



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: DAWN M. JONES, CITY CLERK
DATE: THURSDAY, SEPTEMBER 8, 2022
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Monday, September 12, 2022:**

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

The Council Chambers will be Open to the Public or Members of the Public May Attend this Meeting Virtually via the Microsoft Teams Meeting app here: <https://tinyurl.com/09122022CC>

3:30 P.M. **PERSONNEL & FINANCE**

CHAIRPERSON, NIEZGODSKI

1. [Bill No. 43-22](#) - Amending Various Articles & Sections of Chap 17 of the SB Municipal Code to Address Late Fees for City Utility Customers

4:00 P.M. **ZONING & ANNEXATION**

CHAIRPERSON, HAMANN

1. [Bill No. 32-22](#) - Special Exception Ordinance for Property Located at 316 N. Olive St. Councilmanic District #2
2. [Bill No. 40-22](#) - An Ordinance Approving a Petition for Property Located at 1702 W. Western Avenue Councilmanic District #6

4:10 P.M. INFORMATION & TECHNOLOGY CHAIRPERSON, TOMAS-MORGAN COMMITTEE

1. [Bill No. 22-42](#) - A Resolution Designating the City of South Bend as Broadband Ready

4:20 P.M. COMMUNITY INVESTMENT CHAIRPERSON, TOMAS-MORGAN COMMITTEE

1. [Bill No. 22-39](#) - A Resolution Designating a Tax Abatement for Property Located at 2722 W. Tucker Drive, South Bend, Steel Warehouse Company LLC

4:30 P.M. COUNCIL RULES COMMITTEE PRESIDENT, MCBRIDE

1. [Bill No. 42-22](#) - An Ordinance Replacing and Amending Ch. 2, Article 1, Sect. 2-1 and Including 2-9 of the SB Municipal Code

Council President Sharon L. McBride has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Council Rules Committee Meeting.

INFORMAL MEETING OF THE COMMON COUNCIL PRESIDENT, MCBRIDE

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

cc: Mayor James Mueller
Committee Meeting
List 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



South Bend Common Council

Meeting Agenda

Monday, September 12, 2022

7:00 PM

The South Bend Common Council meeting will be open to the public at the Council Chambers on the 4th floor of the County-City Building, 227 W. Jefferson 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/09122022SBCC>

1. **INVOCATION**

PASTOR MARK LANTZ, CHRISTIAN CENTER CHURCH

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

5. **SPECIAL BUSINESS**

SPECIAL RESOLUTION COMMEMORATING THE LIFE OF
CONGRESSWOMAN JACKIE WALORSKI

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**
BILL NO.

[32-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 316 N. OLIVE ST. COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[40-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1702 W WESTERN AVE COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

[42-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, REPLACING AND AMENDING CHAPTER 2, ARTICLE 1, SECTIONS 2-1 THROUGH AND INCLUDING 2-9, OF THE SOUTH BEND MUNICIPAL CODE TO UPDATE AND CLARIFY PROCEDURES FOR THE SOUTH BEND COMMON COUNCIL AND THE OFFICE OF THE CITY CLERK

[43-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING VARIOUS ARTICLES AND SECTIONS OF CHAPTER 17 OF THE SOUTH BEND MUNICIPAL CODE TO ADDRESS LATE FEES FOR CITY UTILITY CUSTOMERS AND RENAMING THE “LOW-INCOME CUSTOMER ASSISTANCE PROGRAM” (LICAP) AS THE “UTILITY ASSISTANCE PROGRAM” (UAP)

8. **RISE AND REPORT**

9. **REGULAR MEETING RECONVENED**

10. **BILLS ON THIRD READING**
BILL NO.

