



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: DAWN M. JONES, CITY CLERK
DATE: MONDAY, NOVEMBER 27, 2023
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Monday, November 27, 2023:**

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 Microsoft Teams Meeting app here: <https://tinyurl.com/11272023CC>.

6:00 P.M. **PERSONNEL & FINANCE** **CHAIRPERSON, NIEZGODSKI**

[Bill No. 76-23](#) – Ordinance Amending Chapter 17, Article 14 Section 17-128 to update Monthly Storm Water User Fees

[Bill No. 77-23](#) – Ordinance Amending Ordinance No. 10985-23 Sewage Works (Wastewater) Bond

6:30 P.M. **ZONING & ANNEXATION** **CHAIRPERSON, HAMANN**

[Bill No. 74-23](#) – Amending a Zoning Ordinance for Property Located at 1023 Quimby Street, District No. 4

Council President Sharon L. McBride has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Zoning and Annexation 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, November 27, 2023

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/112723SBCC>

1. **INVOCATION**

Deacon Anne Wiestock, Cathedral of St. James

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

Approval of Monday, October 23, 2023 South Bend Common Council Meeting Minutes

5. **SPECIAL BUSINESS**

6. **REPORTS FROM CITY OFFICES**

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

[62-23](#)

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 2 EAST OF THE 2ND PRINCIPAL MERIDIAN, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 49 ON THE RECORDED PLAT OF NORTHWEST ADDITION 2ND PLAT IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 90°00'00" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF MCCARTNEY STREET, A DISTANCE OF 72.90 FEET; THENCE SOUTH 0°05'13" EAST A DISTANCE OF 269.55 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KING STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0°05'13" EAST A DISTANCE OF 60.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KING STREET; THENCE SOUTH 90°00'00" WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 64.00 FEET; THENCE NORTH 0°05'13" WEST A DISTANCE OF 60.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KING STREET; THENCE NORTH 90°00'00" EAST ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 64.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINING 3,840 SQUARE FEET

[74-23](#)

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED, 1023 QUIMBY STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[75-23](#)

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1119 N TWYCKENHAM DRIVE COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[76-23](#)

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

[77-23](#)

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 10985-23 TITLED AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE CITY'S SEWAGE WORKS; AUTHORIZING THE ISSUANCE OF ADDITIONAL REVENUE BONDS FOR SUCH PURPOSE IN THE PRINCIPAL AMOUNT NOT TO EXCEED THIRTY-SIX MILLION DOLLARS (\$36,000,000) TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SAID BONDS; ADDRESSING OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN ANTICIPATION OF BONDS; AND REPEALING ORDINANCES INCONSISTENT HERewith

8. **RISE AND REPORT**

9. **REGULAR MEETING RECONVENED**

10. **BILLS ON THIRD READING**

BILL NO.

[62-23](#)

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 2 EAST OF THE 2ND PRINCIPAL MERIDIAN, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 49 ON THE RECORDED PLAT OF NORTHWEST ADDITION 2ND PLAT IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 90°00'00" EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF MCCARTNEY STREET, A DISTANCE OF 72.90 FEET; THENCE SOUTH 0°05'13" EAST A DISTANCE OF 269.55 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KING STREET AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0°05'13"

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[74-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED, 1023 QUIMBY STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

[75-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1119 N TWYCKENHAM DRIVE COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

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11. **RESOLUTIONS**

BILL NO.

12. **BILLS OF FIRST READING**

BILL NO.

[73-23](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[79-23](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SOUTH BEND FOR CALENDAR YEAR 2024

[81-23](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS FOR THE YEAR 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201), \$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELIEF FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

[82-23](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FOR BUDGET

TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2023

[83-23](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 603, 607, 611, 615, 617, 619, AND 621 WEST MARION STREET, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[84-23](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

[85-23](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

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 may be Available upon Request at No Charge.

Please give Reasonable Advance Request when Possible



2023 COMMON COUNCIL STANDING COMMITTEES (Rev. 04-24-2023)

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

Eli Wax, Member
Thomas Kurzhal, *Citizen 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
Lori K. Hamann, Vice-Chairperson
Citizen Member

Canneth Lee, Member
Eli Wax, 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
Matthew Coats, *Citizen Member*

Canneth Lee, Member
Maria Gibbs, *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
Beth Sanford, *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
Troy Warner, Vice-Chairperson
Rachel Tomas Morgan, Member

Eli Wax, Member
Canneth Lee, 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
Karen L. White, Vice-Chairperson
Jason Piontek, *Citizen Member*

Lori K. Hamann, 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
Lakeyue Williams, *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
Eli Wax, Vice-Chairperson
Citizen Member

Troy Warner, 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



2023 COMMON COUNCIL STANDING COMMITTEES (Rev.01-09-2023)

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
Personnel & Finance Committee, Member

HENRY DAVIS, JR. 2ND District Council Member

Utilities Committee, Chairperson

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

Residential Neighborhoods Committee, Member
PARC Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

President

Council Rules Committee, Member

TROY WARNER, 4TH District Council Member

Community Relations Committee, Chairperson

Personnel & Finance Committee, Vice-Chair
PARC Committee, Vice-Chairperson

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

ELI WAX, 5TH District Council Member

Health & Public Safety Committee, Chairperson

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

Community Relations Committee, 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, Vice Chairperson
Zoning & Annexation Committee, Member

LORI K. HAMANN, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

Information & Technology Committee, Vice-Chairperson
Community Relations Committee, Vice-Chairperson

Public Works & Property Vacation, Member
Utilities Committee, Member

BILL NO. 76-23



Filed in Clerk's Office

NOV 07 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

CITY OF SOUTH BEND DEPARTMENT OF PUBLIC WORKS

November 7, 2023

Ms. Sharon McBride
President, South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

Re: Ordinance amending Chapter 17, Article 14 of the South Bend Municipal Code to revise storm water rates for non-residential customers

Dear President McBride:

Attached is a bill for consideration by the South Bend Common Council addressing changes to the monthly storm water user fee for non-residential customers.

Chapter 17, Article 14, of the South Bend Municipal Code was amended in 2021 to establish a hybrid rate system with residential customers continuing to be charged a flat fee while non-residential customers having a multi-tiered impervious-based stormwater rate. This was done to better align the cost of service for parcels generating larger amounts of runoff. Due to challenges in implementing an impervious-based rate into the current billing and customer account management software, the proposed amendments are meant to implement a simplified rate structure for non-residential customers. This will give the City more time to develop the multi-tiered approach that is deemed overall fair and equitable to everyone within a user class.

The proposed amendment will implement the rate for Non-Residential Tier 1 customers to all other tiers in 2024 and 2025.

I will present the ordinance changes to Council at its upcoming meeting. As always, thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jitin Kain", is written over a light blue horizontal line.

Jitin Kain
Deputy Director

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

1316 County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p 574.235.9251 | f 574.235.9171 | www.southbendin.gov

Filed in Clerk's Office
NOV 07 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

BILL NO. 76-23

ORDINANCE NO. 10990-23

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

STATEMENT OF PURPOSE AND INTENT

Chapter 17, Article 14, of the South Bend Municipal Code was amended in 2021 to establish a hybrid rate system with residential customers continuing to be charged a flat fee while non-residential customers having a multi-tiered impervious-based stormwater rate. This was done to better align the cost of service for parcels generating larger amounts of runoff. Due to challenges in implementing an impervious-based rate into the current billing and customer account management software, the proposed amendments are meant to implement a simplified rate structure for non-residential customers. This will give the City more time to develop the multi-tiered approach that is deemed overall fair and equitable to everyone within a user class.

The proposed amendment will implement the rate for Non-Residential Tier 1 customers to all other tiers in 2024 and 2025.

This ordinance is necessary for the effective, efficient operation of the City's storm water utility. This ordinance is in the best interest of the City and its residents.

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

SECTION I. Chapter 17, Article 14, Section 17-128 shall be amended as follows:

(d)	Monthly Rates			
	2022	2023	2024	2025
Residential	\$2.00	\$2.00	\$2.25	\$2.50
Non-Residential Tier 1	\$5.00	\$6.00 <u>\$5.00</u>	\$7.00	\$8.00
Non-Residential Tier 2	\$8.00	\$10.00	\$12.00 <u>\$7.00</u>	\$14.00 <u>\$8.00</u>
Non-Residential Tier 3	\$10.00	\$14.00	\$18.00 <u>\$7.00</u>	\$22.00 <u>\$8.00</u>
Non-Residential Tier 4	\$16.00	\$22.00	\$28.00 <u>\$7.00</u>	\$34.00 <u>\$8.00</u>
Non-Residential Tier 5	\$20.00	\$35.00	\$50.00 <u>\$7.00</u>	\$65.00 <u>\$8.00</u>

SECTION II. This Ordinance shall be in full force and effect after adoption by the Common Council, approval by the Mayor, and any publication required by law, with an effective date of _____, 2023

Sharon McBride, President,
South Bend Common Council

ATTEST:

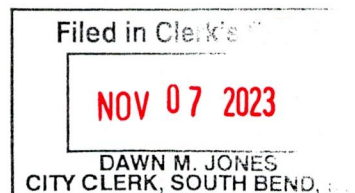
Dawn M. Jones, City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock __.m.

Dawn M. Jones, City Clerk

Approved and signed by me on the _____ day of _____, 2023, at _____ o'clock __.m.

James Mueller, Mayor,
City of South Bend, Indiana



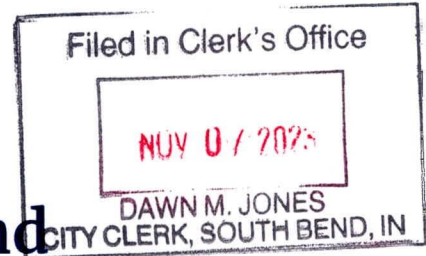
BILL NO. 77-23

County-City Building
227 W Jefferson Blvd Suite, 1200 N
South Bend, IN 46601

James Mueller, Mayor



Phone 311 inside City limits
Email 311@southbendin.gov
Website Southbendin.gov



City of South Bend

Department of Administration & Finance
Division of Human Resources

November 7, 2023

Ms. Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Amended Sewage Works (Wastewater) Bond Ordinance

Dear President McBride,

The attached proposed amended ordinance authorizes the City to issue a bond anticipation note and revenue bonds to fund certain additions and improvements to the municipal Sewage Works system of the City of South Bend. The proposed bonds will be repaid from net revenues of the Sewage Works system and will be issued in one (1) or more series, in an amount not to exceed thirty-six million dollars (\$36,000,000).

The amending ordinance will update Exhibit A. In the original ordinance since it only included the first phase of the project. In the amending ordinance, Exhibit A will include the additional phase of the project.

I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 13, 2023 with 2nd reading, public hearing and 3rd reading scheduled for November 27, 2023.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

A handwritten signature in black ink that reads "Kyle Willis".

Kyle Willis
City Controller

BILL NO. 77-23
ORDINANCE NO. 10991-23

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING ORDINANCE NO. 10985-23 TITLED AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE CITY'S SEWAGE WORKS; AUTHORIZING THE ISSUANCE OF ADDITIONAL REVENUE BONDS FOR SUCH PURPOSE IN THE PRINCIPAL AMOUNT NOT TO EXCEED THIRTY-SIX MILLION DOLLARS (\$36,000,000) TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SAID BONDS; ADDRESSING OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN ANTICIPATION OF BONDS; AND REPEALING ORDINANCES INCONSISTENT HEREWITH

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana ("Common Council") previously adopted its Ordinance No. 10985-23 ("Ordinance 10985-23") authorizing the acquisition, construction and installation of certain additions, extensions and improvements to the City of South Bend, Indiana's ("City") Sewage Works and authorizing the issuance of sewage works revenue bonds by the City in one or more series in an aggregate principal amount not to exceed Thirty-Six Million Dollars (\$36,000,000).

To provide clarity on the projects to be financed with the Bond proceeds, the Common Council now desires to amend Ordinance 10985-23 as set forth herein.

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

Section 1. Exhibit A of Ordinance 10985-23 is hereby deleted in its entirety and replaced with Exhibit A attached hereto.

Section 2. Except as modified by this Ordinance, all provisions of Ordinance 10985-23 shall remain in full force and effect.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and the execution of any procedures required by applicable law.

* * * * *

Passed and adopted by the Common Council of the City of South Bend, Indiana on the _____ day of _____, 2023.

Sharon McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

EXHIBIT A

PROJECT DESCRIPTION

The Project consists of the design, acquisition, construction, and installation of certain additions, extensions and improvements to the Sewage Works, including, but not limited to:

1. Final Clarifier Nos. 1-3 influent channel improvements, including new concrete influent channel cover; and abandoned RAS pits fill and cover;
2. Final Clarifier Nos. 1-3 rehabilitation, including replacement sludge collector mechanisms (GPR), effluent weirs, scum baffle and launders; new density current baffles and scum removal equipment; modified return sludge piping; conversion from rim feed to center feed type (GPR) with new influent piping and junction box; structural repairs; and replacement handrailing;
3. Final Clarifier Nos. 1-3 flow control improvements, including relocated influent gates; instrumentation and SCADA; and associated electrical work; and
4. Associated site work, including grading, seeding, sidewalk, and piping.
5. Wastewater Treatment Plant Hydraulic Improvements project includes:
 - a. Modifying the primary effluent channel and primary clarifier effluent flumes with a parallel effluent channel; and
 - b. Replacing the existing 60-inch diameter Final Clarifier Nos. 6 and 7 influent piping with 84-inch diameter piping.
6. CSO 045 EQ Basin project includes:
 - a. CSO 045 diversion structure, including screens and control gates;
 - b. 40 MGD inlet pump station, including four centrifugal flow pumps;
 - c. 3.0 MG circular prestressed concrete basin, partial buried with open top, modulating effluent plug valve and drain system, and radial flushing system;
 - d. CSO 045 overflow structure;
 - e. Control building, electrical and instrumentation, and standby power generator; and
 - f. Site work, including interceptor piping, site piping, access drive, and fencing.

The Project is more particularly described in the separate Preliminary Engineering Reports and the Plans and Specifications each as approved by the Indiana Finance Authority (IFA) – State Revolving Fund (SRF).

