

**REPORT OF SUB-COMMITTEE ON MINUTES**

**TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:  
THE SUB-COMMITTEE HAS INSPECTED THE MINUTES OF THE**

**DATE: 10-09-2023**

**MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.  
THEREFORE, WE RECOMMEND THE SAME BE APPROVED.**

**THIS RECOMMENDATION FOR APPROVAL IS MADE RECOGNIZING  
THAT 3 CURRENT MEMBERS OF COUNCIL WERE NOT SEATED IN 2023  
AND AS SUCH WILL BE ABSTAINING FROM ANY FORMAL APPROVAL OF  
OLD MINUTES.**

  
TROY WARNER

\_\_\_\_\_  
SHERRY BOLDEN-SIMPSON

**APPROVED BY THE COMMON COUNCIL ON: 05-28-2024**

**ATTEST:**

  
BIANCA L. TIRADO, CITY CLERK

Be it remembered that the Common Council of the City of South Bend, Indiana met in-person in the Council Chambers of the County-City Building and via Microsoft Teams app on Monday, October 9, 2023, at 7:00 PM. The meeting was called to order by Council President Sharon L. McBride, and the Invocation was given by Pastor Canneth Lee and the Pledge to the Flag was given.

City Clerk Dawn M. Jones 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. If you would like to be called on during the meeting for public input, again please insert your [FULL NAME] and [ADDRESS], in the chat and you will be called on during the relevant time for public input. You will be given five minutes to speak. For citizens that wish to speak during privilege of the floor, please insert the following [FULL NAME] and [ADDRESS], into the chat during that time and the Council President will call on you. You will be given three minutes to speak. Please be sure to unmute yourself prior to giving your remarks.

**Please note the attached link for the meeting recording:**

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=371538>

**Council meetings are also available at Michiana Access Channel on both their website and their Facebook page.**

ROLL CALL

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS ABSENT

None

OTHERS PRESENT

Dawn M. Jones	City Clerk
Victoria A. Trujillo	Chief Deputy Clerk
Shayla Kimbrough	Deputy Clerk
Adjia Sambe	Executive Assistant
Bianca Tirado	Council Consultant
Bob Palmer	Council Attorney

Members marked with an asterisk (\*) are in virtual attendance.

SUB-COMMITTEE ON MINUTES

None.

SPECIAL BUSINESS

None.

REPORTS FROM CITY OFFICES

None.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Councilmember Troy Warner motioned to resolve into the Committee of the Whole, which was seconded by Councilmember Karen White and carried by a unanimous vote of acclimation.

PUBLIC HEARINGS

BILL NO.

63-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE MAYOR FOR THE CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Lee requested the committee report.

Council Vice President Sheila Niezgodski stated that Bill No. 63-23 was previously heard in the Personnel & Finance Committee, and it comes to the committee of the whole with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building presented Bill No. 63-23. Willis stated that Bill No. 63-23 fixes the mayor’s salary for the year 2024. The proposed salary is to be changed to one hundred and twenty-two thousand nine hundred and ninety dollars (\$122,990). Willis stated the mayor did not take a salary increase in 2021 but did in the years of 2022 and 2023.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. requested clarification regarding the relevancy of the mayor’s denial of increased salary in the past.

Kyle Willis stated that the information was provided to answer a question from committees.

Councilmember Lee opened the public hearing.

Logan Foster, 1138 College Street, South Bend IN 46628, in opposition to Bill No. 63-23 because the Mayor had not yet responded to his request for a meeting.

Councilmember Lee closed the public hearing and asked the Council for comments.

Council President McBride stated that she has responded to Logan Foster in person, but due to all interactions with Logan Foster being turned over to legal counsel per protocol, she has had no communication with him since.

