

REPORT OF SUB-COMMITTEE ON MINUTES


TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:

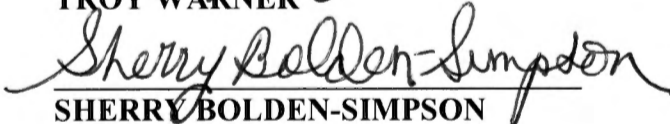
THE SUB-COMMITTEE HAS INSPECTED THE MINUTES OF THE

DATE: 08-12-2024

MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.

THEREFORE, WE RECOMMEND THE SAME BE APPROVED:



TROY WARNER


SHERRY BOLDEN-SIMPSON

APPROVED BY THE COMMON COUNCIL ON: 08-26-2024

ATTEST:



BIANCA L. TIRADO, CITY CLERK

Handwritten signature or text, possibly "John J. ..."

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person on Monday, August 12, 2024, at 7:00 p.m. Council President Sharon McBride called the meeting to order. Pastor Jose Yanes from Iglesia Evangelica Del Principe De Paz gave the invocation.

City Clerk Bianca L. Tirado 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.

Please note the attached links for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?mediaid=382881&dbid=0>

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

ROLL CALL

COUNCILMEMBERS PRESENT

| | |
|------------------------|--------------------------------------------------|
| Canneth Lee | 1 st District, Committee of the Whole |
| Ophelia Gooden-Rodgers | 2 nd District |
| Sharon L. McBride | 3 rd District, President |
| Troy Warner | 4 th District |
| Sherry Bolden-Simpson | 5 th District |
| Sheila Niezgodski | 6 th District, Vice-President |
| Dr. Oliver Davis* | At-Large |
| Rachel Tomas Morgan | At-Large |
| Karen White | At-Large |

OTHERS PRESENT

| | |
|------------------------|----------------------------------------|
| Bianca L. Tirado | City Clerk |
| Elivet Quijada-Navarro | Chief Deputy City Clerk |
| Matthew Neal | Deputy City Clerk / Director of Policy |
| Samuel Turck | Director of Special Projects |
| Talia Thornton | City Clerk Intern |
| Bob Palmer | Council Attorney |

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

SUB-COMMITTEE ON MINUTES:

January 3, 2022

July 22, 2024

Council President McBride requested reports from the Sub-Committee on Minutes.

Clerk Tirado stated that the Sub-Committee on Minutes has inspected the January 3, 2022 Common Council meeting minutes and recommended that they be approved. It is understood that councilmembers who were not members of Council in 2022 will be abstaining.

Councilmember Troy Warner motioned to approve the January 3, 2022 Common Council meeting minutes, which was seconded by Councilmember Canneth Lee and carried via a vote by voice with (3) Councilmembers abstaining.

Clerk Tirado stated that the Sub-Committee on Minutes has inspected the July 22, 2024 Common Council meeting minutes and recommended that they be approved.

Councilmember Dr. Oliver Davis motioned to approve the July 22, 2024 Common Council meeting minutes, which was seconded by Council Vice President Sheila Niezgodski and carried via a vote by voice.

SPECIAL BUSINESS

None.

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Dr. Davis motioned to resolve into the Committee of the Whole, which was seconded by Council Vice President Niezgodski and carried via a vote by voice.

PUBLIC HEARINGS

BILL NO.

35-24

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 802 EAST EWING AVENUE COUNCILMANIC DISTRICT NO.3 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

Council Vice President Niezgodski motioned to accept Substitute Bill No. 35-24 which was seconded by Councilmember Tomas Morgan and carried via a vote by voice.

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

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

Councilmember Dr. Davis stated that Substitute Bill No. 35-24 went before the Zoning and Annexation Committee and comes with a favorable recommendation.

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

Kari Meyers, Zoning Specialist with offices on the 14th floor of the County-City Building, spoke regarding Substitute Bill No. 35-24 which is a special exception at 802 E. Ewing Ave, South Bend IN 46613. This property was previously a church, the petitoners will change it into a LGBTQ community center. This use would effect street traffic, as center will have a similar amount of traffic as it did when this property was a church.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Dr. Davis motioned to send Bill No. 35-24 to the Full Council with a favorable recommendation, which was seconded by Councilmember White and carried by a vote of nine (9) ayes.