BILL NO. 74-23

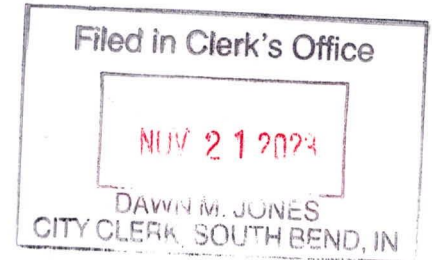


City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

November 21, 2023

South Bend Common Council
227 W. Jefferson Blvd., 4th Floor
South Bend, IN 46601



Re: Bill#74-23 - A proposed ordinance of ELLIOT PROPERTIES LLC to zone from UF Urban Neighborhood Flex to U1 Urban Neighborhood 1, property located at 1023 QUIMBY ST, City of South Bend
PC #0183-23

Dear Council Members:

I hereby Certify that the above referenced ordinance of ELLIOT PROPERTIES LLC was legally advertised on November 10, 2023, and that the South Bend Plan Commission at its public hearing on November 20, 2023, took the following action:

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a proposed ordinance of ELLIOT PROPERTIES LLC to zone from UF Urban Neighborhood Flex to U1 Urban Neighborhood 1, property located at 1023 QUIMBY ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,

Kari Myers
Zoning Specialist

Attachment

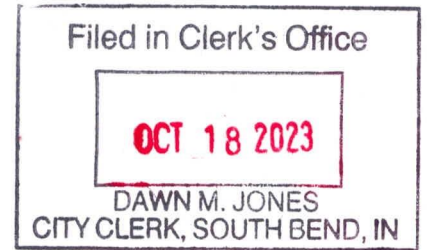
CC: ELLIOT PROPERTIES LLC
Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

BILL NO. 10988-23
ORDINANCE NO. 74-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED, 1023 QUIMBY STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the east half of the adjacent north-south alley from UF Urban Flex to U1 Urban Neighborhood 1.

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

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby 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:

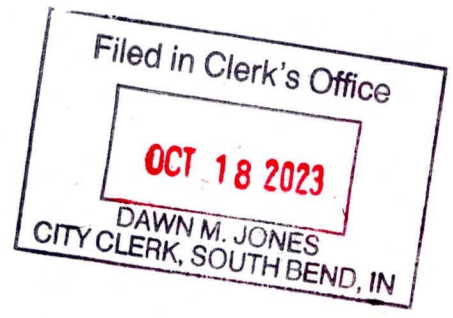
The east half of the first north-south alley lying west of Eddy Street, bounded on the south by the north right-of-way line of Quimby Street and bounded on the north by the first east-west alley lying north of Quimby Street, for an approximately running distance of 100 feet.

be and the same is hereby established as U1 Urban Neighborhood 1

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council



Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

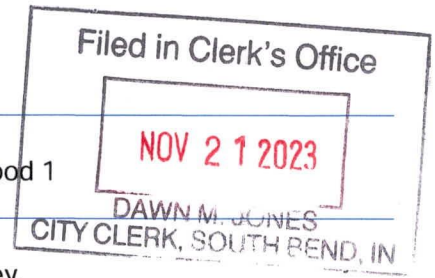
Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Property Information

Location: 1023 QUIMBY ST
Owner: ELLIOT PROPERTIES LLC



Requested Action

Rezone from UF Urban Neighborhood Flex to U1 Urban Neighborhood 1

Project Summary

Rezoning 10' north/south alley to correspond to property west of alley.

Location Map



Recommendation

Staff Recommendation: Based on the information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

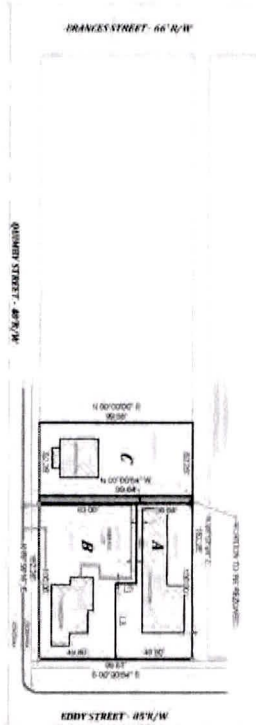
Proposed Site Plan

PROPOSED ELLIOT PROPERTIES' QUIMBY STREET LOT LINE ADJUSTMENT

PART OF THE NORTHEAST QUARTER OF SECTION 12 TOWNSHIP 27 NORTH RANGE 2 EAST CITY OF SOUTH BEND, PORTAGE TOWNSHIP ST. JOSEPH COUNTY INDIANA

LEGAL DESCRIPTION: PART OF THE NORTHEAST QUARTER OF SECTION 12 TOWNSHIP 27 NORTH RANGE 2 EAST CITY OF SOUTH BEND PORTAGE TOWNSHIP ST. JOSEPH COUNTY INDIANA... (Detailed legal description text)

PROPERTY INFORMATION: ELLIOT PROPERTIES LLC, 10000 SOUTH BEND AVENUE, SOUTH BEND, INDIANA 46708... (Property details and owner information)



- 1. ALL STATEMENTS THAT HAVE BEEN MADE OR OCCURRENCE INDICATED BY THE... (List of conditions and notes regarding the site plan and survey)

STATE/CITY CERTIFICATION: I, TRISTAN D. JAMES, COUNTY CLERK, HAVE REVIEWED THE... (Official certification text from the County Clerk)

LA PROFORMA logo and a table with columns for 'SUPPORT' and 'SUBMISSION'.

Site & Context

Land Uses and Zoning:

On site: On site is a single family dwelling
 North: A residential dwelling zoned U1
 East: Two office buildings zoned UF
 South: A residential dwelling zoned U1
 West: An accessory structure on a lot zoned U1

District Intent:

The U1 District is established to provide for, promote, and maintain urban neighborhoods located in core and outlying areas of the City.

Site Plan Description:

The current site plan shows no major alterations to the existing house. The request is only to rezone the vacated north/south alley to the east of the property in order to incorporate into usable yard space.

Zoning and Land Use History and Trends:

The neighborhood was largely established in the early 1900s as a walkable urban single family neighborhood consisting of single family homes with the occasional small scale multi-family building.

Traffic and Transportation Considerations:

Quimby Street is a narrow two lane street with on-street parking only on the south side of the street.

Agency Comments

Agency Comments:

There are no additional comments at this time.
 There were no engineering comments.

Staff Comments:

This parcel, as well as the north/south alley between this property and the UF zoned properties to the east were recently subdivided with the entire 10' alley being made a part of this property. Normally, when alleys are vacated, they take the zoning of the adjacent lots. In this instance, the two properties have different zoning resulting in the need to rezone the portion of the alley that would have had the UF zoning designation.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

1. Comprehensive Plan:

Policy Plan:

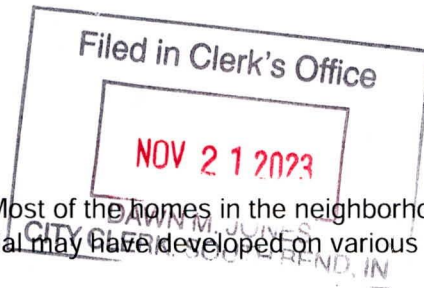
The petition is consistent with the Howard Park Neighborhood Plan (2012): Promote the continuation of historic density, street patterns and open space.

Land Use Plan:

The Howard Park Neighborhood Plan (2012) identifies this area for single family residential.

Plan Implementation/Other Plans:

City Plan, South Bend Comprehensive Plan (2006), Objective UD 1: Enhance the aesthetic appeal of the built environment.



2. Current Conditions and Character:

The home on this lot was built in 1908. Most of the homes in the neighborhood date from the early 1900's. A mix of multi-unit residential may have developed on various lots in the vicinity.

3. Most Desirable Use:

The most desirable use, at this time, is the continued use as a single unit dwelling and the incorporation of the vacated alley into usable yard space.

4. Conservation of Property Values:

Allowing for the expanded and continued use of the property as a single family dwelling should help stabilize property values throughout the area as opposed to the vacated alley being left unused and overgrown from neglect.

5. Responsible Development and Growth:

It is responsible development and growth to allow the vacated alley to become part of the overall parcel.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the 10' north/south alley to U1 Urban Neighborhood 1 District will allow for the entire property to zoned U1 and not a combination of two zoning districts.

Recommendation: Based on the information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.



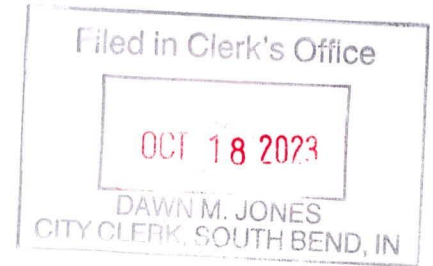
City of South Bend PLAN COMMISSION

County-City Building
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South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

October 17, 2023

Honorable Committee Chair Hamann
4th Floor, County-City Building
South Bend, IN 46601

RE: 1023 QUIMBY STREET – PC#0183-23



Dear Committee Chair Hamann:

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 October 23, 2023, Council meeting, and set it for public hearing at your December 11, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the November 20, 2023, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

To rezone the eastern half of the adjacent vacated alley from UF Urban Flex to U1 Urban Neighborhood 1 to match the parcel's zoning designation.

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

Sincerely,

Kari Myers
Zoning Specialist

CC: Bob Palmer

City of South Bend PLAN COMMISSION

Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number 018-6006-0145

Address: 1023 Quimby Street

Owner: Elliot Properties, LLC

Legal Description:

The east half of the first north-south alley lying west of Eddy Street, bounded on the south by the north right of way line of Quimby Street and bounded on the north by the first east-west alley lying north of Quimby Street, for an approximate running distance of 100'.

Filed in Clerk's Office

OCT 28 2024

Project Summary

Elliot Properties owns all properties lying adjacent to this recently vacated alley. They wish for all of the alley to be associates with 1023 Quimby St. Therefor, this portion of the alley must be rezoned to match the zoning of Urban Neighborhood 1.

Requested Action

Application includes (check all that apply)

Rezoning

Current District: UF Urban Flex

Additional Districts, if applicable

Proposed District U1 Urban Neighborhood 1

Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;*
- (2) Current conditions and the character of the current structures and uses in each district;*
- (3) The most desirable use for which the land in each district is adapted;*
- (4) The conservation of property values throughout the jurisdiction; and*
- (5) Responsible development and growth.*

Subdivision – *complete and attach subdivision application*

Special Exception – *complete and attach Criteria for Decision Making*

Use requested: _____

Variance(s) - *List variances below, complete and attach Criteria for Decision Making*

Variance(s) requested: _____

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

Filed in Clerk's Office
OCT 18 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Contact information

Property owner(s) of the petition site:

Name: Elliot Properties LLC

Address: 615 W. Colfax Avenue
South Bend, Indiana 46601

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Wightman c/o Terry Lang

Address: 1402 Mishawaka Avenue
South Bend, Indiana 46615


Phone Number: 574-233-1841

E-mail: TLang@gowightman.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:


BRAD L. EMBERTON, MEMBER

BILL NO. 62-23



TRANSFORMATION
MINISTRIES

1101 King str | South Bend, IN 46616

574.299-3935

orlandomendez@Transformation58.com



TO: South Bend Indiana Clerk's Office

SUBJECT: Alley/Street Vacation: East/West Street at 1101 King St. from Kessler Blvd.

To Whom It May Concern,

Transformation Ministries, a nonprofit based in Keller Park, is petitioning to vacate the east/west street at 1101 King St. from Kessler Blvd. As part of its mission to mentor the youth of South Bend through meaningful work, Transformation Ministries runs a lawncare and landscaping business that uses the 1101 King St. property to store its trucks, trailers, and other equipment. The vacation of the alley specified in this petition will:

1. Ensure our staff and the youth we employ are able to consistently back our trucks and trailers into our storage facilities. (When the alley is occupied by other vehicles or objects, it is impossible for us to adequately maneuver the equipment needed to provide our services).
2. Provide a solid surface on which to place our dumpsters, as mandated by the Health Department.

We have received a favorable recommendation for our petition from the Board of Public Works and have already implemented their stipulations of 1) maintaining unobstructed access the fire hydrant; 2) leaving a three-foot clear space around the fire hydrant's circumference; and 3) prohibiting parking within 15 feet of the fire hydrant (see photo on the next page).

Thank you for your consideration, and please let us know if you have any additional questions or concerns.

Sincerely,

Orlando Mendez

Director of Facilities and Hospitality

BILL NO. 62-23

ORDINANCE NO. 10976-23



AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

Part of the South Half of the Southwest Quarter of Section 35, Township 38 North, Range 2 East of the 2nd Principal Meridian, Portage Township, St. Joseph County, Indiana being more particularly described as follows:

Commencing at the Northeast corner of Lot 49 on the recorded plat of Northwest Addition 2nd plat in the Office of the Recorder of St. Joseph County, Indiana; thence South 90°00'00" East along the Southerly right of way line of McCartney Street, a distance of 72.90 feet; thence South 0°05'13" East a distance of 269.55 feet to the Northerly right-of-way line of King Street and the point of beginning of this description; thence continuing South 0°05'13" East a distance of 60.00 feet to the Southerly right-of-way line of said King Street; thence South 90°00'00" West along said Southerly right-of-way line a distance of 64.00 feet; thence North 0°05'13" West a distance of 60.00 feet to the Northerly right-of-way line of said King Street; thence North 90°00'00" East along the said Northerly right-of-way line a distance of 64.00 feet to the point of beginning of this description.

Containing 3,840 Square Feet

STATEMENT OF PURPOSE AND INTENT

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

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

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

Part of the South Half of the Southwest Quarter of Section 35, Township 38 North, Range 2 East of the 2nd Principal Meridian, Portage Township, St. Joseph County, Indiana being more particularly described as follows:

Commencing at the Northeast corner of Lot 49 on the recorded plat of Northwest Addition 2nd plat in the Office of the Recorder of St. Joseph County, Indiana; thence South 90°00'00" East along the Southerly right of way line of McCartney Street, a distance of 72.90 feet; thence South 0°05'13" East a distance of 269.55 feet to the Northerly right-of-way line of King Street and the point of beginning of this description; thence continuing South 0°05'13" East a distance of 60.00 feet to the Southerly right-of-way line of said King Street; thence South 90°00'00" West along said Southerly right-of-way line a distance of 64.00 feet; thence North 0°05'13" West a distance of 60.00 feet to the Northerly right-of-way line of said King Street; thence North 90°00'00" East along the said Northerly right-of-way line a distance of 64.00 feet to the point of beginning of this description.

Containing 3,840 Square Feet

hereby determines that it is desirable to vacate said property.

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

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

Parcel ID 018-2168-6182 and 018-2110-4067

Section IV. The purpose of the vacation of the real property is

The adjoining owner to the north, Transformation Ministries, plans to use the vacated right of way of King Street to secure access to the east portion of the building. Maintenance equipment, trailers and the owner's vehicles will be stored in the building. This will allow the owner to access the this area of the building without any obstructions.

SECTION V. This ordinance shall be in full force and effect from and after its Passage by the Common Council and approval by the Mayor

Sharon McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock . m.

