

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person and via the Microsoft Teams app on Monday, October 24, 2022, at 7:00 p.m. Council President Sharon L. McBride called the meeting to order. Father Augustine Onuoha of Saint Joseph High School gave the invocation.

Deputy City Clerk Victoria Trujillo announced: good evening, members of the public. For audio quality, we will be muting everyone not speaking by default to maintain good audio quality for the Council and yourselves. If you would like to speak during the meeting on a specific agenda item, please submit your request in the chat - directions to do so are in the chat. We ask that you provide your [FULL NAME] and [ADDRESS], as those are required for all speakers at in-person Council meetings.

Full audio dialogue of the update is available upon request from the City Clerk’s Office.

Please note the attached link for the meeting recording:
<https://docs.southbendin.gov/WebLink/0/fol/349067/Row1.aspx>

ROLL CALL

COUNCIL MEMBERS PRESENT:

Canneth Lee	1 st District, Committee of the Whole
Henry Davis Jr.	2 nd District
Sharon L. McBride	3 rd District, President
Troy Warner	4 th District (Virtual)
Eli Wax	5 th District
Sheila Niezgodski	6 th District, Vice-President (Virtual)
Karen L. White	At-Large
Lori K. Hamann	At-Large
Rachel Tomas Morgan	At-Large

COUNCIL MEMBERS ABSENT:

OTHERS PRESENT:

Dawn Jones	City Clerk
Victoria Trujillo	Chief Deputy Clerk
Kenneth Hardy	Deputy Director of Policy
Justin LePla	Director of Special Projects
Bob Palmer	Council Attorney

SUBCOMMITTEE MINUTES

None

SPECIAL BUSINESS

22-47

A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, CELEBRATING THE ONE HUNDRED YEARS OF GENERAL STAMPING & METALWORKS

Bill No. 22-47 was presented by Councilmember Canneth Lee.

22-49

A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA CONGRATULATING BLAKE WESLEY, ONE OF SOUTH BEND’S NATIONAL

BASKETBALL ASSOCIATION'S 2022 FIRST-ROUND DRAFT SELECTIONS

Bill No. 22-49 was presented by Councilmember Karen White and Council President Sharon McBride.

22-50

A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA CONGRATULATING JADEN IVEY, ONE OF SOUTH BEND'S NATIONAL BASKETBALL ASSOCIATION'S 2022 FIRST-ROUND DRAFT SELECTIONS

Bill No. 22-50 was presented by Council President Sharon McBride and Councilmember Canneth Lee.

22-51

A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA HONORING SKYLAR DIGGINS-SMITH FOR HER CONTRIBUTIONS TO SOUTH BEND'S LEGACY OF PROFESSIONAL BASKETBALL PLAYERS BY BEING THE FIRST CITY NATIVE SELECTED IN THE FIRST ROUND OF THE WNBA DRAFT

Bill No. 22-51 was presented by Councilmember Lori Hamann and Councilmember Eli Wax.

22-52

A SPECIAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, HONORING JACKIE BATTEAST FOR HER CONTRIBUTIONS TO SOUTH BEND'S LEGACY OF PROFESSIONAL BASKETBALL PLAYERS BY BEING THE FIRST CITY NATIVE DRAFTED BY THE WNBA

Bill No. 22-52 was presented by Councilmember Henry Davis Jr.

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Eli wax made a motion to resolve into the committee of the whole, which was seconded by Councilmember Canneth Lee. The motion was carried out by a vote of nine (9) ayes.

PUBLIC HEARINGS

BILL NO.

134-21

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 2701 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA (SUBSTITUTE)

Councilmember Rachel Tomas Morgan made a motion to accept Substitute Bill No. 134-21, which was seconded by Council President Sharon McBride. The motion was carried out by a vote of nine (9) ayes.

Councilmember Henry Davis Jr. made a motion to send Substitute Bill No. 134-21 to the full council with a favorable recommendation, contingent on the written commitments made by

Attorney George Lepeniotis and the Board of Zoning Appeals regarding the business's hours of operation. The motion was seconded by Councilmember Lori Hamann and was carried out by a vote of nine (9) ayes.

