only been three (3) businesses over the last decade that had once received the discounted license and are no longer utilizing the license.

Councilmember Lee opened the public hearing.

Franky Messias, Franky's Tacos, 2720 Mishawaka Avenue, South Bend IN 46615, indicated there are several requirements that businesses need to follow in the City of Mishawaka to maintain their liquor license. Franky's Tacos is a smaller business with the hopes of attracting more business to their restaurant and would like to pursue a three (3) way license to remain competitive in the market.

Eamonn McParland, Roselily, 701 South Main Street, South Bend IN 46601, stated that they have plans for an expansion to the upstairs of their building, and that they would like to obtain a discounted liquor license to sell spirits that complement their food.

Mike LaCarrubba, L Street Kitchen, 131 South Lafayette Boulevard, South Bend IN 46601, was under the impression he was within the original riverfront district; however, the restaurant is two hundred feet (200ft) outside the area limits, and this expansion would bring L Street Kitchen into the area.

Willow Weatherall, Executive Director of Downtown South Bend (DTSB), 2017 South Michigan Street, South Bend IN 46613, voiced support for the liquor license riverfront development program, as she believes the program assists smaller and independently owned businesses to compete against larger companies.

Mark McDonnell, 115 West Colfax, South Bend IN 46601, indicated he has seen a lot of growth in DTSB. Downtown South Bend is not looking for more student bars, rather more quality food and beverage establishments that are ready to grow. Mark McDonnell thanked Councilmember Davis Jr.

Jordan Smith, 635 South Lafayette Boulevard, South Bend IN 46601, requested clarification regarding the cost of obtaining a liquor license.

Willow Weatherall stated that the discounted riverfront liquor license costs two thousand dollars (\$2,000) annually; one thousand dollars (\$1,000) goes to the state and one thousand dollars (\$1,000) goes to Downtown South Bend. Without the discount a business would have to pay sixty thousand dollars (\$60,000) upfront, and one thousand dollars (\$1,000) annually.

Scott Ruszkowski, Chief of Police, 701 South Sample Street, indicated that, as a Board Member of DTSB, he would like to receive assurances that there would not be problems that arise with the issuing of more liquor licenses.

Councilmember Warner stated that he will work to include the South Bend Police Department (SBPD) on discussions regarding the riverfront licenses.

Erik Glavich stated that the City is working closely with DTSB to update requirements for safety and clarity.

Councilmember Lee closed the public hearing and asked the Council for comments.

Councilmember Warner motioned to send Substitute Bill No. 51-23 to the Full Council with a favorable recommendation, which was 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>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

Councilmember Warner motioned to send Bill No. 52-23 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>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

RISE AND REPORT

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

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

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 (3rd) reading and action is taken regarding bills that were heard during the Committee of the Whole.

BILLS ON THE THIRD READING

BILL NO.

48-23

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

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

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

Councilmember Lee stated Bill No. 48-23 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. 48-23, 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>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

51-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING AND ESTABLISHING THE BOUNDARIES OF A NEW MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT “THE EXPANDED WEST RIVERFRONT DISTRICT” (SUBSTITUTE)

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

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

Councilmember Lee stated Substitute Bill No. 51-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Lee motioned for the passage of Bill No. 51-23, 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>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

52-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING AND ESTABLISHING THE BOUNDARIES OF A NEW MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT “THE EXPANDED EAST RIVERFRONT DISTRICT”

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

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

Councilmember Lee stated Bill No. 52-23 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. 52-23, 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>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

RESOLUTIONS

BILL NO.

23-55

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 1302 WEST SAMPLE STREET AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE-YEAR (5) PERSONAL PROPERTY TAX ABATEMENT FOR IMAGINEERING ENTERPRISES

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-55 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.

Mark Bemenderfer, Manager of Business Development, with offices on the 14th floor of the County-City Building, stated that Bill No. 23-55 is a designating resolution for a five (5) year personal property tax abatement for equipment to be installed at 1302 West Sample Street. The equipment is being purchased by Imagineering Enterprises, LLC. Imagineering has been operating in South Bend since 1959. The project will require hiring ten (10) new full-time employees. The total private investment will equate to two million six hundred thousand dollars (\$2,600,000).

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 Wax stated that in addition to tax growth, this project will create ten (10) new jobs and therefore is worthwhile.

Council Vice President Niezgodski stated appreciation for the jobs being created.

Councilmember Tomas Morgan stated that the addition of full-time positions is often an important benefit of tax abatements.