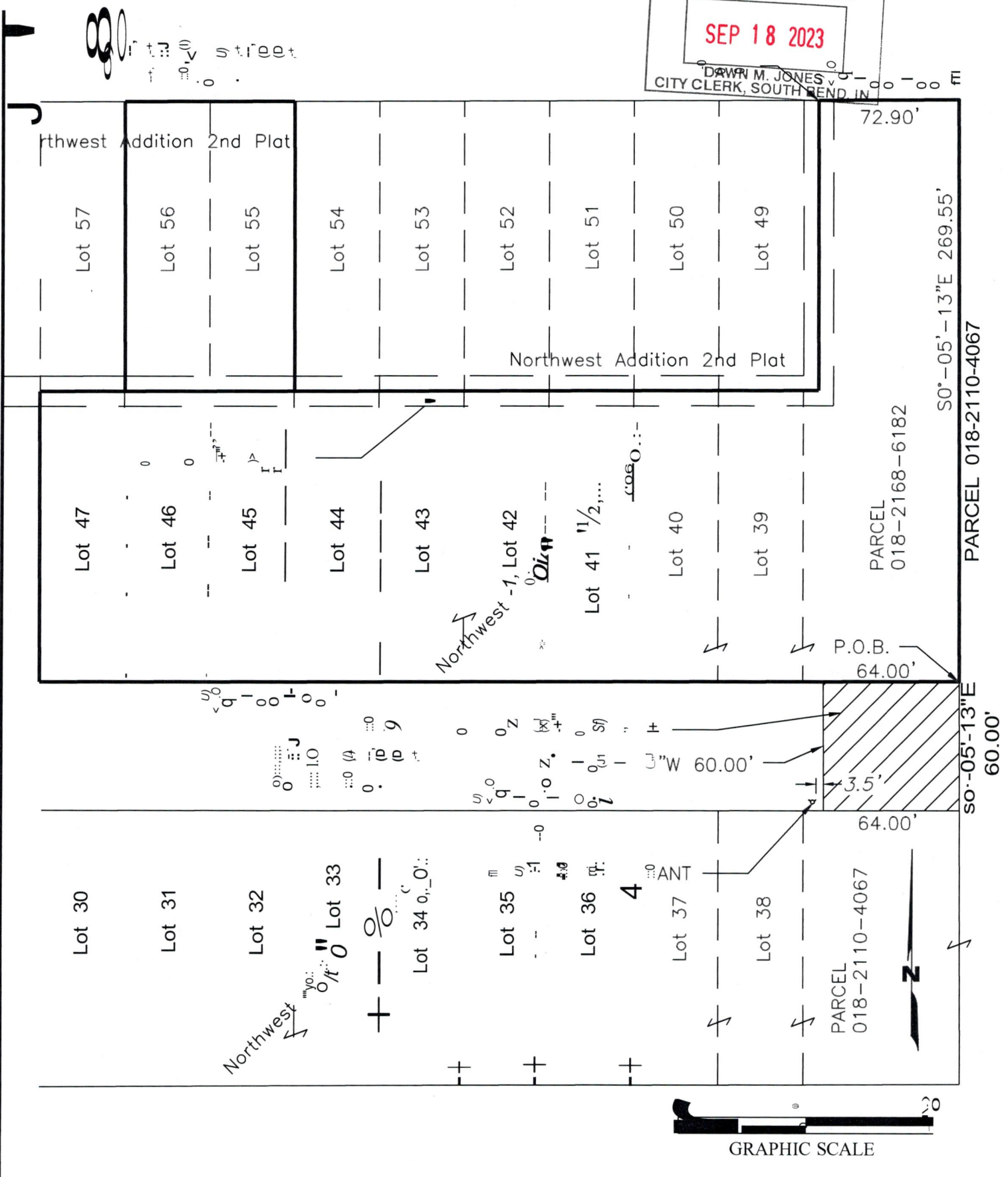
Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at _____ o'clock _____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Filed in Clerk's Office
SEP 18 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND

Filed in Clerk's Office
SEP 18 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN



PATH: \\SAM\CLIENTS\PROJECTS\1022068741\1022068741.DWG; 10/22/2023 10:54:15 AM; 2023; NO. 54

KING STREET RIGHT OF WAY VACATION
 TRANSFORMATION MINISTRIES, INC.
 1101 KING STREET, SOUTH BEND

SCALE: 1" = 60'

ENGINEER: DEBRA S. HUGHES P.E.

TECHNICIAN: AKM

DRAWING: 1022068741-DESIGN.DWG



2810 Dexter Drive
 Elkhart, IN 46514
 Phone: 574-266-1010
 Email: info@sam.biz

SHEET 1
 OF 1

JOB NUMBER: 1022068741

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



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

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

August 8, 2023

Ms. Maggie VanZalen - Transformation Ministries
1101 King St.
South Bend, IN 46616
maggiervanzalen@transformation58.com

RE: Alley/Street Vacation – East/West Street at 1101 King St. from Kessler Blvd. (Preliminary Review)

Dear Ms. VanZalen:

At its August 8, 2023 meeting, the Board of Public Works reviewed comments by the Engineering Division, Community Investment, Fire Department, Police Department. The following comments and recommendations were submitted:

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

Therefore, the Board of Public Works submitted a **favorable** recommendation for the vacation of this street **subject to access of the fire hydrant. The vacation will need to be three (3) feet less to the East with added No Parking Striping and Bollards.** If you still wish to pursue this street vacation, please bring this BPW Recommendation Packet to the City Clerk's Office, located on the 4th floor of the County-City Building. Alley/Street vacations require a presentation to the Common Council, approval of an ordinance, and certification of the ordinance from the Mayor. The property must then be recorded with the Recorder's Office to ensure that your 50% ownership of the property is appropriately transferred to your name. If you have any questions about how the street vacation will affect your property taxes, please contact the Auditor's Office.

If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Theresa Heffner

Theresa Heffner, Clerk

Enclosures
TH/lh



STREET/ALLEY VACATION APPLICATION

City of South Bend - Board of Public Works

227 W. Jefferson Boulevard, Ste. 1316

South Bend, IN 46601

Date: 5/24/2023

Phone #: 616-283-5590

Name: Maggie VanZalen - Transformation Ministries

Email: maggievanzalen@transformation58.com

Property Address: 1101 King St, South Bend, IN 46616

Applicant property information: Residential Commercial Industrial

Describe the general alley location with boundaries (Ex: Church Pl, between E. Colfax Ave & E. LaSalle Ave):

Portion of King Street shown in attached picture. From farthest east end of King Street up to the fire hydrant location as shown. The fire hydrant is approximately 68' from the east property line.

Is your property adjacent to the alley of interest? Yes No

Do you own all adjacent properties to the alley of interest? Yes No

Does the existing alley provide garage access to other property owners? Yes No

Does the alley receive daily traffic excluding your own use? Yes No

Would the vacation hinder public access to any of the following: a church, school, or any other public building or place? Yes No

Reason for street/alley vacation and proposed use:

This portion of the street will have no traffic except Transformation Ministries staff. Transformation will be able to use this part of King Street to secure access to the east portion of the building where their lawn equipment trailers and vehicles will be stored and they can pull them in and out of the building without any possible obstructions.

A map MUST be provided highlighting the area you would like to vacate with this application.

OFFICE USE ONLY:

Board Recommendation: Yes No

CITY OF SOUTH BEND, INDIANA
BOARD OF PUBLIC WORKS

Elizabeth A. Maradik, President

Gary A. Gilot, Member

Murray L. Miller, Member

Joseph R. Molnar, Vice President

Alexandra Dolz-Lane, Member

Attest: Theresa M. Heffner, Clerk

Date: August 8, 2023

1222 S. Michigan Street
South Bend, Indiana 46601-2821



Phone (574) 235-9255
Fax (574) 235-9305

CITY OF SOUTH BEND JAMES MUELLER, MAYOR
SOUTH BEND FIRE DEPARTMENT

CARL R. BUCHANON
FIRE CHIEF



MICHAEL J. DAMIANO
ASST. CHIEF OPERATIONS

GERARD ELLIS
ASST. CHIEF FIRE PREVENTION

TODD L. SKWARCAN
ASST. CHIEF SERVICES

ANDREW J. MYER
ASST. CHIEF EMS

BRANDON ROARK
ASST. CHIEF TRAINING

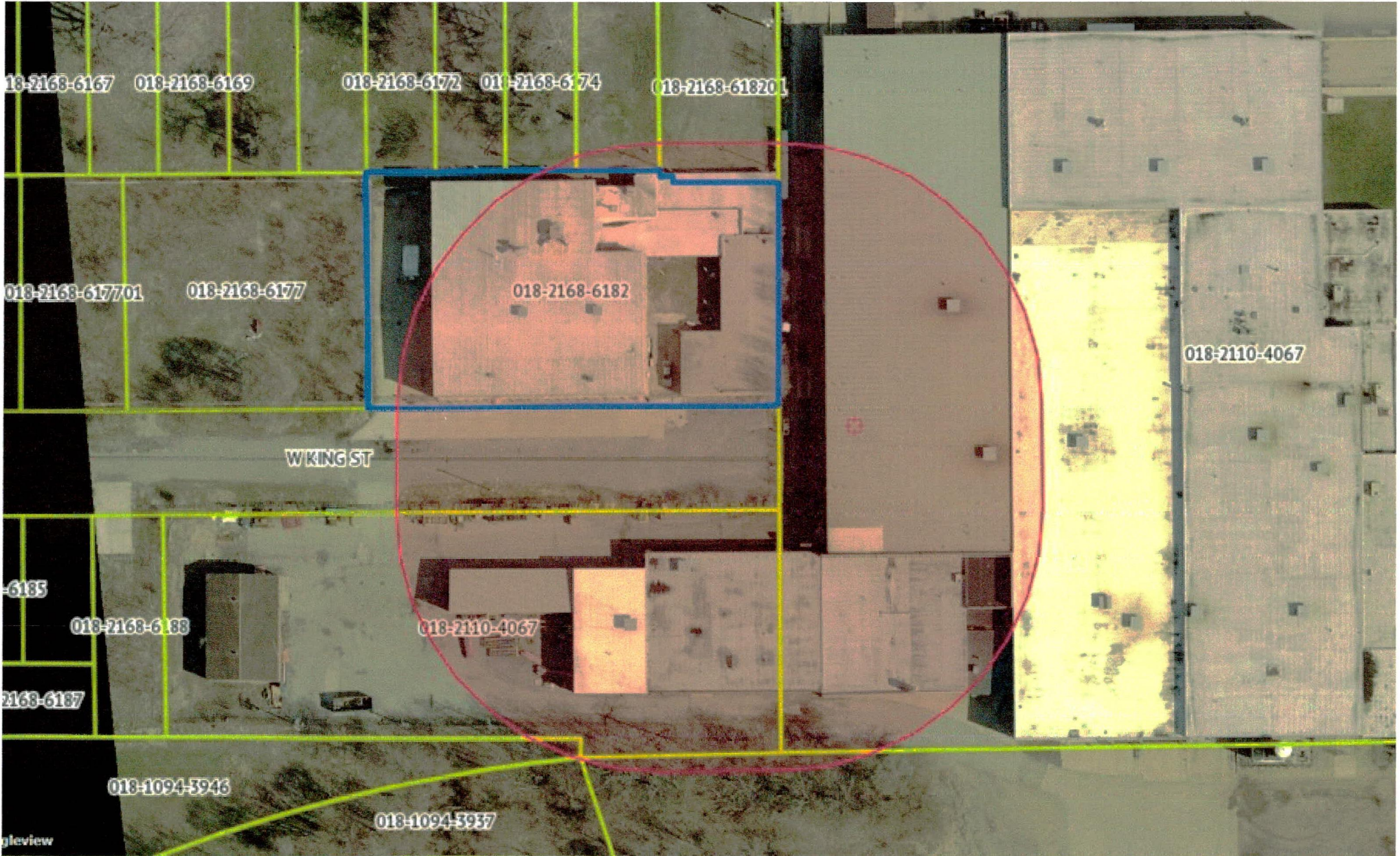












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BILL NO. 75-23

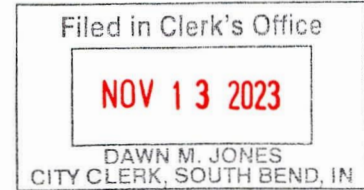


City of South Bend PLAN COMMISSION

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www.southbendin.gov/zoning

November 2, 2023

South Bend Common Council
227 W. Jefferson Blvd., 4th Floor
South Bend, IN 46601



Re: Bill#75-23- A proposed ordinance of MAURICE T RAYCROFT to zone from S1 Suburban Neighborhood 1 to U1 Urban Neighborhood 1, property located at 1119 TWYCKENHAM DR, City of South Bend - PC# 0174-23

Dear Council Members:

I hereby Certify that the above referenced ordinance of MAURICE T RAYCROFT was legally advertised on October 6, 2023 and that the South Bend Plan Commission at its public hearing on October 16, 2023 took the following action:

Upon a motion by Caitlin Stevens, being seconded by Kara Boyles and unanimously carried, a proposed ordinance of MAURICE T RAYCROFT to zone from S1 Suburban Neighborhood 1 to U1 Urban Neighborhood 1, property located at 1119 TWYCKENHAM DR, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing. Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,

Kari Myers
Zoning Specialist

Attachment

CC: Maurice Raycroft
Bob Palmer
Vision Realty Int'l LLC

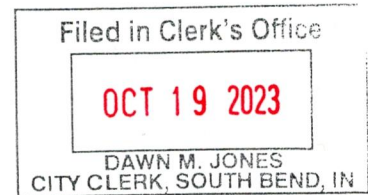
Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

BILL NO. 75-23

ORDINANCE NO. 10989-23



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED
1119 N TWYCKENHAM DRIVE COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF
SOUTH BEND, INDIANA**

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from S1 Suburban Neighborhood 1 to U1 Urban Neighborhood 1.

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

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby 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:

LOT NUMBERED THREE (3) AND FOUR (4) AS SHOWN ON THE RECORDED PLAT OF SAM WILLIAMS ADDITION, AN ADDITION TO THE CITY OF SOUTH BEND, AS RECORDED NOVEMBER 4, 1954, IN PLAT BOOK 19, PAGE W OF THE RECORDS OF SAID COUNTY IN ST. JOSEPH COUNTY, INDIANA

COMMONLY KNOWN AS 1119 N TWYCKENHAM DRIVE

be and the same is hereby established as Urban Neighborhood 1.

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

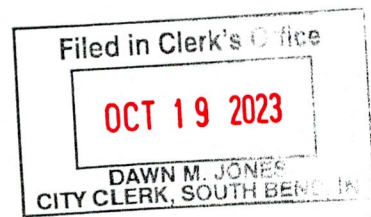
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ m.