[32-22](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 316 N. OLIVE ST. COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[40-22](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1702 W WESTERN AVE COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

[42-22](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, REPLACING AND AMENDING CHAPTER 2, ARTICLE 1, SECTIONS 2-1 THROUGH AND INCLUDING 2-9, OF THE SOUTH BEND MUNICIPAL CODE TO UPDATE AND CLARIFY PROCEDURES FOR THE SOUTH BEND COMMON COUNCIL AND THE OFFICE OF THE CITY CLERK

[43-22](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING VARIOUS ARTICLES AND SECTIONS OF CHAPTER 17 OF THE SOUTH BEND MUNICIPAL CODE TO ADDRESS LATE FEES FOR CITY UTILITY CUSTOMERS AND RENAMING THE “LOW-INCOME CUSTOMER ASSISTANCE PROGRAM” (LICAP) AS THE “UTILITY ASSISTANCE PROGRAM” (UAP)

11. **RESOLUTIONS**
BILL NO.

[22-39](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 2722 W. TUCKER DRIVE, SOUTH BEND, IN 46619 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR STEEL WAREHOUSE COMPANY LLC

[22-42](#) A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AFFIRMING THE SOUTH BEND

COMMON COUNCIL'S SUPPORT OF EXECUTIVE ORDER 03-2022 ENTITLED "COMMITMENT TO DESIGNATION OF SOUTH BEND AS A "BROADBAND READY CITY"; THE COUNCIL'S COMMITMENT TO WORKING COLLABORATIVELY WITH THE CITY ADMINISTRATION TOWARDS THE DESIGNATION OF SOUTH BEND AS A "BROADBAND READY CITY"; AND THE ADOPTION OF PROCEDURES UNDER IND. CODE 5-28-28.5-7

12. **BILLS OF FIRST READING**
BILL NO.

[44-22](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, STREET VACATION - A PORTION OF THE LASALLE AVENUE CONNECTOR LYING NORTH OF COLFAX AVENUE AND WEST OF THE EAST LINE OF THE CITY CEMETERY EXTENDED SOUTH TO COLFAX AVENUE, SOUTH BEND, INDIANA.

[45-22](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2022

[46-22](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS FOR THE YEAR 2022 OF \$110,000 FROM THE GENERAL FUND (#101), \$3,348,550 FROM THE DCI FEDERAL GRANT FUND (#212), \$25,000 FROM THE LAW ENFORCEMENT CONTINUING EDUCATION FUND (#220), \$475,000 FROM THE MVH RESTRICTED FUND (#266), \$10,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$161,819 FROM THE LOCAL INCOME TAX ECONOMIC DEVELOPMENT FUND (#408), \$332,253 FROM THE URBAN DEVELOPMENT ACTION GRANT FUND (#410), \$314,270 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$1,100,000 FROM THE WATER WORKS OPERATIONS (#620), \$240,000 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$785,000 FROM THE SEWAGE WORKS OPERATING FUND (#641), AND \$8,000 FROM THE FIRE PENSION FUND (#701)

[47-22](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA,

AMENDING TIPPING AND LOADING CHARGES FOR YARD WASTE CUSTOMERS WITHIN TWO SECTIONS OF CHAPTER 16, ARTICLE 4 OF THE SOUTH BEND MUNICIPAL CODE

[48-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING, ADOPTING, AND APPROVING THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION'S 2023 BUDGET AND LEVYING THE TAX AND FIXING THE RATE OF THE TAXATION FOR THE PURPOSE OF RAISING REVENUE TO FUND THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION, SOUTH BEND, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023

[49-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSES OF THE CIVIL CITY OF SOUTH BEND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE CITY OF SOUTH BEND, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

[50-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 832 SOUTH BEND AVE. COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[51-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 506 N. OLIVE ST. COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

13. UNFINISHED BUSINESS

14. NEW BUSINESS

15. PRIVILEGE OF THE FLOOR

16. ADJOURNMENT

Notice for Hearing and Sight Impaired Persons:

Auxiliary aid or other services are available upon request at no charge.

Please give reasonable advance requests if and when possible.



2022 COMMON COUNCIL STANDING COMMITTEES (Rev. 05-17-2022)

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.

