

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

July 25, 2016

MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.

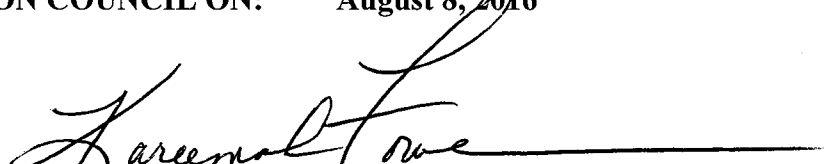
THEREFORE, WE RECOMMEND THE SAME BE APPROVED:

TIM SCOTT


DAVID VARNER

APPROVED BY THE COMMON COUNCIL ON: August 8, 2016

ATTEST:


KAREEMAH FOWLER, CITY CLERK

Be it remembered that the Common Council of the City of South Bend, Indiana met in the Council Chambers of the County-City Building on Monday, July 25, 2016 at 7:00 p.m. The meeting was called to order by Council President Tim Scott and the Invocation was given by Raj Kohli from the Hindu Temple and Community Center of Michiana and Pledge to the Flag was given.

ROLL CALLCOUNCIL MEMBERS:PRESENT:

Tim Scott	1 st District, President
Randy Kelly	3 rd District
Josephine Broden	4 th District
Dr. David Varner	5 th District
Oliver J. Davis	6 th District, Vice President
John Voorde	At-Large
Gavin Ferlic	At-Large, Chairperson Committee of the Whole
Karen L. White	At-Large

ABSENT:

Regina Williams-Preston	2nd District
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OTHERS PRESENT:

Kareemah Fowler	City Clerk
Jennifer Coffman	Chief Deputy Clerk
Alkeyna Aldridge	Deputy Clerk
Joseph Molnar	Clerk Executive Assistant
Kathleen Cekanski-Farrand	Council Attorney
Adriana Rodriguez	Legal Research Assistant

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Gavin Ferlic made a motion that the minutes of the July 11, 2016 meeting of the Council be accepted and placed on file. Councilmember Oliver Davis seconded the motion which carried by a voice vote of eight (8) ayes.

SPECIAL BUSINESSDR. MARTIN LUTHER KING, JR. STREET RENAMING COMMITTEE REPORT

Robert Smith, Dr. Martin Luther King Jr. Men's Club, spoke on behalf of the Special Committee. The Committee officially submitted their report to the Common Council which is on file in the City Clerk's Office. The Committee was established by Resolution 4443-15 and supported by Mayor Pete Buttigieg. The Committee met and identified its expectations which were to review the impact on residents and businesses of any proposed route, to identify the potential streets to be re-named for Dr. Martin Luther King, and solicit public input. All meetings were open to the public and meeting notices were handled by the City Clerk's Office. The Committee identified criteria that a street should have to carry Dr. King's name. The street should be well maintained, of significant length, should not be an honorary street, and an existing or future bus route should be on the street. Therefore, the Committee voted to expand the current Dr. Martin Luther King Jr. Drive north to Michigan Street on Marion Street and south to the

County line on Chapin and Prairie Street. The recommendation passed with a majority vote. Out of respect to South Bend's Native American community, Portage Avenue was not considered as an option. Out of respect for South Bend's Hispanic community, Western Avenue was not considered as an option. An internet survey was held and a paper survey was made available at the widely held public meetings. The potential impact on residents and businesses are captured in the report. The notable impacts are as follows: address changes, signage changes, and cost of stationary. These impacts largely affect businesses. A U.S. Post Office employee was present at the meetings to respond to address changes. If a street name changes, the Post Office will reroute the mail. However, the Post Office would want the individual or business to request an address change later but the mail will continue to be rerouted if no official address change request is made. None of these costs would be immediate. The results of the survey are attached in the report. Eleven (11) streets and two (2) structures were identified as recommended places of having the name of Martin Luther King Jr. Renaming Western Ave received forty-seven (47) votes and expanding the current MLK Drive received forty-three (43) votes. The Committee is recommending expanding the existing street.

