



SOUTH BEND COMMON COUNCIL

MEETING AGENDA

Monday, May 9, 2016

7:00 P.M.

1. **INVOCATION**
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL**
4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**
5. **SPECIAL BUSINESS**
6. **REPORTS FROM CITY OFFICES- MAYOR PETER BUTTIGIEG**
7. **COMMITTEE OF THE WHOLE** **TIME: _____**

BILL NO.

[12-16](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 6 OF THE *SOUTH BEND MUNICIPAL CODE* BY THE INCLUSION OF NEW ARTICLE 10 ENTITLED LANDLORD REGISTRATION PROGRAM

8. **BILLS ON THIRD READING** **TIME: _____**

BILL NO.

[09-16](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN PORTAGE TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 6, FOR 22027 STATE ROAD 23, SOUTH BEND, INDIANA

[12-16](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 6 OF THE *SOUTH BEND MUNICIPAL CODE* BY THE INCLUSION OF NEW ARTICLE 10 ENTITLED LANDLORD REGISTRATION PROGRAM

9. RESOLUTIONS

BILL NO.

- [15-106](#) 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 1915 BENDIX DRIVE, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (2) TWO-YEAR VACANT BUILDING TAX ABATEMENT FOR APPLETREE ASSOCIATES, LP
- [16-38](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE AREA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 2926-3302 WEST SAMPLE STREET SOUTH BEND, IN 46628
- [16-42](#) A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 4004 TECHNOLOGY DRIVE, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR: THE LEBERMUTH COMPANY, INC.
- [16-43](#) A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 3605 W. CLEVELAND RD, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR: FEDERAL-MOGUL POWERTRAIN, LLC
- [16-48](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPOINTING AN AGENT/NEGOTIATOR TO REPRESENT THE COMMON COUNCIL AND ADDRESSING AN ADVISORY CITY NEGOTIATING TEAM FOR THE 2016 SOUTH BEND POLICE DEPARTMENT LABOR NEGOTIATIONS

10. BILLS ON FIRST READING

BILL NO.

- [24-16](#) FIRST READING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 539 CRESCENT AVENUE, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

11. UNFINISHED BUSINESS

BILL NO.

16-46

A RESOLUTION TO ESTABLISH A 9-MEMBER ADVISORY SPECIAL COMMITTEE TO STUDY AND RECOMMEND ALL REASONABLE AND VIABLE OPTIONS FOR MULTIPLE OFF LEASH DOG PARKS TO BE LOCATED IN THE CITY SOUTH BEND, INDIANA

12. NEW BUSINESS

13. PRIVILEGE OF THE FLOOR

14. ADJOURNMENT

TIME: _____

Notice for Hearing and Sight Impaired Persons

Auxiliary Aid Or Other Services Are 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 official text 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.



OFFICE OF THE CITY CLERK

KAREEMAH FOWLER, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: KAREEMAH FOWLER, CITY CLERK
DATE: MAY 5, 2016
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **MONDAY, MAY 9, 2016** at:

Council Informal Meeting Room
4th Floor County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601

3:30 P.M. **ZONING & ANNEXATION** **OLIVER DAVIS, CHAIRPERSON**
1. [Bill No. 16-38](#)- Special Exception for property at 2926-3302 West Sample

3:40 P.M. **COMMUNITY INVESTMENT** **GAVIN FERLIC, CHAIRPERSON**
1. [Bill No. 15-106](#)- Designating a two year Tax Abatement for Appletree Associates, LP
(1915 Bendix Dr.)- **SUBSTITUTE PETITION**

3:50 P.M. **HEALTH & PUBLIC SAFETY** **JOHN VOORDE, CHAIRPERSON**
1. [Bill No. 16-48](#)- Authorizing Agent/Negotiator for Upcoming Police Negotiations
2. [Bill No. 12-16](#)- Landlord Registration Program- **SUBSTITUTE BILL**

4:50 P.M. **UTILITIES** **DR. DAVID VARNER, CHAIRPERSON**
1. [Bill No. 23-16](#)- New rules and regulations for Installation Charges

Council President Tim Scott has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Utilities Committee.

INFORMAL MEETING OF THE COMMON COUNCIL **TIM SCOTT, COUNCIL PRESIDENT**

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

cc: Mayor Pete Buttigieg
Committee Meeting List
News Media

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

455 County-City Building • 227 W. Jefferson Boulevard • South Bend, Indiana 46601
Phone 574-235-9221 • Fax 574-235-9173 • TDD 574-235-5567 • www.SouthBendIN.gov

JENNIFER M. COFFMAN
CHIEF DEPUTY
CHIEF OF STAFF

ALKEYNA M. ALDRIDGE
DEPUTY CLERK
DIRECTOR OF POLICY

EMILY SEXTON
ORDINANCE VIOLATION CLERK



2016 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-6-16)

COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real & personal tax abatement requests.

Gavin Ferlic, Chairperson
Regina Williams-Preston, Vice-Chairperson

Oliver Davis, Member
Randy Kelly, Member

COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Office of Community Affairs and is charged with facilitating partnerships & ongoing communications with other public and private entities operating within the City.

Regina Williams-Preston, Chairperson
Randy Kelly, Vice-Chairperson

Gavin Ferlic, Member
Karen White, 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*.

Tim Scott, Member
Jo Broden, Member

Dr. David Varner, Member
Karen White

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.

John Voorde, Chairperson
Karen L. White, Vice-Chairperson

Oliver Davis, Member
Jo Broden, Member

INFORMATION AND TECHNOLOGY COMMITTEE

Oversees the various activities of the City's Division of Information Technologies in the Department of Administration & Finance 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 & access to GIS data and related technologies are just some of its many activities.

Tim Scott, Chairperson
Gavin Ferlic, Vice-Chairperson

Dave Varner, Member
Karen White, Member

PARC COMMITTEE (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Coveleski Regional Stadium, Morris Performing Arts Center, Stuebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, and the many recreational and leisure activities offered by the Department of Parks and Recreation.

Randy Kelly, Chairperson
Dr. Dave Varner, Vice-Chairperson

Oliver Davis, Member
John Voorde, Member



2016 COMMON COUNCIL STANDING COMMITTEES (Rev. 01-6-16)

PERSONNEL AND FINANCE COMMITTEE

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

Karen L. White, Chairperson
Gavin Ferlic, Vice-Chairperson

Regina Williams-Preston, Member
John Voorde, Member

PUBLIC WORKS AND PROPERTY VACATION COMMITTEE

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

Jo Broden, Chairperson
John Voorde, Vice-Chairperson

Randy Kelly, Member
Gavin Ferlic, Member

RESIDENTIAL NEIGHBORHOODS COMMITTEE

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

Karen White, Chairperson
Jo Broden, Vice-Chairperson

Regina Williams-Preston, Member
John Voorde, 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.

Dr. David Varner, Chairperson
Oliver Davis, Vice-Chairperson

Randy Kelly, Member
Regina Williams-Preston, 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.