Councilmember Eli Wax motioned to send Bill No. 63-23 to the full council with a favorable recommendation, which was seconded by Council Vice President Niezgodski and carried by a vote of seven (7) ayes and two (2) nays.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Nay</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Nay</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

64-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NON-BARGAINING EMPLOYEES OF EXECUTIVE DEPARTMENTS OF THE CITY OF SOUTH BEND, INDIANA, FOR THE CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated Bill No. 64-23 was previously heard in the Personnel & Finance Committee and it comes to the Committee of the Whole with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building presented Bill No. 64-23. Kyle Willis stated that the proposal of Bill No. 64-23 is to fix the maximum salaries and wages of appointed officers and non-bargaining employees of the City of South Bend. Bill No. 64-23 also includes a three percent (3%) salary increase for all full-time employees, which includes higher than standard increases for 2024. Included is also a two thousand dollar (\$2,000) residency bonus for non-bargaining employees that reside within the South Bend city limits.

Councilmember Lee asked the Council for comments, and nobody spoke.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Lee asked the Council for final comments.

Council Vice President Sheila Niezgodski made a motion to send Bill No. 64-23 to the full council with a favorable recommendation, which was seconded by Councilmember Lori Hamann, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

65-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, RE-AFFIRMING ORDINANCE NO. 10891-22 AND FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated Bill No. 65-23 was previously heard in the Personnel & Finance Committee and it comes to the Committee of the Whole with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12<sup>th</sup> floor of the County-City Building presented Bill No. 65-23. Kyle Willis stated that the proposal of Bill No. 65-23 is to fix the maximum annual pay and fringe benefits for all sworn members of the Police Department. Kyle Willis added that per the police collective bargain agreement, all sworn members will receive a four-point two five percent (4.25%) salary increase and their agreement ends at the end of 2025.

Councilmember Lee asked the Council for comments.

Councilmember Eli Wax asked how many sworn police officers are planned for year 2024.

Kyle Willis responded two hundred and fifty-two (252) officers.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Lee asked the Council for final comments.

Councilmember Warner made a motion to send Bill No. 65-23 to the full council with a favorable recommendation, which was seconded by Councilmember Wax, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

66-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING MAXIMUM WAGES OF TEAMSTER EMPLOYEES FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated Bill No. 66-23 was previously heard in the Personnel & Finance Committee and it comes to the Committee of the Whole with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building presented the bill. Kyle Willis stated that the proposal of Bill No. 66-23 is the bargain agreement for Teamsters employees to receive a two percent (2%) salary increase in the year 2024.

Councilmember Lee asked the Council for comments, and nobody spoke.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Lee asked the Council for final comments.

Councilmember Wax made a motion to send Bill No. 66-23 to the full council with a favorable recommendation, which was seconded by Council Vice President Niezgodski, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

67-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEAR 2024 IN CONFORMITY WITH ORDINANCE NOS. 10820-21 AND 10831-21 AND AMENDING AND CLARIFYING THE LONGEVITY PAY AT SECTION VII OF THESE ORDINANCES (SUBSTITUTE)

Council Vice President Niezgodski motioned to accept Substitute Bill No. 67-23, which was seconded by Councilmember Wax, and carried by a unanimous vote of acclamation.

Clerk Jones read the Substitute Bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Substitute Bill No. 67-23 was previously heard in the Personnel & Finance Committee, and it comes to the Committee of the Whole with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building presented Substitute Bill *No. 67-23*. Kyle Willis stated that the proposal of Substitute Bill *No. 67-23* is for the firefighters’ collective bargain agreement which allows for a two-point two five percent (2.25%) salary increase which ends at the end of year 2024.

Councilmember Lee asked the Council for comments, and nobody spoke.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Lee asked the Council for final comments.

Councilmember Warner made a motion to send Bill *No. 67-23* to the full council with a favorable recommendation, which was seconded by Councilmember White, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

68-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING MAXIMUM SALARIES AND WAGES OF DEPUTIES AND NON-BARGAINING EMPLOYEES APPOINTED BY THE CITY CLERK OF THE CITY OF SOUTH BEND, INDIANA, FOR THE CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Tomas Morgan motioned to table Bill *No. 68-23* until October 23, 2023, which was seconded by Council Vice President Niezgodski, and carried by a unanimous vote of acclimation.

