

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: 06-23-2025

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: 07-14-2025

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, June 23, 2025, at 7:00 P.M. Council Vice President Rachel Tomas Morgan called the meeting to order. The invocation was given by Pastor Davey Troxel of Grace Brethren Church, and the 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=396495>

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

ROLL CALLCOUNCILMEMBERS PRESENT

Ophelia Gooden-Rodgers	2 nd District
Sharon L. McBride	3 rd District
Troy Warner	4 th District, Committee of the Whole
Sherry Bolden-Simpson	5 th District
Sheila Niezgodski	6 th District
Karen L. White	At-Large
Dr. Oliver Davis	At-Large
Rachel Tomas Morgan	At-Large, Vice President

COUNCILMEMBERS ABSENT

Canneth Lee	1 st District, President
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OTHERS PRESENT

Bianca L. Tirado	City Clerk
Matthew Neal	Deputy Director of Policy
Jasmine Jackson	Chief Deputy City Clerk
Margaret Gotsch	Director of Special Projects
Lari'onna Green	Administrative Assistant
Bob Palmer	Council Attorney

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

SUB-COMMITTEE ON MINUTES:

May 28, 2025, and June 9, 2025

Council Vice President Tomas Morgan requested reports from the Sub-Committee on Minutes.

Clerk Tirado stated that the Sub-Committee on Minutes inspected the May 28, 2025 and the June 9, 2025, Common Council meeting minutes and recommend they be approved.

33-25

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 11160-24, 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 2025, TO MAKE POSITION CHANGES IN THE HUMAN RIGHTS COMMISSION

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

After the second (2nd) reading, Councilmember Sheila Niezgodski stated that Bill No. 32-25 went before the Personnel and Finance Committee and comes with a favorable recommendation.

Councilmember Warner 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 twelfth (12th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 33-25 amends the non-bargaining salary ordinance to bring back the position of Incident Investigator Three (3) that was removed from the 2025 budget but has been determined to be needed by the Human Rights Commission to ensure accuracy and to track information.

Councilmember Warner held the public hearing, and nobody spoke.

Councilmember Niezgodski moved to send Bill No. 33-25 to the Full Council with a favorable recommendation, which was seconded by Councilmember Sharon McBride and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

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

34-25

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS FOR THE YEAR 2025 OF \$2,512,780 FROM THE GENERAL FUND (#101), \$520,000 FROM THE PARKS AND RECREATION FUND (#201), \$65,000, FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$37,500 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$2,945,000 FROM THE LOCAL INCOME TAX – ECONOMIC DEVELOPMENT FUND (#408), \$650,000 FROM

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

36-25

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA AMENDING THE
LOAN AGREEMENT AND APPROVING AND
AUTHORIZING ACTIONS IN RESPECT
THERETO

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

After the second (2nd) reading, Councilmember Warner stated that Bill No. 36-25 went before the Community Investment Committee and comes with a favorable recommendation.

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

Caleb Bauer, Executive Director of Community Investment with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 36-25 is a proposed modification to the loan agreement previously authorized by the South Bend Common Council related to the development agreement approved by the Redevelopment Commission for The Monreaux project at 505 S. Michigan Street, South Bend, IN 46601, which is the former location of Fat Daddy's. A real estate purchase agreement was approved in 2022, and the tax credits were preliminarily awarded in 2023. The original development agreement included a thirteen-point-seven million dollar (\$13,700,000) private investment commitment and a loan of two-point-three million dollars (\$2,300,000). The proposed amendment would increase the private investment to seventeen-point-seven million dollars (\$17,700,000) and the loan to three-point-three million dollars (\$3,300,000). Closing is anticipated in the next couple of months, and the project completion date is thirty-six (36) months after closing. Approving the ordinance could also authorize deployment of tax increment financing (TIF) funds that have already been appropriated by the Redevelopment Commission in form of a forgivable loan to the developer upon full completion of the construction project.

Devereaux Peters, Chateaux 14 Development, LLC, with offices at 1335 Pyle Avenue, South Bend, IN 46615, stated that they are asking for this amendment because when they bid on the project with a previous contractor, the project was five million dollars (\$5,000,000) over budget. They spent the last year redesigning and cost cutting, while also raising more funds for the project. They have changed contractors and have selected Yoder Builders with office at 27453 County Road, Nappanee, IN 46550, which allowed the project to maintain a quality building with high-level finishes and amenities and only a slight change to the exterior. To make up the difference and to complete the project, Ms. Devereaux has deferred one-half (1/2) of her fee and agreed that some funds already spent on the project will go unreimbursed.

Councilmember Warner held the public hearing, and nobody spoke.

Councilmember McBride stated that she is glad to see that this project is finally moving along, and expressed her appreciation for the hard work to date.

helpful to work with and to identify a site that needed development and that would hopefully revitalize the area and spark more development.

Councilmember Warner held the public hearing, and nobody spoke.