Oliver Davis, Chairperson
John Voorde, Vice-Chairperson

Gavin Ferlic, Member
Jo Broden, 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

Tim Scott
Dr. David Varner



2016 COMMON COUNCIL STANDING COMMITTEES (Rev.01-6-16)

TIM SCOTT, 1ST District Council Member

PRESIDENT

Information and Technology, Chairperson

Council Rules Committee, Member
Sub-Committee on Minutes, Member

REGINA WILLIAMS-PRESTON 2nd District Council Member

Community Relations Committee, Chairperson
Community Investment Committee, Vice-Chairperson

Residential Neighborhood Committee, Member
Personnel & Finance Committee, Member
Utilities Committee, Member

RANDY KELLY, 3rd District Council Member

PARC Committee, Chairperson

Community Relations Committee, Vice Chairperson

Community Investment Committee, Member
Public Works & Property Vacation, Member
Utilities Committee, Member

JO BRODEN, 4TH District Council Member

Public Works & Property Vacation, Chairperson

Residential Neighborhood Committee, Vice-Chairperson

Council Rules Committee, Member
Health & Public Safety Committee, Member
Zoning & Annexation Committee, Member

DR. DAVID VARNER, 5TH District Council Member

Utilities Committee, Chairperson

PARC Committee, Vice-Chairperson

Information & Technology Committee, Member
Council Rules Committee, Member
Sub-Committee on Minutes, Member

OLIVER DAVIS, 6TH District Council Member

Zoning & Annexation Committee, Chairperson

Utilities Committee, Vice-Chairperson

Community Investment Committee, Member
Health & Public Safety Committee, Member
PARC Committee, Member

GAVIN FERLIC, AT LARGE Council Member

Chairperson, Committee of the Whole

Community Investment Committee, Chairperson

Information & Technology Committee, Vice-Chairperson
Personnel & Finance Committee, Vice-Chairperson

Community Relations Committee, Member
Public Works & Property Vacation, Member
Zoning & Annexation Committee, Member

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhood Committee, Chairperson

Personnel & Finance Committee, Chairperson

Health & Public Safety Committee, Vice-Chairperson

Community Relations Committee, Member
Information & Technology Committee, Member
Council Rules Committee, Member

JOHN VOORDE, AT LARGE Council Member

Health & Public Safety Committee, Chairperson

Public Works & Property Vacation, Vice-Chairperson
Zoning & Annexation Committee, Vice-Chairperson

Residential Neighborhood Committee, Member
PARC Committee, Member
Personnel & Finance Committee, Member



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

April 20, 2016

South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

RE: Bill #09-16
Rezoning: 22027 State Road 23

Dear Council Members:

The Area Plan Commission held a public hearing on April 19, 2016 for the above reference petition. This petition is set for public hearing before the Common Council on Monday, April 25, 2016.

Ordinance & Petition Amendments:

None

Public Hearing Summary:

There was no one present to speak in favor or against the petition.

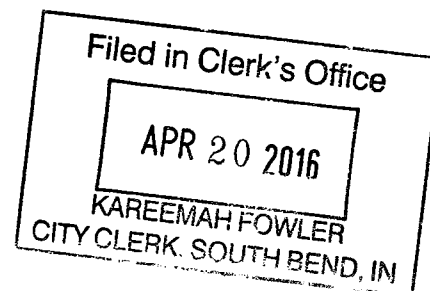
If you have any further questions, please feel free to contact me at (574) 235-9571.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Chappuies', written over a horizontal line.

Matthew Chappuies
Planner

CC: Kathleen Cekanski-Farrand





AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD. ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571
Wednesday, April 20, 2016

The Honorable Council of the City of South Bend
4th Floor, County-City Building
South Bend, IN 46601

RE: A proposed ordinance of Bruno & Rosa Cataldo to zone from A: Agricultural District (County) to CB Community Business District (City), property located at 22027 State Road 23, City of South Bend - APC# 2774-16.

Dear Council Members:

I hereby Certify that the above referenced ordinance of Bruno & Rosa Cataldo was legally advertised on Thursday, April 07, 2016 and that the Area Plan Commission at its public hearing on Tuesday, April 19, 2016 took the following action:

Upon a motion by John DeLee, being seconded by Oliver Davis and unanimously carried, the proposed ordinance of Bruno & Rosa Cataldo to zone from A: Agricultural District (County) to CB Community Business District (City), property located at 22027 State Road 23, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation. Rezoning this property to CB Community Business District will provide a logical connection between the industrial property to the east and the commercial node at the intersection of State Road 23 and the U.S. 31 bypass.

The deliberations of the Area Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, and will be forwarded to you at a later date to be made a part of this report.

Sincerely,

Lawrence P. Magliozzi

Attachment

CC: Bruno & Rosa Cataldo
Abonmarche Consultants, Inc.

Filed in Clerk's Office
APR 20 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN PORTAGE TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 6, FOR 22027 STATE ROAD 23, SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

PETITIONER SEEKING TO ANNEX AND REZONE PROPERTY FROM A: AGRICULTURAL DISTRICT IN UNINCORPORATED ST. JOSEPH COUNTY TO CB COMMUNITY BUSINESS DISTRICT WITHIN THE CITY OF SOUTH BEND FOR A GAS STATION, CONVENIENCE STORE, AND CB USES.

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

SECTION 1. That the following described real estate situated in St. Joseph County, Indiana, being contiguous by more than one-eighth (1/8) of its aggregate external boundaries with the present boundaries of the City of South Bend, Indiana, shall be and hereby is annexed to and brought within the City of South Bend:

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 2 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, 421.68 FEET NORTH OF THE CENTERLINE OF STATE ROAD 23; THENCE SOUTH 88°24' WEST, 768.80 FEET; THENCE SOUTH, 795.81 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 23; THENCE SOUTHEASTERLY, 175 FEET, MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD 23; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY, 794 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID EAST HALF; THENCE NORTH ALONG SAID EAST LINE, 470 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 12.8 ACRES, MORE OR LESS AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT-OF-WAY OF RECORD.

SECTION II. That the boundaries of the City of South Bend, Indiana, shall be and are hereby declared to be extended so as to include the real estate of the above described parcel as part of the City of South Bend, Indiana.

SECTION III. Ordinance No. 9495-04, as amended which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the above described real estate, with the exception of all adjacent right-of-ways, in the City of South Bend, St. Joseph County, Indiana be and the same is hereby established as CB COMMUNITY BUSINESS DISTRICT, provided, however, that the required established, and stated procedures for review of such zoning classification by the Area Plan Commission have been fully satisfied.

SECTION IV. This Ordinance shall be in full force and effect 30 days from and after its passage by the Common Council, approval by the Mayor, and legal publication.

Member of the Common Council

Attest:

City Clerk

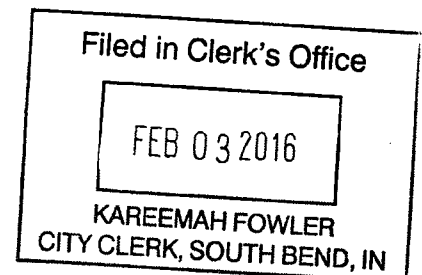
Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
DEFERRED
PASSED





The South Bend Common Council

4th Floor County-City Building
227 West Jefferson Boulevard
South Bend, Indiana 46601-1830
574.235.9321

Fax: 574.235.9173

TDD: 574.235.5567

May 3, 2016

The South Bend Common Council
4th Floor County-City Building
South Bend, Indiana 46601

Re: Substitute Bill No. 12-16 Proposed Landlord Registration Program

Dear Council Members:

We are filing a substitute version of the proposed ordinance which would establish a Landlord Registration Program in the City of South Bend. The main changes to the ordinance are located on page 5 in Section 6-44 (d-f) regarding Enforcement and Penalties. As well as Section 6-44 (h), Certified Mail, Return Receipt has been added as an option for notice of violation. All other provisions are identical to those filed on March 9, 2016 with the Office of the City Clerk.

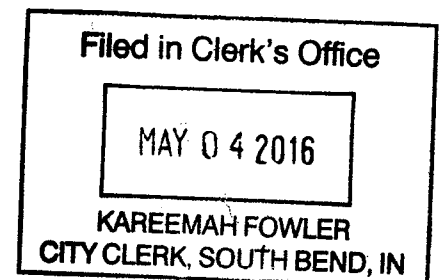
We look forward to discussing this Bill with you at the Council's Health and Public Safety Committee and next week's Council meeting. The ordinance aims to establish a registration program that assembles accurate information and is informative for landlords, tenants, and the general public. Thank you.

