



# OFFICE OF THE CITY CLERK

## BIANCA L. TIRADO, CITY CLERK

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### RESIDENTIAL NEIGHBORHOODS

JUNE 26, 2025 3:30 P.M.

Committee Members Present:

Karen L. White, Sheila Niezgodski, Ophelia Gooden-Rodgers, Sharon McBride\*, Gabriel Murej\*

Committee Members Absent:

None

Other Council Present:

None

Others Present:

Matthew Neal, Lari'onna Green, Bob Palmer\*

Presenters:

Jarveair Bourn, Elizabeth Maradik, Thomas Panowicz

Agenda:

Working Session

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

**Please note the attached link for the meeting recording:**

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=397121>

Committee Chair Karen L. White called to order the Residential Neighborhoods Committee meeting at 3:30 P.M.

Committee Chair White stated that the purpose of this working session is to discuss concerns that were expressed by citizens and district representatives. These issues include trash accumulation, vehicles and boats parked on lawns, and other nuisances. This meeting will focus on internal discussions with Committee Members, and later meetings will involve the public.

Committee Vice Chair Sheila Niezgodski stated that she has heard from many residents concerned about environmental issues. Often, they have involved the South Bend Police Department (SBPD) when they should be contacting Neighborhood Residential Services. Committee Vice Chair Niezgodski stated that she is hopeful that these meetings will strengthen the process of dealing with these complaints, which could include amending ordinances or other City procedures.

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Committee Member Ophelia Gooden-Rodgers expressed that her main concern in District Two (2) is dumping, including mattresses, box springs, dressers, etcetera. Committee Member Gooden-Rodgers also noted that there are many properties with unmowed lawns and otherwise unkempt. Some residents and contractors are dumping trash in alleyways and unaddressed trash attracts vermin. Committee Member Gooden-Rodgers feels that these issues are ongoing problems that need to be addressed because they appear to be getting worse.

Committee Member Sharon McBride stated that her observation in the Third (3<sup>rd</sup>) District is that there is a new tent encampment under the railroad bridge and she is navigating the process to disband this encampment. Committee Member McBride stated that this encampment was under a park pavilion and they have moved now, and she is asking Code Enforcement to investigate. Committee Member McBride thanked Code Enforcement for coming out to Broadway Street and tagging approximately twenty (20) vehicles that were illegally parked in a yard. Committee Member McBride also expressed concern for vacant and abandoned properties that remain an eye sore and wants to improve the process for neighbors who are dealing with neglected properties.

Committee Chair White stated that the Committee Members understand the challenges faced by residents in the various neighborhoods and wants all residents to live in a clean and safe environment. Committee Chair White stated that the Committee needs to review ordinances and best practices in other cities that are dealing with similar issues. Committee Chair White wants the Council to work collaboratively with the City Administration and Community Partners to develop solutions.

Jarveair Bourn, Sergeant, South Bend Police Department, with offices at 701 West Sample Street, South Bend, IN 46601, stated that during 2023, SBPD established Community Resource Officers (CRO) and in addition to Sergeant (Sgt.) Bourn, there are two (2) additional CRO. Sgt Bourn said that the CRO focuses on nuisance complaints under the Chronic-Problem Property Ordinance (CPPO), which states that if there are three verified complaints to a specific residence within a sixty (60) day period, the SBPD is authorized to send a letter to the occupant and the property owner. Nuisances include loud music, disorderly conduct, and criminal behavior. When the SBPD receives five (5) verified complaints, the property is listed as a Chronic Problem Property (CPP) with the City and remains a CPP for three hundred sixty-five (365) days. After a property has been labeled a CPP by the SBPD, that property goes on a list maintained by the City and that list is displayed online. Sgt Bourn prides the CRO Team on responding to neighborhood complaints in a timely fashion and encourages Council Members to report the problem properties to SBPD.

Committee Member Gooden-Rodgers asked how the City can combat people who are dumping in alleyways and yards, especially when they are doing it during nighttime.

Sgt. Bourn admitted that it is a tough situation, but that if something is known about a specific area, the SBPD can pass out information at shift change or put on extra patrols. They could also follow up on police intelligence about people seen dumping in certain areas.

Council Member McBride stated that she is receiving complaints from one of the District Three (3) residents and asked Sgt Bourn if he had been contacted.





Sgt. Bourn stated that he has been contacted and is familiar with these complaints but these complaints have not been verified.

Committee Vice Chair Niezgodski asked about the use of security camera footage with respect to unlawful behavior and what can be done when the violators flee the scene before SBPD can respond.

Sgt. Bourn stated that the footage can be used in some circumstances and the SBPD recommend that the footage is timestamped.

Committee Chair White noted that some citizens were present and asked them to write down any questions they may have. Committee Chair White then recognized Elizabeth Maradik from the Neighborhoods Division.