Dawn M. Jones, City Clerk
Office of the City Clerk

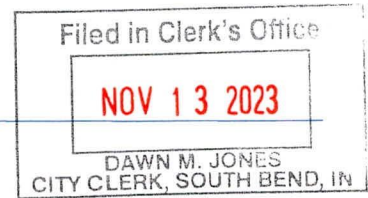
Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Property Information

Location: 1119 TWYCKENHAM DR
Owner: MAURICE T RAYCROFT



Requested Action

Rezone from S1 Suburban Neighborhood 1 to U1 Urban Neighborhood 1

Project Summary

Rezone this parcel and re-establish the property lines to create 3 buildable lots. These lots shall have individual townhouses constructed on them.

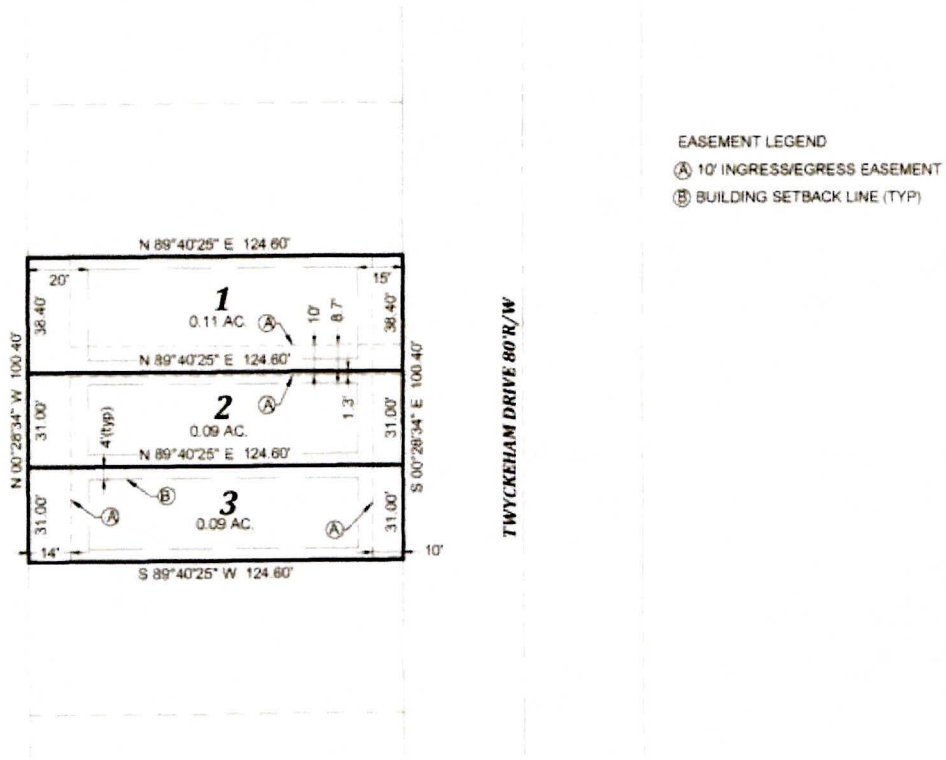
Location Map



Recommendation

Staff Recommendation: Based on information prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

Proposed Site Plan



Site & Context

Land Uses and Zoning:

On site: On site is a one unit dwelling zoned S1 Suburban Neighborhood 1.
 North: A one unit dwelling zoned S1.
 East: A one unit dwelling zoned S1.
 South: A one unit dwelling zoned S1.
 West: Vacant land zoned OS Open Space.

District Intent:

The U1 District is established to provide for, promote, and maintain urban neighborhoods located in core and outlying areas of the City.

Site Plan Description:

Subdivide the property into three smaller building lots for single family residential homes.

Zoning and Land Use History and Trends:

The neighborhood was largely established in the 1940's thru 1960's, as a suburban single family neighborhood with homes accessed by driveways from Twyckenham Drive. Twyckenham Drive has developed over time as a major north/south thoroughfare and serves as one entryway into the greater Notre Dame campus. The properties to the north, and the area in general, have seen an increase in interest for more dense housing opportunities, be it in multi-family housing or denser single family residential uses.

Traffic and Transportation Considerations:

Twyckenham Drive is two lanes with on-street parking.

Agency Comments

Agency Comments:

There are no additional comments at this time.
 There are no Engineering comments at this time.

Staff Comments:

The Northeast Neighborhood Plan (2022) seeks to allow a greater quantity and diversity in housing units. New housing should be carefully designed and located to support and positively influence neighborhood character. As the area continues to experience high interest in redevelopment, the plan envisions a higher density of residential options in the form of duplexes, ancillary dwelling units, and up to four units to help meet the demand for urban living.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

1. Comprehensive Plan:

Policy Plan:

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of households now and in the future.

Land Use Plan:

The Northeast Neighborhood Plan as adopted in 2022 identifies this area for Medium Density housing. As the area continues to experience high interest in redevelopment, the plan envisions

a higher density of residential options in the form of duplexes, ancillary dwelling units, and up to four units to help meet the demand for urban living.

Plan Implementation/Other Plans:

The Northeast Neighborhood Plan (2022) seeks to allow a greater quantity and diversity in housing units. New housing should be carefully designed and located to support and positively influence neighborhood character.

2. Current Conditions and Character:

The existing neighborhood and the area to the east have larger building lots typical of a suburban setting. The area to the south and west are urban sized lots for denser housing options. The property is also located within the NNZO Northeast Neighborhood Zoning Overlay district which serves to encourage high-quality design of new buildings and site development that preserves and enhances the character of a traditional neighborhood.

3. Most Desirable Use:

The most desirable use, at this time, is a range of low to medium density residential housing types that will seamlessly fit in the established character of the neighborhood.

4. Conservation of Property Values:

Allowing for the continued use of the property as residential uses should increase property values throughout the area and encourage future residential development along this section of Twyckenham Drive.

5. Responsible Development and Growth:

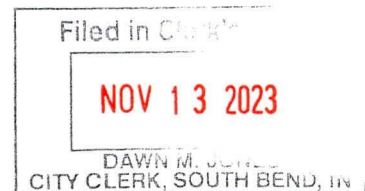
It is responsible development and growth to allow for a variety of housing options within this neighborhood.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the site to U1 Urban Neighborhood 1 will allow for residential growth and increased housing options in the neighborhood while not drastically changing the established character.

Recommendation: Based on information prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.



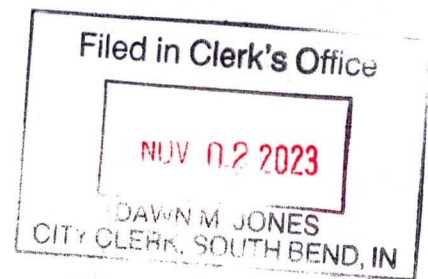


City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

November 2, 2023

South Bend Common Council
227 W. Jefferson Blvd., 4th Floor
South Bend, IN 46601



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The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,

Kari Myers
Zoning Specialist

Attachment

CC: Maurice Raycroft
Bob Palmer
Vision Realty Int'l LLC

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

Property Information

Location: 1119 TWYCKENHAM DR
Owner: MAURICE T RAYCROFT

Filed in Clerk's Office
NOV 02 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Requested Action

Rezone from S1 Suburban Neighborhood 1 to U1 Urban Neighborhood 1

Project Summary

Rezone this parcel and re-establish the property lines to create 3 buildable lots. These lots shall have individual townhouses constructed on them.

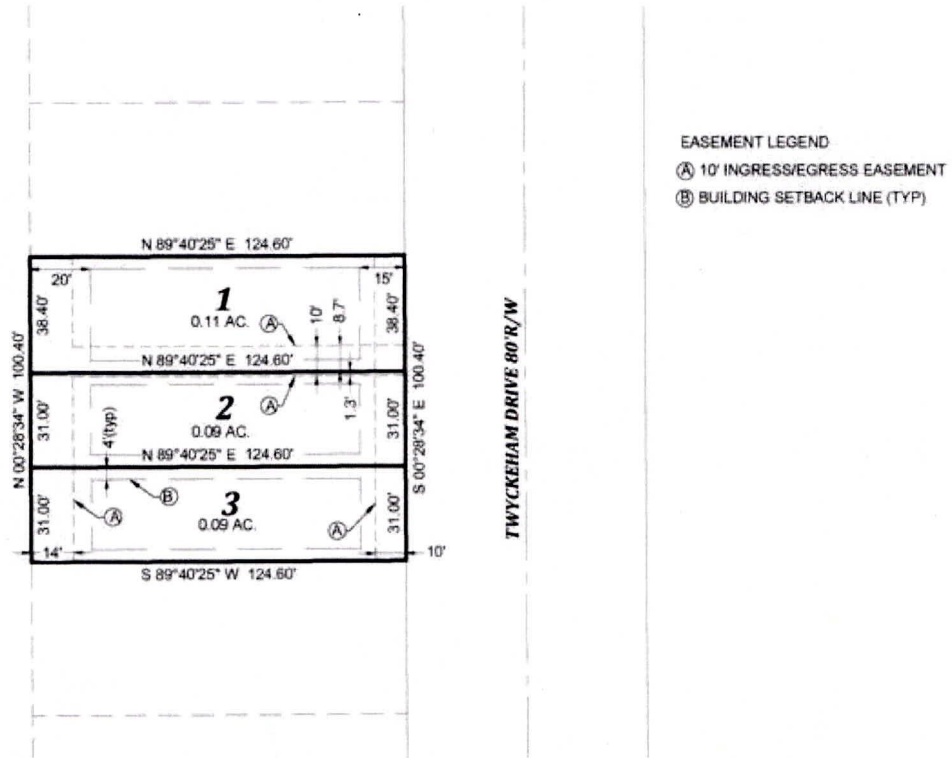
Location Map



Recommendation

Staff Recommendation: Based on information prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

Proposed Site Plan



Site & Context

Land Uses and Zoning:

On site: On site is a one unit dwelling zoned S1 Suburban Neighborhood 1.
 North: A one unit dwelling zoned S1.
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District Intent:

The U1 District is established to provide for, promote, and maintain urban neighborhoods located in core and outlying areas of the City.

Site Plan Description:

Subdivide the property into three smaller building lots for single family residential homes.

Zoning and Land Use History and Trends:

The neighborhood was largely established in the 1940's thru 1960's, as a suburban single family neighborhood with homes accessed by driveways from Twyckenham Drive. Twyckenham Drive has developed over time as a major north/south thoroughfare and serves as one entryway into the greater Notre Dame campus. The properties to the north, and the area in general, have seen an increase in interest for more dense housing opportunities, be it in multi-family housing or denser single family residential uses.

Traffic and Transportation Considerations:

Twyckenham Drive is two lanes with on-street parking.

Agency Comments

Agency Comments:

There are no additional comments at this time.
 There are no Engineering comments at this time.

Staff Comments:

The Northeast Neighborhood Plan (2022) seeks to allow a greater quantity and diversity in housing units. New housing should be carefully designed and located to support and positively influence neighborhood character. As the area continues to experience high interest in redevelopment, the plan envisions a higher density of residential options in the form of duplexes, ancillary dwelling units, and up to four units to help meet the demand for urban living.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

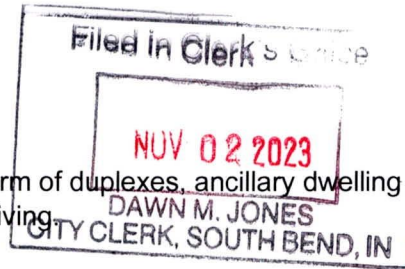
1. Comprehensive Plan:

Policy Plan:

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of households now and in the future.

Land Use Plan:

The Northeast Neighborhood Plan as adopted in 2022 identifies this area for Medium Density housing. As the area continues to experience high interest in redevelopment, the plan envisions



a higher density of residential options in the form of duplexes, ancillary dwelling units, and up to four units to help meet the demand for urban living.

Plan Implementation/Other Plans:

The Northeast Neighborhood Plan (2022) seeks to allow a greater quantity and diversity in housing units. New housing should be carefully designed and located to support and positively influence neighborhood character.

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3. Most Desirable Use:

The most desirable use, at this time, is a range of low to medium density residential housing types that will seamlessly fit in the established character of the neighborhood.

4. Conservation of Property Values:

Allowing for the continued use of the property as residential uses should increase property values throughout the area and encourage future residential development along this section of Twyckenham Drive.

5. Responsible Development and Growth:

It is responsible development and growth to allow for a variety of housing options within this neighborhood.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the site to U1 Urban Neighborhood 1 will allow for residential growth and increased housing options in the neighborhood while not drastically changing the established character.

Recommendation: Based on information prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.



City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

October 17, 2023

Honorable Committee Chair Hamann
4th Floor, County-City Building
South Bend, IN 46601

RE: 1119 N Twyckenham Drive, PC#0174-23

Dear Committee Chair Hamann:

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 October 23, 2023, Council meeting, and set it for public hearing at your November 13, 2023, Council meeting. The petition was heard at the October 16, 2023, Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk.

The petitioner provided the following to describe the proposed project:

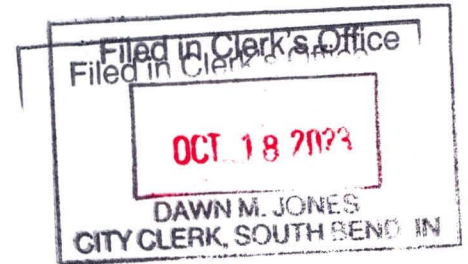
Rezone the property from S1 Suburban Neighborhood 1 to U1 Urban Neighborhood 1 to allow for a subdivision for three single family home lots.

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

Sincerely,

Kari Myers
Zoning Specialist

CC: Bob Palmer



City of South Bend PLAN COMMISSION

Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number: 018-5194-7584

Address: 1119 N Twyckenham Drive, South Bend, Indiana 46617

Owner: Vision Realty Int'l LLC

Legal Description:

Lots numbered three (3) and four (4) as shown on the recorded Plat of Sam Williams Addition, an Addition to the City of South Bend, as recorded November 4, 1954 in Plat Book 19, Page "W" of the records of said county in St. Joseph County, Indiana.



Project Summary

The owners wish to rezone this parcel and re-establish the property lines to create 3 buildable lots. These lots shall have individual townhouses constructed on them. A reduction by 1 foot in the side yard setback shall be requested to accommodate a larger townhouse.

