

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, March 23, 2015 at 7:00 p.m. The meeting was called to order by Council President Tim Scott and the Invocation given by (Laura Vasquez) and Pledge to the Flag were given.

ROLL CALL

COUNCILMEMBERS:

Present:	Tim Scott	1 <sup>st</sup> District (President)
	Henry Davis, Jr.	2 <sup>nd</sup> District
	Valerie Schey	3 <sup>rd</sup> District
	Dr. Fred Ferlic	4 <sup>th</sup> District
	Dr. David Varner	5 <sup>th</sup> District
	Oliver J. Davis	6 <sup>th</sup> District,
	Derek Dieter	At-Large, (Vice President)
	Gavin Ferlic	At-Large
	Karen L. White	At-Large, Chairperson Committee of the Whole

Absent:

OTHERS PRESENT:

Kathleen Cekanski-Farrand	Council Attorney
John Voorde	City Clerk
Janice I. Talboom	Deputy
Kareemah Fowler	Chief Deputy

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Henry Davis made a motion that the minutes of the March 9<sup>th</sup>, 2015, meeting of the Council be accepted and placed on file. Councilmember Schey seconded the motion which carried by a voice vote of eight (8) ayes and one (1) nay by Councilmember Derek Dieter.

SPECIAL BUSINESS

15-14            A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, DECLARING THE WEEK OF MARCH 23 - 31, 2015 AS FARMWORKER AWARENESS WEEK IN SOUTH BEND, INDIANA

*Whereas*, the South Bend Common Council notes that Farmworkers Awareness Week is a week of action to raise awareness about farmworker issues in our communities; and

*Whereas*, this year marks the 16<sup>th</sup> Annual Farmworker Awareness Week which provides opportunities to learn about the farmworker conditions and to honor their important contributions to society; and

*Whereas*, 85% of our fruits and vegetables are handpicked by an estimated two million men, women and children working in farm fields throughout the United States which the Fair Labor Standards Act being amended in 1978 to require minimum wages for farmworkers on large farms only; and

*Whereas*, this year Farmworker Awareness Week coincides with the birthday of Cesar Chavez's birthday on March 31st. who dedicated himself to non-violent organizing for just wages, safer working conditions and dignity for the men, women and children who toil in the fields, with Indiana farms employing over 39,000 seasonal and migrant farmworkers who contribute to the agricultural industry of our state.

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. On behalf of the residents of the City of South Bend, the South Bend Common Council is proud to honor all of the thousands of men, women and children who plant, cultivate, harvest and process our agricultural products throughout the State of Indiana and throughout the United States.

Section II. The Common Council hereby declares the week of March 23 – 31, 2015 as **Farmworkers Awareness Week in South Bend, Indiana**, and calls upon everyone to reflect upon the tireless efforts of Cesar Chavez whose dedication and commitment to raise awareness has helped bring justice to those who toil in the fields on all of our behalves.

Section III. The Common Council believes that as this 16<sup>th</sup> annual Farmworkers Awareness Week is celebrated in communities across the nation, that it is another way to bring honor to all of those hard-working and dedicated Farmworkers who make our daily lives more enriched because of the fruits of their labor

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

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Tim Scott, 1<sup>st</sup> District

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Oliver J. Davis, 6<sup>th</sup> District

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Henry Davis, Jr., 2<sup>nd</sup> District

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Derek D. Dieter, At Large

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Valerie Schey, 3<sup>rd</sup> District

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Gavin Ferlic, At Large

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Dr. Fred Ferlic, 4<sup>th</sup> District

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Karen L. White, At Large

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Dr. David Varner, 5<sup>th</sup> District

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Kathleen Cekanski-Farrand, Council Attorney

*Misc:*  
  
\_\_\_\_\_  
Office of the City Clerk

*Approved this \_\_\_\_ day of March, 2015.*  
  
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Pete Buttigieg, Mayor of South Bend

Councilmember White along with Council President Scott presented Resolution 15-14 to the full Council. They were accompanied by three people wishing to speak in support of this bill.

Rachel Garcia, 724 Sherman Street, South Bend – Has worked for her Grandfather, who was a farmer, since she was young. Now that she is unable to work, she appreciates this resolution to be able to help other farmworkers.

Jose Louis Sanchez, 419 S. Oliver Street, South Bend – Thank you for the resolution and I would like to begin protecting the farmers that live in South Bend.

Rodolfo Monterrosa, 110 S. Taylor Street, South Bend – He is proud that the city took steps to adopt this resolution. His Grandfather came here to the United States as a farmer which paved the way for him to become an attorney for defense and legal immigration. I see the city moving towards progress.

Councilmember Dr. Ferlic – I would like to thank Councilmember White and Council President Scott for sponsoring this bill. I grew up in a farm community and realize how hard farmers work. My proudest moments was when Council President and I met out on Western Ave and saw the living conditions, that were not ideal for the workers, and we were able to make a difference for them. I cannot thank you enough for all the hard work that you do.

Councilmember Henry Davis, Jr – Thank you Councilmember White and Council President Scott for bringing this resolution forward. There was a situation that Councilmember Oliver and Jesus worked to get rid of and that situation, prayerfully will not happen again. Alongside this, there is a bill being put together for Municipal IDs that I've been working on. I am looking for co-sponsors along with community support to bring to the Council in the upcoming months.

