



OFFICE OF THE CITY CLERK

BIANCA L. TIRADO, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: BIANCA L. TIRADO, CITY CLERK
DATE: THURSDAY, FEBRUARY 19, 2026
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Monday, February 23, 2026:**

Council Chambers
3rd Floor City Hall
215 S. Dr. Martin Luther King Jr. Blvd.
South Bend, IN 46601

The Council Chambers will be Open to the Public. Members of the Public may Attend this Meeting Virtually via Microsoft Teams Meeting app here: <https://tinyurl.com/022326CC>

<u>5:00 P.M.</u>	<u>HEALTH & PUBLIC SAFETY</u>	CHAIRPERSON, TOMAS MORGAN
	1. Organizational Meeting	
<u>5:05 P.M.</u>	<u>INFORMATION & TECHNOLOGY</u>	CHAIRPERSON, TOMAS MORGAN
	1. Organizational Meeting	
<u>5:10 P.M.</u>	<u>RESIDENTIAL NEIGHBORHOODS</u>	CHAIRPERSON, WHITE
	1. Organizational Meeting	
<u>5:15 P.M.</u>	<u>PARC</u>	CHAIRPERSON, MCBRIDE
	1. Organizational Meeting	
<u>5:20 P.M.</u>	<u>COMMUNITY INVESTMENT</u>	CHAIRPERSON, WARNER
	1. Bill No. 26-06 - Confirming Resolution - Real Property Tax Abatement for David A. Nufer LLC (Burton's Laundry)	

INTEGRITY | SERVICE | ACCESSIBILITY

Jasmine Jackson
CHIEF DEPUTY CITY CLERK / CHIEF OF STAFF

Matthew Neal
DEPUTY CITY CLERK / DIRECTOR OF POLICY

Veronica Pitt-Payne
DIRECTOR OF SPECIAL PROJECTS

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

300 City Hall | 215 S. Martin Luther King, Jr. Blvd. | South Bend, Indiana 46601 | p. 574.235.9221 | f. 574.235.9173 | www.southbendin.gov



5:35 P.M.

COMMUNITY RELATIONS

CHAIRPERSON, GOODEN-RODGERS

1. [Bill No. 26-07](#) - Resolution Appointing Marla Godette to a Two-Year Term as a Member of the Community Police Review Board

Council President Canneth Lee has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Community Relations Committee Meeting.

INFORMAL MEETING OF THE COMMON COUNCIL

PRESIDENT, C. LEE

1. Discussion of Council Agenda
2. Update and Announcements
3. Adjournment

cc: Mayor James Mueller
Committee Meeting List
Media

NOTICE FOR VIRTUAL ATTENDEES

Virtual attendees wishing to speak during the public portion of the meeting must submit your request in the meeting chat. We ask that you provide your Full Name and Residential Address, as those are required for all speakers at in-person Council meetings. Those wishing to speak during the public portion of the meeting must activate their camera, displaying the speaker, to be recognized by the Chair.

NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS

Auxiliary Aid or Other Services may be Available upon Request at No Charge. Please give Reasonable Advance Request when Possible.

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT



SOUTH BEND COMMON COUNCIL

MEETING AGENDA

Monday, February 23, 2026
7:00 P.M.

The South Bend Common Council meeting will be open to the public at the Council Chambers on the 3rd floor of the South Bend City Hall, 215 South Dr. Martin Luther King Jr. Blvd., South Bend, IN 46601 or available by way of a virtual meeting using the Microsoft Teams Meeting App. Public access to the meeting can be granted by this Microsoft Teams Link:

<https://tinyurl.com/SBCC022326>

1. **INVOCATION**

PASTOR MICHAEL BUSH | IMPACT WORSHIP CENTER

2. **PLEDGE TO THE FLAG**

3. **ROLL CALL**

4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**

FEBRUARY 9, 2026

5. **SPECIAL BUSINESS**

SPECIAL RESOLUTION OF THE SOUTH BEND COMMON COUNCIL RECOGNIZING AND CELEBRATING THE 25th ANNIVERSARY OF CUTRAGEOUS BARBER AND BEAUTY SALON

FOUR WINDS FIELD RENOVATIONS AND SOUTH BEND CUBS UPDATES TO COUNCIL FROM SOUTH BEND CUBS LEADERSHIP

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**

TIME: _____

8. **BILLS ON THIRD READING**

TIME: _____

9. **RESOLUTIONS**

BILL NO.

26-06 A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 2614-2626 SOUTH MAIN STREET, SOUTH BEND, INDIANA 46614 AND 109 WEST ECKMAN STREET, SOUTH BEND, INDIANA 46614 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A SIX-YEAR (6) REAL PROPERTY TAX ABATEMENT FOR DAVID A NUFER, LLC

26-07 A RESOLUTION OF THE CITY OF SOUTH BEND COMMON COUNCIL APPOINTING MARLA GODETTE TO COMPLETE THE CURRENTLY VACANT INITIAL TWO-YEAR TERM AS A MEMBER OF THE COMMUNITY POLICE REVIEW BOARD

10. **BILLS ON FIRST READING**

BILL NO.