Elizabeth Maradik, Chief, Neighborhoods Division, Department of Community Investment with offices on the thirteenth (13<sup>th</sup>) floor, County-City Building, South Bend, IN 46601, made a presentation about programs operated by the Neighborhoods Division. First (1<sup>st</sup>), Elizabeth Maradik reviewed environmental issues, which include tall grass and weeds, litter and debris (including dumping), vegetation, and graffiti. After an environmental complaint is made, an inspector confirms that a violation exists and sends a ten (10) day abatement letter, and the inspector then determines if the violation has been addressed or not. If the violation is addressed, the case is closed; if not, the violation is assigned to the appropriate abatement team and the property owner is charged for the work along with an administrative fee. If a hearing is necessary, a civil penalty may also be assessed to the property owner. Unpaid invoices, fees, and penalties can be sent to civil collection, which could result in a judgment lien against the property. Second (2<sup>nd</sup>), the Neighborhoods Division also enforces the vehicle ordinance. A vehicle is deemed abandoned if: one (1) it is located on public property illegally; two (2) it is on public property without a license plate; three (3) it is on public property and has not moved for three (3) days; four (4) it is on public property and the engine, transmission or differential has been removed or dismantled; five (5) it is parked on public property and constitutes a hazard or is blocking traffic or a public right-of-way; six (6) it is on private property without consent of the owner; seven (7) it is on a private property and it hasn't moved and it's inoperable; and eight (8) it is at least three (3) years old, is mechanically inoperable, and has not left private property for more than twenty (20) continuous days. If a vehicle is determined to be abandoned, it is tagged for removal and if the vehicle has not been moved in the prescribed number of days, the vehicle may be towed. Parking violations are also enforced by the Neighborhoods Division and warning notices or tickets may be issued depending on the circumstances. While they do not usually tow vehicles for parking violations, vehicles that are blocking rights-of-way or fire hydrants can be referred to the SBPD for action, which could include towing. Third (3<sup>rd</sup>), the Neighborhoods Division enforces structure-related violations related to owner-occupied buildings and rental units. Owner-occupied buildings include residential, commercial, and industrial structures but do not include rental units. Violations are based on the International Property Maintenance Code and enforcement follows the procedures of the Indiana Unsafe Building law. Inspectors confirm violations and depending on severity the inspector issues a letter to the owner to address the violation within twenty-four (24) hours, ten (10) days, or thirty (30) days. If violation continues, then the property may be



ticketed or sent to hearing for other enforcement, which may include a repair order, a demolition order, or a vacate and seal order. Fines and penalties may be imposed. With respect to rental units, the Neighborhoods Health and Housing Team with the Neighborhoods Division enforces the Rental Safety Verification Program (RSVP). RSVP inspections ensure that rental units meet the International Property Maintenance Code and enforcement is pursuant to the applicable City Ordinance. RSVP violations may arise from a citizen or tenant complaints or a routine inspection; however, it may also result from a voluntary request by the owner. Unless voluntary, a notice is sent to the owner to schedule inspection and if noncompliant, a weekly penalty may be assessed. If an inspection finds violations, then a remediation timeline is established and if violations remain unaddressed, then a weekly penalty may be assessed. If the property passes an inspection, then the property can be certified as meeting RSVP standards.

Committee Vice Chair Niezgodski asked if this certification is a certificate of occupancy.

Elizabeth Maradik said that certificates of occupancy are issued by the Building Department; the Neighborhoods Division only issues certificates that a property meets RSVP inspection standards.

Committee Vice Chair Niezgodski noted that if a unit is not certified then technically it should not be rented out.

Elizabeth Maradik said those units would be noncompliant with RSVP standards.

Committee Vice Chair Niezgodski asked if an owner continues to rent out a property that is not compliant with RSVP standards, what happens?

Elizabeth Maradik said that those units would be subject to continued weekly fines for noncompliance.

Committee Vice Chair Niezgodski asked about the role of the Building Department in dealing with properties that fail RSVP inspection.

Elizabeth Maradik said that the Building Department process is separate from RSVP; however, the Neighborhoods Department can condemn a building when its deemed unfit for human occupancy.

Committee Vice Chair Niezgodski asked about the procedures when a property owner is clearly violating vacate and seal order because she had attended a hearing where a hearing officer was assessing one thousand dollars (\$1000) fines.

Elizabeth Maradik stated that, depending on the circumstances, the hearing stage is the final stage of enforcement but that additional hearings can be scheduled for non-compliance, which could result in additional civil penalties or court proceedings. Court proceedings may include injunctive relief or judgment liens issued against the property, which would be paid if the property is sold.

Committee Vice Chair Niezgodski noted that the violations are civil, not criminal, and the violators can continue to violate and accrue fees and there is nothing else the City can do for enforcement.