A few issues came forward during the course of the public meetings and process. A majority of residents want a new Dr. King Street and they want it now. However, they don't want it to be their street. Also, race came forward as a factor during the process. Comments such as "where are the white people streets" and "put the street in a black only neighborhood" came up during the process. Also, during the last meeting three (3) businesses present acknowledged race was an issue during the process. The electronic survey produced conflicting results and many people duplicated their responses.

In conclusion, it is recommended that no more committees should be established to address renaming a street for Dr. King. Feedback from both residents and business owners on all sides of the issue recommended that a decision be made.

Council President Tim Scott thanked the Committeemembers for fulfilling their duties and taking the time to do so adequately.

16-57

A RESOLUTION OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, PUBLICLY
ACKNOWLEDGING AND COMMENDING THE
MONROE CIRCLE COMMUNITY CENTER ON THEIR
10th ANNIVERSARY OF SERVICE, OUTREACH AND
PARTNERSHIP

Councilmember Gavin Ferlic made a motion to change the title to Bill 16-58. Councilmember Karen White seconded the motion which carried by a voice vote of eight (8) ayes.

Councilmember Oliver Davis read the resolution in its entirety. He invited the team from Monroe Circle to address the Council.

Johnathan Anderstrom thanked the Council for bestowing such a high honor on Monroe Circle. He thanked Granger Community Church for the thousands of volunteers and the millions of dollars it has donated to renovate the Five Hundred (500) block of Western Avenue. Mr. Anderstrom thanked God for giving them all the strength to do the challenging work of community development.

John Hunt, 501 Monroe, stated he is trying to give back to the community which has given him so much.

Rachel Phillips stated she is a volunteer at the center. Mr. Anderstrom has a love for this community and the children of this community. We have a lot of children falling through the cracks and it is the job of Monroe Circle to fill up those cracks and get those children to live full and successful lives.

Ted Bryant, Pastor of Granger Community Church, thanked the Council for honoring Monroe Circle Community Center. They have partnered together for ten (10) years and it has been a wonderful journey. The number of people that have been transformed is truly miraculous.

Councilmember Karen White thanked the Center for their investment both financially and holistically. She also thanked them for allowing her sorority at IUSB to come into the building and work with the children.

Councilmember Gavin Ferlic congratulated the Center for their ten (10) years of service.

Councilmember John Voorde stated this work is so vital and needed in our community and thanked them for their service.

Councilmember Dr. David Varner stated communities have so many needs that it is impossible for a government to solve them all. It is very fortunate when organizations and churches and non-profits find their niche where they can do so much good work. You can't legislate success like this you can only hope for it. He thanked them for providing hope to South Bend.

Councilmember Jo M. Broden stated she was at a naturalization ceremony a few months ago and it was Monroe Circle that gave the individual becoming a citizen the support to get to that point in her life.

Councilmember Randy Kelly stated he is so impressed with the work Monroe Circle has done especially with revitalizing that neighborhood which gives the entire community pride.

Council President Tim Scott stated progress starts at the community and residential level. If people want to get something done, this is how you do it. People coming together with heart and passion to improve other people's lives. Grassroots organizations are what hold this community together.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Dr. David Varner made a motion to adopt Bill 16-58 by acclamation.

Councilmember Karen White seconded the motion which carried by a voice vote of eight (8) ayes.

REPORTS OF CITY OFFICES

Representing the city administration will be James Mueller.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:31 p.m. Councilmember Oliver Davis made a motion to resolve into the Committee of the Whole. Councilmember Karen White seconded the motion which carried by a voice vote of eight (8) ayes. Councilmember Gavin Ferlic, Chairperson, presiding.

Councilmember Gavin Ferlic explained the procedures to be followed for tonight's meeting in accordance with Article 1, Section 2-11 of the South Bend Municipal Code.

PUBLIC HEARINGS

28-16

PUBLIC HEARING ON AN ORDINANCE AMENDING
THE ZONING ORDINANCE FOR PROPERTY
LOCATED AT 1311 NORTH IRONWOOD DRIVE,
SOUTH BEND, INDIANA, COUNCILMANIC
DISTRICT NO. 4 IN THE CITY OF SOUTH BEND,
INDIANA

Councilmember Oliver Davis, Chair of the Zoning and Annexation Committee, reported that the Committee met and sends this bill to the full Council with a favorable recommendation.