06-26 FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE EAST/WEST ALLEY SOUTH OF MONROE, BETWEEN 516 SOUTH MICHIGAN AND 520 SOUTH MICHIGAN, STARTING AT MICHIGAN ON THE WEST AND ENDING AT THE NORTH/SOUTH ALLEY BEHIND 516 SOUTH MICHIGAN ON THE EAST

11. **UNFINISHED BUSINESS**

12. **NEW BUSINESS**

13. **PRIVILEGE OF THE FLOOR**

14. **ADJOURNMENT**

TIME: _____

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NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS

Auxiliary Aid or Other Services may be Available upon Request at No Charge. Please give Reasonable Advance Request when Possible

In the interest of providing greater public access and to promote greater transparency, the South Bend Common Council agenda has been translated into Spanish. All agendas are available online from the Council's website, and also in paper format in the Office of the City Clerk, 4th Floor County-City Building. Reasonable efforts have been taken to provide an accurate translation of the text of the agenda, however, the officiate is the English version. Any discrepancies which may be created in the translation are not binding. Such translations do not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the Common Council or the City of South Bend, Indiana.



2026 COMMON COUNCIL STANDING COMMITTEES (Rev. 02-19-2026)

COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real and personal tax abatement requests and works closely with the Business Development Team.

Troy Warner, Chairperson
Karen L. White, Vice-Chairperson
Thomas Gryp, *Citizen Member*

Sherry Bolden-Simpson, Member
Ophelia Gooden-Rodgers, Member
Kevin Upton, *Citizen Member*

COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Engagement and Economic Empowerment, Neighborhood Development, and Community Resources Teams within the City's Department of CI and is charged with facilitating partnerships and ongoing communications with other public and private entities operating within the City.

Ophelia Gooden-Rodgers, Chairperson
Karen L. White, Vice-Chairperson
Alice Pickens, *Citizen Member*

Sheila Niezgodski, Member
Sherry Bolden-Simpson, Member
Citizen Member

COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Canneth Lee, Member
Sheila Niezgodski, Member

Troy Warner, Member

HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

Rachel Tomas Morgan, Chairperson
Troy Warner, Vice-Chairperson
Sheila Niezgodski, Member
Savino Rivera Jr., *Citizen Member*

Sharon McBride, Member
Dr. Oliver Davis, Member
Citizen Member

INFORMATION AND TECHNOLOGY COMMITTEE - Innovation

Oversees the various activities of the City's Department of Innovation, which includes the Divisions of Information Technology and 311 so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability and access to GIS data and related technologies are just some of its many activities.

Rachel Tomas Morgan, Chairperson
Sherry Bolden-Simpson, Vice-Chairperson
Citizen Member

Sharon McBride, Member
Dr. Oliver Davis, Member
Citizen Member

PARC COMMITTEE- Venues, Parks, and Arts (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Four Winds Stadium, Morris Performing Arts Center, Studebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, My SB Trails, DTSB relations, and the many recreational and leisure activities offered by the Department of Venues Parks and Arts.



Sharon L. McBride, Chairperson
Karen L. White, Vice- Chairperson
Aaron Nichols, *Citizen Member*

Ophelia Gooden-Rogers, Member
Troy Warner, Member
Frances Schmuhl, *Citizen Member*

PERSONNEL AND FINANCE COMMITTEE

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations, and other fiscal matters, as well as personnel policies, health benefits and related matters.

Sheila Niezgodski, Chairperson
Karen L. White, Vice-Chairperson
Citizen Member

Ophelia Gooden-Rodgers, Member
Rachel Tomas Morgan, Member
Citizen Member

PUBLIC WORKS AND PROPERTY VACATION COMMITTEE

Oversees the various activities performed by the Building Department, the Department of Public Works and related public works and property vacation issues.

Ophelia Gooden-Rodgers, Chairperson
Sheila Niezgodski, Vice-Chairperson
Abel Gonzalez, *Citizen Member*

Dr. Oliver Davis, Member
Troy Warner, Member
Citizen Member

RESIDENTIAL NEIGHBORHOODS COMMITTEE

Oversees the various activities and issues related to neighborhood development and enhancement.

Karen L. White, Chairperson
Sheila Niezgodski, Vice-Chairperson
Sherry Bolden-Simpson
Citizen Member

Ophelia Gooden-Rodgers, Member
Sharon McBride, Member
Citizen Member

UTILITIES COMMITTEE

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers, and all related matters.

Sherry Bolden-Simpson, Chairperson
Rachel Tomas Morgan, Vice-Chairperson
Dr. Oliver Davis, Member
Joseph Mayer, *Citizen Member*

Sheila Niezgodski, Member
Ophelia Gooden-Rodgers, Member
Sharon McBride, Member
Citizen Member

ZONING AND ANNEXATION COMMITTEE

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Dr. Oliver Davis, Chairperson
Rachel Tomas Morgan, Vice-Chairperson
Danny Koontz, *Citizen Member*

Troy Warner, Member
Karen L. White, Member
Stacey Odom, *Citizen Member*

SUB-COMMITTEE ON MINUTES

Reviews the minutes prepared by the Office of the City Clerk of the regular, special, and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council.