Most sincerely,


Tim Scott
1st District Council Member


Karen White
At-Large Council Member

Attachment



SUBSTITUTE BILL No. 12-16

ORDINANCE NO. _____

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA,
AMENDING CHAPTER 6 OF THE *SOUTH BEND MUNICIPAL CODE* BY THE INCLUSION OF
NEW ARTICLE 10 ENTITLED LANDLORD REGISTRATION PROGRAM**

STATEMENT OF PURPOSE AND INTENT

The South Bend Common Council, in collaboration with the City Administration, believe that the following landlord registration program is in the best interests of the City of South Bend. The regulations have been carefully drafted to comply with the new governing Indiana state law. In 2014, the Indiana Association of Realtors (IAR) worked with the Indiana General Assembly to pass HEA 1403 which “caps the amount a local unit can charge for landlord registry fees at \$5.00...” Some of the benefits of having such a local program which would incorporate best practices focus on:

- Acknowledging data from the U.S. Census Bureau last revised on December 2, 2015 which reported that 43.3 % of housing units in the City of South Bend are rental units
- Developing positive and improved communications and exchange of information among landlords, tenants and the community
- Maintaining a registration program which assembles accurate information and which is informative for landlords, tenants and the general public
- Enhancing housing quality and neighborhood stability through an improved informational system on rental properties

In the preparation of the proposed regulations, several ordinances and best practices were carefully reviewed with a particular emphasis on two (2) city ordinances which were passed after the new state law took effect. These included the Indianapolis landlord registration regulations, which took effect on January 1, 2015, as well as the rental registration program in Evansville which was approved on September 8, 2014, when their Council passed Ordinance No. G-2014-29.

Annual registration of property owners with the Department of Code Enforcement along with a fee of \$ 5.00 per property owner will be required. Failure to register would result in a \$300 fine.

The City of South Bend’s government website maintains a “Ten Tips Every Landlord Should Know” program in the interest of furthering collaboration between landlords and tenants. The City believes that the proposed registration program will enhance such opportunities throughout South Bend. The City’s website will be updated to include information on the Landlord Registration Program as part of its proactive outreach to the community.

Now, Therefore, Be It Ordained by the Common Council of the City of South Bend, Indiana, as follows:

Section I. Chapter 6 of the *South Bend Municipal Code* is amended by the inclusion of new Article 10 which shall read in its entirety as follows:

Article 10. Landlord Registration Program.

Sec. 6-40 Establishment of Landlord Registration Program.

- (a) Effective June 30, 2014, political subdivisions in the State of Indiana were authorized to establish and enforce registration programs for rental units within their jurisdiction, subject to certain conditions and limitations.
- (b) The South Bend Landlord Registration Program is established pursuant to the authority granted by the state.¹

Sec. 6-41 Definitions.

- (a) For purposes of this Article, the following definitions shall apply:
 - (1) *City* means the City of South Bend, Indiana.
 - (2) *Commercial domicile* has the meaning set forth in *Indiana Code* § 6-3-1-22.²
 - (3) *Department* means the Department of Code Enforcement established and addressed in Section 2-13 of the *South Bend Municipal Code*.
 - (4) *Key number* has the meaning set forth in *Indiana Code* § 6-1.1-1-8.5.
 - (5) *Landlord* has the meaning set forth in *Indiana Code* § 32-31-3-3.
 - (6) *Owner* has the meaning set forth in *Indiana Code* § 32-31-3-4.
 - (7) *Person* has the meaning set forth in *Indiana Code* § 32-31-3-5.
 - (8) *Rental unit* has the meaning set forth in *Indiana Code* § 32-31-3-8, except that an owner-occupied structure that:
 - i. Has no portion of the area thereof promised for the use of a residential unit; or
 - ii. Has a single sleeping unit being rented to a tenant shall not be considered a “Rental Unit”.
 - (9) *Rental unit community* has the meaning set forth in *Indiana Code* § 36-1-20-1.5.
 - (10) *Tenant* has the meaning set forth in *Indiana Code* § 32-31-3-10.

¹ Indiana House Enrolled Act 1403 (2014) added *Indiana Code* §36-1-20-1.5 defining “rental unit community”; amended Section 1 of *Indiana Code* §36-1-20-2, amended *Indiana Code* §36-1-20-3; added new sections *Indiana Code* §36-1-20-1.5, *Indiana Code* §36-1-20-4.1, *Indiana Code* §36-1-20-5, and *Indiana Code* §36-1-20-6.

² This definition is from Indiana’s tax regulations which requires the identification of the “principal place from which the trade or business of the taxpayer is directed or managed”.

- (b) All definitions referred to in this section which incorporate the state law definitions shall reflect the most recent version of the state law definitions.

Sec. 6-42 Registration Required and Elements of the Landlord Registration Program.³

- (a) Beginning September 15, 2016, all owners or landlords of rental units within the city must begin to register with the Department of Code Enforcement via a method or form prescribed by the department. However, to assist in the first-time implementation of the regulations under this Article, for calendar year 2016 only, registration shall be extended to December 30, 2016. The registration form shall include the following:
- (1) The name, telephone number, email address and the commercial domicile address of the owner's physical business location. Additional listing of a secondary address which is not required to be physical, may also be given when used for availability to the public;
 - (2) The name and address of:
 - a. The person(s) residing in Indiana authorized to manage the rental unit; and
 - b. The person listed as the "responsible party" with the Internal Revenue Service;⁴ and
 - c. The person who is authorized to act as agent for the owner for purposes of service of process and receiving and receipting for notices and demands on record with the Indiana Secretary of State's Business Services Division; and
 - d. The property manager, if any, licensed by the Indiana Real Estate Commission.⁵
 - (3) Real property tax identification key number of each rental unit and/or rental unit community which the owner or landlord is submitting for registration purposes under this Article;
 - (4) An affirmation of whether or not the rental units, the real property of which the rental units are a part, and any other rental unit property owned or registered by the owner in the city, are subject to any unremediated citation or violation of the state and local codes and ordinances;

³ All landlords and owners are also required to comply to the applicable provisions of the City of South Bend's Human Rights Ordinance which are codified in *South Bend Municipal Code* § 2-126 through § 2-132.1., as well as applicable provisions of federal and state laws which include but are not limited to the Fair Housing Act which is Title VIII of the Civil Rights Act of 1968 codified at 42 *United States Code* § 3601 *et seq.*; the Architectural Barriers Act of 1968 codified at 42 *United States Code* § 4151, *et seq.*; Title II of the Americans With Disabilities Act of 1990 (ADA), codified at 42 *United States Code* § 12131, *et seq.*; and the Indiana Civil Rights Act codified at *Indiana Code* § 22-9-5.

⁴ The Internal Revenue Service requires the disclosure of the "name and taxpayer identification number of the true responsible party for the entity requesting an Employer Identification Number (EIN)".

⁵ *Indiana Code* § 25-34.1 sets for the Real Estate Brokers and Salespersons state law. Property management is covered under the broker and salesman's licenses by including renting, leasing, and managing covered activities. Limited exemptions are provided for such as "owners who only regulate activities are in relation to a maximum of 12 apartment units located on a single or contiguous parcels of land may rent them without a license".

- (5) An affirmation of whether or not there is more than one (1) delinquent payment of real property taxes, assessments, or penalties (other than those that are the subject of an ongoing appeal or bankruptcy proceeding) with respect to the property or any other rental unit property owned or registered by the owner in the city;
- (6) A statement of the number of rental units on each separate parcel of real property covered by the registration.

In the event of affirmation that the owner or landlord acknowledges that he or she does have real property with un-remediated citations as addressed in sub-paragraph (4) and/or more than one (1) delinquent payment of items addressed in sub-paragraph (5), the applicant shall be required to work with the issuing Department or Agency to amicably resolve such matters.