Councilmember McBride said that she is excited to see this development. She has been seeking redevelopment in that area for some time, particularly in the Main Street and Miami Street corridor. She hopes that this project will bring new life to this major corridor, and show others that there is a lot of opportunity to improve and thrive in the area.

Councilmember Dr. Davis stated he is very pleased with this development because it impacts vast areas of the City, and he looks forward to these projects coming to fruition.

Councilmember Warner commented that, although this is a Low-Income Housing Tax Credit (LIHTC) application that has a two (2) years to receive state approval, it makes sense to rezone this parcel to urban neighborhood from industrial because the City needs more housing stock.

Councilmember Dr. Davis moved to send Bill No. 37-25 to the Full Council with a favorable recommendation, which was seconded by Councilmember McBride and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

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

38-25

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 2018 SOUTH MAIN STREET, 2020 SOUTH MAIN STREET COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

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

After the second (2nd) reading, Councilmember Niezgodski stated that Bill No. 38-25 went before the Public Works and Property Vacation Committee and comes with a favorable recommendation.

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

Jenna Throw, City Attorney, with offices on the twelfth (12th) floor of the County-City Building, South Bend, IN 46601, and Randy James, Building Commissioner, with offices at 125 South Lafayette Boulevard, South Bend, IN 46601, appeared to present updates to the building ordinance. Jenna Throw's presentation was organized into a series of topics:

Topic One: Permit Fee Adjustments (Section 6-4) – minimum fee updated from forty dollars (\$40) to sixty dollars (\$60), and other proportional changes to account for inflation and other rising costs. Proposals considered similar municipalities without creating an undue burden on applicants. Topic Two: Alignment with State Definitions (Section 6-1) – definitions were revised to refer to specific

Councilmember Dr. Davis added his thanks for the work on this ordinance and noted that he was very pleased with the result.

Councilmember Dr. Davis moved to send Bill No. 38-25 to the Full Council with a favorable recommendation, which was seconded by Councilmember Niezgodski and carried by a vote of eight (8) ayes with one (1) councilmember absent.

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

RISE AND REPORT

Councilmember Gooden-Rodgers moved to rise from the Committee of the Whole and report back to the Full Council, which was seconded by Councilmember Bolden-Simpson and carried via a vote by voice with one (1) Councilmember absent.

REGULAR MEETING RECONVENED

Council Vice President Tomas Morgan stated that the Full Council is now back in session. This portion of the 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 READINGBILL NO.33-25

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING ORDINANCE NO. 11160-24, 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 2025, TO MAKE POSITION CHANGES IN THE HUMAN RIGHTS COMMISSION

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

After the third (3rd) reading, Council Vice President Tomas Morgan entertained a motion for passage.

Councilmember Niezgodski moved for the passage of Bill No. 33-25, which was seconded by Councilmember Dr. Davis and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

Council President Canneth Lee – <i>Absent</i>	Council Vice President Rachel Tomas Morgan – <i>Aye</i>
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REGULAR MEETING

June 23, 2025

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

After the third (3rd) reading, Council Vice President Tomas Morgan requested a committee report.

Councilmember Warner stated that Bill No. 36-25 was heard in the Committee of the Whole and comes to the Full Council with a favorable recommendation.

Councilmember Bolden-Simpson moved for the passage of Bill No. 36-25, which was seconded by Councilmember Dr. Davis and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

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

37-25

THIRD READING ON AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF SOUTH
BEND, INDIANA, AMENDING THE ZONING
ORDINANCE FOR PROPERTY LOCATED 2018
SOUTH MAIN STREET, 2020 SOUTH MAIN
STREET COUNCILMANIC DISTRICT NO. 3 IN
THE CITY OF SOUTH BEND, INDIANA

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

After the third (3rd) reading, Council Vice President Tomas Morgan requested a committee report.

Councilmember Warner stated that Bill No. 37-25 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. 37-25, which was seconded by Councilmember Dr. Davis and carried by a vote of eight (8) ayes with one (1) Councilmember absent.

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

38-25

THIRD READING ON AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF SOUTH
BEND, INDIANA, AMENDING ARTICLES 1
THROUGH 7 AND ARTICLE 11 OF CHAPTER 6
OF THE SOUTH BEND MUNICIPAL CODE TO
UPDATE REGULATIONS GOVERNING THE
BUILDING DEPARTMENT

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

After the third (3rd) reading, Council Vice President Tomas Morgan requested a committee report.

25-35

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 701 WEST CHIPPEWA AVENUE, SOUTH BEND, IN 46614 AND AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF AN EIGHT-YEAR (8) REAL PROPERTY TAX ABATEMENT FOR SOUTH BEND CHIPPEWA, LLC AND SOUTH BEND CHIPPEWA ACG, LLC

Clerk Tirado read the resolution to the Council.

After the reading Council Vice President Tomas Morgan requested a committee report.