69-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE SOUTH BEND CITY CLERK FOR CALENDAR YEAR 2024  
(SUBSTITUTE)

Council Vice President Niezgodski motioned to accept Substitute Bill *No. 69-23*, which was seconded by Councilmember White, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

Clerk Jones read the Substitute Bill to the Council for its second (2<sup>nd</sup>) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Bill *No. 69-23* was previously heard in the Personnel & Finance Committee and comes to the Committee of the Whole with a favorable recommendation.

Council Attorney Bob Palmer confirmed continuance with the presentation of Substitute Bill *No. 69-23*.

Dawn Jones, City Clerk, with offices on the 4th Floor of the County City Building presented Substitute Bill No. 69-23 due to a calculation error. Clerk Jones stated that the new numbers for the city clerk salary are eighty thousand two hundred and twelve dollars (\$80,212), which reflects a three percent (3%) increase from the previous salary.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. requested clarity regarding the South Bend City Clerk’s salary compared to other cities.

Clerk Jones responded that she believes that the salary is ranked within the top twenty-five percent (25%) of Clerks in Indiana.

Councilmember Hamann asked if the eighty thousand two hundred and twelve dollars (\$80,212) is the salary cap.

Clerk Jones responded that eighty thousand two hundred and twelve dollars (\$80,212) is the actual salary.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember White made a motion to send Bill No. 69-23 to the full council with a favorable recommendation, which was seconded by Council President McBride, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

RISE AND REPORT

Councilmember White motioned to rise from the Committee of the Whole and report back to the Full Council, which was seconded by Council Vice President Niezgodski and unanimous vote of acclimation.

REGULAR MEETING RECONVENED

President McBride stated the Full Council is now back in session. This portion of our meeting is where bills are given a third (3<sup>rd</sup>) reading and action is taken regarding bills that were heard during the Committee of the Whole.

BILLS ON THE THIRD READING

BILL NO.

63-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE MAYOR FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Bill No. 63-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Tomas Morgan motioned to adopt Bill No. 63-23, seconded by Councilmember Warner, and carried by a vote of seven (7) ayes and two (2) nays.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Nay</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>

Councilmember Lori K. Hamann – <i>Nay</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

64-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NON-BARGAINING EMPLOYEES OF EXECUTIVE DEPARTMENTS OF THE CITY OF SOUTH BEND, INDIANA, FOR THE CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Bill No. 64-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Wax motioned to adopt Bill No. 64-23, seconded by Council Vice President Niezgodski, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

65-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, RE-AFFIRMING ORDINANCE NO. 10891-22 AND FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Bill No. 65-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Lee motioned to adopt Bill No. 65-23, seconded by Council Vice President Niezgodski, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

66-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING MAXIMUM WAGES OF TEAMSTER EMPLOYEES FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.



Councilmember Lee stated that Bill No. 66-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Council Vice President Niezgodski motioned to adopt Bill No. 66-23, seconded by Councilmember Lee, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

67-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEAR 2024 IN CONFORMITY WITH ORDINANCE NOS. 10820-21 AND 10831-21 AND AMENDING AND CLARIFYING THE LONGEVITY PAY AT SECTION VII OF THESE ORDINANCES (SUBSTITUTE)

Clerk Jones read the Substitute Bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Substitute Bill No. 67-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Warner motioned to adopt Substitute Bill No. 67-23, seconded by Councilmember White, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

69-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE SOUTH BEND CITY CLERK FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Bill No. 69-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Wax motioned to adopt Bill No. 69-23, seconded by Councilmember Tomas Morgan, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

56-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROPRIATING, ADOPTING AND APPROVING THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION'S 2024 BUDGET AND LEVYING THE TAX AND FIXING THE RATE OF THE TAXATION FOR THE PURPOSE OF RAISING REVENUE TO FUND THE SOUTH BEND PUBLIC TRANSPORTATION CORPORATION, SOUTH BEND, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 (SUBSTITIUTE) (THIRD READING ONLY)

Clerk Jones read the Substitute Bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Substitute Bill No. 56-23 was heard in the Committee of the Whole on September 25, 2023, and comes to the Full Council with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12th floor of the County City Building, was present to answer questions regarding Bill No. 56-23 because Transpo's representatives were unable to attend the meeting.