- (b) Beginning September 15, 2016, an owner or landlord of a rental unit must pay to the Department of Code Enforcement an initial registration fee of five dollars (\$5.00), with all such fees deposited into the Landlord Registration Fund. However, to assist in the first-time implementation of the regulations under this Article, for calendar year 2016 only, registration shall be extended to December 30, 2016. Only one (1) registration fee is required for all rental units in a rental unit community. If a rental unit is not part of a rental unit community, a separate registration fee must be paid for each separate parcel of real property on which a rental unit is located, unless they are all registered at the same time.
- (c) In the event of a change of ownership, the new owner or landlord must, not later than thirty (30) days after the change of ownership, pay the registration fee of five dollars (\$5.00) and provide updated registration information to the Department of Code Enforcement. The effective date of new ownership will be the date the property was transferred or the date the deed was recorded, whichever occurs earlier.
- (d) Registrations must be renewed annually with the Department of Code Enforcement. The renewal fee shall be five dollars (\$5.00), with all such fees deposited into the Landlord Registration Fund.
- (e) The owner or landlord must notify in writing the Department of Code Enforcement within thirty (30) days of any changes to the registration information.

Sec. 6-43 Landlord Registration Fund.

A special fund designated as the "Landlord Registration Fund", Fund No. 221, is created. It shall be a continuing, non-reverting fund, with all balances remaining therein at the end of the year, with such balances not reverting to the City's General Fund. All fees assessed and collected under this Article shall be deposited into this fund, with such monies being dedicated solely to reimbursing the costs actually incurred which are related to the South Bend Landlord Registration Program. This fund will be subject to annual appropriation by the South Bend Common Council.

Sec. 6-44 Enforcement and Penalties

- (a) This Article shall be enforced by the Department of Code Enforcement or an authorized designee.

- (b) Failure to register as required by Section 6-42 of the *South Bend Municipal Code* is subject to a civil penalty of five hundred dollars (\$500.00) for each rental unit or rental unit community in violation.
- (c) Submitting an incomplete registration form is subject to a civil penalty of one hundred dollars (\$100.00).
- (d) Providing any false, material misrepresentation or false statement on each filing of a registration form required in Section 6-42 is subject to a civil penalty of one thousand dollars (\$1,000.00) for the first offense. Any subsequent offenses will be referred to the St. Joseph County Prosecutor's Office for appropriate action.⁶
- (e) Failure to update the registration within thirty (30) days of a change in ownership and/or registration information, as required by Section 6-42 of the *South Bend Municipal Code*, is subject to a civil penalty of three hundred dollars (\$300.00).
- (f) Failure to renew the registration as required by Section 6-42 of the *South Bend Municipal Code* is subject to a civil penalty of three hundred dollars (\$300.00).
- (g) Civil penalties paid in response to violating this Article shall be deposited into the Landlord Registration Fund, Fund No. 221. Such civil penalty monies shall be kept segregated from fees deposited into this fund for accounting purposes, and shall be subject to appropriation by the South Bend Common Council for the replacement of curbs and/or sidewalks which may be located contiguous to a property registered under this program. Location determination shall be based on a public safety priority need basis, as determined by the City's Department of Public Works Director.
- (h) The penalties allowed under subsections (a) through (f) of this section may not be imposed until after:
 - (1) A notice of violation has been issued to the owner or landlord or the owner's or landlord's designee by personal service or by First Class United States Mail, Postage Prepaid and/or United States Certified Mail, Return Receipt.
 - (2) Passage of thirty (30) days from receipt of the notice based upon First Class United States Mail, Postage Prepaid and/or United States Certified Mail, Return Receipt, which must be stated in the notice for the violation to be cured; and
 - (3) Failure of the owner or landlord or the owner's or landlord's designee to cure the violation within the time stated in the notice.

Sec. 6-45 Performance Measures and Reporting.

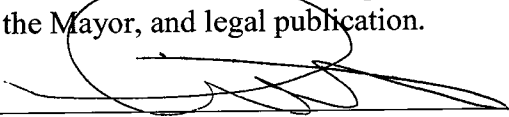
As part of the annual report, the Department of Code Enforcement shall measure the success of the Landlord Registration Program using the following performance measures, which may be supplemented with additional performance measures:

⁶ *Indiana Code* § 35-43-5-2 sets forth state regulations addressing application fraud.

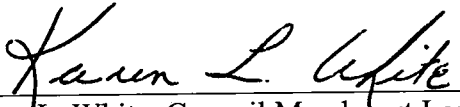
- (a) Number of landlords registered under the Program;
- (b) Number of parcels identified by their individual real property tax identification key number under the Program;
- (c) Number of fines and civil penalties issued, the number and amount of fines and civil penalties collected, the number and amount of fines and civil penalties unpaid and the status of their collection with such data being organized by the category of the civil penalty identified in the notice of violation; and
- (d) Status of balances of the Landlord Registration Fund, Fund No. 221 identifying fees and civil penalty dollars transactions separately.

Section II. If any part, subsection, section, paragraph, sub-paragraph, sentence, clause, phrase or word of this ordinance is for any reason declared to be unconstitutional or otherwise invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section III. This ordinance shall be in full force and effect on September 15, 2016, from and after its passage by the Common Council, approval by the Mayor, and legal publication.



 Tim Scott, 1st District Council Member
 South Bend Common Council



 Karen L. White, Council Member at Large
 South Bend Common Council

Attest:

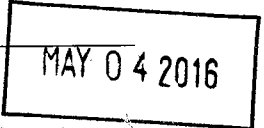
Office of the City Clerk

Presented by me to Pete Buttigieg, the Mayor of the City of South Bend, Indiana, on the ____ day of _____, 2016, at _____ o'clock __. m.

Office of the City Clerk

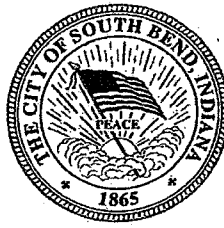
Approved and signed by me on the ____ day of _____, 2016, at _____ o'clock __. m.

Pete Buttigieg, Mayor
City of South Bend, Indiana

Filed in Clerk's Office

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

1st READING
 PUBLIC HEARING
 3rd READING
 NOT APPROVED
 REFERRED
 PASSED

227 W. JEFFERSON BOULEVARD
SUITE 1400 S.
SOUTH BEND, IN 46601-1830



PHONE: 574/235-9371
FAX: 574/235-9021

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
COMMUNITY INVESTMENT

May 4, 2016

Council Member Gavin Ferlic, Chairperson
Community Investment Committee
South Bend Common Council
4th Floor, County City Building
South Bend, IN 46601

RE: Vacant Building Tax Abatement Petition for:
Appletree Associates, LP

Dear Council Member Ferlic:

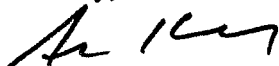
Please find the attached information pertaining to a vacant building tax abatement petition for Appletree Associates, LP:

- > Department of Community Investment's summary report
- > Copy of the petition
- > Statement of Benefits form
- > Supporting information.

The report contains the Department's findings relative to the above petition. The project meets the qualifications for a (2) two year vacant building tax abatement. A representative from Appletree Associates, LP will be available to meet with the Committee on Monday, May 9, 2016.

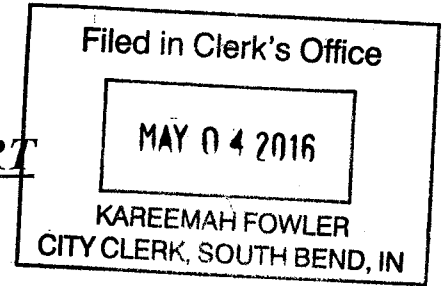
Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at 235-5823.