Keith Chapman, Area Plan Commission with offices on the 11th Floor of the County-City Building, served as the presenter for this bill. The property in question is on the west side of Ironwood. Mr. Chapman provided images of the site and current zoning layout of the area which are on file in the City Clerk's Office. The petitioner is seeking to rezone from SF1 Single Family to OB Office Buffer District. The property is surrounded by SF1 Single Family and to the north is OB Office Buffer District. This bill comes to the Council with a favorable recommendation from the Area Plan Commission. By removing the access on Ironwood Drive and connecting through the established office properties to the north, rezoning the site to OB Office Buffer District will allow for a reasonable extension of services provided in this area while minimizing the impact on the residential areas in the immediate area.

Mike Danch, 1643 Commerce Drive South Bend IN, served as the presenter for this bill on behalf of Aldridge Insurance. Aldridge Insurance owns the property directly north of this site and they would like to expand their office. They purchased this piece of property and as part of the rezoning process they would renovate the existing single family home into an insurance office. Access to this property will be off the public alley which is behind the property. The drive way that leads onto Ironwood will be closed and removed. The petitioner has received three (3) variances for this property. There will be fencing along the northwest and a portion of the south property line to screen this property from the adjacent properties. Additional evergreen screening will be added as well. The petitioner will also be putting in a sidewalk along Ironwood.

Councilmember Oliver Davis asked about the proposed signage for the property.

Mr. Danch responded Aldridge Insurance already has a sign for their current property. Under the OB category they could have another sign but it would be minimal and he isn't sure if they are planning on even having one.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Karen White made a motion to send Bill 28-16 to the full Council with a favorable recommendation. Councilmember Oliver Davis seconded the motion which carried by a voice vote of eight (8) ayes.

31-16

PUBLIC HEARING ON AN ORDINANCE AMENDING
THE ZONING ORDINANCE FOR PROPERTY
LOCATED AT 314 & 318 ST. PETER STREET, 401
NOTRE DAME AVENUE, AND 325 FRANCES
STREET, COUNCILMANIC DISTRICT NO. 4 IN THE
CITY OF SOUTH BEND, INDIANA

Councilmember Karen White made a motion to accept the substitute bill on file with the City Clerk's Office. Councilmember Tim Scott seconded the motion which carried by a voice vote of eight (8) ayes.

Councilmember Oliver Davis, Chair of the Zoning and Annexation Committee, reported that the Committee met and sends this bill to the full Council with a favorable recommendation.

Keith Chapman, Area Plan Commission with offices on the 11th Floor of the County-City Building, served as the presenter for this bill. These properties are located just south of Wayne Street and are the old Transpo site. Mr. Chapman provided aerial photos and zoning layouts of the site which are on file in the City Clerk's Office. The petitioner is seeking to rezone three (3) separate tracts of land. They are seeking to rezone Tract One (1) to MF1 Urban Corridor Multi-Family District, Tract Two (2) B to SF2 Single Family and Two Family District and Tract Two (2) A and Three (3) to MF1 Urban Corridor Multi-Family District. The tracts are surrounded by a mix of MF1 and SF2 Districts as well as vacant land and offices zoned MU Mixed Use District. This bill comes to the Council with a favorable recommendation from the Area Plan Commission. Redevelopment of the site for single family and townhome style residential will strengthen the existing Howard Park Neighborhood and address a demand for urban housing as identified by local developers, real estate professionals and the Howard Park Neighborhood Plan.

Brian McMorrow, Abonmarche Consultants 750 Lincoln Way East South Bend, served as the petitioner for this bill on behalf of River Walk LLC. Mr. McMorrow provided images of what the designed area will look like once completed, those images are on file with the City Clerk's Office. This particular piece of land which is on about eleven (11) acres on three (3) different blocks was the subject of a similar petition about a year ago. The Council at that time supported the rezoning of the property to allow for a mix of residential housing types. What has prompted this return visit is the most extreme north east portion of the property was purchased. That purchase added approximately 1.1 acres to the total larger assemblage of property. A year ago, the Council saw a plan for a similar mix of properties with a total of sixty-four (64) dwelling units subject to final review by the City Engineer. Today, the plan now calls for up to about eighty-four (84) dwelling units. That is a modest shift upwards in a number of housing units primarily due to the additional property. The plan is to have the more dense zoning close to Wayne Street and then drop down to a lesser density along the river.