Troy Warner, Member

Sherry Bolden-Simpson, Member



2026 COMMON COUNCIL STANDING COMMITTEES (Rev.01-09-2026)

CANNETH LEE, 1ST District Council Member

President

Council Rules Committee, Member

OPHELIA GOODEN-RODGERS, 2ND District Council Member

Community Relations Committee, Chairperson

Public Works & Property Vacation Committee, Chairperson

Community Investment Committee, Member

PARC Committee, Member

Personnel & Finance Committee, Member

Residential Neighborhoods Committee, Member

Utilities Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

PARC Committee, Chairperson

Health & Public Safety Committee, Member

Information & Technology Committee, Member

Residential Neighborhoods Committee, Member

Utilities Committee, Member

TROY WARNER, 4TH District Council Member

Chairperson, Committee of the Whole

Community Investment Committee, Chairperson

Council Rules Committee, Member

Health and Public Safety, Vice-Chairperson

PARC Committee, Member

Public Works & Property Vacation, Member

Sub-Committee on the Minutes, Member

Zoning & Annexation Committee, Member

SHERRY BOLDEN-SIMPSON, 5TH District Council Member

Utilities Committee, Chairperson

Community Relations Committee, Member

Information & Technology, Vice-Chairperson

Community Investment Committee, Member

Residential Neighborhoods Committee, Member

Sub-Committee on Minutes, Member

SHEILA NIEZGODSKI, 6TH District Council Member

Vice-President

Personnel & Finance Committee, Chairperson

Community Relations Committee, Member

Council Rules Committee, Member

Health & Public Safety Committee, Member

Public Works & Property Vacation, Vice-Chairperson

Utilities Committee, Member

Residential Neighborhoods Committee, Vice-Chairperson

DR. OLIVER DAVIS, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

Health & Public Safety Committee, Member

Information & Technology Committee, Member

Utilities Committee, Member

Public Works & Property Vacation Committee, Member

RACHEL TOMAS MORGAN, AT LARGE Council Member

Health & Public Safety Committee, Chairperson

Personnel & Finance Committee, Member

Information & Technology Committee, Chairperson

Utilities, Vice-Chairperson

Zoning & Annexation Committee, Vice-Chairperson

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhoods Committee, Chairperson

Community Relations Committee, Vice-Chairperson

Community Investment Committee, Vice-Chairperson

PARC Committee, Vice-Chairperson

Personnel & Finance Committee, Vice-Chairperson

Zoning & Annexation Committee, Member

26-06



CITY OF SOUTH BEND

COMMUNITY INVESTMENT

February 16, 2026

Filed in Clerk's Office

Council Member Troy Warner
Chairperson, Community Investment Committee
South Bend Common Council
South Bend City Hall, 3rd Floor
South Bend, Indiana 46601

Feb 16, 2026

Bianca Tirado
City Clerk, South Bend, IN

RE: **Confirming Resolution**: Retail Development Real Property Tax Abatement Petition for **David A Nufer, LLC (Burton's Laundry)**

Dear Council Member Warner,

Please find the enclosed Confirming Resolution and Memorandum of Agreement for a retail development real property tax abatement for David A Nufer, LLC, an Indiana Limited Liability Company. The petitioner plans to build a new Burton's Laundromat at currently vacant property located at the northeast corner of the intersection of S. Main Street and W. Eckman Street. The facility will be approximately 4,300 square feet and would create four (4) new jobs.

The total investment for this project is \$2,000,000. The project meets the qualifications for an six-year (6) retail development real property tax abatement.

A representative from David A Nufer, LLC (Burton's Laundry) will be available to meet with the Committee on Monday, February 23, 2026.

If you or other Council members have questions about the report or need additional information, please feel free to call me at (574) 235-5838.

Sincerely,

Erik Glavich
Director, Growth and Opportunity

Feb 16, 2026

Bianca Tirado
City Clerk, South Bend, IN

BILL NO. 26-06
RESOLUTION NO. _____

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

2614-2626 S. Main Street, South Bend, Indiana 46614

AND

109 W. Eckman Street, South Bend, Indiana 46614

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A
SIX-YEAR (6) REAL PROPERTY TAX ABATEMENT FOR

David A Nufer, LLC

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

WHEREAS, a Declaratory Resolution designated the area described as:

Key Number: 71-08-24-105-005.000-026
Local Parcel Number: 018-8014-0644
Commonly Known As: 2614 S. Main Street
Legal Description: Lot 13 Oakside 1st Add

Key Number: 71-08-24-105-006.000-026
Local Parcel Number: 018-8014-0645
Commonly Known As: 2616 S. Main Street
Legal Description: Lot 14 Oakside 1st

Key Number: 71-08-24-105-007.000-026
Local Parcel Number: 018-8014-0646
Commonly Known As: 2626 S. Main Street
Legal Description: Lot 15 Oakside 1st

Key Number: 71-08-24-105-009.000-026
Local Parcel Number: 018-8014-0648
Commonly Known As: 109 W. Eckman Street

Legal Description: *Lot 16 Oakside 1st Add 24/25 Cons W/0647 per owners req*

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, 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; and

WHEREAS, the Council adopted Declaratory Resolution No. 5162-26 on February 9, 2026.