Sincerely,


Aaron Kobb
Director Economic Resources

Filed in Clerk's Office
MAY 04 2016
KAREEMAH FOWLER CITY CLERK, SOUTH BEND, IN

TAX ABATEMENT REPORT



TO: SOUTH BEND COMMON COUNCIL

FROM: AARON KOB

SUBJECT: VACANT BUILDING PROPERTY TAX ABATEMENT PETITION FOR:
Appletree Associates, LP

DATE: May 4, 2016

On Wednesday, May 4, 2016, a substitute petition from Appletree Associates, LP was received and subsequently filed with the City Clerk for vacant building property tax abatement consideration for property to be located at 1915 Bendix Drive, South Bend, IN 46628. Pursuant to Chapter 2, Article 6, Section 2-84.2 of the Municipal Code of the City of South Bend, this petition was referred to the Department of Community Investment for purposes of investigation and preparation of a report determining whether the area qualifies as an Economic Revitalization Area pursuant to I.C.6-1.1-12.1 and whether all zoning requirements have been met.

The Department of Community Investment has reviewed the petition (a copy of which is attached), investigated the area, and makes the following report.

PROJECT SUMMARY

- This 64,500 sq. ft. facility includes production, warehouse, and office space on 4.45 acres adjacent to the South Bend Airport and has been vacant since 2007. Royal Adhesive wishes to move into the facility in order to expand their current operations and help revitalize the area.
- Private investment of approximately \$182,000 towards building improvements and \$133,000 towards new machinery and equipment and other upgrades
- Total project taxes during two year abatement period – \$62,932
- Estimated taxes being abated during two year abatement period – \$39,188
- Total taxes to be paid during two year abatement period – \$23,744

EMPLOYMENT IMPACT

Per the petition, it is estimated that the total project will:

- Create three (3) permanent, full-time during the two year abatement period, representing a new annual payroll of \$121,805

ABATEMENT QUALIFICATION

1. A review of the tax abatements previously granted, finds that the petitioner has not been granted or associated with any previous abatements.
2. The Building Commissioner has reviewed the petition and finds the property to be properly zoned for the proposed project.
3. A review of the South Bend Redevelopment designation areas finds that the property is located in the River West Development Area.
4. A review of the Tax Abatement Ordinance No. 9394-03 finds that the petitioner meets the qualifications for a two (2) vacant building tax abatement under section IC. 6-1.1-12.1-4.8.

New Project Investments								
Calendar Year	2015	2016	2017	2018	2019	2020	2021	2022
Land Acquisition								
Building Lease Payments		\$ 125,775	\$ 125,775	\$ 125,775	\$ 125,775	\$ 125,775	\$ 31,444	
Building Purchase Costs								
New Building Construction								
Existing Building Improvements		\$ 166,284	\$ 16,000					
New Machinery & Equipment		\$ 63,750						
Special Flooring/Retrofits		\$ 0						
New Furniture/Fixtures		\$ 15,000						
New Computer/IT Hardware		\$ 25,000						
New Software		\$ 12,000						
On-Site Rail Infrastructure		\$ 0						
Off-Site Rail Infrastructure		\$ 18,164						
TOTAL								

Full-Time Permanent Indiana-Resident Positions by Calendar Year						
Calendar Year	Jobs retained	Total hourly wage w/ fringe or bonus	Compliance of new full-time permanent jobs created at project	Hourly average wage w/o benefits or bonuses of new full-time permanent jobs created at project	Total training expenditure for cumulative	Total jobs trained not cumulative
2015						
2016			3	\$19.52	\$3500	2
2017						
2018						
2019						
2020						
2021						
2022						
2023						
2024						
2025						
2026						

Provide hourly wage information for new employees in the following positions.

	Hourly	Part-time
Laborers	\$21.03	
Technical		
Managerial		
Administrative	\$16.50	

Who will be the individual responsible for coordinating with WorkOne on recruiting? **Patty Myers, Human Resource Manager**

Does your company have an EEO hiring policy? **Yes** Are you an EEO employer? **Yes**

Please list the number of full time and part time minority and/or female employees for each of the last three years:

Year	2023		2022		2021		Please describe your commitment to diversity and inclusion by detailing your outreach and recruitment efforts for the last three years as well as current policies.
	Full Time	Part-time	Full-time	Part-time	Full-time	Part-time	
Black							
Hispanic							
Asian							
Indian							
Female							
Other							

**Complete below for Real or Personal Property Tax Abatement only.
Please sign for all requested incentives.**

Public Benefit Item					
Information is required on both the construction companies and the companies which will provide materials purchased for this project. Please complete the table below with the appropriate information. If you qualify for the points, please enter the full amount of available points.		Qualify (Yes or No)	Earned Points	Available Points	
1	Construction Related (Contractors)				
	A.	Employ Local Companies (75%)	YES	20	20
	B.	Purchase Materials from Local Companies (75%)	YES	20	20
	C.	Require Employees vs. Independent Contractors	NO		19
	D.	Require Prevailing Wage (Davis Bacon)	NO		22
	E.	Require Health Benefits	NO		22
	F.	Require Pension Benefits	NO		18
	G.	Maintain Affirmative Action Plan	NO		20
		Sub-total Construction Related		40	141
2	Wage & Benefit Related (Owner)				
	A.	Pay Target Wage Levels	YES	33	33
	B.	Provide Health Benefits	YES	34	34
	C.	Provide Pension Benefits	YES	29	29
	D.	Provide Training	YES	28	28
	E.	Provide Child Care	NO		15
	F.	Provide Transportation Assistance	NO		14
	G.	Provide Employer Assisted Housing Program	NO		9
	Sub-total Wage & Benefit Related		124	162	
3	Workforce Related				
	A.	Create New Jobs	YES	42	42
	B.	Retain Existing Jobs	YES	41	41
	C.	Maintain Affirmative Action Plan	YES	35	35
	D.	Provide Targeted Hiring Preferences	NO		34
	Sub-total Workforce Related		118	152	
4	Support a Municipal Facility				
	A.	Support a SB Municipal Facility (donation to the zoo, conservatory, museum, etc.)	NO		84
	Name of facility				
	Sub-total Municipal Facility			84	
Sub-total from Above			282	539	

Wasee

The undersigned owner(s) of real property, located within the City of South Bend, hereby petition the Common Council of the City of South Bend for a real and/or personal property tax abatement consideration and pursuant to IC 5-11-12-1, et seq., and South Bend Municipal Code Sec. 2-76 et seq., for this petition state the above:

Submitted By: Michelle Shepner Date: 5-3-16
Royal Adhesives & Sealants

RESOLUTION NO. _____

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

1915 Bendix Drive, South Bend, IN 46628

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A
(2) TWO-YEAR VACANT BUILDING TAX ABATEMENT FOR

Appletree Associates, LP

WHEREAS, a petition for real property tax abatement consideration has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the area commonly known as 1915 Bendix Drive, South Bend, IN 46628 and which is more particularly described as:

295.33' X 661.97 BEG 40' W & 527.98'N SE COR NE SEC 33-38-2E 4.48 ACRES

and which has Key Numbers 025-1006-030101 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, petitioner has agreed to and has accepted responsibility to report any changes in the final legal description and to report the final, appropriate Key Number to the Department of Community Investment and to the Office of the City Clerk; and

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

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

SECTION I. The Common Council hereby determines and finds that the Petition for Real Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the

requirements of Indiana Code § 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds the following:

A. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

B. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

C. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

D. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

E. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation; and

F. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code § 6-1.1-12.1-3.

SECTION III. The Common Council hereby determines and finds that the proposed described redevelopment or rehabilitation can be reasonably expected to yield benefits identified in the Statement of Benefits, Sections 1 through 3 of the Petition for Real Property Tax Abatement Consideration and the Memorandum of Agreement between the Petitioner and the City of South Bend, and that the Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code § 6-1.1-12.1-3.

SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real property tax abatement.