Requested Action

Application includes (check all that apply)

Rezoning

Current District: S1 Suburban Neighborhood 1

Additional Districts, if applicable

Proposed District U2 Urban Neighborhood 2

Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;*
- (2) Current conditions and the character of the current structures and uses in each district;*
- (3) The most desirable use for which the land in each district is adapted;*
- (4) The conservation of property values throughout the jurisdiction; and*
- (5) Responsible development and growth.*

Subdivision – complete and attach subdivision application

Special Exception – complete and attach Criteria for Decision Making

Use requested: _____

Variance(s) - List variances below, complete and attach Criteria for Decision Making

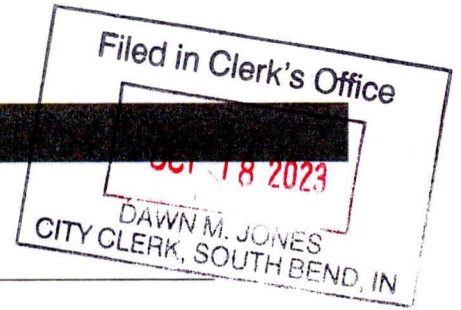
Variance(s) requested:

A variance from the required 5' side yard setback to a 4' setback on all side yards of Lots 1, 2 and 3.

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

Contact information



Property owner(s) of the petition site:

Name: Vision Realty Int'l LLC
Address: 4404 Technology Drive
South Bend, Indiana 46628

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Wightman attn. Terry Lang
Address: 1402 Mishawaka Avenue
South Bend, Indiana 46615

Phone Number: 574-233-1841

E-mail: TLang@gowightman.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:

Stephen C. Anid

BILL NO. 73-23

City of South Bend BOARD OF ZONING APPEALS

November 7, 2023

Honorable Lori Hamann
4th Floor, County-City Building
South Bend, IN 46601



RE: Special Exception at 1044 Lincolnway West

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your November 13, 2023, Council meeting and set it for public hearing at your December 11, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the December 4, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:
A Special Exception to allow for the use of a Group Residence.

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

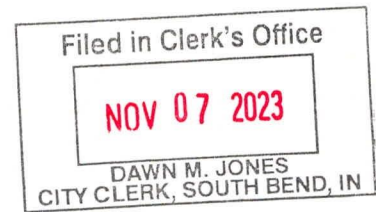
A handwritten signature in cursive script that reads "Kari Myers".

Kari Myers
Zoning Specialist

CC: Bob Palmer

BILL NO. 73-23

ORDINANCE NO. 10987-23



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

STATEMENT OF PURPOSE AND INTENT

Request a Special Exception to allow for the use of a group residence.

NOW, THEREFORE, BE IT ORDAINED 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 Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

1044 Lincolnway West. South Bend, IN 46619. 018-1035-1508

In order to permit a Group Residence

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory 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 adjacent area of 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, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

SECTION V. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

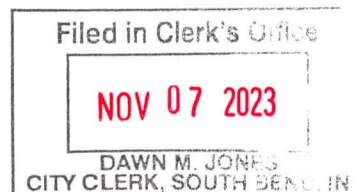
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ .m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



City of South Bend
BOARD OF ZONING APPEALS

227 RECEIVED OCT 06 2023 4005
South Bend, IN 46601
zoning@southbend.org

Filed in Clerk's Office
NOV 07 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND
BZA#10220-23

Petition for Variance - Special Exception

Property Information

Tax Key Number: 018-1035-1508
Address: 1044 LWW South Bend Ind 46606
Owner: Ronald E Koehler
Zoning: Choose the current district U3

Project Summary:

Change zoning to sleeping rooms
Be allowed to do group residence

Requested Action

- Special Exception/ Use Variance – complete and attach Criteria for Decision Making
Use requested: Group Residence
- Variance(s) - List variances below, complete and attach Criteria for Decision Making
Variance(s) requested:

Required Documents

- Completed Application (including Criteria for Decision Making and Contact Information)
- Site Plan drawn to scale
- Filing Fee

Criteria for Decision Making

Special Exception - if applicable

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing. Please address how the project meets the following criteria.

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare, because:

It has always been used as sleeping room. Tenants are really quiet.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein, because:

NO The owner maintains the property.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein, because:

yes It was purchased for this use

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan, because:

Yes, It was purchased for this use from the Madison Center over 20 yrs ago.

Criteria for Decision Making

Variance(s) - if applicable

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. Please address how the project meets the following criteria:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community, because:

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, because:

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property, because:

(4) The variance granted is the minimum necessary, because:

(5) The variance does not correct a hardship caused by a former or current owner of the property, because:

Contact Information

Property owner(s) of the petition site:

Name: Donald Koehler

Address: 59050 Clover Rd
Mishawaka Ind 46584

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Heather Wiesinger

Address: 519 Russell
Mishawaka Ind

Phone Number: 574-703-6720

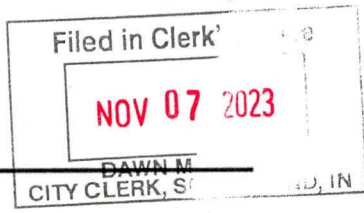
E-mail: _____

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:

Ronald E Koehler



City of South Bend

BOARD OF ZONING APPEALS

October 11, 2023

Honorable Lori Hamann
4th Floor, County-City Building
South Bend, IN 46601



RE: Special Exception at 1044 Lincolnway West

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your October 23, 2023, Council meeting and set it for public hearing at your November 13, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the November 6, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:
A Special Exception to allow for the use of a Group Residence.

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

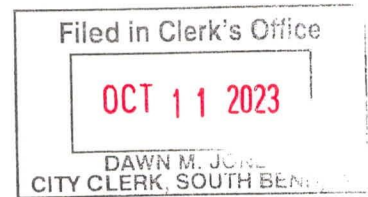
Sincerely,

Kari Myers
Zoning Specialist

CC: Bob Palmer

BILL NO. 73-23

ORDINANCE NO. 10987-23



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1044 Lincolnway West. South Bend, IN 46619. 018-1035-1508

In order to permit a Group Residence

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory 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 adjacent area of 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, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

SECTION V. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

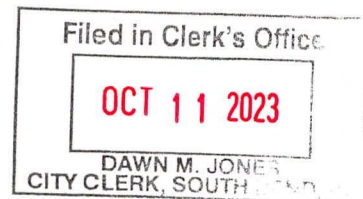
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ .m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Petition for Variance - Special Exception

BZA#0220

Property Information

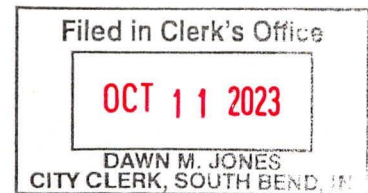
Tax Key Number: 018-1035-1508
Address: 1044 LWW South Bend Ind 46616
Owner: Ronald E. Koehler
Zoning: Choose the current district U3

Project Summary:

Change zoning to sleeping rooms
Be allowed to do group residence

Requested Action

- Special Exception/ Use Variance – complete and attach Criteria for Decision Making
Use requested: Group Residence
- Variance(s) - List variances below, complete and attach Criteria for Decision Making
Variance(s) requested:



Required Documents

- Completed Application (including Criteria for Decision Making and Contact Information)
 Site Plan drawn to scale
 Filing Fee

Criteria for Decision Making

Special Exception - if applicable

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing. Please address how the project meets the following criteria.

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare, because:

It has always been used as sleeping room. Tenants are really quiet.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein, because:

No The owner maintain the property.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein, because:

Yes. It was purchased for this use

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan, because:

Yes, It was purchased for this use from the Madison Center over 20 yrs ago.

Criteria for Decision Making

Variance(s) - *if applicable*

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. Please address how the project meets the following criteria:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community, because:

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, because:

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property, because:

(4) The variance granted is the minimum necessary, because:

(5) The variance does not correct a hardship caused by a former or current owner of the property, because:

Contact Information

Property owner(s) of the petition site:

Name: Ronald Koehler

Address: 59050 Clover Rd
Mishawaka Ind 46584

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Heather Wiesinger

Address: 519 Russell
Mishawaka Ind

Phone Number: 574-703-6720

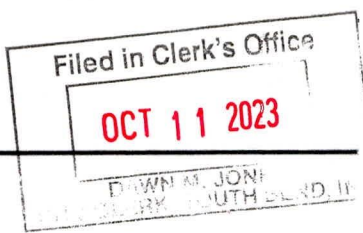
E-mail: _____

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

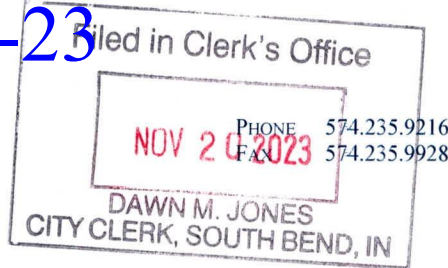
Property Owner (s) Signatures:

Ronald E Koehler



BILL NO. 79-23

1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



CITY OF SOUTH BEND, IN JAMES MUELLER, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 22, 2023

Ms. Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Investment Policy

Dear President McBride,

The Indiana legislature has enacted Indiana Code § 5-13-9 et seq, which allows the fiscal officer of a city to make investments of certain city funds into designated investment vehicles. Accordingly, the attached ordinance authorizes me to continue our current practice of exercising these investment powers to maximize financial resources of the City.

This bill makes no changes to the current investment policy of the City, and it mirrors a bill passed by the Common Council in December of 2021 and December of 2022. Certain powers of investment outlined in the Indiana Code require annual approval from the South Bend Common Council, which is why this bill is being presented at this point.

I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 27, 2023, with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2023.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

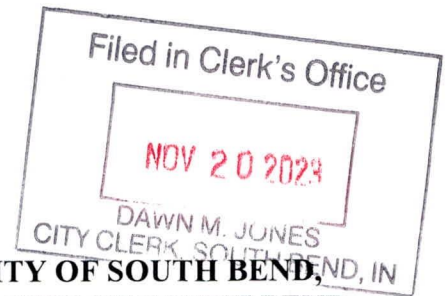
Regards,

A handwritten signature in blue ink that reads 'Kyle Willis'.

Kyle Willis
City Controller

BILL NO. 79-23

ORDINANCE NO. 10993-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SOUTH BEND FOR CALENDAR YEAR 2024

STATEMENT OF PURPOSE AND INTENT

The Indiana legislature has enacted Indiana Code § 5-13-9 et seq., which permits the fiscal officer of a city to make investments of public funds into designated investment vehicles. The Common Council of the City of South Bend determined that it is in the best interest of the City to authorize the full exercise of the City's investment powers under the Indiana Code.

Accordingly, on December 14, 2020, this Council enacted Ordinance No. 10768-20 which established an investment policy for the City of South Bend for calendar year 2021, as provided under Indiana Code § 5-13-9-5.7, and it authorized the City Controller to dedicate up to the maximum allowable proportion of the City's investment portfolio to investments maturing more than two years but not more than five years after purchase. Ordinance No. 10768-20 further authorized the City Controller to invest in certain investment vehicles as provided under Indiana Code § 5-13-9-5 and Indiana Code § 5-13-9-5.3. On December 13, 2021, this Council enacted Ordinance No. 10832-21, which adopted an identical investment policy for the City of South Bend for calendar year 2022. On December 12, 2022, this Council enacted Ordinance No. 10909-22, which adopted an identical investment policy for the City of South Bend for calendar year 2023.

This ordinance adopts an identical investment policy for the City of South Bend for calendar year 2024 unless it is earlier amended by ordinance.

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

SECTION I. For purposes of Indiana Code § 5-13-9, the investment policy for the City of South Bend first adopted on December 14, 2020 is approved for calendar year 2024, and shall read as follows:

With the approval of the City Controller, as the investing officer for the City of South Bend, the City may invest public funds in various investment vehicles, in accordance with Title 5, Article 13, of the Indiana Code, as amended from time to time. The City's investment portfolio may contain any investment vehicle generally provided for under Indiana Code § 5-13-9. In addition, the City Controller is granted the following specific authorizations:

1. Pursuant to Indiana Code § 5-13-9-5.7, the City Controller is authorized to

Filed in Clerk's Office
NOV 20 2023
DAWN M. JONES
CITY CLERK
SOUTH BEND, IN

make investments having a stated final maturity that is more than two (2) years but not more than five (5) years after the date of purchase or entry into a repurchase agreement, provided that such investments may comprise no more than twenty-five percent (25%) of the total portfolio of public funds invested by the City, including balances in transaction accounts.

2. Pursuant to Indiana Code § 5-13-9-5, the City Controller is authorized to invest in certificates of deposit of certain depositories, as defined by and subject to the requirements of Indiana Code § 5-13-9-5, which authorization will expire on December 11, 2024.
3. Pursuant to Indiana Code § 5-13-9-5.3, the City Controller is authorized to invest in interest bearing deposit accounts that satisfy the conditions stated in Indiana Code § 5-13-9-5.3(b).

SECTION II. That portion of the City's investment policy contained in Subparts (1) and (3) of Section I of this ordinance shall be effective from January 1, 2024 through December 31, 2024, unless earlier amended by ordinance. The City's investment policy as contained in Section I, Subpart (2) of this ordinance affecting certificates of deposit shall be effective for a period of one year from its adoption by this Council expiring December 11, 2024, unless earlier amended by ordinance. This ordinance is further conditioned upon adoption by the Common Council and approval by the Mayor.

Sharon McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

Filed in Clerk's Office

James Mueller, Mayor
City of South Bend, Indiana

MAY 20 2023

JAVIN M. JONES
CLERK SOUTH BEND, IN

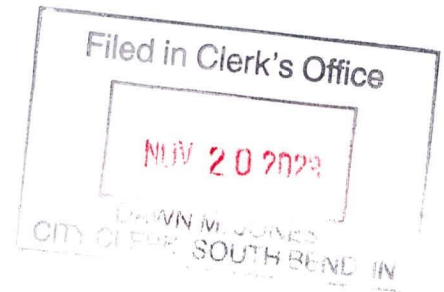
BILL NO. 81-23

County-City Building
227 W Jefferson Blvd Suite, 1200 N
South Bend, IN 46601

James Mueller, Mayor



Phone 311 inside City limits
Email 311@southbendin.gov
Website Southbendin.gov



City of South Bend

*Department of Administration & Finance
Division of Human Resources*

November 22, 2023

Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Q4 2023 Additional Appropriation Ordinance

Dear President McBride,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff, and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2023, we plan to propose adjustments during four time periods—March, June, September and December.

Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 27, 2023, with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2023.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

A handwritten signature in blue ink that reads "Kyle Willis".

Kyle Willis
City Controller

Filed in Clerk's Office

NOV 20 2023

DAWN M. JONES

CITY CLERK, SOUTH BEND, IN

BILL NO. 81-23

ORDINANCE NO. 10995-23

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 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201), \$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELEAF FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

STATEMENT OF PURPOSE AND INTENT

By Ordinance No. 10883-22, passed on October 10, 2022, the Common Council adopted the City's 2023 operating and capital budgets, which included expenditures for various City operations. It is now necessary to appropriate additional funds for operational and capital expenditures necessary for the City to effect the provision of services to its residents which were not anticipated at the time the City budget was adopted.