Councilmember Warner motioned to adopt Substitute Bill No. 56-23, seconded by Councilmember Tomas Morgan, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

57-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSES OF THE CIVIL CITY OF SOUTH BEND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE CITY OF SOUTH BEND, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024, INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT (SUBSTITIUTE) (THIRD READING ONLY)

Clerk Jones read the Substitute Bill to the Council for its third (3<sup>rd</sup>) reading.

After the third (3<sup>rd</sup>) reading, President McBride requested a committee report.

Councilmember Lee stated that Substitute Bill No. 57-23 was heard in the Committee of the Whole on September 25, 2023, and comes to the Full Council with a favorable recommendation.

Kyle Willis, City Controller, with offices on the 12th floor of the County City Building presented Substitute Bill No. 57-23. Kyle Willis discussed the Strategic Priorities for the 2024 budget, the 2024 Proposed Department Budgets, and 2024 Budget Highlights. Kyle Willis indicated that the City has increased the subsidization of various City operations and programs. There were increased costs due to inflation and increased salaries and wages. The highlights for 2024 budget include Safe Community, Equitable Access to Opportunity & Youth Workforce, leading employer, strong neighborhoods, and sustainable infrastructure.

Councilmember Hamann requested clarification regarding the budget of the Office of Diversity and Inclusion.

Kyle Willis stated that the budget of the Office of Diversity and Inclusion resides under Administration and Finance, and is not changing.

Councilmember Hamann stated that the budget was presented to have a change.

Council President McBride called a five (5) minute recess to allow time to find clarification regarding the budget.

Council President McBride called the meeting back to order.

Kyle Willis stated that while the overall budget for the Office of Diversity and Inclusion has decreased, there was an increase in the personnel line-item that occurred after the budget hearing, and is reflected in the substitute.

Councilmember Hamann requested further clarification.

Kyle Willis stated that two (2) staff members were moved from investigator threes (3s) to investigator fives (5s) resulting in an increase of ten thousand dollars (\$10,000).

Councilmember Davis Jr. requested clarification regarding the overall decrease in the budget for the Office of Diversity and Inclusion.

Cynthia Simmons, Diversity and Inclusion Officer, with offices located on the 14<sup>th</sup> floor of the County-City building, stated that the Human Rights budget did not decrease, and the Office of Diversity and Inclusion budget did decrease due to a reduction in the training budget.

Councilmember Wax requested information regarding the 2024 budget’s twenty million dollar (\$20,000,000) deficit.

Kyle Willis stated that while the City can handle the deficit this year, the City is planning on conducting a study to correct the deficit moving forward.

Councilmember Davis Jr. motioned to table Substitute Bill No. 57-23 to October 23, 2023, which was seconded by Councilmember Hamann, and failed by a vote of two (2) ayes and seven (7) nays.

Council President Sharon McBride – <i>Nay</i>	Council Vice President Sheila Niezgodski – <i>Nay</i>
Councilmember Canneth Lee – <i>Nay</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Nay</i>	Councilmember Eli Wax – <i>Nay</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Nay</i>
Councilmember Rachel Tomas Morgan – <i>Nay</i>	

Councilmember Wax stated concerns regarding the deficit, but voiced support of for Substitute Bill No. 57-23.

Councilmember Warner voiced support for Substitute Bill No. 57-23 and thanked the department heads for their work.

Councilmember White suggested beginning budget discussions earlier in the year.

Councilmember Tomas Morgan stated that she is pleased with the amount of public feedback for the 2024 budget and thanked everyone for their assistance with the 2024 Budget.

Councilmember Davis Jr. requested clarification regarding the idea of “right-sizing” city departments.

Kyle Willis stated that “right-sizing” pertains to making judgements regarding the most effective and efficient size of departments.

Councilmember Davis Jr. asked if “right-sizing” is synonymous with downsizing.