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 retail development real property tax abatement only and shall expire on December 31, 2028.

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 six (6) years as shown by the schedule outlined below as well as 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.

Year 1 - 100%
Year 2 - 95%
Year 3 - 90%
Year 4 - 85%
Year 5 - 80%
Year 6 - 70%

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.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ___ day of _____, 2026, at ___ o'clock .m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2026, at ___ o'clock
____.m.

James Mueller, Mayor
City of South Bend, Indiana

MEMORANDUM OF AGREEMENT

(RETAIL DEVELOPMENT REAL PROPERTY TAX ABATEMENT)

This Memorandum of Agreement (the “Agreement”) dated as of February 12, 2026, serves as confirmation of a commitment by **David A Nufer, LLC** (the “Applicant”), pending a February 23, 2026, public hearing, to comply with the project description, job creation and retention (and associated wage rates and salaries) figures contained in its petition, Statement of Benefits, and attachments and this Agreement.

1. Property Associated with the Abatement and Responsibilities of the Applicant. At the time of this Agreement, the property is located at 2614-2626 S. Main Street and 109 W. Eckman Street, South Bend, Indiana 46614, and has Key Numbers 71-08-24-105-005.000-026, 71-08-24-105-006.000-026, 71-08-24-105-007.000-026, and 71-08-24-105-009.000-026. Throughout the duration of the abatement, the Applicant shall promptly report any changes in the address or Key Number of the property receiving the abatement to the Department of Community Investment and to the Office of the City Clerk. Moreover, the Applicant also shall report any material changes or improvements made to the property subject to the abatement including changes as the result of subdividing, replatting, or otherwise. The Applicant agrees that failure to promptly report changes can result in a finding of noncompliance on behalf of the Applicant under the commitments of this Agreement.

2. Commitments of City and Applicant. Subject to the adoption of a Declaratory Resolution and a Confirmatory Resolution by the South Bend Common Council (the “SBCC”), the City of South Bend, Indiana (the “City”), commits to provide a **six-year (6) retail development real property tax abatement** for the Applicant, based on the Applicant’s commitment set forth in its Application. The Applicant commits to the following (the “Commitments”):

(a) making total combined real property expenditures of no less than One Million Two Hundred Thousand Dollars (\$1,200,000.00) for the construction of a new laundromat of approximately four thousand three hundred (4,300) square feet at property identified in Section 1 of this Agreement;

(b) creating at least four (4) permanent jobs with a total estimated annual payroll of at least Ninety-Six Thousand Dollars (\$96,000.00); and

(c) acting in good faith to complete the project as described in its Application.

3. Applicant’s Compliance with City and State Laws. During the term of the abatement, the Applicant shall comply with Chapter 2, Article 6, of the South Bend Municipal Code, entitled “Tax Abatement Procedures,” and all governing provisions of the Indiana Code. During the term of this abatement, the City may annually request information from the Applicant concerning the nature of the Project, the approved capital expenditure of the Project, the number of full-time permanent positions newly created by the Project, and the average wage rates and salaries (excluding benefits and overtime) associated with the positions, and the Applicant shall provide the City with adequate written evidence thereof within fifteen (15) days of such request (the “Annual Survey”). The City shall utilize this information and the information required to be filed by the Applicant in the CF-1 Compliance with the

Statement of Benefits form to verify that the Applicant has at all times complied with the Commitments after the Commitment Date and during the duration of the abatement and for no other purpose. The Applicant further agrees to provide the City with such additional information as requested by the City to determine Applicant's compliance with the Commitments and with local and state requirements within twenty (20) days following any such request. Notwithstanding anything herein to the contrary, the Applicant acknowledges that the City may be required to disclose certain documents provided by the Applicant as required by a court order or applicable law.

4. Substantial Compliance and Rights of Termination. The City, by and through the SBCC, reserves the right to terminate the Economic Revitalization Area designation and associated property tax abatement deductions if it reasonably determines that the Applicant has not made reasonable efforts to substantially comply with all the Commitments, as defined in Section 2 of this Agreement, and the Applicant's failure to substantially comply with the Commitments was not due to factors beyond its reasonable control, as described in Section 5 below.

5. Factors Beyond Control. As used in this Agreement, factors beyond the control of the Applicant shall only include factors not reasonably foreseeable at the time of designation application and submission of Statement of Benefits which are not caused by any act or omission of the Applicant, and which materially and adversely affect the ability of the Applicant to substantially comply with this Agreement. Applicant has the burden to communicate to the City any such factors in which it believes is beyond its control and impacting its ability to fulfill the terms of this Agreement or any tax abatement benefit provided to the City. The City reserves the right to investigate the factors cited by Applicant under this Section 5 to the fullest extent possible and may deny Applicant's request upon the completion of the City's investigation.