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

Section I. The following amounts are hereby appropriated in fiscal year 2023 and set apart within the following designated funds for expenditures as follows:

Fund	Fund Name	Amount
101	General Fund	\$1,098,200
201	Parks & Recreation	\$768,066
217	Gift, Donation, Bequest	\$34,579
230	Code Enforcement	\$30,000
258	Human Rights Federal Grants	\$8,350

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 NOV 20 2023

279	IT/Innovation/311 Call Center	\$445,000
291	Indiana River Rescue	\$30,000
401	Coveleski Stadium Capital	\$8,175
413	Professional Sports Development Area	\$112,000
602	Morris Performing Arts Center Operations	\$38,500
610	Solid Waste Operations	\$854,035
620	Water Works Operations	\$134,865
640	Sewer Repair Insurance	\$6,390
641	Sewage Works Operations	\$434,500
655	Project ReLeaf	\$4,905
667	Storm Sewer	\$35,305
670	Century Center Operations	\$265,000
711	Self-Funded Employee Benefits	\$165,000
754	Industrial Revolving Fund	\$30,000
	Total	\$4,502,870

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

 Sharon McBride, Council President
 South Bend Common Council

Attest:

 Dawn M. Jones, City Clerk
 Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ . m.

 Dawn M. Jones, City Clerk
 Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Filed in Clerk's Office
NOV 20 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
Unanticipated Expenses					
291-09-090-094-423006	Indiana River Rescue	Fire Department	Fire Department	Supplies-Repair & Maint-Small Tools & Equipment	15,000
	<i>Rationale: Timing of equipment repairs</i>				
291-09-090-094-439006	Indiana River Rescue	Fire Department	Fire Department	Services & Charges-Other-Education & Training	15,000
	<i>Rationale: Cover additional cost of increased attendance</i>				
101-03-030-030-431000	General Fund	Common Council	Common Council	Services & Charges-Professional-Other Professional Svcs	15,000
	<i>Rationale: Additional funds to cover budget through the end of the year</i>				
101-04-400-041-431000	General Fund	Administration & Finance	Controller's Office	Services & Charges-Professional-Other Professional Svcs	125,000
	<i>Rationale: Additional funds to cover outside consulting</i>				
258-04-402-046-433003	Human Rights Federal Grants	Administration & Finance	Human Rights	Services & Charges-Printing & Ad-Promotional	8,350
	<i>Rationale: Cover budget through the end of the year</i>				
101-02-020-020-421003--	General Fund	City Clerk's Office	City Clerk's Office	Supplies-Office-Law Books	3,200
101-02-020-020-433002--	General Fund	City Clerk's Office	City Clerk's Office	Services & Charges-Printing & Ad-Publication of Legal Notice	15,000
	<i>Rationale: Cover outstanding expenses and meetings expenses through the end of the end of the year</i>				
610-06-603-512-436003	Solid Waste Operations	Public Works	Solid Waste	Services & Charges-Repairs & Maint-Auto Equip R&M	700,000
	<i>Rationale: \$418k interfund from 101 and \$282k cash reserve</i>				
670-11-230-296-431900	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Professional-SMG Contracted Svcs	265,000
	<i>Rationale: Additional appropriations needed to cover budget</i>				
413-11-201-202-443001--PROJ00000499	Professional Sports Convention Development Area	Venues Parks & Arts	Park Maintenance	Capital Outlay-Buildings-Building Improvements	112,000
	<i>Rationale: Appropriation for Century Center Master Plan Study</i>				
101-09-090-090-431000	General Fund	Fire Department	Fire Department	Services & Charges-Professional-Other Professional Svcs	250,000
	<i>Rationale: Cover firefighters physicals due to increased costs and 2022 physicals being paid in 2023</i>				
101-08-080-080-410004	General Fund	Police Department	Police Department	Personnel-Salaries & Wages-Extra & Overtime	250,000
	<i>Rationale: Appropriate funding for Police Department overtime due to an increase in officers and increased response to service.</i>				
101-08-080-080-445000	General Fund	Police Department	Police Department	Capital Outlay-Machinery & Equip-Motor Equipment	320,000
	<i>Rationale: Appropriate funds for Police vehicles & equipment due to increased costs</i>				
667-06-605-517-490000-ARP026-	Storm Sewer	Public Works	Wastewater	#N/A	10,305
655-06-602-508-490000-ARP026-	Project ReLeaf	Public Works	Streets & Sewers	#N/A	4,905
641-06-602-509-490000-ARP026-	Sewage Works Operations	Public Works	Streets & Sewers	#N/A	184,500
640-06-602-510-490000-ARP026-	Sewer Repair Insurance	Public Works	Streets & Sewers	#N/A	6,390
620-06-604-607-490000-ARP026-	Water Works Operations	Public Works	Water Works	#N/A	134,865
610-06-603-512-490000-ARP026-	Solid Waste Operations	Public Works	Solid Waste	#N/A	109,035
	<i>Rationale: Applying available budget to funds for UAP payments</i>				
610-06-603-512-490000--	Solid Waste Operations	Public Works	Solid Waste	#N/A	45,000
667-06-605-517-490000--	Storm Sewer	Public Works	Wastewater	#N/A	25,000
	<i>Rationale: Cover bad debt expenses, no 2023 budget for Storm Sewer</i>				

Filed in Clerk's Office

NOV 20 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
230-10-103-105-422008--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Medical/Safety Supplies	2,000
230-10-103-105-422011--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Animal Feed	2,000
230-10-103-105-439019--	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Other-Cremation Services	2,000
230-10-103-105-422007--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Cleaning Supplies	2,000
230-10-103-105-421000--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Office-Other Office Supplies	2,000
230-10-103-105-431012--	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Professional-Veterinary Services	20,000
	Rationale:	Appropriation to cover increase in expenses			
101-04-040-040-439000	General Fund	Administration & Finance	General City	Services & Charges-Other-Misc Charges & Svcs	120,000
	Rationale:	Appropriation to cover over budgeted account			
711-041-406-405-431000	Self-Funded Employee Benefits	Administration & Finance	#N/A	#N/A	165,000
	Rationale:	Cover over budgeted employee benefits account (Wellness Clinics)			
201-11-201-201-410003--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Permanent Part Time	165,000
201-11-201-201-422000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Operating-Other Operating Supplies	40,000
201-11-201-201-423000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Repair & Maint-Other R&M Supplies	15,000
201-11-201-201-423001--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Repair & Maint-Building Materials	15,000
201-11-201-201-423009--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Repair & Maint-Repair Parts	30,000
201-11-201-201-439000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Other-Misc Charges & Svcs	50,000
	Rationale:	Appropriate funds to cover budget			
602-11-220-292-421000--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Supplies-Office-Other Office Supplies	3,000
602-11-220-292-422007--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Supplies-Operating-Cleaning Supplies	3,000
602-11-220-292-431000--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Professional-Other Professional Svcs	5,000
602-11-220-292-439003--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Other-Subscriptions	4,000
401-11-201-202-436001--	Coveleski Stadium Capital	Venues Parks & Arts	Park Maintenance	Services & Charges-Repairs & Maint-Building R&M	8,175
	Rationale:	Appropriate funds to cover budget through end of year			
754-10-101-120-431001	Industrial Revolving Fund	Community Investment	Community Investment	Services & Charges-Professional-Legal Services	30,000
	Rationale:	Appropriate funds to cover legal expenses			
602-11-220-292-436001	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Repairs & Maint-Building R&M	23,500
	Rationale:	Appropriate funds for MPAC floor refinishing			
Total Unanticipated Expenses					3,320,225
Supported by Outside Revenue					
217-10-103-105-43102--	Gift, Donation, Bequest	Community Investment	Neighborhoods	#N/A	34,579
	Rationale:	Appropriate donated funds received from J. Westfall			
279-07-071-071-431009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Services & Charges-Professional-Computer & Technology	419,800
279-07-071-071-422006--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Supplies-Operating-Computer Supplies & Equipment	25,200
	Rationale:	Appropriate grant expnses for camera expansion licensing and camera expansion hardware for the Fire Department			
201-11-201-201-445000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Capital Outlay-Machinery & Equip-Motor Equipment	45,770
	Rationale:	Appropriate Central Services 2023 Auction Proceeds			
201-11-206-273-443001-11DNRGRANT-PROJ00000298	Parks & Recreation	Venues Parks & Arts	Park Projects & Capital	Capital Outlay-Building-Building Improvements	407,296
	Rationale:	Appropriate funds to be reimbursed by DNR Grant			
Total Supported by Outside Revenue					932,645
Capital Projects					
641-06-605-514-431002	Sewage Works Operations	Public Works	Wastewater	Services & Charges-Professional-Engineering & Architectural	250,000
	Rationale:	Repair of a CSO outfall pipe in Northshore Dr			
Total Capital Project Costs					250,000
Grand Total					4,502,870

Filed in Clerk's Office
 NOV 20 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

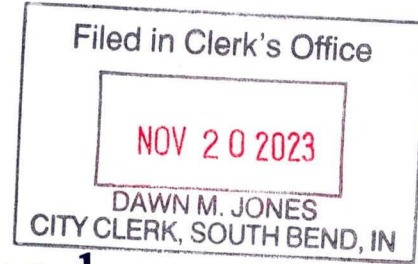
BILL NO. 82-23

County-City Building
227 W Jefferson Blvd Suite, 1200 N
South Bend, IN 46601

James Mueller, Mayor



Phone 311 inside City limits
Email 311@southbendin.gov
Website Southbendin.gov



City of South Bend

*Department of Administration & Finance
Division of Human Resources*

November 22, 2023

Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Q4 2023 Budget Transfer Ordinance

Dear President McBride,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff, and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2023, we plan to propose adjustments during four time periods—March, June, October and December.

Based on our budget review, we are submitting the enclosed budget transfer ordinance for your consideration.

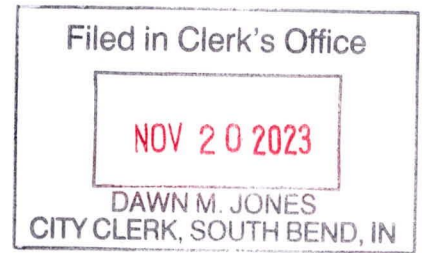
I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 27, 2023, with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2023.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards

A handwritten signature in blue ink that reads "Kyle Willis".

Kyle Willis
City Controller



BILL NO. 82-23

ORDINANCE NO. 10996-23

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 2023

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing City budget, under Ordinance No. 10883-22 on October 10, 2022, which necessitate the increase and reduction of appropriations within the various departments of the General Fund and other funds of the City of South Bend during 2023.

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

Section I. All accounts as set forth in the detailed attachment hereto which are incorporated herein shall be adjusted by increase or reduction of appropriation in the designated sums.

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

Sharon McBride, Council President
South Bend Common Council

Attest:

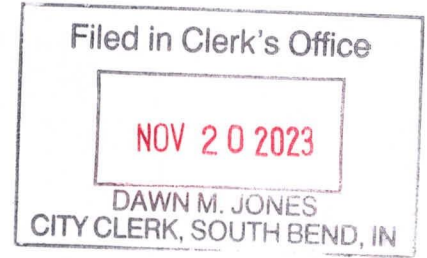
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at _____
o'clock.
____.m.

James Mueller, Mayor
City of South Bend, Indiana



City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
<i>(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)</i>					
Account #	Fund	Department	Division	Account	Budget Adjustment
101-05-050-050-439002--	General Fund	Legal Department	Legal Department	Services & Charges-Other-Licenses & Permits	16,632
101-05-050-050-410005--	General Fund	Legal Department	Legal Department	Personnel-Salaries & Wages-Seasonal & Interns	(16,632)
Rationale:	Transfer funds to cover new software licensing				
101-04-040-040-410003-ARP016-	General Fund	Administration & Finance	General City	Personnel-Salaries & Wages-Permanent Part Time	25,500
101-04-040-040-411001-ARP016-	General Fund	Administration & Finance	General City	Personnel-Employee Benefits-FICA Regular	1,850
101-04-040-040-439300-ARP016-	General Fund	Administration & Finance	General City	Services & Charges-Other-Grants & Subsidies	(27,350)
Rationale:	Transfer funds to over Streets Outreach personnel wages				
222-04-403-455-410001--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Salaried Wages	8,200
222-04-403-450-410002--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Teamster Wages	(8,200)
Rationale:	Transfer funds to cover budget for Salary Employee				
101-03-030-030-410001--	General Fund	Common Council	Common Council	Personnel-Salaries & Wages-Salaried Wages	(28,000)
101-03-030-030-431000--	General Fund	Common Council	Common Council	Services & Charges-Professional-Other Professional Svcs	28,000
Rationale:	Transfer funds to cover Professional Service expenses				
101-03-030-030-410003--	General Fund	Common Council	Common Council	Personnel-Salaries & Wages-Permanent Part Time	(15,000)
101-03-030-030-432003--	General Fund	Common Council	Common Council	Services & Charges-Communication & Transp-Travel	15,000
Rationale:	Transfer funds to cover upcoming travel for conference				
201-11-202-222-422010--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Plants Chemicals Seed & Fertilizer	(5,000)
201-11-202-223-422000--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Other Operating Supplies	(1,600)
201-11-202-222-439005--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Bank & Credit Card Fees	5,000
201-11-202-222-439099--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Cashier Over/Short	1,200
201-11-202-222-439009--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Trash Removal	400
Rationale:	Transfer to cover Year End Budget				
222-04-403-457-445008--	Central Services	Administration & Finance	Central Services	Capital Outlay-Machinery & Equip-Other Equipment	(15,000)
222-04-403-457-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	15,000
Rationale:	Transfer funds cover Building, Repair & Maintenance budget				
601-11-240-461-413900--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Wages	(3,700)
601-11-240-461-413901--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Benefits & Taxes	(500)
601-11-240-461-445000--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Motor Equipment	(40,000)
601-11-240-460-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	44,200
601-11-240-462-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(71,000)
601-11-240-463-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(71,000)
601-11-240-462-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	40,000
601-11-240-463-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	52,000
601-11-240-464-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	50,000
Rationale:	Transfer funds to cover Parking Garage YE budget				
620-06-604-603-431000--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Other Professional Svcs	53,000
620-06-604-603-431015--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Laboratory Water Testing	20,000
620-06-604-603-422012--	Water Works Operations	Public Works	Water Works	Supplies-Operating-Water Treatment Chemicals	(73,000)
Rationale:	Reallocate budget for year end expenses exceeding budget				

