

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: 06-26-2023

**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: 06-24-2024

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, June 26, 2023, at 7:00 PM. The meeting was called to order by Council President Sharon L. McBride, and the Invocation was given by Elder Darrell Sanders of the Christian Center and 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=365489>

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 st District, Committee of the Whole
Henry Davis Jr.	2 nd District
Sharon L. McBride	3 rd District, President
Troy Warner	4 th District
Eli Wax	5 th District
Sheila Niezgodski	6 th 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 Trujillo	Chief Deputy Clerk
Kenneth Hardy	Deputy Clerk
Shayla Kimbrough	Director of Special Projects
Bob Palmer	Council Attorney

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

SUB-COMMITTEE ON MINUTES

March 27, 2023

May 22, 2023

Council President McBride requested reports from the Sub-Committee on Minutes.

Clerk Jones stated that the Sub-Committee on Minutes brings forth the March 27, 2023 and May 22, 2023 Common Council meeting minutes for approval.

Due to poor audio quality the councilmember that motioned to approve the March 27, 2023 and May 22, 2023 Common Council meeting minutes, and the councilmember that seconded the motion are unidentified; however the motion was carried via a vote by voice.

SPECIAL BUSINESS

None.

REPORTS FROM CITY OFFICES

Jitin Kain, Deputy Director of Public Works, with offices on the 13th floor of the County-City Building, gave an update regarding the improvement of neighborhood alleys.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

Council Vice President Sheila Niezgodski motioned to resolve into the Committee of the Whole, which was seconded by Councilmember Rachel Tomas Morgan and carried via a vote by voice.

PUBLIC HEARINGS

BILL NO.

21-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1301 AND 1305 ELWOOD AVE. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Lee requested the committee report.

Councilmember Hamann stated that Bill No. 21-23 was heard in the Zoning and Annexation Committee and comes with a favorable recommendation.

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

Angela Smith, Zoning Administrator, with offices on the 14th floor of the County-City Building stated that Bill No. 21-23 seeks to rezone property located at 1301 and 1305 Elwood Avenue from Urban Neighborhood One (U1) to Neighborhood Center (NC).

Praveen Gulati, petitioner, spoke in favor of Bill No. 21-23.

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

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Hamann thanked the petitioner for their investment in South Bend.

Councilmember Lee thanked the petitioner for taking into condition the opinions of councilmembers and residents.

Councilmember Warner motioned to send Bill No. 21-23 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>	

24-23

PUBLIC HEARING 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 1127, 1131, AND 1135 WEST WESTERN AVENUE, COUNCILMANIC

DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Bill No. 24-23 was tabled until July 10, 2023.

25-23

PUBLIC HEARING 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 1436 BOWMAN, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Lee requested the committee report.

Councilmember Hamann stated that Bill No. 25-23 was heard in the Zoning and Annexation Committee and comes with a favorable recommendation.

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

Angela Smith, Zoning Administrator, with offices on the 14th floor of the County-City Building stated that Bill No. 25-23 seeks a use variance to allow for urban agriculture.

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

Councilmember Lee held the public hearing, and nobody spoke.

Council President McBride stated that she is excited for the third (3rd) district.

Councilmember Lee thanked the petitioner for their work.

Councilmember Wax motioned to send Second (2nd) Substitute Bill No. 15-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Warner 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>	

27-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE AND SEEKING A SPECIAL EXCEPTION USE FOR PROPERTY LOCATED 1319, 1323, AND 1333 LINCOLN WAY WEST AND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Bill No. 27-23 was tabled until July 24, 2023.

Councilmember Wax motioned to hear Bill No. 28-23, Bill No. 29-23, Bill No. 30-23, Bill No. 31-23, Bill No. 32-23, Bill No. 33-23, Bill No. 34-23, Bill No. 36-23, Substitute Bill No. 37-23, and Substitute Bill No. 38-23 together, which was seconded by Councilmember Hamann and carried via a vote by voice.

28-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING

THE ZONING ORDINANCE FOR PROPERTY LOCATED 735 AND 737 CLEVELAND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

29-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 752 CLEVELAND, 1216 AND 1218 VAN BUREN, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

30-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 901 AND 905 BLAINE AVE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

31-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 909 AND 911 SHERMAN COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

32-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 735 AND 737 CLEVELAND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

33-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 816 AND 822 LAWDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

34-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 744 AND 746 CLEVELAND COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

36-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 809 AND 813 CLEVELAND COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

37-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1215 AND 1217 VAN BUREN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA (SUBSTITUTE)

Councilmember Wax motioned to accept Substitute Bill No. 37-23, which was seconded by Council President McBride and carried via a vote by voice.