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|------------------------------------------------|-------------------------------------------------------|
| Council President Sharon McBride – <i>Aye</i> | Council Vice President Sheila Niezgodski – <i>Aye</i> |
| Councilmember Canneth Lee – <i>Aye</i> | Councilmember Ophelia Gooden-Rodgers – <i>Aye</i> |
| Councilmember Troy Warner – <i>Aye</i> | Councilmember Sherry Bolden-Simpson – <i>Aye</i> |
| Councilmember Dr. Oliver Davis – <i>Aye</i> | Councilmember Karen L. White – <i>Aye</i> |
| Councilmember Rachel Tomas Morgan – <i>Aye</i> | |

RISE AND REPORT

Councilmember Dr. Davis motioned to rise from the Committee of the Whole and report back to the Full Council, seconded by Council Vice President Niezgodski and carried via a vote by voice.

REGULAR MEETING RECONVENED

Council 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.

35-24

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 802 EAST EWING AVENUE COUNCILMANIC DISTRICT NO.3 IN THE CITY OF SOUTH BEND, INDIANA (SUBSTITUTE)

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

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

Councilmember Lee stated Substitute Bill No. 35-24 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Dr. Davis motioned for the passage of Substitute Bill No. 35-24, seconded by Councilmember Gooden Rodgers, and carried by a vote of nine (9) ayes.

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|------------------------------------------------|-------------------------------------------------------|
| Council President Sharon McBride – <i>Aye</i> | Council Vice President Sheila Niezgodski – <i>Aye</i> |
| Councilmember Canneth Lee – <i>Aye</i> | Councilmember Ophelia Gooden-Rodgers – <i>Aye</i> |
| Councilmember Troy Warner – <i>Aye</i> | Councilmember Sherry Bolden-Simpson – <i>Aye</i> |
| Councilmember Dr. Oliver Davis – <i>Aye</i> | Councilmember Karen L. White – <i>Aye</i> |
| Councilmember Rachel Tomas Morgan – <i>Aye</i> | |

RESOLUTIONS

BILL NO.

24-25

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 711-713 LELAND AVENUE, SOUTH BEND, INDIANA 46616 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A SIX-YEAR (6) REAL PROPERTY TAX ABATEMENT FOR CASPERS-SHUTTS FAMILY TRUST

Clerk Tirado read the resolution to the Council.

Council President McBride asked for a committee report.

Councilmember Warner stated that this Bill was heard in Community Investment and comes to the Full Council with a favorable recommendation.

Erik Glavich, Director of Growth and Opportunity with offices on the 14th floor of the County-City building spoke regarding Bill No. 24-24. The new tax benefit from this property when it is completed would go from two thousand seven hundred and twenty dollars (\$2,720) to eleven thousand eight hundred and seventy-six dollars (\$11,876) per year. This will allow for a market to be opened at this location and a small breakfast restaurant.

Council President McBride held the public hearing and nobody spoke.

Councilmember Gooden Rodgers motioned for the passage of Bill No. 24-25, seconded by Councilmember Tomas Morgan, and carried by a vote of nine (9) ayes.

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| Council President Sharon McBride – <i>Aye</i> | Council Vice President Sheila Niezgodski – <i>Aye</i> |
| Councilmember Canneth Lee – <i>Aye</i> | Councilmember Ophelia Gooden-Rodgers – <i>Aye</i> |

| | |
|------------------------------------------------|--------------------------------------------------|
| Councilmember Troy Warner– <i>Aye</i> | Councilmember Sherry Bolden-Simpson – <i>Aye</i> |
| Councilmember Dr. Oliver Davis – <i>Aye</i> | Councilmember Karen L. White – <i>Aye</i> |
| Councilmember Rachel Tomas Morgan – <i>Aye</i> | |

24-26

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 1710 NORTH SHERIDAN STREET, SOUTH BEND, INDIANA 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE-YEAR (5) PERSONAL PROPERTY TAX ABATEMENT FOR HOOSIER TANK & MANUFACTURING, LLC

Clerk Tirado read the resolution to the Council.