Filed in Clerk's Office
 NOV 20 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
<i>(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)</i>					
Account #	Fund	Department	Division	Account	Budget Adjustment
610-06-603-512-436003--	Solid Waste Operations	Public Works	Solid Waste	Services & Charges-Repairs & Maint-Auto Equip R&M	115,000
610-06-603-512-422002--	Solid Waste Operations	Public Works	Solid Waste	Supplies-Operating-Diesel/CNG	(25,000)
610-06-603-512-422000--	Solid Waste Operations	Public Works	Solid Waste	Supplies-Operating-Other Operating Supplies	(20,000)
610-06-603-512-411008--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Employee Benefits-Health Insurance	(40,000)
610-06-603-512-410002--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Salaries & Wages-Teamster Wages	(25,000)
610-06-603-512-410001--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Salaries & Wages-Salaried Wages	(5,000)
Rationale:	<i>Reallocate budget for year end expenses exceeding budget</i>				
670-11-230-295-410001--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Salaries & Wages-Salaried Wages	(125,000)
670-11-230-295-410003--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Salaries & Wages-Permanent Part Time	(6,000)
670-11-230-295-411001--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-FICA Regular	(10,000)
670-11-230-295-411004--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-PERF Regular	(20,000)
670-11-230-295-411204--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-Auto Allowance	(1,000)
670-11-230-296-422000--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Operating-Other Operating Supplies	(23,300)
670-11-230-296-422015--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Operating-Cost of Goods Sold	(60,000)
670-11-230-295-436001--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Repairs & Maint-Building R&M	7,800
670-11-230-296-435900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Utility Services-SMG Utilities	1,500
670-11-230-296-439901--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG Management Fee	25,000
670-11-230-296-439900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG General & Admin Costs	35,000
670-11-230-296-439902--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG Operations	45,000
670-11-230-296-434900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Insurance-SMG Insurance	65,000
670-11-230-296-439000--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-Misc Charges & Svcs	66,000
Rationale:	<i>Transfer funds to cover year end budget</i>				
101-09-092-092-422008--	General Fund	Fire Department	EMS	Supplies-Operating-Medical/Safety Supplies	(25,000)
101-09-092-092-439000--	General Fund	Fire Department	EMS	Services & Charges-Other-Misc Charges & Svcs	25,000
Rationale:	<i>Transfer funds to cover service expenses</i>				
220-08-080-088-439006--	Law Enforcement Continuing Education	Police Department	Police Department	Services & Charges-Other-Education & Training	10,000
220-08-080-088-422000--	Law Enforcement Continuing Education	Police Department	Police Department	Supplies-Operating-Other Operating Supplies	10,000
220-08-080-085-445001--	Law Enforcement Continuing Education	Police Department	Police Department	Capital Outlay-Machinery & Equip-Police Equipment	(20,000)
Rationale:	<i>Transfer funds to cover training & education expenses</i>				
222-04-403-454-422001--	Central Services	Administration & Finance	Central Services	Supplies-Operating-C.S. Gasoline	(2,000)
222-04-403-454-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	2,000
Rationale:	<i>Transfer funds to cover Building R&M expenses</i>				

Filed in Clerk's Office
 NOV 20 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)					
Account #	Fund	Department	Division	Account	Budget Adjustment
201-11-200-200-421000--	Parks & Recreation	Venues Parks & Arts	Park Admin	Supplies-Office-Other Office Supplies	1,500
201-11-201-201-421000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Office-Other Office Supplies	6,000
201-11-201-201-436003--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Repairs & Maint-Auto Equip R&M	(7,500)
201-11-011-011-410003--	Parks & Recreation	Venues Parks & Arts	Community Initiatives	Personnel-Salaries & Wages-Permanent Part Time	(75,000)
201-11-205-231-410003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Personnel-Salaries & Wages-Permanent Part Time	(15,000)
201-11-208-237-410002--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Teamster Wages	(20,000)
201-11-208-237-410003--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Permanent Part Time	(75,000)
201-11-208-237-410005--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Seasonal & Interns	(25,000)
201-11-200-200-410003--	Parks & Recreation	Venues Parks & Arts	Park Admin	Personnel-Salaries & Wages-Permanent Part Time	(7,000)
201-11-201-201-410017--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Stand By Pay	5,000
201-11-201-201-410005--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Seasonal & Interns	72,000
201-11-201-201-410004--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Extra & Overtime	65,000
201-11-202-220-410003--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Personnel-Salaries & Wages-Permanent Part Time	75,000
201-11-205-243-433003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Services & Charges-Printing & Ad-Promotional	(15,000)
201-11-203-230-439300--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Services & Charges-Other-Grants & Subsidies	15,000
<i>Rationale:</i>	<i>Transfer funds to cover YE budget</i>				
279-07-070-070-422013--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Supplies-Operating-Promotional Supplies	(3,000)
279-07-070-070-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Personnel-Salaries & Wages-Salaried Wages	(10,000)
279-07-070-070-431000--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Services & Charges-Professional-Other Professional Svcs	13,000
<i>Rationale:</i>	<i>Transfer funds to cover budget to hire consultant</i>				
279-07-071-071-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Salaried Wages	(235,000)
279-07-071-071-410005--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Seasonal & Interns	(17,550)
279-07-071-071-411001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-FICA Regular	(27,800)
279-07-071-071-411004--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-PERF Regular	(50,950)
279-07-071-071-411007--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Unemployment Comp	(2,195)
279-07-071-071-411008--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Health Insurance	(78,000)
279-07-071-071-411009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Life Insurance	(435)
279-07-071-071-411014--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Parental Leave	(1,105)
279-07-071-071-411206--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Cell Phone Allowance	(14,340)
279-07-071-071-431009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Services & Charges-Professional-Computer & Technology	427,375
<i>Rationale:</i>	<i>Cybersecurity Services/Fill in for business units</i>				
279-07-071-071-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Salaried Wages	(5,000)
279-07-071-071-422006--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Supplies-Operating-Computer Supplies & Equipment	5,000
<i>Rationale:</i>	<i>Cover Overage in supplies/tech: costs have been increasing</i>				
				Grand Total	-

Filed in Clerk's Office

NOV 20 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

BILL NO. 83-23



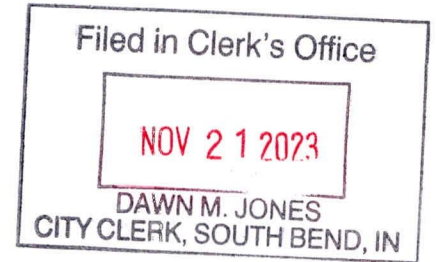
City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

November 21, 2023

Honorable Lori Hamann
4th Floor, County-City Building
South Bend, IN 46601

RE: 603, 607, 611, 615, 617, 619, and 621 West Marion Street
PC#0151-23



Dear Ms. Hamann:

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 November 27, 2023, Council meeting, and set it for public hearing at your January 8, 2024, Council meeting. The petition is tentatively scheduled for public hearing at the December 18, 2023, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

Petitioners desire to rezone the property from NC Neighborhood Center to U3 Urban Neighborhood 3 to allow a new multi-family residential development.

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

Sincerely,

Kari Myers
Zoning Specialist

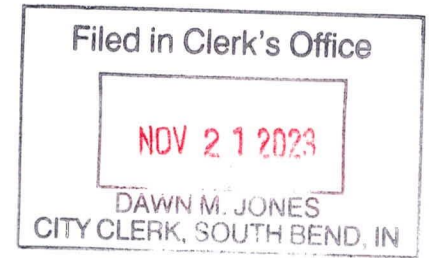
CC: Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

BILL NO. 83-23
ORDINANCE NO. 10997-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 603, 607, 611, 615, 617, 619, AND 621 WEST MARION STREET, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

The proposed project includes construction of multi-unit residential dwellings on vacant lots owned by the City of South Bend

Petitioners desire to rezone the properties from NC Neighborhood Center to U3 Urban Neighborhood 3

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

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby 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:

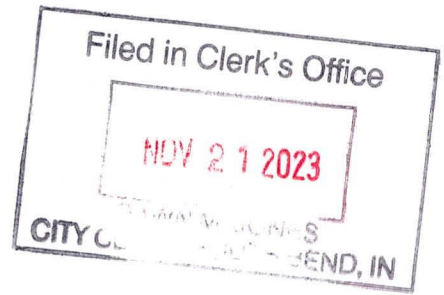
Fifty-four (54') feet off of and from the South End of the East one-half (1/2) of Lot Numbered 66, and Fifty-four (54') feet off of and from the South End of the East one-half (1/2) of Lot Numbered 65, as shown on the recorded Plat of Henricks and Grant's Addition to the Town, now City of South Bend, Indiana; Lot 66 W 1-2 Henricks & Grants; Lot Numbered 10 and the North Half of Lot Numbered 11 in Kent and Garrison's Subdivision of Out Lot Numbered 1 of Hendrick's and Grant's Addition to the Town, now City of South Bend, Indiana, as per plat thereof recorded August 13, 1881 in Plat Book 4, page 16 in the Office of the Recorder of Saint Joseph County, Indiana, EXCEPTING THEREFROM 6 feet off the Westerly side of said Lot 11; S 1/2 Lot 11 Ex 6 Wly Side Kent & Garrison Add; Lot 12 Excluding 9' Off East Side and Lot 13 Smith & Jacksons Sub; Lot 14 Smith & Jacksons Sub

Parcel Numbers:

State ID: 71-08-02-476-051.000-026/018-1021-0868

State ID: 71-08-02-476-049.000-026/018-1021-0869

State ID: 71-08-02-476-048.000-026/018-1055-2342
State ID: 71-08-02-476-047.000-026/018-1055-2343
State ID: 71-08-02-476-028.000-026/018-1055-2366
State ID: 71-08-02-476-027.000-026/018-1055-2365



be and the same is hereby established as U3 Urban Neighborhood 3

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Petition for Rezoning or Combined Public Hearing

Property Information

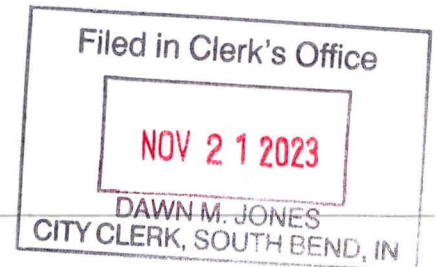
Tax Key Number See Attached

Address: See Attached

Owner: Department of Redevelopment City of South Bend

Legal Description:

See Attached



Project Summary

The City of South Bend is in the process of marketing these lots for residential units. The property would be better suited under a true residentially zoned district as opposed to the current mixed use zoning.

Requested Action

Application includes (check all that apply)

Rezoning

Current District: NC Neighborhood Center

Additional Districts, if applicable

Proposed District U3 Urban Neighborhood 3

Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) *The comprehensive Plan;*
- (2) *Current conditions and the character of the current structures and uses in each district;*
- (3) *The most desirable use for which the land in each district is adapted;*
- (4) *The conservation of property values throughout the jurisdiction; and*
- (5) *Responsible development and growth.*

Subdivision – *complete and attach subdivision application*

Special Exception – *complete and attach Criteria for Decision Making*

Use requested: _____

Variance(s) - *List variances below, complete and attach Criteria for Decision Making*

Variance(s) requested: _____

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

Contact information

Property owner(s) of the petition site:

Name: Department of Redevelopment City of South Bend

Address: 227 W Jefferson South Bend IN 46601

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Joseph Molnar

Address: 227 W Jefferson South Bend IN 46601


Phone Number: 574-245-6022

E-mail: jrmolnar@southbendin.gov

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:



TAX ID

018-1055-2365 / 018-1055-2366 / 018-1055-2343 / 018-1055-2342 / 018-1021-0869 / 018-1021-0868

ADDRESSES

621 Marion / 617-619 Marion / 615 Marion / 611 Marion / 18 VAC LOT 600 BLK MARION /
603 W MARION ST

Legal Descriptions

LOT 14 SMITH & JACKSONS SUB /

Lot 12 Ex 9' Off E Side & Lot 13 Smith & Jackson Sub Per Owners Req Cons W/ 18

S 1/2 LOT 11 EX 6 WLY SIDE KENT & GARRISON ADD

Lot 10 & Alley Adj And N 1/2 Lot 11 Ex 6" Wly Side Kent & Garrison Add

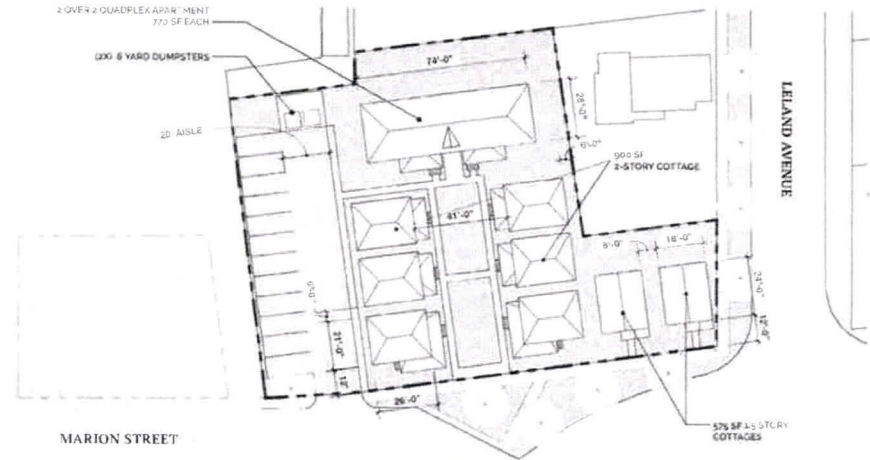
LOT 66 W 1-2 HENRICKS & GRANTS

54 Ft S End E 1-2 Lot 66 54 Ft S End Lot 65 Henricks & Grants

Development Proposal: Lincoln Way West & Marion Street

Guiding Principles for Site 3

- Use: Residential
- Setback: Modest setbacks
- Building Type: Detached house and/or duplex (Site 2) and Detached houses to form a cottage court with a fourplex terminating the court (Site 3)
- Height: 1.5 - 2 story buildings
- Design: Materials and architectural features consistent with surrounding properties; covered porches face the street and shared space; gable or h/p roof design; landscaped shared space; ample natural light in each unit
- Parking: Accessed from Marion Street and screened from street; can utilize public on-street parking as necessary
- Alternative: The two detached cottages at the Leland Avenue curve could be replaced with a duplex house that provides for larger units and could add more physical presence at street and parklet.