30-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1335 EAST IRELAND AND 4427 SOUTH BROOKTON, COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND

Councilmember Eli Wax made a motion to send Bill *No. 30-22* to the full council with a favorable recommendation, contingent on the agreed-upon written commitments. The motion was seconded by Councilmember Lori Hamann. The motion was carried out by a vote of eight (8) ayes and one (1) nay (Councilmember Rachel Tomas Morgan voted nay).

36-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 300 ST LOUIS BLVD. COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA - (SUBSTITUTE)

Council President Sharon McBride made a motion to accept Substitute Bill *No. 36-22*, which was seconded by Councilmember Lori Hamann. The motion was carried out by a vote of nine (9) ayes.

Councilmember Karen White made a motion to send Substitute Bill *No. 36-22* to the full council with a favorable recommendation, which was seconded by Councilmember Lori Hamann and was carried out by a vote of nine (9) ayes.

55-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR THE CALENDAR YEARS 2023 AND 2024

Councilmember Karen White made a motion to send Bill *No. 55-22* to the full council with a favorable recommendation, which was seconded by Councilmember Rachel Tomas Morgan. The motion was carried out by a vote of nine (9) ayes.

56-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEARS 2023, 2024, AND 2025

Councilmember Karen White made a motion to send Bill *No. 56-22* to the full council with a favorable recommendation, which was seconded by Councilmember Rachel Tomas Morgan. The motion was carried out by a vote of nine (9) ayes.

62-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: ALLEY VACATION - N-S ALLEY STARTING FROM

HILL ST TO FIRST E-W ALLEY BETWEEN
CORBY AND KALORAMA

Tabled until November 14, 2022.

RISE AND REPORT

Councilmember Eli Wax made a motion to rise from the Committee of the Whole and report back to the full council, which was seconded by Council President Sharon McBride. The motion was carried out by a vote of nine (9) ayes.

REGULAR MEETING RECONVENED

BILLS ON THE THIRD READING

BILL NO.

134-21

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 2701 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA (SUBSTITUTE)

Councilmember Eli Wax made a motion to adopt Substitute Bill No. 134-21, which was seconded by Councilmember Lori Hamann and was carried out by a vote of eight (8) ayes and one (1) nay (Councilmember Rachel Tomas Morgan voted nay).

30-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1335 EAST IRELAND AND 4427 SOUTH BROOKTON, COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND

Councilmember Canneth Lee made a motion to adopt Bill No. 30-22, which was seconded by Councilmember Eli Wax. The motion was carried out by a vote of eight (8) ayes and one (1) nay (Councilmember Rachel Tomas Morgan voted nay).

36-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 300 ST LOUIS BLVD. COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA - (SUBSTITUTE)

Councilmember Canneth Lee made a motion to adopt Substitute Bill No. 36-22, which was seconded by Councilmember Rachel Tomas Morgan and was carried out by a vote of nine (9) ayes.

55-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR THE CALENDAR YEARS 2023 AND 2024

Councilmember Canneth Lee made a motion to adopt Bill No. 55-22, which was seconded by Councilmember Lori Hamann. The motion was carried out by a vote of nine (9) ayes.

56-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEARS 2023, 2024, AND 2025

Councilmember Rachel Tomas Morgan made a motion to adopt Bill *No. 56-22*, which was seconded by Councilmember Canneth Lee. The motion was carried out by a vote of nine (9) ayes.

62-22

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: ALLEY VACATION - N-S ALLEY STARTING FROM HILL ST TO FIRST E-W ALLEY BETWEEN CORBY AND KALORAMA

Tabled until November 14, 2022.

RESOLUTIONS

BILL NO.

22-45

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AND ADOPTING THE NORTHEAST NEIGHBORHOOD PLAN

Councilmember Henry Davis Jr. made a motion to adopt Bill *No. 22-45*, which was seconded by Councilmember Rachel Tomas Morgan. The motion was carried out by a vote of nine (9) ayes.