38-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1202 S LAFAYETTE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA (SUBSTITUTE)

Councilmember Wax motioned to accept Substitute Bill No. 38-23, which was seconded by Council President McBride and carried via a vote by voice.

Clerk Jones read the bills to the Council for their second (2nd) reading.

Councilmember Lee requested the committee reports.

Councilmember Hamann stated that Bill No. 28-23, Bill No. 29-23, Bill No. 30-23, Bill No. 31-23, Bill No. 32-23, Bill No. 33-23, Bill No. 34-23, Bill No. 36-23, Substitute Bill No. 37-23, and Substitute Bill No. 38-23 were all heard in the Zoning and Annexation Committee, and all come with a favorable recommendation.

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

Angela Smith, Zoning Administrator, with offices on the 14th floor of the County-City Building stated that Bill No. 28-23, Bill No. 29-23, Bill No. 30-23, Bill No. 31-23, Bill No. 32-23, Bill No. 33-23, Bill No. 34-23, Bill No. 36-23, and Substitute Bill No. 37-23 all seek to rezone property from Urban Neighborhood One (U1) to Urban Neighborhood Two (U2). Substitute Bill No. 38-23 seeks to rezone property from Industrial (I) to Urban Neighborhood Three (U3). All of the bills come with favorable recommendations from the South Bend Planning Commission.

Joe Molnar, Property Development Manager, with offices on the 14th floor of the County-City Building, stated that all the rezonings are related to the Low-Income Housing Tax Credit (LIHTC).

Todd Jenson, Vice President of KCG Companies in Indianapolis Indiana, was present.

Brandon Shields, Broker and Business Development Manager for Advantix Development Corporation, is excited to move forward.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. requested clarification regarding Advantix.

Brandon Shields stated that Advantix is the development and construction arm of the Evansville Housing Authority.

Councilmember Davis Jr. asked if there was an opportunity given to the South Bend Housing Authority to participate in the project.

Caleb Bauer, Community Investment, with offices on the 14th floor, stated that the LIHTC development market is quite competitive, and if the South Bend Housing Authority created a nonprofit development arm, they too could compete in the LIHTC market.

Councilmember Wax stated that the project had a public Request for Proposal (RFP).

Councilmember Lee stated that this project will help create low-income housing.

Councilmember Lee held the public hearings for Bill No. 28-23, Bill No. 29-23, Bill No. 30-23, Bill No. 31-23, Bill No. 32-23, Bill No. 33-23, Bill No. 34-23, Bill No. 36-23, Substitute Bill No. 37-23, and Substitute Bill No. 38-23 and nobody spoke.

Councilmember Wax thanked the developers, the Redevelopment Commission, and the City.

Councilmember Karen White motioned to send Bill No. 28-23 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>	

Councilmember Warner motioned to send Bill No. 29-23 to the Full Council with a favorable recommendation, which was 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>	

Councilmember Tomas Morgan motioned to send Bill No. 30-23 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>	

Councilmember Warner motioned to send Bill No. 31-23 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>	

Councilmember Tomas Morgan motioned to send Bill No. 32-23 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>	

Councilmember White motioned to send Bill No. 33-23 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>	

Councilmember Warner motioned to send Bill No. 34-23 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>	

Councilmember Tomas Morgan motioned to send Bill No. 36-23 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>	

Council President McBride motioned to send Substitute Bill No. 37-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember 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>	

Council President McBride motioned to send Substitute Bill No. 38-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember 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>	

35-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1004 S FRANKLIN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

Substitute Bill No. 35-23 was withdrawn.

39-23

PUBLIC HEARING 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 \$110,654 FROM THE GENERAL FUND (#101), \$1,195,000 FROM THE PARKS AND RECREATION FUND (#201), \$56,000 FROM THE CENTRAL SERVICES FUND (#222), \$3,127,099 FROM THE LOCAL INCOME TAX – ECONOMIC DEVELOPMENT FUND (#408), \$1,000,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA (#413), \$2,322,376 FROM THE 2018 TIF PARK BOND CAPITAL FUND (#452), \$1,482,530 FROM THE 2017 PARK BOND CAPITAL FUND (#471), \$100,000 FROM THE PARKING GARAGES FUND (#601), \$100,000 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), AND \$60,000 FROM THE CENTURY CENTER CAPITAL FUND (#671) (SUBSTITUTE)

Councilmember Wax motioned to accept Substitute Bill No. 39-23, which was seconded by Councilmember Warner and carried via a vote by voice.