Council President McBride asked for a committee report.

Councilmember Warner stated that this Bill was heard in Community Investment and comes to the Full Council 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.

Erik Glavich, Director of Growth and Opportunity with offices on the 14th floor of the County-City building spoke regarding Bill No. 24-26. Hoosier Tank & Manufacturing is at this address, it would allow for the purchasing of new equipment to increase their production. This expansion will create fifteen (15) new jobs. There will be three hundred and twenty thousand, eight hundred and three dollars (\$320,803) in new taxes during the first (1st) five (5) years of the abatement period.

Council President McBride held the public hearing and nobody spoke.

Councilmember Tomas Morgan motioned for the passage of Bill No. 24-24, seconded by Council Vice President Niezgodski, and carried by a vote of nine (9) ayes.

| | |
|------------------------------------------------|-------------------------------------------------------|
| Council President Sharon McBride – <i>Aye</i> | Council Vice President Sheila Niezgodski – <i>Aye</i> |
| Councilmember Canneth Lee – <i>Aye</i> | Councilmember Ophelia Gooden-Rodgers – <i>Aye</i> |
| Councilmember Troy Warner– <i>Aye</i> | Councilmember Sherry Bolden-Simpson – <i>Aye</i> |
| Councilmember Dr. Oliver Davis – <i>Aye</i> | Councilmember Karen L. White – <i>Aye</i> |
| Councilmember Rachel Tomas Morgan – <i>Aye</i> | |

24-23

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND TERMINATING THE (10) TEN YEAR REAL PROPERTY TAX ABATEMENT FOR COMMERCE CENTER DEVELOPMENT, LLC

Council President McBride stated that Bill No. 24-23 has been tabled until August 26, 2024.

BILLS ON FIRST READING

BILL NO.

37-24

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, TO VACATE THE FIRST NORTH- SOUTH ALLEY EAST OF MAIN STREET BETWEEN LASALLE AVENUE ON THE SOUTH AND SOUTH OF MADISON STREET ON THE NORTH

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

Council Vice President Niezgodski motioned to send Bill No. 37-24 to the Public Works and Property Vacation committee for a public hearing and third (3rd) reading on August 26, 2024, which was seconded by Councilmember Lee and carried via a vote by voice.

38-24

FIRST 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 623 OLIVE STREET COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 38-24 to the Zoning and Annexation committee for a public hearing and third (3rd) reading on September 9, 2024, which was seconded by Councilmember Lee and carried via a vote by voice.

39-24

FIRST 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 1006 BEALE STREET COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 39-24 to the Zoning and Annexation committee for a public hearing and third (3rd) reading on September 9, 2024, which was seconded by Councilmember Lee and carried via a vote by voice.

UNFINISHED BUSINESS

Councilmember Dr. Davis suggested September 9, 2024, to be the meeting date of the Council Rules committee regarding the privilege of the floor.

Council President Sharon McBride stated that she is not available that day but will speak to the members of the Council Rules committee to schedule it.

Councilmember Tomas Morgan thanked the Clerk and the Clerk's office for their work completing the past committee meeting minutes.

NEW BUSINESS

Council Vice President Niezgodski stated that the 2025 City Wide Budget Overview will be Wednesday August 14, 2024 at 5:30pm in the Council Chambers.

PRIVILEGE OF THE FLOOR

Don Foster, 132 Chapin Street, South Bend IN 46601, spoke regarding City contracts.

Sarah Foster, 1138 College Street, South Bend IN 46628, spoke regarding a matter that occurred following the May 13, 2024 Common Council meeting.

Linda Bryant, 3220 White Maple Court, South Bend IN 46628, spoke regarding a matter that occurred following the May 13, 2024 Common Council meeting.

Brendan Crumlish, 1091 Riverside Drive, South Bend IN 46616, spoke regarding homelessness.

REGULAR MEETING

August 12, 2024

Logan Foster, 1138 College Street, South Bend IN 46628, spoke regarding a matter that occurred following the May 13, 2024 Common Council meeting.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 7:40 p.m.