Elizabeth Maradik agreed with that statement.





Committee Chair White noted that one of the purposes of these discussions is to identify ways that the City can better address these issues.

Committee Member Gooden-Rodgers asked about property on Linden Avenue in South Bend that is not being mowed and results in debris being dumped there when the grass gets tall.

Elizabeth Maradik said she does not know who owns the property and would need to look it up.

Committee Member Gooden-Rodgers asked how long enforcement takes.

Elizabeth Maradik stated that it varies depending on the type of violation. For environmental cases involving litter and debris, it can be relatively quick if the owner addresses the issue after receiving notice. Or it could have to go to hearing if the owner refuses to act. The goal of the Neighborhoods Division is to have owners address problems because that is timelier and more efficient for all concerned.

Committee Chair White then recognized Thomas Panowicz from the City Legal Department.

Thomas Panowicz, Assistant City Attorney, Department of Law, with offices of the twelfth (12<sup>th</sup>) floor of the County-City Building, South Bend, IN 46601, stated that he was present today to determine what the Neighborhoods Committee wants to accomplish, to support those efforts with legal consultation, and to work with the Committee and Council Attorney Bob Palmer to address any legal issues.

Committee Chair White stated that one area of review is looking to update current ordinances to not only comply with state law but also to improve procedures and increase accountability.

Thomas Panowicz agreed with that assessment and noted that many of the current ordinances are dated 1962. City Attorney Jenna Throw focuses on ordinance drafting and is looking forward to working with the Neighborhoods Committee to update ordinances.

Committee Chair White stated that they also want to look at best practices from other cities because other neighborhoods and cities are dealing with similar situations, and investigating the creative ways that have been developed to address neighborhood issues within the limitations of state law.

Thomas Panowicz said that it is a great idea to see what other cities have used and what has been successful.

Committee Vice Chair Niezgodski stated that, for her, it is twofold. First (1<sup>st</sup>), it is the time that it takes to enforce the current ordinance. For example, one (1) property has identified for more than a year and there are still problems. Committee Vice Chair Niezgodski noted that the Health Department has the power to condemn a property and believes that the County Police can remove a person who is violating a condemnation order. Can the SBPD remove someone who is violating a vacate order or not complying with RSVP?

Thomas Panowicz said that is a complicated question that will take sometime to research and answer. Code Enforcement focuses on structures and nuisances and not on individual behavior,



which is the focus of police action. He can refer the question to Kylie Connell who is the attorney for the police department, and can get back to the Committee.

Committee Vice Chair Niezgodski asked, with regard to vacate and seal, is there any enforcement beyond fines for someone living in a property that has a vacate order.

Thomas Panowicz said that when the goal is to remove a person from the property, then that would be a SBPD issue.

Committee Member Gooden-Rodgers wanted to know what could be done to shorten some of the enforcement timelines because some of these procedures require multiple notifications and take too long.

Thomas Panowicz said that changing the timelines would require ordinance amendments.

Committee Member Gooden-Rodgers asked what type of photographs are necessary to spur enforcement.

Thomas Panowicz stated that the standard of proof is dependent on what type of enforcement you are looking for. Depending on the level of enforcement there may be a greater need for authentication of photographs or documents.

Committee Chair White opened the discussion for closing comments.

Sgt. Bourn said, in reference to vehicles parking on lawns, while it may be an ordinance violation that can be enforced by Code Enforcement, he would recommend calling the police so they can document it and perhaps even raise it to a CPP violation. All that would be needed would be a call for service and the responding officer verified that a vehicle was parked on the lawn.

Committee Chair White thanked everyone for their participation and noted that the next meeting will involve comments from citizens about their concerns about quality of life.

Committee Vice Chair Niezgodski thanked everyone for coming out today and noted that she and others are getting a lot of calls because it is the beginning of the summer months. Committee Vice Chair Niezgodski hopes that these efforts will result in greater efficiency and more responsiveness to problem properties.

Committee Member Gooden-Rodgers thanked everyone for attending and noted that the information shared was very helpful. Committee Member Gooden-Rodgers encouraged everyone to attend a neighborhood cleanup starting on Rogers Street in District Two (2) on Saturday, June 28, 2025, at 8:00 A.M.

Committee Member McBride thanked Committee Chair White for having this meeting and for everyone who participated. Committee Member McBride looks forward to continuing to work with the legal department and the Council Attorney to update the current ordinances, and wanted to recognize Sgt. Bourn, Tanisha Wells, and their staff in their efforts as we work together to ensure that every citizen is thriving with a good quality of life and living in decent homes.



With no further business, Committee Chair Karen L. White adjourned the Residential Neighborhoods Committee working session at 4:41 P.M.

Respectfully Submitted,

A handwritten signature in black ink that reads "Karen L. White".

Karen L. White, Committee Chair

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