Clerk Jones read the substitute bill to the Council for its second (2nd) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Substitute Bill No. 39-23 was heard in the Personnel and Finance Committee and comes with a favorable recommendation.

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

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building, stated that Substitute Bill No. 39-23 covers additional funding appropriations.

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

Councilmember Lee held the public hearing, and nobody spoke.

Council Vice President Niezgodski motioned to send Substitute Bill No. 39-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember 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>	

40-23

PUBLIC HEARING 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

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

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Bill No. 40-23 was heard in the Personnel and Finance Committee and comes with a favorable recommendation.

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

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building, stated that Bill No. 40-23 covers budget transfers for various departments.

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

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Hamann thanked the petitioner for their investment in South Bend.

Councilmember Lee thanked the petitioner for taking into condition the opinions of councilmembers and residents.

Councilmember White motioned to send Bill No. 40-23 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>	

41-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 10894-22, WHICH FIXES MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NONBARGAINING EMPLOYEES OF EXECUTIVE DEPARTMENTS OF THE CITY OF SOUTH BEND FOR CALENDAR YEAR 2023, TO ESTABLISH ONE NEW FULL-TIME POSITION (SUBSTITUTE)

Councilmember White motioned to accept Substitute Bill No. 39-23, which was seconded by Council Vice President Niezgodski and carried via a vote by voice.

Clerk Jones read the substitute bill to the Council for its second (2nd) reading.

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Substitute Bill No. 41-23 was heard in the Personnel and Finance Committee and comes with a favorable recommendation.

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

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building, stated that Substitute Bill No. 41-23 amends the list of non-bargaining City positions and max salaries, establishes a new full-time position.

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

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember White motioned to send Substitute Bill No. 41-23 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>	

42-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, CREATING THE 2023 TIF BOND SERIES A CAPITAL FUND (#456)

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

Councilmember Lee requested the committee report.

Council Vice President Niezgodski stated that Bill No. 42-23 was heard in the Personnel and Finance Committee and comes with a favorable recommendation.

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

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building, stated that Bill No. 42-23 creates the 2023 TIF Bond Series A Capital Fund.

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

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Tomas Morgan motioned to send Bill No. 42-23 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>	

43-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADDING CHAPTER 14, ARTICLE 10, SECTIONS 14-61 THROUGH AND INCLUDING 14-63 ADDRESSING EXTERMINATION/PEST CONTROL IN RESIDENTIAL RENTAL UNITS

Bill No. 27-23 was tabled until July 24, 2023.

RISE AND REPORT

Councilmember Hamann 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 carried via a vot by voice.

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 (3rd) reading and action is taken regarding bills that were heard during the Committee of the Whole.

BILLS ON THE THIRD READING

BILL NO.

21-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1301 AND 1305 ELWOOD AVE.

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

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 21-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember White motioned to adopt Bill No. 21-23, seconded by Councilmember Warner, 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>	

25-23

THIRD 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 1436 BOWMAN. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 25-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Warner motioned to adopt Bill No. 25-23, 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>	

28-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 735 AND 737 CLEVELAND, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 28-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Hamann motioned to adopt Bill No. 28-23, 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>
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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>	

29-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 752 CLEVELAND, 1216 AND 1218 VAN BUREN, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 29-23 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. 29-23, seconded by Councilmember Warner, 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>	

30-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 901 AND 905 BLAINE AVE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 30-23 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. 30-23, 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>	

31-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 909 AND 911 SHERMAN COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 31-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Warner motioned to adopt Bill No. 31-23, 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>	

32-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 906 AND 910 LAWNSDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 32-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Hamann motioned to adopt Bill No. 32-23, 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>	

33-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 816 AND 822 LAWNSDALE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 33-23 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. 33-23, seconded by Councilmember Warner, 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>	

34-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 744 AND 746 CLEVELAND COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 744 AND 746 CLEVELAND COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 34-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember White motioned to adopt Bill No. 34-23, 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>	

36-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 809 AND 813 CLEVELAND COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 36-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember White motioned to adopt Bill No. 36-23, 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>	

37-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1215 AND 1217 VAN BUREN COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

Deputy Clerk Kenneth Hardy read the substitute bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Substitute Bill No. 37-23 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 Substitute Bill No. 37-23, seconded by Councilmember Warner, 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>	

38-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1202 S LAFAYETTE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

Deputy Clerk Kenneth Hardy read the substitute bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Substitute Bill No. 38-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Hamann motioned to adopt Substitute Bill No. 38-23, 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>	