SECTION V. The designation as an Economic Revitalization Area shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of (2) two years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

SECTION VII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for a Vacant Building Real Property Tax Abatement to be published

pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

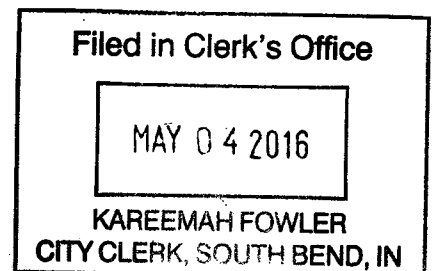
SECTION VIII. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Member of the Common Council

PRESENTED

NOT APPROVED

ADOPTED



RESOLUTION NO. _____

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

1915 Bendix Drive, South Bend, IN 46628

AS AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF A TWO (2) YEAR VACANT BUILDING TAX
ABATEMENT FOR

Appletree Associates, LP

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

WHEREAS, a Declaratory Resolution designated the area commonly known as 1915 Bendix Drive, South Bend, IN 46628 and which is more particularly described as follows:

295.33' X 661.97 BEG 40' W & 527.98'N SE COR NE SEC 33-38-2E 4.48 ACRES

and which has Key Numbers 025-1006-030101 be designated as an Economic Revitalization Area; and

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

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

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

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

SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the

purposes of tax abatement. Such designation is for Real Property tax abatement only and is limited to two (2) calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

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

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

Member of the Common Council

PRESENTED

NOT APPROVED

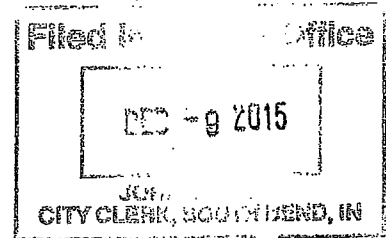
ADOPTED

Filed in Clerk's Office

MAY 04 2016

**KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN**

Search



Menu

≡ Submenu
<URL: #>

Property Search

For Sale or Lease

- Building Sites & Developments
- Industrial Properties
- Investment Properties
- Medical Properties
- Office Properties
- Retail Properties
- Special Use

Auction Properties

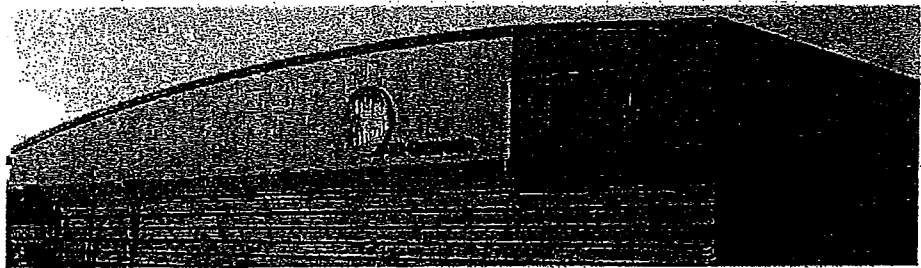
Inventory Report

Home » Properties » For Sale or Lease » Industrial Properties » Bendix Dr 1915

1915 Bendix Dr

South Bend, Indiana

Well Maintained, Clean High-Tech Manufacturing Facility



Property Snapshot

Building:	64,500 SF
Office SF:	3,700 SF
Warehouse SF:	20,600 SF; 40,200 SF (Production)
Land:	4.49 Acres
Year Built:	1975 (Production & Office), 2002 (Warehouse)
Zoning:	LI (Light Industrial)
Parking:	137 Surface Spaces
OH Doors:	1 — 10' x 12'
Docks/Levelers:	3 — 8' x 8'
Lighting:	Fluorescent & Metal Halide

Signage:	Building
Ceilings:	13.5'-18'
Power:	1200 Amp/480 Volt 3-Phase, 4-Wire
Sprinklered:	Yes
Security:	Yes
Utilities:	Municipal Water & Sewer; Gas & Electric
HVAC:	Gas Forced Air Heat & A/C
Annual Taxes:	\$38,538.88
Reduced Price:	\$1,500,000 (\$2,000,000)
Lease Rate:	\$2.60 PSF NNN \$1.95 PSF NNN*

**In addition to base rent, tenant pays utilities, janitorial, trash and snow removal, lawn services, insurance, realstate taxes, and phone/computer/data.*

Property Details

High-tech manufacturing facility consisting of 64,500 SF on 4.49 acres. The building is steel frame structure with masonry covered block and metal siding. In 2002 the entire facility was updated including all new mechanicals, new electric service and a new roof over the production area. The building is divided into a warehouse, production and office areas.

The warehouse offers 20,600 SF (116' x 162') with two (2) docks with electric openers (one with leveler), 55' x 25' bay spacing, 13.5' to 18' ceiling height and metal halide lighting. The warehouse is heated and cooled with two (2) gas forced air heat and two (2) central air units.

The production area offers 40,200 SF (100' x 402') with one (1) 10' x 12' overhead door, one (1) 8' x 8' dock, 50' x 24' bay spacing, airlines, buss ducts, fluorescent lighting and four (4) restrooms. The production area is heated and cooled with eight (8) gas forced air heat and eight (8) central air conditioning units.

The 3,700 SF office area consists of classroom/training room, file storage areas, four (4) private offices, a large open area, reception area, kitchenette, and men's and women's restrooms.

[Download Flyer <URL: /index.cfm?api/render/file?method=inline&fileID=4C08375B-24E8-4311-9E4517BBA7F19E81>](#)

[View Map <URL: https://www.google.com/maps/place/1915+Bendix+Drive/@41.7010784,-86.2936277,16z>](#)

For More Information Please Contact

11/23/2015

1915 Bendix Dr :: Newmark Grubb Cressy & Everett

Tony Davey

Senior Broker

574.485.1536

tonydavey@cressyandeverett.com <URL:mailto:tonydavey@cressyandeverett.com>

Rick Doolittle

Chief Operations Officer

574.485.1535

rickdoolittle@cressyandeverett.com <URL:mailto:rickdoolittle@cressyandeverett.com>

[Home](#) | [Contact Us](#) | [Site Map](#)

4100 Edison Lakes Parkway, Suite 350 Mishawaka, Indiana 46545 • Phone: 574.271.4060 • info@cressyandeverett.com

AREA BOARD OF ZONING APPEALS

125 S. Lafayette Blvd.
Suite 100
South Bend, Indiana 46601
(574)235-9554
FAX: (574)235-5541

April 7, 2016

The Honorable Common Council South Bend
Of the City of South Bend
4th Floor, County-City Building
South Bend, Indiana 46601

RE: Petition for Special Exception
Insurance Auto Auctions, Inc.
04/06/2016


Dear Council Members:

The above referenced petition of Insurance Auto Auctions, Inc. was legally advertised on March 17, 2016. The Area Board of Zoning Appeals gave it a public hearing on April 6, 2016, at which time the following action was taken:

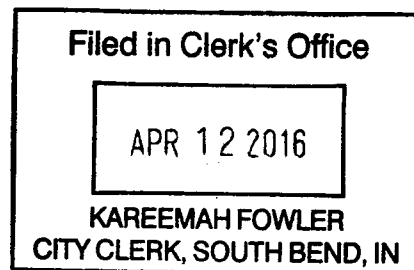
Upon a motion by Mr. Phipps, being seconded by Mr. Urbanski and by a unanimous vote, the petition for Special Exception to allow for the temporary storage of motor vehicles, outdoor storage on more than 50% of the of the property, and utilization of a wrecker service, on property located at 2926-3302 W. Sample Street, Portage Township, zoned "GI" General Industrial is sent to the Common Council with a **Favorable Recommendation.**

The deliberations of the Area Board of Zoning Appeals and points considered in arriving at the above decision as shown in the Minutes of the Public Hearing, and will be forwarded to you at a later date, to be made part of this report.

