# **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: 05-12-2025

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

TROY WARNER

SHERRY/BOLDEN-SIMPSON

APPROVED BY THE COMMON COUNCIL ON: 05-28-2025

**ATTEST:** 

BIANCA L. TIRADO, (CITY CLERK

Be it remembered that the Common Council of the City of South Bend, Indiana, met in person on Monday, May 12, 2025, at 7:00 p.m. Council President Canneth Lee called the meeting to order. The invocation was given by Pastor Brandon Saucier of South Side Baptist Church, and Pledge to the Flag was given.

City Clerk Bianca L. Tirado 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.

Please note the attached link for the meeting recording:

https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=395498

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

#### **ROLL CALL**

# COUNCILMEMBERS PRESENT

Canneth Lee 1st District, President

Ophelia Gooden-Rodgers 2<sup>nd</sup> District Sharon L. McBride 3<sup>rd</sup> District

Troy Warner 4<sup>th</sup> District, Committee of the Whole

Sherry Bolden-Simpson 5<sup>th</sup> District Sheila Niezgodski 6<sup>th</sup> District Karen L. White At-Large Dr. Oliver Davis At-Large

Rachel Tomas Morgan\* At-Large, Vice President

#### COUNCILMEMBERS ABSENT

None

#### OTHERS PRESENT

Bianca L. Tirado City Clerk

Matthew Neal Deputy Director of Policy
Margaret Gotsch Director of Special Projects

Bob Palmer Council Attorney

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

## **SUB-COMMITTEE ON MINUTES:**

#### April 28, 2025

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

Clerk Tirado stated that the Sub-Committee on Minutes inspected the <u>April 28, 2025</u> Common Council meeting minutes and recommend they be approved.

Councilmember Dr. Oliver Davis moved to approve the <u>April 28, 2025</u> Common Council meeting minutes, which was seconded by Councilmember Sherry Bolden-Simpson and carried by nine (9) ayes.

## REPORTS FROM CITY OFFICES

None.

## RESOLVE INTO THE COMMITTEE OF THE WHOLE

Council Chair Troy Warner moved to resolve into the Committee of the Whole, which was seconded by Councilmember Karen L. White and carried by nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

## **PUBLIC HEARINGS**

BILL NO.

14-25

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, CERTAIN LAND LOCATED IN **GERMAN** TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, NORTH OF THE INTERSECTION OF EDISON ROAD AND SUNDOWN ROAD. SOUTH BEND, INDIANA (COUNCIL DISCUSSION ONLY)

Council discussion began with a request for the petitioner to provide a brief summary. Skip Morrell, Principal Development Planner, with offices on the fourteenth (14<sup>th</sup>) floor of the County-City Building, South Bend, IN 46601, stated that Bill *No.* 14-25 involves a voluntary annexation of two (2) parcels of property located just north of the intersection of Edison Road. and Sundown Road., and just east of Saint Joseph Valley Parkway. The annexation would allow the petitioner to expand an existing warehouse by approximately thirteen thousand (13,000) square feet and allow for an automatic rezoning to Industrial (I) within the city limits.

Chris Godlewski, Abonmarche, 315 West Jefferson Boulevard South Bend, IN 46601, stated that the basic purpose of the annexation is to provide public water service for fire suppression at the expanded warehouse site. The project will bring half (1/2) of a dozen jobs on a union scale and will provide tax revenue to the City.

Councilmember Dr. Davis thanked Mr. Godlewski for following up from the last meeting with information about union workers, their salaries, and the entire development package.

Council President Lee thanked Mr. Godlewski for bringing jobs to the area.

Councilmember Warner held the public hearing, and nobody spoke.

Council President Lee moved to send Bill No. <u>14-25</u> to the Full Council with a favorable recommendation, which was seconded by Councilmember Dr. Davis and carried by a vote of nine (9) ayes.

PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTIES LOCATED AT 906, 912, 914, 918 DUBAIL AVENUE AND 1703, 1705, 1711 DALE AVENUE COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

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

After the second (2<sup>nd</sup>) reading, Councilmember Dr. Davis stated that Bill *No.* <u>19-25</u> went before the Zoning and Annexation Committee and was given a favorable recommendation.

Skip Morrell, Principal Development Planner, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, requests a special exception to allow construction of duplexes and single-family homes on currently vacant lots along Dubail Avenue and Dale Avenue, which will be zoned as Urban (U1). This project comes with a favorable recommendation from the Board of Zoning and Appeals and is consistent with the South Bend comprehensive plan objective H1.1.

Petitioner David Njoroge, 3131 Springbrook Drive, South Bend, IN 46614, expressed his enthusiasm and excitement about bringing this project to South Bend and to the area within District 3.

Councilmember Sharon McBride thanked the petitioner for bringing affordable housing to her District.

Council President Lee also thanked the petitioner for developing the project.

Councilmember Sherry Bolden-Simpson added her thanks.

Councilmember Warner held the public hearing, and nobody spoke.

Councilmember Dr. Davis moved to send Bill No. <u>19-25</u> to the Full Council with a favorable recommendation, which was seconded by Councilmember McBride and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan - Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

24-25

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1702 WESTERN AVENUE COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

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

After the second (2nd) reading, Councilmember Dr. Davis stated that Bill *No.* <u>24-25</u> went before the Zoning and Annexation Committee and was given a favorable recommendation.

Skin Morrell. Principal Development Planner, with offices on the fourteenth (14th) floor of the

be developed in the same building in which Mr. Singh operates a Boost Mobile cell phone store. In addition, he is working with the Building Department to create a surface parking lot to improve the area.

Jesse Singh thanked the council for this opportunity.

Councilmember Warner held the public hearing, and nobody spoke.

Councilmember Sheila Niezgodski thanked the petitioner for investing in the Western Avenue corridor. She is pleased that the request involves a family-oriented ice cream store and not another industrial use.

Councilmember Dr. Davis moved to send Bill No. <u>24-25</u> to the Full Council with a favorable recommendation, which was seconded by Councilmember McBride and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

## RISE AND REPORT

Councilmember Gooden-Rodgers Davis moved to rise from the Committee of the Whole and report back to the Full Council, which was seconded by Councilmember Dr. Davis and carried by nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski - Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

#### REGULAR MEETING RECONVENED

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

## BILLS ON THE THIRD READING

BILL NO.

14-25

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND. INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, CERTAIN LAND LOCATED IN **GERMAN** TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC NO. DISTRICT NORTH OF 1, INTERSECTION OF EDISON ROAD AND

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan - Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

<u>19-25</u>

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTIES LOCATED AT 906, 912, 914, 918 DUBAIL AVENUE AND 1703, 1705, 1711 DALE AVENUE COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

Clerk Tirado read the bill to the Council for its third (3rd) reading.

Councilmember Warner stated that Bill *No.* <u>19-25</u> was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember McBride moved for the passage of Bill No. <u>19-25</u>, which was seconded by Councilmember Bolden-Simpson and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan - Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride-Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

24-25

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1702 WESTERN AVENUE COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

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

Councilmember Warner stated that Bill *No.* <u>24-25</u> was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember McBride moved for the passage of Bill No. <u>24-25</u>, which was seconded by Councilmember Bolden-Simpson and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride-Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Ave	Councilmember Dr. Oliver Davis – Ave

# YEAR 2025 PURSUANT TO SECTION 4-51 OF THE SOUTH BEND MUNICIPAL CODE

Clerk Tirado read the resolution to the Council.

Councilmember Warner stated Bill *No.* <u>25-27</u> was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

Council President Lee requested that the petitioner(s) state their name and address.