39-23

THIRD 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 \$110,654 FROM THE GENERAL FUND (#101), \$1,195,000 FROM THE PARKS AND RECREATION FUND (#201), \$56,000 FROM THE CENTRAL SERVICES FUND (#222), \$3,127,099 FROM THE LOCAL INCOME TAX – ECONOMIC DEVELOPMENT FUND (#408), \$1,000,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA (#413), \$2,322,376 FROM THE 2018 TIF PARK BOND CAPITAL FUND (#452), \$1,482,530 FROM THE 2017 PARK BOND CAPITAL FUND (#471), \$100,000 FROM THE PARKING GARAGES FUND (#601), \$100,000 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), AND \$60,000 FROM THE CENTURY CENTER CAPITAL FUND (#671) (SUBSTITUTE)

Deputy Clerk Kenneth Hardy read the substitute bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Substitute Bill No. 39-23 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 Substitute Bill No. 39-23, seconded by Councilmember Warner, 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>	

40-23

THIRD 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

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 40-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember White motioned to adopt Bill No. 40-23, seconded by Councilmember Warner, 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>	

41-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 10894-22, WHICH FIXES MAXIMUM SALARIES AND WAGES OF APPOINTED OFFICERS AND NON-BARGAINING EMPLOYEES OF EXECUTIVE DEPARTMENTS OF THE CITY OF SOUTH BEND FOR CALENDAR YEAR 2023, TO ESTABLISH ONE NEW FULL-TIME POSITION

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill No. 41-23 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Warner motioned to adopt Bill No. 41-23, 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>	

42-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, CREATING THE 2023 TIF BOND SERIES A CAPITAL FUND (#456)

Deputy Clerk Kenneth Hardy read the bill to the Council for its third (3rd) reading.

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

Councilmember Lee stated Bill *No. 42-23* was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Tomas Morgan motioned to correct a scrivener’s error to reflect the creation of the “2023 TIF Bond Series A Capital Fund,” which was seconded by Councilmember Lee and carried via a vote by voice.

Councilmember White motioned to adopt Bill *No. 42-23*, 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>	

RESOLUTIONS

BILL NO.

23-34

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 1405 PORTAGE AVENUE, SOUTH BEND, IN 46616 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE-YEAR (5) REAL PROPERTY TAX ABATEMENT FOR PEAK INVESTMENT AND ASSET MANAGEMENT LLC

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill *No. 23-34* was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill *No. 23-34* is a declaratory resolution for a five-year (5) retail development real property tax abatement for Peak Investment and Asset Management LLC.

Council President McBride asked Councilmembers for comments.

Councilmember Lee motioned to correct a scrivener’s error changing the zip code from “46616” to “46628,” which was seconded by Councilmember Hamann and carried via a vote by voice.

Councilmember Davis Jr. requested information regarding the future businesses that will be in the shopping center to be located at 1405 Portage Avenue.

Praveen Gulati, petitioner stated that there will be a quick service restaurant, a café, a physical therapy clinic, a grocery store, a barber shop, and whichever other retail will come along.

Erik Glavich stated that the original zip code was correct.

Councilmember Lee motioned to revert the bill to its original title, which was seconded by Councilmember Warner and carried via a vote by voice.

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

Councilmember Lee thanked the petitioner.

Councilmember Warner motioned to adopt Bill No. 23-34, which was 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>	

23-35

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 1202 SOUTH LAFAYETTE BOULEVARD, SOUTH BEND, IN 46624 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A TEN-YEAR (10) REAL PROPERTY TAX ABATEMENT FOR KCG COMPANIES. LLC

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-35 was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill No. 23-35 is a declaratory resolution for a ten-year (10) multi-family developmental real property tax abatement petition for KCG Companies, LLC, and is one (1) of two (2) LIHTC projects the City is supporting.

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

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

Councilmember Warner motioned to adopt Bill No. 23-35, which was seconded by Councilmember Lee and carried by a vote of eight (8) ayes and one (1) nay.

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>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

23-36

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 5448 DYLAN DRIVE, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A NINE-YEAR (9) REAL PROPERTY TAX ABATEMENT FOR GLC PORTAGE PRAIRIE, LLC

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-36 was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill No. 23-36 is a confirming resolution for a nine-year (9) industrial development real property tax abatement petition for GLC Portage Prairie, LLC.

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

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

Councilmember Warner thanked the petitioner.

Councilmember Lee thanked the petitioner.