6. Repayment of Tax Abatement Savings. If at any time during the term of this Agreement the Applicant shall: (a) be delinquent or in default with respect to any tax payment in St. Joseph County, Indiana; or (b) cease operations at the facility for which the tax abatement was granted; or (c) announce the cessation of operations at such facility, then the City may immediately terminate the Economic Revitalization Area designation and associated tax abatement deductions, and upon such termination, require Applicant to repay all of the tax abatement savings received through the date of such termination.

7. Notice/Hearing of Termination. In the event that the City determines that the Economic Revitalization Area designation and associated tax abatement deductions should be terminated or that all or a portion of the tax abatement savings should be repaid, it will give the Applicant notice of such determination, including a written statement calculating the amount due from the Applicant, and will provide the Applicant with an opportunity to meet with the City's designated representatives to show cause why the abatement should not be terminated and/or the tax savings repaid. Such notice shall state the names of the person with whom the Applicant may meet and will provide that the Applicant shall have thirty (30) days from the date of such notice to arrange such meeting and to provide its evidence concerning why the abatement termination and/or tax savings repayment should not occur. If, after giving such notice and receiving such evidence, if any, the City determines that the abatement termination and/or the tax repayment action is proper, the Applicant shall be provided with written notice and a hearing before the SBCC before any final action shall be taken terminating the abatement

and/or requiring repayment of tax benefits. The Applicant shall be entitled to appeal that determination to a St. Joseph County Superior or Circuit Court.

8. **Repayment.** In the event the City requires repayment of the tax abatement savings as provided hereunder, it shall provide Applicant with a written statement calculating the amount due (the "Statement"), and Applicant shall make such repayment to the City within one hundred twenty (120) days of the date of the Statement. If the Applicant does not make timely repayment, the City shall be entitled to all reasonable costs and attorneys' fees incurred in the enforcement of this Agreement and the collection of the tax abatement savings required to be repaid hereunder.

9. **Modification/Entire Agreement.** This Agreement and the schedules attached hereto as Exhibit A contain the entire understanding between the City and the Applicant with respect to the subject matter hereof, and supersede all prior and contemporaneous agreements and understandings, inducements, and conditions, expressed or implied, oral, or written, except as herein contained. This Agreement may not be modified or amended other than by an agreement in writing signed by the City and the Applicant. The Applicant understands that any and all filings required to be made or actions required to be taken to initiate or maintain the abatement are solely the responsibility of the Applicant.

10. **Waivers.** Neither the failure nor any delay on the part of the City to exercise any right, remedy, power, or privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power, or privilege preclude any other or further exercise of the same or of any other right, remedy, power, or privilege with respect to any occurrence or be construed as a waiver of such right, remedy, power, or privilege with respect to any other occurrence. No waiver shall be effective unless it is in writing and is signed by the party asserted to have granted such waiver.

11. **Notices.** All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been received when delivered by hand or by facsimile (with confirmation by registered or certified mail) or on the third business day following the mailing, by registered or certified mail, postage prepaid, return receipt requested, thereof, addressed as set forth below:

If to Applicant: David A Nufer, LLC
2409 Mishawaka Avenue
South Bend, Indiana 46615
Attn: David Nufer

If to the City: City of South Bend, Indiana
215 S. Dr. Martin Luther King Jr. Boulevard
Suite 500
South Bend, Indiana 46601
Attn: Executive Director of Community Investment

12. **Governing Laws of Indiana.** This Agreement and all questions relating to its validity, interpretation, performance, and enforcement shall be governed by the laws and decisions of the courts of the State of Indiana.

13. Applicant's Consent to Jurisdiction. The Applicant hereby irrevocably consents to the jurisdiction of the Courts of the State of Indiana and of the St. Joseph County Circuit or Superior Court in connection with any action or proceeding arising out of or relating to this Agreement or any documents or instrument delivered with respect to any of the obligations hereunder, and any action related to this Agreement shall be brought in such County and in such Court.

14. Assignment and Transfer Prohibited. This Agreement shall be binding upon and inure to the benefit of the City and the Applicant and their successors and assigns, except (a) that no party may assign or transfer its rights or obligations under this Agreement without the prior written consent of the other party hereto, in which consent shall not be unreasonably withheld, and (b) Applicant may assign and transfer its rights under this Agreement to the Permitted Assign without prior written consent. "Permitted Assign" means the affiliated single purpose entity created for purposes of designing, constructing, owning, operating, and maintaining the project which is the subject of this Agreement.

15. Valid and Binding Agreement. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument. By executing this Agreement, each person so executing affirms that he has been duly authorized to execute this Agreement on behalf of such party and that this Agreement constitutes a valid and binding obligation of the party.

16. Severability. The provisions of this Agreement and of each section or other subdivision herein are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part unless this Agreement is rendered totally unenforceable thereby.

17. No Personal Liability. No official, director, officer, employee, or agent of the City shall be charged personally by the Applicant, its employees, or its agents with any liabilities or expenses of defense or be held personally liable to the Applicant under any term or provision of this Agreement or because of the execution by such party of this Agreement or because of any default by such party hereunder.

