

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: 09-25-2023

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, September 25, 2023, at 7:00 PM. The meeting was called to order by Council President Sharon L McBride, and the Invocation was given by Dawn M. Jones 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 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.

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=371540>

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

Please note the attached link for budget presentations:

<https://docs.southbendin.gov/WebLink/0/fol/366842/Row1.aspx>

ROLL CALL

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

Eli Wax	5 th District
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OTHERS PRESENT:

Dawn M. Jones	City Clerk
Victoria A. Trujillo	Chief Deputy Clerk
Shayla Kimbrough	Deputy Clerk
Adjia Sambe	Clerk Intern
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

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.

44-23

PUBLIC HEARING ON 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

Bill No. 44-23 had been withdrawn.

56-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, 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 (PUBLIC HEARING ONLY / THIRD READING WILL BE ON OCTOBER 9, 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. 56-23 went before 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.

Amy Hill, General Manager and Chief Executive Officer (CEO) of TRANSPO, 1401 South Lafayette Boulevard, South Bend IN 46613, gave an overview of the 2024 TRANSPO budget. The South Bend TRANSPO corporation has one hundred and eight (108) employees, receives local state and federal funding, has fifty (50) fixed route buses, twenty (20) paratransit vans, and serves the cities of South Bend and Mishawaka.

Councilmember Lee held the public hearing, and nobody spoke.

Council Vice President Niezgodski motioned to send Bill No. 56-23 to the Full Council with a favorable recommendation on October 9, 2023, which was seconded by Council President McBride and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

57-23

PUBLIC HEARING 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 (PUBLIC HEARING ONLY / THIRD READING WILL BE ON OCTOBER 9, 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. 57-23 went before 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.

James Mueller, Mayor of the City of South Bend, with offices on the 14th floor of the County-City Building, gave an overview of the 2024 budget for the city of South Bend, Indiana. Mayor James Mueller stated budget priorities, detailed budget priority outreach, and overviewed budget highlights.

Kyle Willis, City Controller, with offices on the 12th floor of the County-City Building, detailed the budgets of various departments, and summarized City revenues and expenditures.

Councilmember Lee opened the public hearing.

Logan Foster, 1138 College Street, South Bend IN 46628, asked if property taxes would ever be lowered and stated that the City should be spending less.

Council Vice President Niezgodski stated that the Council does not have the power to raise property taxes.

Council Vice President Niezgodski motioned to send Bill No. 57-23 to the Full Council with a favorable recommendation on October 9, 2023, which was seconded by Councilmember Tomas Morgan and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

58-23 PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, 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. 58-23 went before 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. 58-23 details budget transfers for various departments.

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 Bill No. 58-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Hamann and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

59-23

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 \$1,740,000 FROM THE GENERAL FUND (#101), \$356,800 FROM THE PARKS AND RECREATION FUND (#201), \$104,999 FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$1,200,000 FROM THE CENTRAL SERVICES FUND (#222), \$160,200 FROM THE PARKING GARAGES FUND (#601), \$42,688 FROM THE WATER WORKS CAPITAL FUND (#622), \$200,000 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$3,000,000 FROM THE SEWAGE WORKS CAPTIAL FUND (#642), AND \$293,000 FROM THE STORM SEWER FUND (#667)

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. 59-23 went before 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. 59-23 details additional appropriations for certain departmental and City service operations for 2023.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. stated that the City cannot compete with the private sector regarding wages.

Councilmember Lee held the public hearing, and nobody spoke.

Council Vice President Niezgodski motioned to send Bill No. 59-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember Tomas Morgan and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

60-23

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 NON-BARGAINING EMPLOYEES OF EXECUTIVE DEPARTMENTS OF THE CITY OF SOUTH

BEND FOR CALENDAR YEAR 2023, TO ESTABLISH ONE NEW FULL-TIME POSITION

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. 60-23 went before 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. 60-23 brings the Group Violence Intervention (GVI) project manager position under City control.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. requested information regarding the effectiveness of the GVI project manager position.

Kyle Willis stated that Goodwill and the Administration made the decision to bring the position under control of the City and noted that the salary cap is not a guaranteed wage.

Councilmember Davis Jr. stated that with crime in the City remaining high, there should be careful consideration of the effectiveness of the GVI project manager position.

Councilmember Lee stated that the GVI program manager, historically, coordinated the relationships within the GVI strategy.

Councilmember Davis Jr. requested information regarding Councilmember Lee’s knowledge of GVI.

Councilmember Lee stated that he has worked with GVI.

Councilmember Lee held the public hearing, and nobody spoke.

Councilmember Tomas Morgan motioned to send Bill No. 60-23 to the Full Council with a favorable recommendation, which was seconded by Council President McBride and carried by a vote of six (6) ayes, two (2) nays, and with one (1) councilmember absent.