Councilmember Warner motioned to adopt Bill No. 23-35, 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>	

23-37

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 516 SOUTH MICHIGAN STREET, SOUTH BEND IN 46601 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A SIX-YEAR (6) REAL PROPERTY TAX ABATEMENT FOR HERSTORIC PROPERTIES, LLC

23-38

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 516 SOUTH MICHIGAN STREET, SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION AREA FOR

PURPOSES OF A TWO-YEAR (2) VACANT BUILDING TAX ABATEMENT FOR HERSTORIC PROPERTIES, LLC

Council Vice President Niezgodski motioned to hear Bill No. 23-37 and Bill No. 23-38 together, which was seconded by Councilmember White and carried via a vote by voice.

Clerk Jones read the resolutions to the Council.

After the reading President McBride requested the committee reports.

Councilmember Tomas Morgan stated that Bill No. 23-37 and Bill No. 23-38 were both 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 and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill No. 23-37 is a resolution confirming the adoption of a declaratory resolution designating South 516 Michigan Street an economic revitalization area for purposes of a six-year (6) real property tax abatement for Herstoric Properties, LLC. Erik Glavich stated that Bill No. 23-38 is a resolution confirming the adoption of a declaratory resolution designating South 516 Michigan Street an economic revitalization area for purposes of a two-year (2) vacant building tax abatement for Herstoric Properties.

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

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

Councilmember Davis Jr. asked if the City would help with curbs and sidewalks in front of the properties.

Erik Glavich stated that the City has been having discussions regarding supporting the petitioner.

Councilmember Tomas Morgan thanked the petitioner.

Councilmember Lee motioned to adopt Bill No. 23-37, which was seconded by Councilmember Warner 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 Lee motioned to adopt Bill No. 23-38, which was seconded by Councilmember Warner 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>	

23-39

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 504 SOUTH LAFAYETTE BOULEVARD, SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION

AREA FOR PURPOSES OF AN EIGHT-YEAR
(8) REAL PROPERTY TAX ABATEMENT FOR
REAL AMERICA DEVELOPMENT, LLC

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-39 was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill No. 23-39 is a confirming resolution for an eight-year (8) mixed use development real property tax abatement for Real America Development, LLC.

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

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

Councilmember Warner thanked the petitioner.

Councilmember Lee thanked the petitioner.

Councilmember Tomas Morgan motioned to adopt Bill No. 23-39, which was seconded by Councilmember Lee and carried by a vote of eight (8) ayes and one (1) nay.

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>Aye</i>	Councilmember Karen L. White – <i>Aye</i>
Councilmember Rachel Tomas Morgan – <i>Aye</i>	

23-40

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF THE SOUTH BEND,
INDIANA, DESIGNATING CERTAIN AREAS
WITHIN THE CITY OF SOUTH BEND,
INDIANA, COMMONLY KNOWN AS
MULTIPLE PROPERTIES AN ECONOMIC
REVITALIZATION AREA FOR PURPOSES OF
A TEN-YEAR (10) REAL PROPERTY TAX
ABATEMENT FOR ADVANTIX
DEVELOPMENT CORPORATION

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-40 was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

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

Erik Glavich, Director of Growth and Opportunity, with offices on the 14th floor of the County-City Building, stated that Bill No. 23-36 is a declaratory resolution for a ten-year (10) multi-family development real property tax abatement petition for Advantix Development Corporation.

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

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

Councilmember Warner thanked everyone that worked on the RFP.

Councilmember White motioned to adopt Bill No. 23-40, 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>	

BILLS ON FIRST READING

BILL NO.

44-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1006 ST VINCENT STREET COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Hamann motioned to send Bill No. 44-23 to the South Bend Planning Commission on July 17, 2023, and to the Zoning and Annexation Committee for a public hearing and third (3rd) reading on July 24, 2023, 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>	

45-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1018 N FRANCES STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Niezgodski motioned to send Bill No. 45-23 to the South Bend Planning Commission on July 17, 2023, and to the Zoning and Annexation Committee for a public hearing and third (3rd) reading on July 24, 2023, seconded by Councilmember Tomas Morgan, and carried via vote by voice.

UNFINISHED BUSINESS

Councilmember Davis Jr. thanked the South Bend Police Department regarding funeral escorts and spoke about previous illegal dumping prevention methods. Councilmember Davis Jr. spoke about councilmember interaction with RFPs.

NEW BUSINESS

None.

PRIVILEGE OF THE FLOOR

Joseph Wilfing, 2405 Erskine Boulevard, South Bend IN 46614, spoke regarding illegal parking.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 9:32 p.m.