Councilmember Wax motioned for the adoption of Bill No. 23-55, seconded by Councilmember Warner, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

BILLS ON FIRST READING

BILL NO.

53-23

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 1132 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 53-23 to the South Bend Board of Zoning Appeals on October 2, 2023, and to the Zoning and Annexation Committee for a third (3rd) reading and public hearing on October 9, 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>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

54-23

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 1128 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 54-23 to the South Bend Board of Zoning Appeals on October 2, 2023, and to the Zoning and Annexation Committee for a public hearing and third (3rd) reading on October 9, 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>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

55-23

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 110 S MAIN STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Bill No. 55-23 was sent to the South Bend Board of Zoning Appeals on October 2, 2023, and to the Zoning and Annexation Committee for a second (2nd) reading and public hearing on October 9, 2023, although it was inadvertently omitted from being read.

56-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADOPTING AND APPROVING THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION’S 2024 BUDGET AND LEVYING THE TAX AND FIXING THE RATE OF THE TAXATION FOR THE PURPOSE OF RAISING REVENUE TO FUND THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION, SOUTH BEND, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

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

Councilmember Vice-President Sheila Niezgodski motioned to send Bill No. 56-23 to the Personnel and Finance Committee for public hearing only on September 25, 2023, and to the Full Council for third (3rd) reading on October 9, 2023, which was seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

57-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSES OF THE CIVIL CITY OF SOUTH BEND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE CITY OF SOUTH BEND, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024, INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

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

Council Vice President Niezgodski motioned to send Bill No. 57-23 to the Personnel and Finance Committee for public hearing only on September 25, 2023, and to the Full Council for third (3rd) reading on October 9, 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>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Absent</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

58-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2023

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

Council Vice President Niezgodski made a motion to send Bill No. 58-23 to the Personnel and Finance Committee on September 25, 2023 for public hearing and third (3rd) reading, seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

59-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS FOR THE YEAR 2023 OF \$1,740,000 FROM THE GENERAL FUND

(#101), \$356,800 FROM THE PARKS AND RECREATION FUND (#201), \$104,999 FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$1,200,000 FROM THE CENTRAL SERVICES FUND (#222), \$160,200 FROM THE PARKING GARAGES FUND (#601), \$42,688 FROM THE WATER WORKS CAPITAL FUND (#622), \$200,000 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$3,000,000 FROM THE SEWAGE WORKS CAPTIAL FUND (#642), AND \$293,000 FROM THE STORM SEWER FUND (#667)

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

Council Vice President Niezgodski motioned to send Bill No. 59-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on September 25, 2023, which was seconded by Councilmember Lee and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

60-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 10894-22, WHICH FIXES MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NON-BARGAINING EMPLOYEES OF EXECUTIVE DEPARTMENTS OF THE CITY OF SOUTH BEND FOR CALENDAR YEAR 2023, TO ESTABLISH ONE NEW FULL-TIME POSITION

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

Council Vice President Niezgodski motioned to send Bill No. 60-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on September 25, 2023, which was seconded by Councilmember Lee and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

61-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 6, ARTICLE 13, SECTIONS 6-71 THROUGH 6-78 ADDRESSING RESPONSIBLE BIDDING PRACTICES AND SUBMISSION REQUIREMENTS ON PUBLIC WORKS PROJECTS

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

Council Vice President Niezgodski motioned to send Bill No. 61-23 to the Community Investment Committee for a third (3rd) reading and public hearing on September 25, 2023, which was seconded by Councilmember Lee and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

UNFINISHED BUSINESS

Council President McBride asked the Council to send in the names of their appointments for the Community Review Board (CRB) positions. The names of the reparatory commission will come before the Council at the next meeting.

Council Vice President Niezgodski stated that the next budget meeting will be in the Chambers on September 13, 2023, for Community Investment. Build the Budget surveys are still being accepted.

Councilmember Davis Jr. requested information regarding a submitted amendment.

Council President McBride stated that she would like to discuss the wording of the proposed amendment after the Council meeting.

Councilmember Lee thanked the City for their help with the Historically Black Colleges and Universities (HBCU) Exchange. Councilmember Lee also stated appreciation for the success of the Fusion Fest.

NEW BUSINESS

None.

PRIVILEGE OF THE FLOOR

Logan Foster, 1138 College Street, South Bend IN 46628, discussed a conversation he had with Councilmember Davis Jr.

ADJOURNMENT

Council President McBride adjourned the meeting at 8:31 p.m.