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

61-23

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 6, ARTICLE 13, SECTIONS 6-71 THROUGH 6-78 ADDRESSING RESPONSIBLE BIDDING PRACTICES AND SUBMISSION REQUIREMENTS ON PUBLIC WORKS PROJECTS

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

Councilmember Lee requested the committee report.

Councilmember Tomas Morgan stated that Bill No. 61-23 went before the Community Investment 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.

Rachel Tomas Morgan, 114 Chapin Street, South Bend IN 46601, stated that Bill No. 61-23 proposes amendments to chapter six (6) article thirteen (13) sections 6-71 through 6-78 of the South Bend municipal code to reflect current circumstances and to ensure the highest quality of standards continue to be utilized in the bidding process.

Sheila Niezgodski, 4942 Scenic Drive, South Bend IN 46619, stated that Bill No. 61-23 will help increase the opportunity for Minority and Women-owned Business Enterprises (MWBES) to participate in public works contracts.

Councilmember Lee asked the Council for comments.

Councilmember Davis Jr. requested information regarding bipartisanship and support from the Chamber of Commerce.

Sheila Niezgodski stated that Bill No. 61-23 impacts all trades and is bipartisan by way of Councilmember Eli Wax.

Councilmember Lee thanked the petitioners for their bipartisan efforts.

Councilmember Karen White thanked all supporters of Bill No. 61-23.

Rachel Tomas Morgan thanked Caleb Bauer.

Councilmember Lee opened the public hearing.

Mayor James Mueller thanked all the supporters of Bill No. 61-23.

James Gardener, 1001 North Michigan Street, Lakeville IN 46536, spoke in favor of Bill No. 61-23.

Randy Nielson, 23698 West Western Avenue, South Bend IN 46619, spoke in favor of Bill No. 61-23.

Council Vice President Niezgodski motioned to send Bill No. 61-23 to the Full Council with a favorable recommendation, which was seconded by Councilmember White and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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>Absent</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

Council President McBride motioned to rise from the Committee of the Whole and report back to the Full Council, seconded by Council Vice President Niezgodski and carried via a vote 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.

58-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, 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 third (3rd) reading.

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

Councilmember Lee stated Bill No. 58-23 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. 58-23, seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

59-23

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 \$1,740,000 FROM THE GENERAL FUND (#101), \$356,800 FROM THE PARKS AND RECREATION FUND (#201), \$104,999 FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$1,200,000 FROM THE CENTRAL SERVICES FUND (#222), \$160,200 FROM THE PARKING GARAGES FUND (#601), \$42,688 FROM THE WATER WORKS CAPITAL FUND (#622), \$200,000 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$3,000,000 FROM THE SEWAGE WORKS CAPITAL FUND (#642), AND \$293,000 FROM THE STORM SEWER FUND (#667)

Clerk Jones 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. 59-23 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. 59-23, seconded by Councilmember Tomas Morgan, and carried by a vote of seven (7) ayes, one (1) nay, and with (1) councilmember absent.

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

60-23

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

Clerk Jones 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. 60-23 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. 60-23, seconded by Councilmember Lee, and carried by a vote of six (6) ayes, two (2) nays, and with one (1) councilmember absent.

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

61-23

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, 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 third (3rd) reading.

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

Councilmember Lee stated Bill No. 61-23 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. 61-23, seconded by Councilmember Tomas Morgan, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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>Absent</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.

23-56

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ANNOUNCING THE FORMATION OF A REPARATORY JUSTICE COMMISSION AND THE MEMBERS THEREOF

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember White stated that Bill No. 23-56 was heard in the Residential Neighborhoods 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.

Sharon McBride, 415 East Broadway Street, South Bend IN 46601, stated that Bill No. 23-56 announces the formation of a reparatory justice commission and the members thereof.

Council President McBride requested questions from the Council, and nobody spoke.

Council President McBride held the public hearing, and no members of the public spoke.

Councilmember Davis Jr. stated that Bill No. 23-56 needs to happen for the improvement of African Americans.

Councilmember Hamann stated that in the original resolution there was a call for the Administration to apologize for all the wrongs done to African Americans throughout the history of South Bend and hopes the Administration reconsiders offering the apology.

Sharon McBride stated that while Bill No. 23-56 serves only to form the commission, an apology from the Administration can be discussed later with the Administration.

Councilmember Lee thanked Sharon McBride for bringing forward Bill No. 23-56.

Councilmember Davis Jr. stated concern and requested information regarding the selection process for the Reparatory Justice Commission members.

Sharon McBride stated that there were recommendations, discussions with community members, as well as a focus on diversity and experience.

Councilmember Davis Jr. motioned for the adoption of Bill No. 23-56, seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

23-57

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 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

23-58

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 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

Council Vice President Niezgodski motioned to hear Bill No. 23-57 and Bill No. 23-58 together, which was seconded by Councilmember Lee and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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>Absent</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 resolutions to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-57 and Bill No. 23-58 were both heard in the Community Investment Committee and 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.