Councilmember Warner stated Bill No. 25-34 was heard in the Community Investment Committee and comes to the Full Council with a favorable recommendation.

Joe Molnar, Assistant Director, Growth and Opportunity, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 25-35 is a designating resolution for a eight-year (8) real property tax abatement for South Bend Chippewa, LLC and South Bend Chippewa ACG, LLC, related companies of the Industrial Realty Group (IRG), LLC. The twenty-nine (29) acre property has an industrial building comprised of one point four million (1,400,000) square feet and was completed just before World War Two (2). Out of the one point four million (1,400,000 sq. ft.) square feet, nine hundred and seventy-five thousand (975,000 sq. ft.) are usable and leasable for manufacturing and office space. The additional space is unusable due to being occupied by remnant testing cells from World War Two (2). Currently, the property tax is approximately three hundred and sixty-four thousand dollars (\$364,000). After the project is completed the property tax would rise to roughly five hundred and three thousand dollars (\$503,000), and over eight (8) years would be about four million, twenty five thousand dollars (\$4,025,000). This abatement would abate approximately ninety-seven thousand dollars (\$97,000) of that. After ten (10) years with abatement the estimated taxes paid would be a little over four point nine million dollars (\$4,900,000), compared to approximately three point six million dollars (\$3,600,000) without the project.

Matt DeVicchio, Vice President and Senior Portfolio Manager, IRG Realty Advisors, LLC, with offices at 4020 Kinross Lakes Parkway Suite 200, Richfield, OH 44286, stated that IRG is one (1) of the country's largest owners of commercial and industrial properties, IRG boasts a privately held managed portfolio exceeding one hundred million (100) square feet nationally, with over one hundred and fifty (150) major projects across thirty-one (31) states. We are recognized for our expertise in adaptive reuse and complex real estate challenges. Matt DeVicchio stated that this redevelopment project is an initiative aimed at transforming this historic twenty-nine (29) acre property, which includes one point four million (1,400,000 sq. ft.) square feet, nine hundred and seventy-five thousand (975,000 sq. ft.) of which is considered leasable. The remaining space requires significant work and rennovating that would cost approximately eleven million dollars (\$11,000,000). Included in the rennovations would be roof replacement, asphalt, mill and repave, landscaping upgrades, building and architectural siding, new facility signage, trenching new utilities to the main building, and refreshing some of the old vacant space.

John Szypczak, Property Manager, IRG Realty Advisors, LLC, with offices at 4020 Kinross Lakes Parkway Suite 200, Richfield, OH 44286, listed off a few of the current tenants. Included in the

41-25

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 1024 THOMAS STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

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

Council Vice President Tomas Morgan entertained a motion to send Bill No. 41-25 to the Board of Zoning Appeals for public hearing on July 7, 2025, and to the Zoning and Annexation Committee for public hearing and third (3rd) reading on July 14, 2025

Councilmember McBride moved to send Bill No. 41-25 to the Board of Zoning Appeals for public hearing on July 7, 2025, and to the Zoning and Annexation Committee for a public hearing and third (3rd) reading on July 14, 2025, which was seconded by Councilmember Niezgodski and carried via a vote by voice with one (1) Councilmember absent.

UNFINISHED BUSINESS

Councilmember Dr. Davis stated that he was grateful to learn that Stevie's Enterprise Scrap Metal business is now in compliance with and registered with the Indiana Secretary of State. He thanked the Clerk's Office for notifying the Council by letter regarding this development.

Councilmember Dr. Davis also requested that Council Attorney Bob Palmer send a letter to the South Bend Community Police Review Board (CPRB) encouraging all the Council appointees to publicly vote on all matters.

Attorney Bob Palmer reported that he has been working with the City legal department, the CPRB Director, and the CPRB attorney, Bob Masters, to resolve any differences regarding the legal reporting requirements and as soon as that is accomplished, Mr. Palmer will report back to the Council. Mr. Palmer noted that he and Mr. Masters are in full agreement that the votes of the CPRB should be public.

NEW BUSINESS

Councilmember Gooden-Rodgers announced that her group will meet under the pavilion on Westmore on Saturday, June 28, 2025, at 8:00 A.M., to conduct a cleanup of about five (5) streets in her District. She encouraged everyone to join.

Councilmember Dr. Davis expressed his concern about the closing of the Kroger store on West Western Avenue, which is adding to the food desert on the West side. Councilmember Dr. Davis wants to move quickly to find another grocery store to service the area.

Councilmember Niezgodski recognized Mark Peterson, a reporter for WNDU TV. He will be retiring on Tuesday, June 24, 2025. This date represents his forty (40) year anniversary with the network.

PRIVILEGE OF THE FLOOR

Logan Foster, 1138 College Street, South Bend, IN 46628, spoke regarding the South Bend Municipal Code and Council complaints.

Carlos Leyva, 448 S. Olive, South Bend, IN 46619, recounted accomplishments of the students in