Rachel Tomas Morgan, Chairperson
Henry Davis, Jr., Vice-Chairperson
Thomas Kurzhal, *Citizen Member*

Eli Wax, Member
Kaine Kanczuzewski, *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.

Troy Warner, Chairperson
Eli Wax, Vice-Chairperson
Citizen Member

Canneth Lee, Member
Lori K. Hamann, 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*.

Sharon L. McBride, Member
Sheila Niezgodski, Member

Eli Wax, 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.

Eli Wax, Chairperson
Karen L. White, Vice-Chairperson
Rachel Tomas Morgan, Member

Troy Warner, Member
Canneth Lee, Member
Desmont Upchurch, *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
Lori K. Hamann, Vice-Chairperson
Maria Gibbs, *Citizen Member*

Canneth Lee, Member
Scott Matthew Coats, *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.

Canneth Lee, Chairperson
Troy Warner, Vice-Chairperson
Chris Hagstrom-Jones, *Citizen Member*

Henry Davis, Jr., Member
Rachel Tomas Morgan, Member
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
Eli Wax, Vice-Chairperson
Rachel Tomas Morgan, Member

Troy Warner, Member
Henry Davis, Jr., Member
Aaron Steiner, *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.

Sheila Niezgodski, Chairperson
Lori K. Hamann, Vice-Chairperson
Jason Piontek, *Citizen Member*

Karen L. White, Member
Carl Littrell, *Citizen Member*

RESIDENTIAL NEIGHBORHOODS COMMITTEE

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

Karen L. White, Chairperson
Canneth Lee, Vice-Chairperson
Amika Micou, *Citizen Member*

Henry Davis, Jr., Member
Sheila Niezgodski, 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.

Henry Davis, Jr., Chairperson
Troy Warner, Vice-Chairperson
Citizen Member

Eli Wax, Member
Lori K. Hamann, 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.

Lori K. Hamann, Chairperson
Henry Davis, Jr., Vice-Chairperson
James Snodgrass, *Citizen Member*

Sheila Niezgodski, Member
Karen L. White, 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

Eli Wax, Member



2022 COMMON COUNCIL STANDING COMMITTEES (Rev.01-06-2022)

CANNETH LEE, 1ST District Council Member

Chairperson, Committee of the Whole

PARC Committee, Chairperson

Residential Neighborhoods Committee, Vice-Chairperson
Community Relations Committee, Member

Health & Public Safety Committee, Member
Information & Technology Committee, Member

HENRY DAVIS, JR. 2ND District Council Member

Utilities Committee, Chairperson

Community Investment Committee, Vice-Chairperson
Zoning & Annexation Committee, Vice-Chairperson
PARC Committee, Member

Residential Neighborhoods Committee, Member
Personnel & Finance Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

President

Council Rules Committee, Member

TROY WARNER, 4TH District Council Member

Community Relations Committee, Chairperson

Utilities Committee, Vice-Chairperson
PARC Committee, Vice-Chairperson

Health & Public Safety Committee, Member
Personnel & Finance Committee, Member
Sub-Committee on the Minutes, Member

ELI WAX, 5TH District Council Member

Health & Public Safety Committee, Chairperson

Community Relations, Vice-Chairperson
Personnel & Finance, Vice-Chairperson
Committee Investment, Member

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

SHEILA NIEZGODSKI, 6TH District Council Member

Vice-President

Personnel & Finance Committee, Chairperson

Public Works & Property Vacation, Chairperson
Council Rules Committee, Member

Residential Neighborhoods Committee, Member
Zoning & Annexation Committee, Member

RACHEL TOMAS MORGAN, AT LARGE Council Member

Information & Technology Committee, Chairperson

Community Investment Committee, Chairperson

Health & Public Safety Committee, Member

PARC Committee, Member
Personnel & Finance Committee, Member

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhoods Committee, Chairperson

Health & Public Safety Committee, Vice-Chairperson

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

LORI K. HAMANN, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

Public Works & Property Vacation, Vice-Chairperson
Information & Technology Committee, Vice-Chairperson

Community Relations Committee, Member
Utilities Committee, Member