[Remainder of page intentionally blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

<p>“Applicant”</p> <p>David A Nufer, LLC</p> <p>By: <u>David A Nufer Member</u></p> <p>David A. Nufer Member</p> <p>Approved as to Legal Adequacy and Form this <u>13th</u> day of <u>Feb</u>, 2026.</p> <p>Counsel, South Bend Common Council</p>	<p>“City”</p> <p>City of South Bend, Indiana</p> <p>By: _____</p> <p>Canneth Lee President, South Bend Common Council</p> <p>By: _____</p> <p>Troy Warner Chairperson, Community Investment Committee</p> <p><u>[Signature]</u></p> <p>By: _____</p> <p>Erik Glavich Department of Community Investment</p> <p>By: _____</p> <p>James Mueller Mayor</p>
<p>_____</p> <p>Counsel for Applicant</p>	
<p>_____</p>	

EXHIBIT A

Abatement Schedule

Subject to the adoption by the SBCC of a resolution confirming the adoption of Declaratory Resolution No. 5162-26, the property owner is qualified for and is granted a retail development real property tax abatement for a period of six (6) years as shown by the schedule outlined below.

Year 1 - 100%
Year 2 - 95%
Year 3 - 90%
Year 4 - 85%
Year 5 - 80%
Year 6 - 70%

26-07



City of South Bend Common Council

300 City Hall • 215 S. Martin Luther King, Jr. Blvd.
South Bend, Indiana 46601

Filed in Clerk's Office

Feb 17, 2026

Bianca Tirado
City Clerk, South Bend, IN

February 17, 2026

Canneth Lee
President

Sheila Niezgodski
Vice President

Troy Warner
Chairperson, Committee
of the Whole

Canneth Lee
First District

Ophelia Gooden-Rodgers
Second District

Sharon L. McBride
Third District

Troy Warner
Fourth District

Sherry Bolden-Simpson
Fifth District

Sheila Niezgodski
Sixth District

Dr. Oliver Davis
At Large

Rachel Tomas Morgan
At Large

Karen L. White
At Large

South Bend Common Council

Attn: Council Member Gooden-Rodgers

215 S. Dt. Martin Luther King Jr. Blvd., 300

South Bend, IN 46601

**RE: A RESOLUTION OF THE CITY OF SOUTH BEND COMMON
COUNCIL APPOINTING MARLA GODETTE TO COMPLETE
THE CURRENTLY VACANT INITIAL TWO-YEAR TERM AS A
MEMBER OF THE COMMUNITY POLICE REVIEW BOARD
BOARD**

Dear Chairperson Gooden-Rodgers:

As you know, there is currently a vacancy on the Community Police Review Board. This proposed resolution appoints Marla Godette to fill the vacant unexpired initial two-year term.

Please file this proposed resolution and place it on the agenda for the Community Relations Committee meeting for February 23, 2026, and the full Council meeting later that evening.

Thank you for your consideration.

Sincerely yours,

Canneth Lee, President
South Bend Common Council



Feb 17, 2026

Bianca Tirado
City Clerk, South Bend, IN

BILL NO. 26-07

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SOUTH BEND COMMON COUNCIL
APPOINTING MARLA GODETTE TO COMPLETE THE CURRENTLY VACANT
INITIAL TWO-YEAR TERM AS A MEMBER OF THE COMMUNITY POLICE
REVIEW BOARD**

WHEREAS, Section 2-12.1.13(a)(3) of the South Bend Municipal Code addressing the Community Police Review Board provides in relevant part: **“After the term of each initial Member is completed, the Common Council shall appoint Members with each Member serving a three (3) year term or term or until their successors are appointed, but for no longer than sixty (60) days beyond the expiration of their term.”** and

WHEREAS, there is currently a vacancy among the members of the Review Board for an initial two-year term.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of South Bend appoints Marla Godette nominated by 3rd District Council Member Sharon McBride, to complete the currently vacant two-year term as a member of the Community Police Review Board.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ___ day of _____, 2026, at ___ o'clock .m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2026, at ____ o'clock
____.m.

James Mueller, Mayor
City of South Bend, Indiana

06-26



614 S Saint Joseph Street
South Bend, IN 46601
574.300.8041
charity.herdevelopment@gmail.com
www.herstoricdevelopment.com
@herstoricdevelopment

South Bend Common Council
3rd floor of City Hall
215 S. Dr. Martin Luther King Jr. Blvd.
South Bend, IN 46601

Filed in Clerk's Office

Feb 17, 2026

Bianca Tirado
City Clerk, South Bend, IN

February 17, 2026

Dear Honorable Council,

Please accept this Ordinance to vacate a portion of the street right-of-way as shown in the attached diagram. This alley is between 516 S Michigan and 520 S Michigan. The east portion of this alley that connects with St. Joseph St. has already been vacated, thus this section of alley dead ends into the alley between Michigan St and St. Joseph St. properties, and it is not useful right-of-way for any properties besides 516 and 520 S Michigan.

516 S Michigan is being developed by owners Charity Stowe and Rachel Mospan into mixed use residential and commercial space. Charity and Rachel also founded the 501(c)(3) non-profit Milkweed Gardens, Inc. which owns 520 S Michigan and is turning it into a public green space and park that will serve the neighborhood.