22-46

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AND ADOPTING THE RUM VILLAGE NEIGHBORHOOD PLAN

Councilmember Rachel Tomas Morgan made a motion to adopt Bill *No. 22-46*, which was seconded by Councilmember Karen White. The motion was carried out by a vote of nine (9) ayes.

22-48

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

Councilmember Henry Davis Jr. made a motion to adopt Bill *No. 22-48*, which was seconded by Councilmember Rachel Tomas Morgan. The motion was carried out by a vote of nine (9) ayes.

BILLS ON FIRST READING

BILL NO.

64-22

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING

ORDINANCE FOR PROPERTY LOCATED AT
613 S WARREN ST., COUNCILMANIC
DISTRICT NO. 6 IN THE CITY OF SOUTH
BEND, INDIANA

Councilmember Lori Hamann made a motion to send Bill *No. 64-22* to the Area Planning Commission on November 21, 2022, and to the Zoning and Annexation Committee for public heading and third reading on November 28, 2022. The motion was seconded by Councilmember Karen White and carried out by a vote of nine (9) ayes.

65-22

FIRST READING ON AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF SOUTH
BEND, INDIANA, AMENDING THE ZONING
ORDINANCE FOR PROPERTY LOCATED AT
1036 LINCOLNWAY EAST, COUNCILMANIC
DISTRICT NO. 3 IN THE CITY OF SOUTH
BEND, INDIANA

Councilmember Lori Hamann made a motion to send Bill *No. 65-22* to the Area Planning Commission on November 21, 2022, and to the Zoning and Annexation Committee for public heading and third reading on November 28, 2022. The motion was seconded by Councilmember Rachel Tomas Morgan and carried out by a vote of nine (9) ayes.

66-22

FIRST READING ON AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF SOUTH
BEND, INDIANA, AMENDING THE ZONING
ORDINANCE FOR THE PROPERTY LOCATED
AT THE VACANT LAND ON THE EAST AND
WEST SIDES OF N LINDENWOOD DR. E
BETWEEN W LINDENWOOD DR S AND
AUTEN ROAD., COUNCILMANIC DISTRICT
NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Lori Hamann made a motion to send Bill *No. 66-22* to the Area Planning Commission on November 21, 2022, and to the Zoning and Annexation Committee for public heading and third reading on November 28, 2022. The motion was seconded by Councilmember Eli Wax and carried out by a vote of nine (9) ayes.

67-22

FIRST READING ON 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 2022 (SOUTH BEND
CHOCOLATE DESTINATION PROJECT)” AND
APPROVING AND AUTHORIZING OTHER
ACTIONS IN RESPECT THERETO

Councilmember Eli Wax made a motion to send Bill *No. 67-22* to the Community Investment Committee on November 14, 2022, for public heading and third reading. The motion was seconded by Councilmember Karen White and carried out by a vote of nine (9) ayes.

68-22

FIRST READING ON AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF SOUTH
BEND, INDIANA, AMENDING CHAPTER 2,
ARTICLE 19 OF THE SOUTH BEND
MUNICIPAL CODE TO APPOINT THE CITY
CONTROLLER AS ORDINANCE VIOLATIONS
CLERK AND TO MAKE OTHER ASSOCIATED
MUNICIPAL CODE AMENDMENTS

Councilmember Rachel Tomas Morgan made a motion to send Bill *No. 68-22* to the Personnel and Finance Committee on November 14, 2022, for public heading and third reading. The motion was seconded by Councilmember Canneth Lee and carried out by a vote of nine (9) ayes.

UNFINISHED BUSINESS

Councilmember Henry Davis Jr. stated the city parking lot is in bad condition and needs to be repaired.

Sharon McBride announced that on October 26, 2022, at 10:30, there will be a ribbon cutting at Randall Park.

NEW BUSINESS

Councilmember Rachel Tomas Morgan congratulated Caleb Bauer on his appointment to Executive Director of the Department of Community Investment.

Councilmember Canneth Lee congratulated the Venues, Parks & Arts Department for receiving the Parks Gold Medal Plaque award and stated there will be a formal presentation at Howard Park on November 10, 2022, at 11:00 a.m.

PRIVILEGE OF THE FLOOR

None.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 10:51 p.m.

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