



# OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

ZONING AND ANNEXATION

AUGUST 14, 2023, 4:00 P.M.

Committee Members Present: Sheila Niezgodski, Karen L. White, James Snodgrass

Committee Members Absent: Lori K. Hamann, Henry Davis, Jr.

Others Present: Dawn Jones, Victoria Trujillo, Bob Palmer, Justin LePla, Kenneth Hardy, Shayla Kimbrough, Eli Wax, Bianca, Kacey

Presenters: Angela M. Smith, Keith Giden, Jr.

Agenda: Bill No 23-23 – A Zoning Ordinance for a Special Exception Ordinance for Property Located at 3003 Lincolnway West, Councilmanic District No. 2  
Bill No 27-23 – A Zoning Ordinance for a Special Exception Ordinance for Property at 1319, 1323, and 1333 Lincolnway West, Councilmanic District No. 2  
Bill No 48-23 – A Zoning Ordinance for a Special Exception Ordinance for Property Located at 1044 Lincolnway West, Councilmanic District No. 1

Members marked with an asterisk (\*) are present digitally

Please note the attached link for the meeting recording:  
<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=367251>

Committee member Sheila Niezgodski called to order the Zoning and Annexation Committee meeting at 4:00 p.m.

**Bill No 23-23 – A Zoning Ordinance for a Special Exception Ordinance for Property Located at 3003 Lincolnway West, Councilmanic District No. 2**

Committee member Sheila Niezgodski motioned to table Bill No. 23-23 to August 28, 2023, seconded by Citizen member James Snodgrass, and carried by a vote of three (3) ayes, and two (2) committee members absent.

Committee Chair Lori Hamann - Absent	Committee Vice-Chair Henry Davis - Absent
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen member James Snodgrass - Aye	



**Bill No 27-23 – A Zoning Ordinance for a Special Exception Ordinance for Property at 1319, 1323, and 1333 Lincolnway West, Councilmanic District No. 2**

The property at 1319, 1323, and 1333 Lincolnway West was an auto repair business for several years but went out of use and sat vacant. The property owner lost their legal non-conforming status for auto repair. The property was rezoned to U3 Urban Neighborhood 3. The request is for a special exemption to once again use the property for major auto repair, rezoning it from U3 Neighborhood 3 to NC Neighborhood Center District.

Keith Giden, Jr, 1319 Lincolnway West, South Bend, IN 46628, shared that he has had the property since 2008 and left auto repair to work for a transportation company. During that time, his business license lapsed. He is working to re-establish his auto repair business and ensure all necessary paperwork is in order.

Committee member Niezgodski held the public hearing, and nobody spoke.

Citizen member James Snodgrass motioned to move Bill No. 27-23 to the Committee of the Whole with a favorable recommendation, seconded by Committee member Karen White, and carried by a vote of three (3) ayes, and two (2) committee members absent.

Committee Chair Lori Hamann - Absent	Committee Vice-Chair Henry Davis - Absent
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen member James Snodgrass - Aye	

**Bill No 48-23 – A Zoning Ordinance for a Special Exception Ordinance for Property Located at 1044 Lincolnway West, Councilmanic District No. 1**

Committee member Karen White motioned to table Bill No.48-23 to August 28, 2023, seconded by Citizen member James Snodgrass, and carried by a vote of three (3) ayes, and two (2) committee members absent.