Herstoric Properties and our development partners are excited about the future development on this block. Formally vacating this right-of-way will allow for a more comprehensive design of the buildings, green spaces, and amenities being offered on this block of South Michigan.

We respectfully request approval to vacate the right-of-way as shown in the attached request. Thank you for your consideration. If you have any questions or concerns,

please feel free to reach out to me using contact information included in the attachments.

Warm regards,

A handwritten signature in black ink, appearing to read 'Charity Stowe', with a long, sweeping flourish extending to the right.

Charity Stowe

Managing Member

Herstoric Properties, LLC

Feb 13, 2026

Bianca Tirado
City Clerk, South Bend, IN

BILL NO. 06-26

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE EAST/WEST ALLEY SOUTH OF MONROE, BETWEEN 516 SOUTH MICHIGAN AND 520 SOUTH MICHIGAN, STARTING AT MICHIGAN ON THE WEST AND ENDING AT THE NORTH/SOUTH ALLEY BEHIND 516 SOUTH MICHIGAN ON THE EAST

STATEMENT OF PURPOSE AND INTENT

Petitioner requests the vacation in order to support planned development of a mixed use residential and commercial space at 516 S. Michigan and a public green space at 520 S. Michigan. The vacated area will be maintained as a paved area for use by both parcels.

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charged with the authority to hear all petitions to vacate public ways or public places within the City. The following Ordinances vacates the above-described public property.

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

SECTION I. The Common Council of the City of South Bend having held a Public Hearing on the petition to vacate the following property:

The east/west alley south of Monroe, between 516 S. Michigan and 520 S. Michigan, starting at Michigan on the west and ending at the alley behind 516 S. Michigan on the east, more particularly described as set forth in Exhibit A.

Hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas, water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

SECTION III. The following properties may be injuriously or beneficially affected by such vacating:

516 S Michigan Street – Parcel ID 018-3017-0646
520 S Michigan Street – Parcel ID 018-3017-0649

SECTION IV. The purpose of the vacation of the real property is to support planned development of a mixed use residential and commercial space at 516 S. Michigan and a public green space at 520 S. Michigan. The vacated area will be maintained as a paved area for use by both parcels.

SECTION V. The vacation is not subject to the elimination of the alley approach.

SECTION VI. This Ordinance shall be in full force and effect after adoption by the Common Council, approval by the Mayor, and any publication required by law, with an effective date of _____, 2026.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2026, at ____ o'clock .m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2026, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Exhibit A



507

511 1/2

S Michigan, St

Mobil High-quality diesel near me

Athena Bitcoin ATM

Sterling Learning Center

St Peter Claver Catholic Worker

Alley

512

516

520

519 1/2

Dismas House of Indiana

530

523

Sidney Henry Auto Sales Used car dealer

Google

115

531

CITY HALL
215 S. MARTIN LUTHER KING JR. BLVD.,
SUITE 400
SOUTH BEND, INDIANA 46601-1830



PHONE 574/235-9251
FAX 574/235-9171

CITY OF SOUTH BEND JAMES MUELLER, MAYOR
BOARD OF PUBLIC WORKS

December 16, 2025

Ms. Rachel Mospan
516 S. Michigan St.
South Bend, IN 46601
rachelmospan@gmail.com

RE: Alley/Street Vacation – East/West Alley Between 516 S. Michigan St. & 520 S. Michigan St.
(Preliminary Review)

Dear Ms. Mospan:

At its December 16, 2025 meeting, the Board of Public Works reviewed comments by the Engineering Division, Community Investment, Fire Department, Police Department. The following comments and recommendations were submitted:

Per IC 36-7-3-13, the vacation would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous. The vacation would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation would not hinder the public's access to a church, school or other public building or place. The vacation would not hinder the use of a public right of way by the neighborhood in which it is located or to which it is contiguous.

Therefore, the Board of Public Works submitted a **favorable** recommendation for the vacation of this alley. If you still wish to pursue this alley vacation, please bring this BPW Recommendation Packet to the City Clerk's Office, located on the 3rd Floor of City Hall. Alley/Street vacations require a presentation to the Common Council, approval of an ordinance, and certification of the ordinance from the Mayor. The property then must be recorded with the Recorder's Office to ensure that your 50% ownership of the property is appropriately transferred to your name. If you have any questions about how the alley vacation will affect your property taxes, please contact the Auditor's Office.

In its Ordinance, the City of South Bend Common Council included the Board of Public Works' requirement that you **eliminate the alley approach by hiring a private contractor bonded with the City to tear out the approach, replace with curb, and establish a tree lawn in accordance with City standards and specifications**. These updates should be made within ninety (90) days of final approval from the Common Council. Please notify us when this work is complete. If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Hillary Horvath

Hillary Horvath, Clerk



**INTEROFFICE MEMORANDUM
BOARD OF PUBLIC WORKS**

DATE: June 30, 2025

TO: Kyle Ludlow, Public Works
Zach Hurst, Engineering
Chris Dressel, Community Investment
Derek Erquhart, Fire Department
Brad Rohrscheib, Police Department

FROM: Hillary Horvath, Clerk (hhorvath@southbendin.gov)

SUBJECT: REQUEST FOR RECOMMENDATIONS – ALLEY VACATION

APPLICANT: Rachel Mospan

LOCATION: 618 S. St. Joseph St. and 516 N. Michigan St.