Councilmember Oliver Davis asked if the petitioner knows what the cost will be for any of the units.

Mr. McMorrow responded that the price points have not been set yet.

Councilmember Jo M. Broden asked if St. Peter Street has been approved to go all the way through yet.

Mr. McMorrow responded that it has been approved. When the closing took place earlier this year, that right of way had been granted to the City. There is a lot of tax payer money at work to separate the storm and sanitary sewer in that neighborhood and that work should be done later this summer or early fall. This would set the stage for development of these lots for new homes soon after.

Councilmember Dr. David Varner asked what the setbacks measurements will be.

Mr. McMorrow responded they will be twenty-five (25) feet in the front and fifteen (15) on the side. This leads to a typical lot width of fifty-one (51) feet.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Dr. David Varner made a motion to send substitute Bill 31-16 to the full Council with a favorable recommendation. Councilmember Oliver Davis seconded the motion which carried by a voice vote of eight (8) ayes.

RISE AND REPORT

Councilmember Oliver Davis made a motion to rise and report to full Council. Councilmember Karen White seconded the motion which carried by a voice vote of eight (8) ayes.

REGULAR MEETING RECONVENED

Be it remembered that the Common Council of the City of South Bend reconvened in the Council Chambers on the fourth floor of the County-City building at 7:43 p.m. Council President Tim Scott presided with eight (8) members present.

BILLS – THIRD READING

28-16

THIRD READING ON AN ORDINANCE
AMENDING THE ZONING ORDINANCE FOR
PROPERTY LOCATED AT 1311 NORTH
IRONWOOD DRIVE, SOUTH BEND, INDIANA,
COUNCILMANIC DISTRICT NO. 4 IN THE
CITY OF SOUTH BEND, INDIANA

July 25, 2016

31-16

16-57

35-16

39-16

Councilmember Gavin Ferlic made a motion to send Bill 39-16 to the Zoning and Annexation Committee for August 8th 2016. Councilmember John Voorde seconded the motion which carried by a voice vote of eight (8) ayes.

Council President Tim Scott announced that the second of three (3) joint council meetings with the St. Joseph County Council and Mishawaka Common Council will be held on July 27th at 6:00 p.m. in the Council Chambers. This meeting will be primarily about hearing public input on a potential food and beverage tax.

Councilmember Karen White announced that Council walking tours will begin on July 28th 2016. There will be others as well and in September it will conclude with a trolley tour through the City. This allows Councilmembers to connect with constituents on multiple issues. The information on when and where the walks will take place can be found by contacting the City Clerk's Office.

NEW BUSINESS

There was no new business.

PRIVILEGE OF THE FLOOR

Samuel Brown, 222 East Navarre Street South Bend, commended the police for handling the recent knifing situation on Western Avenue without a fatality. He also commended Michael Jordan for donating a million dollars to two (2) different organizations to strengthen relationships between the police and communities. If the community and the police work together we will have a better South Bend.

Jason Banicki Critchlow, 3822 West Ford Street South Bend, stated it is great to see a bunch of construction across the City in terms of road repair but he asked if we are funding those improvements with our Wheel Tax to pay off bonds in lieu of routine road repairs. Some roads in the City are becoming practically undrivable in key areas such as around Sample Street. We pay \$25 per year on every vehicle we own in addition to all of the other taxes we pay and we are not seeing the improvements in the roads. He asked if the City is wasting our wheel tax dollars to pay off bonds for new construction as opposed to using it for improving the current roads.

Mick Perry, 901 East Fox Street South Bend, stated for the last dozen years when there were concerts at Seitz Park there have been portable toilets for the patrons but now there is an ill-advised policy to remove all portable toilets at the parks. We should not have people have to go from Seitz Park and cross the bridge then go into the Emporium to use their restrooms.

ADJOURNMENT

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 7:55 p.m.