Erik Glavich, Director of Growth and Opportunity, with offices on the fourteenth (14<sup>th</sup>) floor of the County-City Building, South Bend, IN 46601, stated that Bill *No.* 25-27 is a resolution that would approve a scrap metal dealer license renewal for Alternative 2, LLC, located at 700 West Chippewa Avenue, South Bend, IN 46614. Per section 4-51 of the Municipal Code, the property required review from the South Bend Police Department, the South Bend Fire Department, Neighborhood Resources, and the Zoning Department. All the agencies completed their reviews with no issues found. However, a new valve was installed delaying the initial inspection, which delayed submitting the resolution with the previous package of the scrap metal dealer renewals.

Councilmember Dr. Davis reviewed the Secretary of State website and found that the business had been dissolved and has been inactive since November 5<sup>th</sup>, 2018. Councilmember Dr. Davis went on to question why the business has been listed as dissolved and if an investigation has taken place.

Erik Glavich stated that he is filling in for Michelle Adams and does not have an answer at the time.

Councilmember Dr. Davis requested that Erik Glavich review and acquire reasonable explanation as to why the business has been without a license for seven (7) years before presenting the resolution to Council again.

Councilmember Niezgodski accessed the Secretary of State website and found that the business is not registered and currently shows as a non-reporting business.

Erik Glavich stated that the Police Department uses that reporting system for scrap metal dealers and that they only receive non-reportable items. Erik Glavich will review the Council's requests before pursuing further.

Council President Lee entertained a motion to table Bill No. <u>25-27</u> until <u>May 28<sup>th</sup>, 2025</u>.

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

Councilmember Warner moved to table Bill *No.* <u>25-27</u>, which was seconded by Councilmember White and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

25-28

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING THE ISSUANCE OF TAX INCREMENT REVENUE BONDS OF THE REDEVELOPMENT DISTRICT OF THE CITY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE COSTS OF CERTAIN LOCAL PUBLIC

Erik Glavich, Director of Growth and Opportunity, with offices on the fourteenth (14<sup>th</sup>) floor of the County-City Building, South Bend, IN 46601, stated that Bill *No.* 25-28 is a resolution authorizing the city to issue redevelopment bonds in support of the rehabilitation of the Portage and Elwood properties located at 1408 Elwood Avenue, South Bend, IN 46628. The City of South Bend was awarded a two-point-five-seven-million-dollar (\$2,570,000.00) loan from the Indiana Finance Authority (IFA) through the Residential Infrastructure Fund program. IFA provides municipalities access to low interest loans and purchases redevelopment bonds. The project that this loan would support is the redevelopment of the Drewry site and the site is set to house approximately one-hundred and ten (110) housing units ranging from small apartments to single family homes including some duplexes.

In addition to the two point-five-seven-million-dollar (2,570,000.00) loan from the IFA, a three-point-five-million-dollar (3,500,000.00) grant has been requested from the Indiana Economic Development Corporation that could not exceed a five-point five percent (5.5%) interest rate.

Council President Lee asked how soon things will be set into motion.

Erik Glavich stated they anticipate closing within sixty (60) days.

Council President Lee asked what will happen to the liquor store and auto repair store.

Erik Glavich stated they will stay intact and have already been incorporated into the plans sketch.

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

Councilmember Dr. Davis moved for the passage of Bill No. <u>25-28</u>, which was seconded by Councilmember McBride and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

25-29

A RESOLUTION OF THE SOUTH BEND COMMON COUNCIL ESTABLISHING THE TERMS OF THE INITIAL MEMBERS OF THE COMMUNITY POLICE REVIEW BOARD (SUBSTITUTE)

Councilmember Bolden-Simpson moved to accept Substitute Bill No. <u>25-29</u>, which was seconded by Councilmember Dr. Davis and carried by a vote of nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride-Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

Clerk Tirado read the Substitute Bill to the Council.

Council President Lee stated that this resolution establishes the terms of the initial members of the Community Police Review Board (CPRB) and that the substitution is to identify the Council Member who nominated each member of the CPRB.