PLEASE INSERT YOUR RECOMMENDATIONS IN THE APPROPRIATE FIELD BELOW, BASED ON THE FOLLOWING I.C. 36-7-3-13 CRITERIA:

1. The vacation would/would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation would/would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation would/would not hinder the public's access to a church, school or other public building or place.
4. The vacation would/would not hinder the use of a public right-of-way by the neighborhood in which it is located or to which it is contiguous.

PUBLIC WORKS/ENGINEERING: Favorable Recommendation

COMMUNITY INVESTMENT: Favorable.

FIRE: Favorable Recommendation

POLICE: Favorable recommendation



STREET/ALLEY VACATION BPW APPLICATION

City of South Bend – Board of Public Works
227 W. Jefferson Boulevard, Ste. 1316
South Bend, IN 46601

Date: 6/27/2025

Phone #: 3125900062

Name: Rachel Mospan

E-mail: rachelmospan@gmail.com

Property Address: 516 S Michigan St, South Bend, IN 46601

Applicant property information: Residential Commercial Industrial

Describe the general street/alley location with boundaries (Ex: 1st East/West Alley, west of St. Peter St and north of Howard St):

east/west running alley south of Monroe, between 516 S Michigan and 520 S Michigan, starts at Michigan on the west and ends at the back alley behind 516 S Michigan to the east (i.e. the alley does not continue east to the next block which is S St. Joseph)

Describe the reason for the request, proposed use, and any changes made to the request following from preliminary review:

Charity Stowe and Rachel Mospan are the owners of Herstoric Properties which owns 516 S Michigan. Chartity and Rachel also founded and serve on the board of the 501c3 non-profit Milkweed Gardens, Inc. which owns 520 S Michigan. 516 S Michigan is being developed into mixed use residential and commercial space. 520 S Michigan will be developed into a public green space/ pocket park that will serve the adjacent buildings as well as the neighborhood. We'd like ownership of the alley to be attached to 516 S michigan (as opposed to splitting 50/50). It will be maintained as a paved area for use by both 516 and 520.

The following MUST be attached to this application:

- \$300 payment (check or money order)
- Preliminary review form with staff comments

Office Use Only

Fee Paid Date: 6/30/2025

Check/Money Order #: CK#889001

BPW Recommendation: Favorable Not Favorable

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS

Elizabeth A. Maradik, President

Joseph R. Molnar, Vice President

Gary A. Gilot, Member

Breana Micou, Member

Murray L. Miller, Member

Attest: Hillary R. Horvath, Clerk

Date: December 16, 2025

This application expires 90 days from the BPW meeting date, which is March 16, 2026.



STREET/ALLEY VACATION PRELIMINARY REVIEW

City of South Bend – Board of Public Works
227 W. Jefferson Boulevard, Ste. 1316
South Bend, IN 46601

Date: 9/30/2024 **Phone #:** 3125900062
Name: Rachel Mospan **Email:** rachelmospan@gmail.com

Property Address: 516 S Michigan St, South Bend, IN 46601

Applicant property information: Residential Commercial Industrial

Describe the general street/alley location with boundaries (Ex: 1st East/West Alley, west of St. Peter St and north of Howard St):
 east/west alley south of Monroe, between 516 S Michigan and 520 S Michigan, starts at Michigan on the west and ends at the back alley behind 516 S Michigan to the east (i.e. the alley does not continue east to the next block which is S St. Joseph)

Is your property adjacent to the street/alley of interest? Yes No
Do any property owners currently access the street/alley? Yes No
Is there a future property development plan associated with this request? Yes No

Describe the reason for this vacation request and proposed use :

Charity Stowe and Rachel Mospan are the owners of Herstoric Properties which owns 516 S Michigan. Charity and Rachel also founded the non-profit Milkweed Gardens which owns 520 S Michigan. 516 S Michigan is being developed into mixed use residential and commercial space. 520 S Michigan will be developed into a public greenspace/ pocket park that will serve the adjacent buildings as well as the neighborhood. We'd like ownership of the alley to be attached to 516 S Michigan (as opposed to splitting 50/50). It will most likely be maintained as a paved area for use by both 516 and 520.
 (Note: the boxes in the Office Use Only section were auto-populated when I checked the boxes above. I wasn't able to uncheck them.)

This is a request for preliminary review of alley or street vacation with regard to Board of Public Works basic criteria. Staff will review the information provided and give feedback to the applicant.

OFFICE USE ONLY:

Do less than 50% of properties on the full block have direct street access? Yes No
Is this the only midblock connection? Yes No
Is the block length greater than 600'? Yes No
Will the vacation result in: dead end alley, interference with bike route, violations of minimum traffic safety standards? Yes No
Are there public or private utilities in the alley? Yes No

Preliminary Staff Comments:

DCI responds with a favorable request that includes removal of the alley approach. The ownership of the vacated alley is not determined through the vacation process, it will default to split ownership of the formewr ROW and added to adjacent properties.