Sincerely,


Charles C. Bulot, C.B.O. Building
Commissioner

CCB/cah



RESOLUTION NO. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND, INDIANA,
APPROVING A PETITION OF THE AREA
BOARD OF ZONING APPEALS
FOR THE PROPERTY LOCATED AT
2926-3302 West Sample Street,
South Bend, IN 46628**

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

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

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

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

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

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

2926-3302 West Sample Street,
South Bend, IN 46628

in order to permit

Temporary storage of motor vehicles; storage of motor vehicles on more than 50% of the property; utilization of wrecker service; and to allow partial landscaping in front & side yards

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

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

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

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

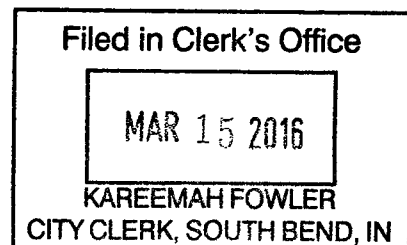
SECTION V. The Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Member of the Common Council

PRESENTED

~~NOT APPROVED~~

ADOPTED



227 W. JEFFERSON BOULEVARD
SUITE 1400 S.
SOUTH BEND, IN 46601-1830



PHONE: 574/235-9371
FAX: 574/235-9021

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
COMMUNITY INVESTMENT
SCOTT FORD, EXECUTIVE DIRECTOR

April 18, 2016

Council Member Gavin Ferlic, Chairperson
Community Investment Committee
South Bend Common Council
4th Floor, County City Building
South Bend, IN 46601

RE: Personal Property Tax Abatement Petition for: **The Lebermuth Company, Inc.**

Dear Council Member Ferlic:

Please find the attached information pertaining to a personal property tax abatement petition for The Lebermuth Company, Inc.:

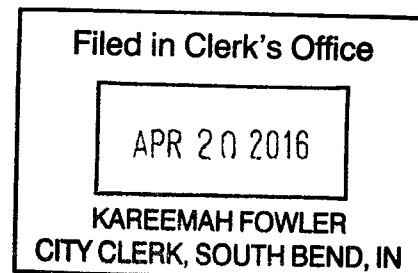
- Department of Community Investment's summary report
- Copy of the petition
- Statement of Benefits form
- Supporting information.

The report contains the Department's findings relative to the above petition. The Lebermuth Company, Inc. will be investing approximately \$1,200,000 in the purchase and installation of new equipment. This new equipment purchase will help grow their current customer base and allow them to pursue additional business from new customers. The project meets the qualifications for a (5) five year personal property tax abatement. A representative from The Lebermuth Company, Inc. will be available to meet with the Committee on Monday, April 25, 2016.

Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at 235-5823.

Sincerely,

Aaron Kobb
Director of Economic Resources



RESOLUTION NO. _____

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

4004 Technology Drive, South Bend, IN 46628

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

The Lebermuth Company, Inc.

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

WHEREAS, a Declaratory Resolution designated the area commonly known as 4004 Technology Drive, South Bend, IN 46628 and which is more particularly described as follows:

Business Personal Property

and which has Key Numbers to be assigned be designated as an Economic Revitalization Area; and

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

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

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

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

SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the

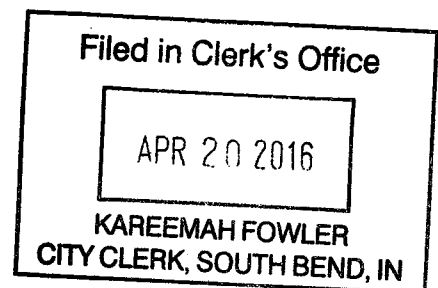
purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to two (2) calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted personal property tax deduction for a period of five (5) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

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

Member of the Common Council

PRESENTED
NOT APPROVED
ADOPTED



227 W. JEFFERSON BOULEVARD
SUITE 1400 S.
SOUTH BEND, IN 46601-1830



PHONE: 574/235-9371
FAX: 574/235-9021

CITY OF SOUTH BEND PETE BUTTIGIEG, MAYOR
COMMUNITY INVESTMENT
SCOTT FORD, EXECUTIVE DIRECTOR

April 19, 2016

Council Member Gavin Ferlic, Chairperson
Community Investment Committee
South Bend Common Council
4th Floor, County City Building
South Bend, IN 46601

RE: Personal Property Tax Abatement Petition for: **Federal-Mogul Powertrain, LLC**

Dear Council Member Ferlic:


Please find the attached information pertaining to a personal property tax abatement petition for Federal-Mogul Powertrain, LLC.:

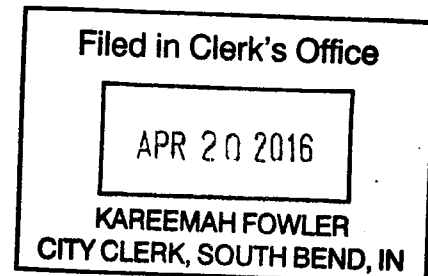
- Department of Community Investment's summary report
- Copy of the petition
- Statement of Benefits form
- Supporting information.

The report contains the Department's findings relative to the above petition. Federal-Mogul Powertrain, LLC will be investing approximately \$11,315,200 in the purchase and installation of new equipment. This new equipment purchase will allow for new business growth and the retention of a highly compensated workforce. The project meets the qualifications for a (5) five year personal property tax abatement. A representative from Federal-Mogul Powertrain, LLC will be available to meet with the Committee on Monday, April 25, 2016.

Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at 235-5823.

Sincerely,


Aaron Kobb
Director of Economic Resources



RESOLUTION NO. _____

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

3605 W. Cleveland Rd, South Bend, IN 46628

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

Federal-Mogul Powertrain, LLC

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

WHEREAS, a Declaratory Resolution designated the area commonly known as 3605 W. Cleveland Rd, South Bend, IN 46628 and which is more particularly described as follows:

Business Personal Property

and which has Key Numbers to be assigned be designated as an Economic Revitalization Area; and

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

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

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

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

SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the

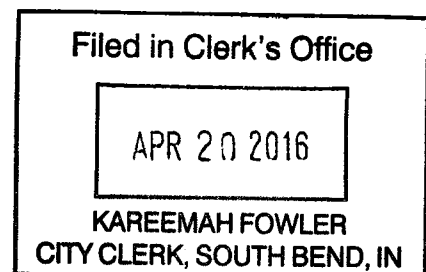
purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to two (2) calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted personal property tax deduction for a period of five (5) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

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

Member of the Common Council

PRESENTED
NOT APPROVED
ADOPTED





The South Bend Common Council
227 West Jefferson Boulevard, Room 441
Downtown South Bend, Indiana 46601
574.235.9321 574.235.5567 TDD

May 2, 2016

The South Bend Common Council
4th Floor County-City Building
South Bend, Indiana 46601

Re: Resolution Authorizing Agent/Negotiator for Upcoming Police Negotiations

Dear Council Members:

I received a letter from Sergeant Dan Demler, who is the President of the Fraternal Order of Police, Lodge # 36, who is the exclusive representative of the sworn members of the South Bend Police Department. Sergeant Demler's letter is attached. It provides written notice of the FOP's interest in commencing labor negotiations, with such written notice being a requirement of Indiana state law.

Background preparation is needed prior to commencing such labor negotiations. In light of that, I am sponsoring the attached Resolution. It would formally appoint the Council's agent and chief negotiator, so that work on behalf of the Council may begin. Our past practice has been to have our agent/negotiator conduct what is commonly referred to as "interest-based bargaining". Rather than having adversarial negotiations, our goal has been to pursue solutions based on working to reach goals and objectives.

I request that this matter be referred to the Health and Public Safety Committee for discussion. It is my hope that this year's labor negotiations begin and be conducted on a united and positive start. I therefore seek your unanimous support.

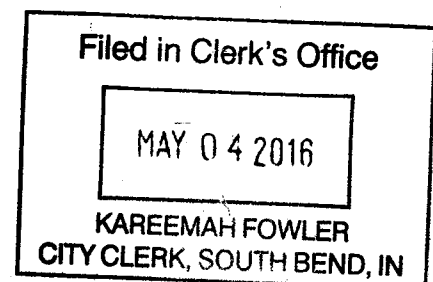
Thank you.