Kyle Willis answered no.

Councilmember Lee thanked Kyle Willis and Council Vice President Niezgodski for their work on the 2024 budget. Councilmember Lee thanked Cynthia Simmon for taking charge and budgeting responsibly.

Council Vice President Niezgodski thanked everyone for their work and voiced support for the 2024 budget.

Councilmember Warner motioned to adopt Substitute Bill No. 57-23, seconded by Councilmember Tomas Morgan, and carried by a vote of seven (7) ayes and two (2) nays.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Nay</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Nay</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

RESOLUTIONS

BILL NO.

23-60

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 542 N. SCOTT STREET, SOUTH BEND, INDIANA 46616 AND 430 COTTAGE GROVE AVENUE, SOUTH BEND, INDIANA, 46616 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A TWO-YEAR (2) VACANT BUILDING TAX ABATEMENT FOR PROPERTY BROS LLC

23-61

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 542 N. SCOTT STREET, SOUTH BEND, INDIANA 46616 AND 430 COTTAGE GROVE AVENUE, SOUTH BEND, INDIANA 46616 AND 616 SHERMAN AVENUE, SOUTH BEND, INDIANA 46616 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF AN EIGHT-YEAR (8) REAL PROPERTY TAX ABATEMENT FOR PROPERTY BROS LLC

Councilmember Wax motioned to hear Bill No. 23-60 and Bill No. 23-61 together, which was seconded by Councilmember Warner and carried by a unanimous vote of acclimation.

Clerk Jones read the resolutions to the Council.

After the reading President McBride requested the committee reports.

Councilmember Tomas Morgan stated that Bill No. 23-60 and Bill No. 23-61 both were heard in the Community Investment Committee, and both come to the Full Council with favorable recommendations.

President McBride requested that the petitioner(s) state their name and address and share key points before the council.

Erik Glavich, Director of Growth & Opportunity with offices on the 13th Floor of the County-City building, stated that Bill No. 23-60 is a confirming resolution for a two (2) year vacant building tax abatement for Property Bros LLC. Erik Glavich also stated that Bill No. 23-61 is a confirming resolution for an eight (8) year real property tax abatement for Property Bros LLC.

Jordan Richardson, Property Bros, 1251 North Eddy Street, South Bend IN 46617, thanked the Council for their consideration.

Councilmember Hamann requested information regarding the vacant building tax abatement.

Erik Glavich stated that while it is not the maximum, two (2) years is the City’s standard. Erik Glavich stated that the vacant building tax abatement expires after two (2) years with a possible one (1) year overlap if the project is completed within the first (1<sup>st</sup>) year.

Council President McBride held the public hearing, and nobody spoke.

Councilmember Warner motioned for the adoption of Bill No. 23-60, seconded by Council Vice President Niezgodski, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

Councilmember Warner motioned for the adoption of Bill No. 23-61, seconded by Council Vice President Niezgodski, and carried by a vote of nine (9) ayes.

Council President Sharon McBride – <i>Aye</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Aye</i>
Councilmember Troy Warner – <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

23-62

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, CALLING FOR EQUITY AND DISAGGREGATION IN ADMINISTRATIVE REPORTS

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember White stated that Bill No. 23-62 was heard in the Residential Neighborhoods Committee and comes to the Full Council with an unfavorable recommendation.

President McBride requested that the petitioner(s) state their name and address and share key points before the council.

Councilmember Davis Jr., with offices on the 4th floor of the County-City Building, presented Bill No. 23-62 to the Full Council. Councilmember Davis Jr. stated that Bill No. 23-62 would ensure the transparency of semi-annual reports to track, gender, racial and ethnic demographics in order to monitor needs, equitable investment, and subsequent impact.

Jorden Giger, 302 South Falcon Street, South Bend IN 46619, spoke in favor of Bill No. 23-62, would like to see impact measurement, and is interested in census tract data and reports for transparency to the public.

Council President McBride asked the Council for comments, and nobody spoke.

Council President McBride held the public hearing, and nobody spoke.