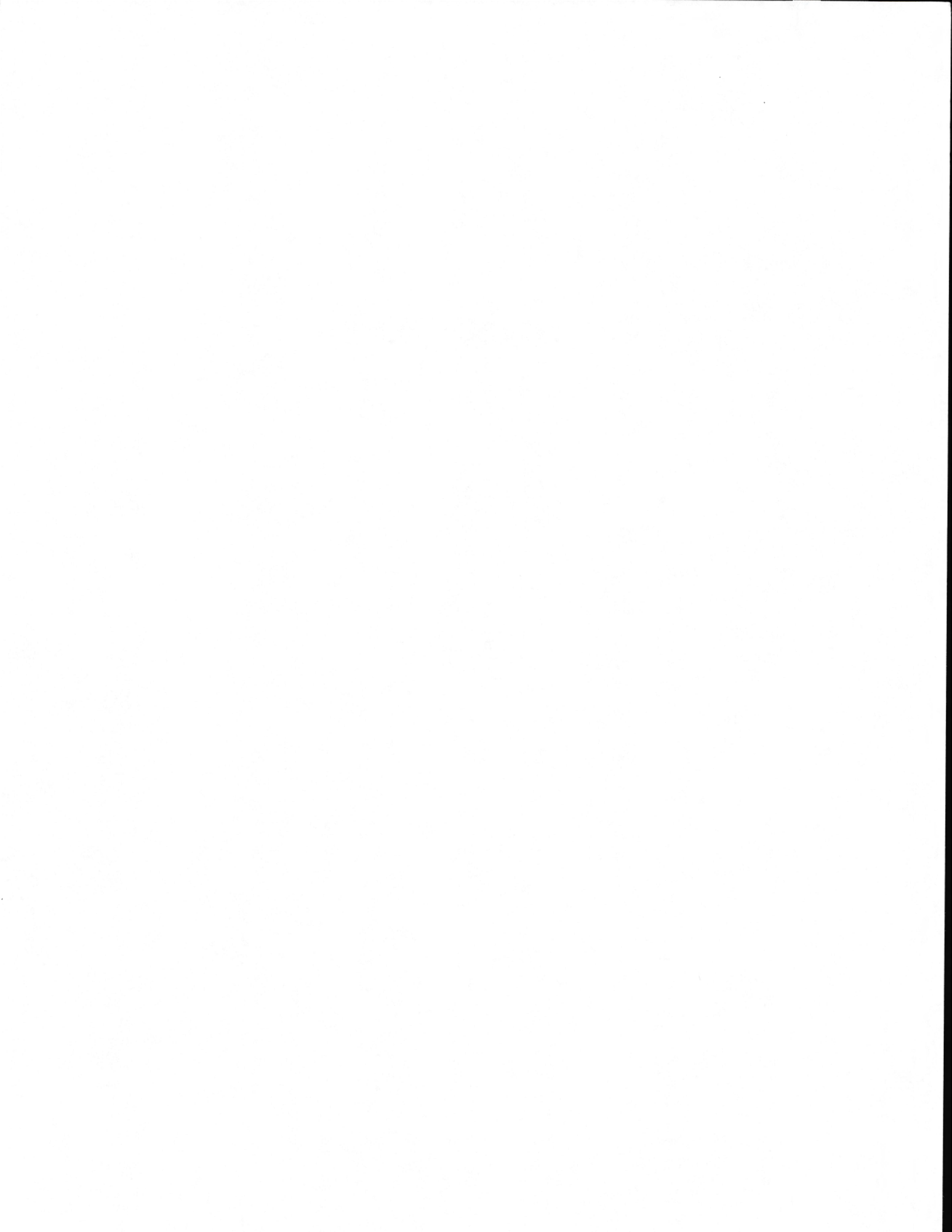
Committee Chair Lori Hamann - Absent	Committee Vice-Chair Henry Davis - Absent
Committee member Sheila Niezgodski - Aye	Committee member Karen White - Aye
Citizen member James Snodgrass - Aye	

With no further business, the Committee Chair adjourned the Zoning and Annexation Committee meeting at approximately 4:15 p.m.

Respectfully Submitted,

Lori Hamann, Committee Chair

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## HEALTH AND PUBLIC SAFETY

JULY 20, 2023, 5:00 P.M.

Committee Members Present:

Eli Wax, Karen White, Rachel Tomas Morgan,

Committee Members Absent:

Troy Warner, Canneth Lee, Desmond Upchurch

Agenda:

Bill No. 47-23 – An Ordinance Adding the State of “Homeless” to the Protected Classes of Persons

Members marked with an asterisk (\*) are present digitally

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=366231>

Committee Chair Eli Wax called to order the Health and Public Safety Committee meeting at 5:00 p.m.

### **Bill 47-23 – An Ordinance Adding the State of “Homeless” to the Protected Classes of Persons**

Council Chair Wax noted that this is an information session and there is no public comment. This was heard in 2017 and did not receive traction. However, now there are significant concerns regarding homelessness with approximately 600 homeless individuals in South Bend. There has been significant community engagement, including support from Indianapolis, which has done work on homeless issues. It was noted that not having an address can be an issue for individuals.

Discrimination against the homeless happens everywhere, as they are not wanted in private and public areas. It creates issues for homeless individuals to rent apartments, apply for jobs, maintain jobs, find shelter, etc. There are many myths and misinformation regarding the homeless population such as they are unemployed and uninterested in gaining employment. Statistically, one third of homeless individuals have jobs. Many homeless individuals are educated. There is infrastructure in South Bend that will provide more access to showers and basic amenities. There is a misconception that homelessness is a choice. Shelters frequently have regulations that do not allow personal belongings and pets, making them a difficult choice for individuals to utilize. Some also require sobriety and divide family units based on gender. Additionally, some have bed bugs and are violent. Frequently, homeless individuals are not covered by other classifications such as disabled, minority, etc.

This classification will allow homeless individuals to file HCR complaints. It will decrease discrimination and support them to mitigate their homeless situation, such as being able to find and keep employment.

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There was discussion regarding the choice to not use shelters for the reasons stated above. There was discussion regarding homelessness not being protected as a federal class. These classes are considered an immutable characteristic. Homelessness is something that can be changed, while most protected classes are characteristics that cannot change. There was discussion on proving that discrimination is related to homelessness. There was discussion on how one would know that someone is homeless. There was discussion on the HRC's capacity to address complaints. An additional investigator would be needed, as the staff does not have capacity.

With no further business, Committee Chair Wax adjourned the Health and Public Safety Committee meeting at 6:58 p.m.

Respectfully Submitted,

Eli Wax, Committee Chair

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