Mark Bemenderfer, Manager of Business Development, with offices located on he 14th floor of the County-City Building, stated that Bill No. 23-57 is a designating resolution for a two-year (2) vacant building tax abatement for Property Bros LLC, and stated that Bill No. 23-58 is a designating resolution for an eight-year (8) real property tax abatement for Property Bros LLC.

Jordan Richardson, petitioner, 1251 North Eddy St, South Bend, IN 46617, stated that Property Bros LLC originally planned on bringing forward six (6) units, but have been fortunate enough to increase the project to eight (8) units.

Council President McBride requested questions from the Council, and nobody spoke.

Council President McBride held the public hearing, and no members of the public spoke.

Councilmember Davis Jr. stated that there needs to be a conversation regarding the amount of tax abatements being given out by the City.

Councilmember Davis Jr. motioned for the adoption of Bill No. 23-57, seconded by Councilmember White, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

Councilmember Lee and. motioned for the adoption of Bill No. 23-58, seconded by Councilmember Lee, and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

23-59

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 1302 WEST SAMPLE STREET, SOUTH BEND, INDIANA 46619 AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A FIVE-YEAR (5) PERSONAL PROPERTY TAX ABATEMENT FOR IMAGINEERING ENTERPRISES, INC

Clerk Jones read the resolution to the Council.

After the reading President McBride requested a committee report.

Councilmember Tomas Morgan stated that Bill No. 23-59 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.

Mark Bemenderfer, Manager of Business Development, with offices located on he 14th floor of the County-City Building, stated that Bill No. 23-59 is a confirming resolution for a five-year (5) personal property tax abatement for Imagineering Enterprises, INC.

Lauren Eby, Controller, 1302 West Sample Street, South Bend IN 46619, gave a brief histori of Imagineering Enterprises, INC.

Council President McBride requested questions from the Council, and nobody spoke.

Council President McBride held the public hearing, and no members of the public spoke.

Councilmember Hamann thanked Imagineering Enterprises for being in South Bend for sixty (60) years but stated that job creation should not be the sole reason for a tax abatement. Councilmember Hamann also criticized the starting sixteen dollars (\$16) an hour wage.

Lauren Eby stated that Imagineering Enterprises’ average wage is around nineteen dollars (\$19) an hour.

Councilmember Lee thanked Imagineering Enterprises.

Councilmember Tomas Morgan thanked Imagineering Enterprises.

Councilmember Warner motioned for the adoption of Bill No. 23-59, seconded by Councilmember Lee, and carried by a vote of seven (7) ayes, one (1) nay, and with one (1) councilmember absent.

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

BILLS ON FIRST READING

BILL NO.

63-23

FIRST 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 first (1st) reading.

Council Vice President Niezgodski motioned to send Bill No. 63-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, seconded by Councilmember Lee and carried via a vote by voice.

64-23

FIRST 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 first (1st) reading.

Council Vice President Niezgodski motioned to send Bill No. 64-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, seconded by Council President McBride and carried via a vote by voice.

65-23

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, REAFFIRMING 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 first (1st) reading.

Council Vice President Niezgodski motioned to send Bill No. 65-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, seconded by Councilmember Tomas Morgan and carried via a vote by voice.

66-23

FIRST 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 first (1st) reading.

Councilmember Vice-President Sheila Niezgodski motioned to send Bill No. 66-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, which was seconded by Councilmember Lee, and carried via a vote by voice.

67-23

FIRST 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

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

Council Vice President Niezgodski motioned to send Bill No. 67-23 to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, seconded by Councilmember Lee, and carried via a vote by voice.

68-23

FIRST READING 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 first (1st) reading.

Council Vice President Niezgodski made a motion to send Bill *No. 68-23* to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, seconded by Councilmember Tomas Morgan, and carried via a vote by voice.

69-23

FIRST 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 first (1st) reading.

Council Vice President Niezgodski motioned to send Bill *No. 69-23* to the Personnel and Finance Committee for a third (3rd) reading and public hearing on October 9, 2023, which was seconded by Councilmember Lee and carried via a vote by voice.

UNFINISHED BUSINESS

Council President McBride reminded councilmembers to submit names for the Community Police Review Board (CRB).

Councilmember Davis Jr. asked when he should submit addresses for curb and sidewalk repairs.

Council Vice President Niezgodski stated that she believes there will be an email requesting addresses in October.

Councilmember Warner stated that the process is currently being updated.

NEW BUSINESS

None.

PRIVILEGE OF THE FLOOR

Steven Davis 1126 College Street, South Bend IN 46628, spoke regarding Code Enforcement.

Mark Rolfes, 1132 Napoleon Street, South Bend IN 46617, spoke regarding the CRB.

Don Foster, 132 Chapin Street, South Bend IN 46601, spoke regarding crime.

Sharon Banicki, 3822 Ford Street, South Bend IN 46619, spoke regarding crime.

ADJOURNMENT

Council President Sharon McBride adjourned the meeting at 9:09 p.m.