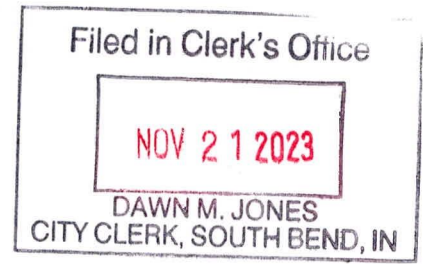
Possible/Potential Program (Site 3 Area Only)

Site 3 Area	24,145 SF 1.55 Acres
Building Use	Residential
# of Residential Units	12 residences
Residential SF	9,630 SF
Residential Density	22 dwellings/acre
# of Parking Spaces	12 Total (12 off-street)



Filed in Clerk's Office
 NOV 21 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

BILL NO. 84-23



CITY OF SOUTH BEND DEPARTMENT OF COMMUNITY INVESTMENT

November 21, 2023

Councilmember Rachel Tomas Morgan, Chairperson
Community Investment Committee
South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

Dear Councilmember Tomas Morgan,

Attached please find a proposal for a \$2.3 million forgivable economic development loan to support the construction of the 60-unit Monreaux apartment development. This project has been awarded Low Income Housing Tax Credits from the Indiana Housing and Community Development Authority and will provide 46 income-qualified affordable housing units and 14 market rate housing units.

This transformative development will revitalize the "Fat Daddy's" site on the corner of Michigan and Monroe streets.

The forgivable loan would be funded utilizing Tax Increment Financing funds controlled by the South Bend Redevelopment Commission, but requires approval of Common Council, Redevelopment Commission, and Economic Development Commission in order to be issued.

The bond would be forgivable provided the development is completed within the required timeframes and private investment exceeds \$13.7 million.

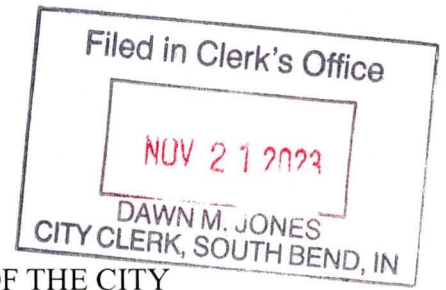
Sincerely,

A handwritten signature in black ink, appearing to read "Caleb Bauer".

Caleb Bauer
Executive Director
Department of Community Investment

CC: Devereaux Peters, Delta Ventures Ltd.
Sandra Kennedy, Corporation Counsel

BILL NO. 84-23
ORDINANCE NO. 10998-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

STATEMENT OF PURPOSE AND INTENT

This ordinance authorizes the funding of the City of South Bend, Indiana ("City") Taxable Economic Development Revenue Note, Series 2023 (Monreaux Project) ("Series 2023 Note") in an amount not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000) ("Loan") and further approves and authorizes other actions in respect thereto.

Indiana Code 36-7-11.9 and 12 (collectively, "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose and pursuant to the Act, the City is authorized to make loans for the purpose of financing, reimbursing or refinancing all or a portion of the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster the diversification of economic development opportunities, the creation of job opportunities and the construction of housing and affordable housing in or near the City. Delta Ventures Ltd., an Indiana Nonprofit Corporation ("Delta" or "Developer") and Monreaux LLC, which are common entities, have proposed the development, construction and equipping of a four-story building containing at least sixty-five thousand (65,000) square feet which will include the incorporation of the historic masonry features preserved by the

hereinafter defined Redevelopment Commission; and (ii) a minimum of sixty (60) total apartment units of which no fewer than twenty-three (23) apartment units will be exclusively available for tenants at fifty percent (50%) or lower of the area median income ("AMI") and no fewer than an additional twenty-three (23) apartment units will be exclusively available for tenants at eighty percent (80%) or lower of AMI on certain real estate acquired by Delta (collectively, "Development"), and to induce the Developer to construct the Development, the Commission has determined to fund a loan to Delta (hereinafter, "Borrower"), as evidenced by the Series 2023 Note, to fund the construction of site work and infrastructure improvements needed to serve the Development ("Local Public Improvements"), all in or physically connected to the River West Development Area and the River West Development Area Allocation Area No. 1 as established by the South Bend Redevelopment Commission ("Redevelopment Commission").

The South Bend Economic Development Commission ("Commission") has rendered its Project Report regarding the issuance and funding of the Series 2023 Note from the City to the Borrower to finance a portion of the Local Public Improvements and the Project Report has been or will be submitted to the South Bend Area Plan Commission. The Commission conducted a public hearing and adopted a resolution and Project Report, which resolution and Project Report have been transmitted hereto, finding that the financing of a portion of the Local Public Improvements complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City, its residents, and its visitors. The Commission has approved and recommended the adoption of this form of ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the forgivable loan agreement between the City and the Borrower (including the form of the Series 2023 Note), dated as of the first day of the

month the Series 2023 Note is issued ("Loan Agreement"). The Redevelopment Commission has pledged TIF Revenues (as defined in the Loan Agreement), junior and subordinate to any outstanding bonds payable from TIF Revenues and any bonds issued in the future on a parity with any outstanding bonds on hand to the funding of the Series 2023 Note pursuant to and in accordance with the Loan Agreement.

The form of the Series 2023 Note, the Loan Agreement and a form of this proposed ordinance have been submitted to the Commission for its approval, which are incorporated by reference in the Commission's resolution following the Commission's public hearing, which resolution has been transmitted to the Common Council. Based upon the resolution adopted by the Commission pertaining to the Local Public Improvements, the Common Council hereby finds and determines that the funding approved by the Commission for the Local Public Improvements will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to fund a portion of the costs of the Local Public Improvements will require making the Loan and delivering the Series 2023 Note.

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

Section 1. It is hereby found, determined, ratified and confirmed that the financing and reimbursement of the Local Public Improvements, the making of the Loan to the Borrower to be evidenced by the Borrower's Series 2023 Note complies with the purposes and provisions of the Act and: (i) will result in the diversification of the tax base, the creation of job opportunities and the construction of housing and affordable housing within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City

take such lawful actions as determined to be necessary or desirable to encourage the diversification of the tax base, the creation of job opportunities, and the construction of housing and affordable housing within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

Section 2. The substantially final form of the Loan Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions of IC 36-1-5-4, two (2) copies of the Loan Agreement are on file in the office of the Clerk for public inspection.

Section 3. The costs of the Local Public Improvements will be funded to the Borrower from the Loan upon closing of the Loan. The City shall fund the Loan from TIF Revenues on hand, junior and subordinate to any outstanding bonds payable from TIF Revenues and any bonds issued in the future on a parity with any outstanding bonds, pledged by the Redevelopment Commission to the Borrower in the maximum amount not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000), payable upon closing of the Loan. To the extent certain representations in Section 2.2 of the Loan Agreement are met, payments on the series of the Loan shall be forgiven. If certain representations in Section 2.2 are not met, the Loan shall not be forgiven. The Series 2023 Note shall accrue interest at a rate not in excess of five percent (5.0%) per annum. The Series 2023 Note shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Series 2023 Note shall not be subject to optional redemption prior to maturity.

Section 4. The Mayor, Controller and the Clerk are authorized and directed to execute the Loan Agreement, and such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transactions

contemplated by the Loan Agreement and this ordinance, and their execution is hereby confirmed on behalf of the City. The Mayor, Controller and Clerk are authorized to arrange for the delivery of such Series 2023 Note to the Borrower, payment for which will be made in the manner set forth in the Loan Agreement. The Mayor, Controller and Clerk may, by their execution of the Loan Agreement and any other documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in the Loan Agreement and any other documents without further approval of this Common Council or the Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

Section 5. The provisions of this ordinance and the Loan Agreement shall constitute a contract binding between the City and the Borrower.

Section 6. The Mayor, Controller or Clerk, or any other officer having responsibility with respect to the making of the Loan, evidenced by the Series 2023 Note, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Series 2023 Note, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Loan as of the funding date thereof.

Section 7. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Loan Agreement or under any judgment obtained against the City, including without limitation the Commission or Redevelopment Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation the Commission or Redevelopment

Commission, either directly or through the City, or otherwise, for the payment for or to the City of any sum that may remain due and unpaid by the City upon any of such Series 2023 Note. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of any sum that may remain due and unpaid upon the Series 2023 Note hereby secured shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance and funding of the Series 2023 Note.

Section 8. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 9. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 10. It is hereby determined that all formal actions of the Common Council relating to the adoption of this ordinance were taken in one or more open meetings of the Common Council, that all deliberations of the Common Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including IC 5-14-1.5, as amended.

Section 11. The Mayor, Controller, and Clerk, and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute and deliver such further documents and to take such further actions as such person(s) deem(s) necessary or desirable

to effect the purposes of this ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

Section 12. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed and adopted by the South Bend Common Council this 11th day of December, 2023.

Sharon McBride, Council President
South Bend Common Council

Attest:

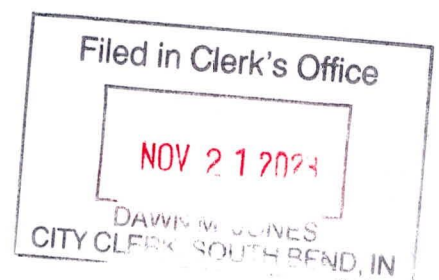
Dawn M. Jones, City Clerk
Office of the City Clerk

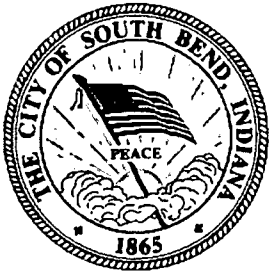
Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ .m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana





BILL NO. 85-23

City of South Bend

Common Council

441 County-City Building • 227 W. Jefferson Blvd
South Bend, Indiana 46601

(574) 235-9321
Fax (574) 235-9173
TDD (574) 235-5567
<http://www.southbend.in.gov>

November 22, 2023

Sharon L. McBride
President

Sheila Niezgodski
Vice-President

Canneth Lee
Chairperson, Committee
of the Whole

Canneth Lee
First District

Henry Davis, Jr.
Second District

Sharon L. McBride
Third District

Troy Warner
Fourth District

Eli Wax
Fifth District

Sheila Niezgodski
Sixth District

Karen L. White
At Large

Rachel Tomas Morgan
At Large

Lori K. Hamann
At Large

Chairperson Karen White

Residential Neighborhoods Committee

South Bend Common Council

4th Floor, County-City Building

South Bend, IN 46601

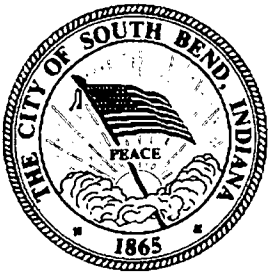
RE: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

Dear Chairperson White:

As you know, all six Commissioners of the Housing Authority of South Bend have historically been appointed by the Mayor. However, there appears to be no authority in the Municipal Code establishing the Mayor's authority to do so. This proposed ordinance provides for the Mayor and the South Bend Common Council to each appoint three Commissioners. Appointments by the Mayor and the Common Council are common in Boards and Commissions such as the Area Plan Commission, the Energy Conservation Commission, the Older Adults Council, the Mayor's Citizens' Traffic Commission, the Economic Development Commission, the South Bend Advisory Commission on Black Males, the South Bend Advisory Plan Commission, and the South Bend Advisory Board of Zoning Appeals. We believe that it is in the best interests of the Housing Authority of South Bend and the citizens of South Bend for the Council to participate equally with the Mayor in appointing Commissioners.

This proposed ordinance also requires all Commissioners to be residents of South Bend. Additionally, at least two of the six Commissioners must be residents of properties owned, controlled or managed by the HASB.

We ask that this proposed ordinance be given first reading on November 27, 2023 and assigned to the Residential Neighborhoods Standing Committee meeting on December 11, 2023 to be followed by second reading, public hearing and a vote of the entire Council at the full Council meeting later that evening.



City of South Bend Common Council

441 County-City Building • 227 W. Jefferson Blvd
South Bend, Indiana 46601

(574) 235-9321
Fax (574) 235-9173
TDD (574) 235-5567
<http://www.southbendin.gov>

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "H. Davis, Jr.", written in a cursive style.

Henry Davis, Jr., South Bend Common
Council Second District

A handwritten signature in black ink, appearing to read "Lori K. Hamann", written in a cursive style.

Lori K. Hamann South Bend Common
Council At Large Member

BILL NO. 85-23

ORDINANCE NO. 10999-23

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

STATEMENT OF PURPOSE AND INTENT

All six Commissioners of the Housing Authority of South Bend have historically been appointed by the Mayor. However, there is no authority in the Municipal Code establishing that authority. This ordinance provides for the Mayor and the South Bend Common Council to each appoint three commissioners. Appointments by the Mayor and the Common Council are common in Boards and Commissions such as the Area Plan Commission, the Energy Conservation Commission, the Older Adults Council, the Mayor's Citizens' Traffic Commission, the Economic Development Commission, the South Bend Advisory Commission on Black Males, the South Bend Advisory Plan Commission, and the South Bend Advisory Board of Zoning Appeals. The South Bend Common Council finds that it is in the best interests of the Housing Authority of South Bend and the citizens of South Bend for the Council to participate equally with the Mayor in appointing Commissioners.

**NOW, THEREFORE, BE IT ORDAINED BY THE
COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:**

**SECTION I. Chapter 2 (ADMINISTRATION) Article 5 (BOARDS AND COMMISSIONS),
Section 2-62 (HOUSING AUTHORITY OF SOUTH BEND) is added to of the South Bend
Municipal Code to read as follows:**

Sec. 2-62 Housing Authority of South Bend

- (a) The City of South Bend, through the Mayor's office and the South Bend Common Council, shall appoint the Commissioners of the Housing Authority of South Bend.
- (b) There shall be a total of six (6) Commissioners.
- (c) Three (3) Commissioners shall be appointed by the Mayor.
- (d) Three (3) Commissioners shall be appointed by the South Bend Common Council.

(e) The Common Council shall make the next three (3) appointments of Commissioners following the effective date of this ordinance.

- (1) All individuals appointed shall have an active interest in addressing the overall purposes and goals of the Housing Authority of South Bend.
- (2) All Commissioners shall be residents of the City of South Bend.
- (3) At least two (2) Commissioners shall be residents of properties owned, controlled or managed by the Housing Authority of South Bend.
- (4) All Commissioners shall serve without compensation.
- (5) All Commissioners shall serve for a term of four (4) years.
- (6) Each Commissioner serves at the pleasure of that Commissioner's appointing authority and may be removed with or without cause.
- (7) Subject to Sec. 2-62(e) above, the appointing authority shall fill a vacancy by a new Commissioner for the unexpired term.

SECTION II. Severability.

If any part, section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason declared to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION III. Effective Date.

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

Sharon McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk

Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock.
____.m.

James Mueller, Mayor
City of South Bend, Indiana