Councilmember Hamann stated that her meeting with Funkhouser and Associates led her to believe there is a need for more transparency.

Councilmember Lee highlighted the City’s efforts to assist minority business owners.

Councilmember Davis Jr. stated that Bill No. 23-62 is necessary because there is not currently enough proof of the City supporting minority business owners.

Councilmember Tomas Morgan stated that the Community Investment Committee has regularly scheduled meetings that update the City on developments that are happening in the City.

Jorden Giger would like to see development data be disaggregated via race.

Councilmember Davis Jr. believes it is important to track demographic data.

Councilmember White looks forward to continuing the discussion.

Council Vice President Niezgodski stated that Councilmember Davis Jr.’s district received the highest percentage of the American Rescue Plan dollars.

Councilmember Davis Jr. stated that there needs to be more funding going toward projects that will help minority groups become more self-sufficient.

Councilmember Warner motioned to reject Bill No. 23-62, seconded by Councilmember Tomas Morgan, and carried by a vote of five (5) ayes and four (4) nays.

Council President Sharon McBride – <i>Nay</i>	Council Vice President Sheila Niezgodski – <i>Aye</i>
Councilmember Canneth Lee – <i>Aye</i>	Councilmember Henry Davis Jr. – <i>Nay</i>
Councilmember Troy Warner– <i>Aye</i>	Councilmember Eli Wax – <i>Aye</i>
Councilmember Lori K. Hamann – <i>Nay</i>	Councilmember Karen L. White – <i>Nay</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

BILLS ON FIRST READING

BILL NO.

70-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 10893-22, WHICH FIXED MAXIMUM WAGES OF TEAMSTER EMPLOYEES FOR CALENDAR YEAR 2023, TO CORRECT A SCRIVENER’S ERROR IN THE WAGE TABLES FOR THE EQUIPMENT SERVICES WORK GROUP, INCLUDE ADDITIONAL GROUP LEADER POSITION TITLES FOR THE VENUES PARKS & ARTS WORK GROUP, AND ADD NEW POSITIONS FOR THE WATER WORKS CUSTOMER SERVICE WORK GROUP

Clerk Jones read the bill to the Council for its first (1<sup>st</sup>) reading.

Councilmember Lee motioned to send Bill No. 70-23 to the Personnel and Finance Committee and for public hearing and third (3<sup>rd</sup>) reading on October 23, 2023, seconded by Councilmember Warner, and carried by a unanimous vote of acclamation.

71-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE 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

Clerk Jones read the bill to the Council for its first (1<sup>st</sup>) reading.

Councilmember Wax motioned to send Bill No. 71-23 to the Personnel and Finance Committee and for a public hearing and third (3<sup>rd</sup>) reading on October 23, 2023, seconded by Councilmember Lee, and carried by a unanimous vote of acclimation.

72-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE COMMON COUNCIL MEMBERS FOR CALENDAR YEAR 2024

Clerk Jones read the bill to the Council for its first (1<sup>st</sup>) reading.

Councilmember White motioned to send Bill No. 72-23 to the Personnel and Finance Committee and for a public hearing and third (3<sup>rd</sup>) reading on October 23, 2023, seconded by Councilmember Lee, and carried by a unanimous vote of acclimation.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Council President McBride told councilmembers to sign the budget signatory letter before leaving.

Councilmember Hamann stated that the Treats on the Trail event takes place on the October 14, 2023 from 12:00pm-2:00pm in Pinhook Park.

Councilman Wax gave an update from the Redevelopment Commission. Councilmember Wax stated that there are very aspirational developers who are coming in with great ideas.

Councilmember White stated that she will be recruiting new Youth Council members.

Councilmember Lee thanked everyone that participated in the Heal the Land event.

PRIVILEGE OF THE FLOOR

Jorden Giger, 302 South Falcon Street, South Bend IN 46619, spoke regarding the Martin Luther King Dream Center contractor deadline.

Ricky Herbst, 702 Philippa Street, South Bend IN 46628, spoke regarding the Human Rights Commission.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 9:06 p.m.