Most sincerely,



Tim Scott, Council President
1st District Council Member

Attachments





Fraternal Order of Police

Lodge #36

P.O. Box 299
South Bend, Indiana
46624-0299

Dan Demler
President

02/21/2016

Harvey Mills
Vice President

Council President Scott,

Chadwick Goben
Treasurer

As the solely recognized negotiating body for City of South Bend Sworn Police Officers, the Fraternal Order of Police would like to enter in to negotiations with the Council for a 2017 and beyond wage package. The current wage ordinance is set to expire Dec. 31st. 2016. Over the last several years the FOP & Council have worked well together in creating an agreement that is beneficial to both parties and we look forward to continuing this relationship.

Russell Lupica
Secretary

James Burns
Chaplain

To ease scheduling we ask that you include our attorney, Leo T. Blackwell of Ruckelshaus, Kautzman, Blackwell, Bemis & Hasbrook in the communications regarding meeting dates; his email address is ltb@rucklaw.com.

James Cauffman
Conductor

On behalf of the members of FOP #36 thank you and we look forward to meeting with you.

Cori Bair
Guard

Sincerely,

Jeff Ransberger 1st
Kyle Balinski 2nd
Jeremy Siade 3rd
Trustees

Dan Demler
President FOP #36

C.C. Kathy Cekanski – Farrand, Council attorney

Past President
Executive Chair

Filed in Clerk's Office

MAY 04 2016

KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

Bill No. _____

Resolution No. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, APPOINTING AN AGENT/NEGOTIATOR TO REPRESENT THE COMMON
COUNCIL AND ADDRESSING AN ADVISORY CITY NEGOTIATING TEAM FOR THE
2016 SOUTH BEND POLICE DEPARTMENT LABOR NEGOTIATIONS**

Whereas, the South Bend Common Council acknowledges that pursuant to *Indiana Code* § 36-8-3-3(d), the Common Council has the mandatory duty and exclusive authority to fix by ordinance the annual compensation for all sworn members of the South Bend Police Department, with the Indiana Court of Appeals confirming such authority; and

Whereas, the Common Council further acknowledges that the Indiana Court of Appeals has also ruled that *Indiana Code* § 36-8-4-4 addressing “annual cash allowance” for clothing was “compensation” and “annual pay” with such financial matters being under the authority of the Common Council; and

Whereas, since July 1, 2007, the state regulations addressing “Meet and Confer for Public Safety Employees” codified at *Indiana Code* § 36-8-22, have been in effect which requires, among other things, that the exclusive recognized representative of an employee organization is to notify in writing of their intent to exercise their rights under this state law; and

Whereas, on February 21, 2016, Sergeant Dan Demler, President of the Fraternal Order of Police, Lodge # 36 sent a letter to the Council President Tim Scott of their desire to enter into negotiations in light of the fact that the current police salary and wage ordinance expires on December 31, 2016; and

Whereas, the Indiana Open Door Law, *Indiana Code* § 5-14-1.5, notes that a governing body, such as the Common Council, has the authority to appoint an agent to conduct collective bargaining on its behalf which does not constitute a governing body for purposes of that statute; and further authorizes the Common Council, as a governing body, to meet in Executive Session with their agent/negotiator for discussion of strategy with respect to collective bargaining; and

Whereas, in light of the annual pay/salary and the monetary fringe benefits expiring at the end of this year, and noting that *Indiana Code* § 36-8-3-3(d) requires the legislative body to fix the annual compensation for all members of the Police Department by ordinance “no later than November 1”, it is incumbent upon the Council to formally appoint its Agent and Chief Negotiator on all matters of compensation, monetary fringe benefits, and related fiscal matters so that preparation for the upcoming negotiations may begin; and


Whereas, the Common Council is mindful of past successful labor negotiations with the attorney and exclusive recognized representatives of the FOP Lodge # 36 and the Common Council’s agent/negotiator, along with an advisory city negotiating team.

Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The Common Council hereby appoints Kathleen Cekanski Farrand, a local attorney, as its Agent and Chief Negotiator for the upcoming labor negotiations with the Police Negotiating Team representing the Fraternal Order of Police, Lodge # 36. She shall be the Council's chief spokesperson and negotiator concerning all matters related to annual compensation, incentive pays, specialty pays, monetary fringe benefits and all items having a fiscal and/or budgetary impact. The Council notes that she was the agent and chief negotiator representing the Common Council who worked with Council Members Karen L. White and Tim Scott as part of the advisory negotiating team which resulted in Ordinance No. 10332-14. That ordinance fixed the annual pay and monetary fringe benefits for calendar years 2015 and 2016 for sworn members of the South Bend Police Department. It was passed on October 28, 2014 and it expires on December 31, 2016.

Section II. The Common Council agent/negotiator shall coordinate matters of strategies, research and background preparation, negotiating times, scheduling of executive sessions, contacting City resource persons and other matters in consultation with the Common Council. She shall collaborate with the individual appointed to negotiate any changes to the Working Agreement currently in effect which governs the working conditions of members of the South Bend Police Department. She shall work with individuals selected to serve on an advisory negotiating team, so that labor negotiations are conducted in good faith, as well as in a fair, reasonable, fiscally sound and positive manner.

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



Tim Scott, 1st District Council Member

Oliver J. Davis, 6th District Council Member

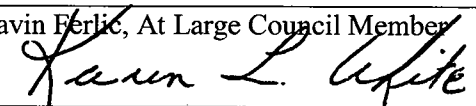
Regina Williams Preston., 2nd District

John Voorde, At Large Council Member

Randy Kelly, 3rd District Council Member

Gavin Ferlic, At Large Council Member

Jo Broden, 4th District Council Member



Karen L. White, At Large Council Member

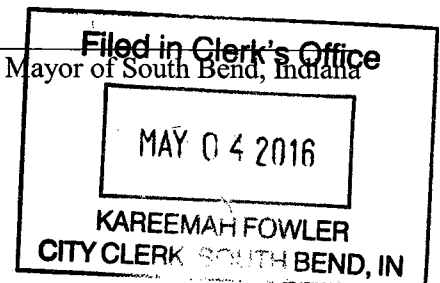
Dr. David Varner, 5th District

First:

Approved this ___ day of May, 2016.

Kareemah Fowler, City Clerk

Pete Buttigieg, Mayor of South Bend, Indiana



PRESENTED
NOT APPROVED
ADOPTED



LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

May 4, 2016

South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

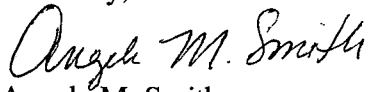
RE: 529 Crescent Avenue

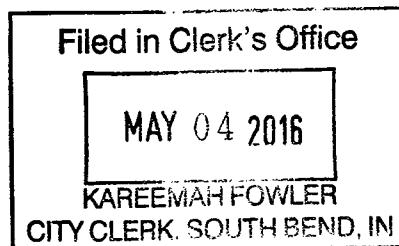
Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your May 9, 2016 Council meeting, and set it for public hearing at your June 27, 2016 Council meeting. The petition is tentatively scheduled for public hearing at the June 21, 2016 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,


Angela M. Smith
Deputy Director



CC: Kathy Cekanski-Farrand

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 539 CRESCENT AVENUE, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

To rezone from MF1 Urban Corridor Multifamily District to SF2 Single Family & Two Family District for a single family home.

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

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Parcel 1:

Lot 13 and the Southern 14' of Lot 12 and the east half of the vacated north-south alley adjacent to Lot 13 of Cedar Heights Addition, and

Parcel 2:

A parcel of land 36' x 120' immediately west of and including the vacated alley adjacent to Lot 13 of Cedar Heights Addition

be and the same is hereby established as SF2 Single Family & Two Family District

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