Council President Lee asked if there were any questions

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan - Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride-Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

THE **25-30** RESOLUTION CONFIRMING Α ADOPTION OF DECLARATORY Α RESOLUTION DESIGNATING **CERTAIN** AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, **COMMONLY** KNOWN MULTIPLE PROPERTIES AN **ECONOMIC** REVITALIZATION AREA FOR PURPOSES OF A NINE-YEAR (9) REAL PROPERTY TAX ALLEN **EDWIN ABATEMENT FOR** RESIDENTIAL BUILDERS LLC

Clerk Tirado read the resolution to the Council.

Councilmember Warner stated Bill *No.* <u>25-30</u> was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

Erik Glavich, Director of Growth and Opportunity, with offices on the fourteenth (14<sup>th</sup>) floor of the County-City Building, South Bend, IN 46601, stated that this resolution is for a tax abatement for Allen Edwin Homes as part of their plan to build sixteen (16) residential units at currently vacant property located near Marion and Leland Street, in the City of South Bend, IN. The total investment would be 2.5 million dollars (\$2,500,000.00).

Petitioner Brian Farkas, Director of Workforce Housing at Allen Edwin Homes, with offices at 795 Clyde Court Southwest, Byron Center, MI 49315, thanked the Council for this opportunity to work in the City of South Bend and expressed his excitement about the project.

Council President Lee noted that the City is presently collecting zero dollars (\$0.00) in taxes for that property, and estimated annual taxes after the project is completed is approximately thirty-five thousand (\$35,000.00).

Council President Lee asked how much would it cost to rent these apartments?

Brian Farkas said that, for the twelve (12) rent-controlled units, the rent would be under two thousand dollars (\$2000.00) for the two (2) and three (3) bedroom homes.

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

Councilmember explained the amount of effort that went into developing this area and expressed his excitement over the project.

Councilmember Bolden-Simpson reiterated that she is very pleased about the development about the mixed-income neighborhoods and the results are positive for the school corporation. Councilmember Boden-Simpson thanked the developer for this project.

Council President Lee appreciated that this development is happening in the First District.

Vice President Rachel Tomas Morgan added her thanks and expressed her excitement about the project.

Councilmember Dr. Davis moved for the passage of Bill No. <u>25-30</u>, which was seconded by Councilmember Gooden-Rodgers and carried by a vote of nine (9) aves

BILL NO.

30-25

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1114 MAYFLOWER ROAD COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

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

Council President Lee entertained a motion to send Bill *No.* <u>30-25</u> to the Board of Zoning Appeals for public hearing on <u>June 2, 2025</u>, and to the Zoning and Annexation Committee for public hearing and third (3<sup>rd</sup>) reading on <u>June 9, 2025</u>.

Councilmember Bolden-Simpson moved to send Bill *No.* <u>30-25</u> to the Board of Zoning Appeals for public hearing on <u>June 2, 2025</u>, and to the Zoning and Annexation Committee for public hearing and third (3<sup>rd</sup>) reading on <u>June 9, 2025</u>, which was seconded by Councilmember Dr. Davis and carried by nine (9) ayes.

Council President Canneth Lee – Aye	Council Vice President Rachel Tomas Morgan – Aye
Councilmember Ophelia Gooden-Rodgers – Aye	Councilmember Sharon McBride- Aye
Councilmember Troy Warner – Aye	Councilmember Sherry Bolden-Simpson – Aye
Councilmember Sheila Niezgodski – Aye	Councilmember Dr. Oliver Davis – Aye
Councilmember Karen L. White – Aye	

#### UNFINISHED BUSINESS

None

#### **NEW BUSINESS**

On May 3, 2025, Councilmember Gooden-Rodgers and Councilmember White attended the Anthem Comfort Case Packing Party at the Charles Martin Youth Center supporting children in foster care. The event provided over 200 backpacks to foster children.

#### PRIVILEGE OF THE FLOOR

Theresa Phillips, 2020 North Meade Street, South Bend IN 46628, complimented the efforts to secure investment in the First District.

#### ADJOURNMENT

Council President Canneth Lee adjourned the meeting at 8:29 P.M.