Councilmember Oliver Davis – Thanked the community and the co-sponsors for all of their work. We have truly saw some of the challenges, and I'm glad that over the last few years things have improved since we were all out there on Western Ave. I look forward to joining with Councilmember Davis to support the Municipal IDs.

Councilmember Dieter – I, too would like to thank Councilmember White and Council President Scott. Like everyone mentioned for all the work unnoticed, I appreciate Councilmember Davis for bringing up the municipal ID's and working on the cities ID and I appreciate everyone's input.

Councilmember Mr. Ferlic – Henry and Oliver, I would love to co-sponsor on that Ordinance. Karen and Tim, thank you for putting the ordinance together and thank you for everyone coming out here today.

Councilmember White – I just want to say thank you for your support in adopting this resolution.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dr. Varner made a motion for acclimation for Resolution 15-14. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

15-15            A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH  
BEND, INDIANA, ENCOURAGING HIGH SCHOOL AND COLLEGE  
STUDENTS TO PARTICIPATE IN THE STATEWIDE "DRIVE NOW,  
TEXT L8R" CAMPAIGN

*Whereas*, the South Bend Common Council notes that the “Indiana Department of Labor (IDOL) participates in social networking sites in order to promote activities and events” aimed at the health and safety of Indiana; and

*Whereas*, Indiana Lieutenant Governor Sue Ellspermann recently announced that the IDOL, in partnership with the Indiana State Police, the Indiana Criminal Justice Institute, the Indiana Bureau of Motor Vehicles, and the Indiana Department of Transportation has “launched Indiana’s 2015 Drive Now Text Later Contest” in the interest of changing “attitudes and behaviors related to texting and driving” ; and

*Whereas*, this contest runs from April 1, 2015 through April 30, 2015, and challenges Indiana high school and college students to use their “creativity and social media savvy to spread the message about the dangers of texting and driving” with winners who have the largest distribution of their message on Twitter, Vine or Instagram receiving \$5,000 to help pay for their post-secondary education; and

*Whereas*, the South Bend Common Council has long been an advocate for safe driving with one example being the passage of Ordinance No. 9946-09 on July 27, 2009 which created the local regulations on the use of hand-held mobile telephones, mobile communication devices and telecommunications devices in school zones, which has been codified into the *South Bend Municipal Code* as § 20-130 through § 20-134 and calls for penalties starting at \$75 for the 1<sup>st</sup> violation, \$125 for the 2<sup>nd</sup> violation and \$250 for each violation thereafter.

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. The South Bend Common Council encourages all Indiana high school and college students to participate in Indiana’s 2015 Drive Now Text Later Contest aimed at helping to change attitudes and behaviors related to texting and driving, with more details available from [www.txtl8r.in.gov](http://www.txtl8r.in.gov) with this being the second year of the IDOL, BMV, ICJI, and INDOT offering \$5,000 Scholarships for the winners.

Section II. Statistics from the Indiana State Police show that the “majority of the text message citations and warnings...have been for drivers under the age of 30”.

Section III. The Common Council commends the students who are participating as part of the adoption process of this Resolution aimed at raising awareness about the 2015 Drive Now Text Later Contest.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

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Tim Scott, 1<sup>st</sup> District

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Oliver J. Davis, 6<sup>th</sup> District

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Henry Davis, Jr., 2<sup>nd</sup> District

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Derek D. Dieter, At Large

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Valerie Schey, 3<sup>rd</sup> District

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Gavin Ferlic, At Large

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Dr. Fred Ferlic, 4<sup>th</sup> District

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Karen L. White, At Large

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Dr. David Varner, 5<sup>th</sup> District

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Kathleen Cekanski-Farrand, Council Attorney

*Witness:*

*Approved this \_\_\_\_ day of March, 2015.*

\_\_\_\_\_  
Office of the City Clerk

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Pete Buttigieg, Mayor of South Bend

Councilmember Dieter, Health & Public Safety Committee, reported that they met this afternoon on this bill after discussing the pros and the cons we send it to the full Council with a favorable recommendation.

Councilmember Henry Davis, Jr. presented Resolution 15-15. Followed by a presentation from three students from New Tech High School.

Presenters: Powerpoint Presentation on file in the Office of the City Clerk.

Matt Butschek, 1324 Sussex Drive, South Bend, IN – The presentation is on the estimated danger of texting & driving. He highlighted the facts and statistics about texting & driving (distracted drivers) compared to impaired drivers with the economic cost to the state and the nation as a whole. They did a comparison of loss of life, drunk driving claims eight (8) teen lives a day, and texting & driving now claims eleven (11) teens for loss of life per day. Texting & driving has surpassed drunk driving for the deaths of teens, and one of the top killers for teens. He presented the damage to cost in terms of economic costs: where distracted driving is \$180 billion total cost, compared to \$75 billion for impaired driving. Distracted driving costs \$46 billion annually for the U.S. and cost Indiana \$3.3 billion annually. He highlight the statistics and amounts for impaired and distracted driving where distracted driving was significantly higher.

Saja M, 50513 (muffled) Drive, Granger, IN – In the lack of information, they contacted the South Bend Police Department to see have many citations were issued for the city of South Bend and how many texting and driving accidents have happened. They stated an estimation of 0 to 100 citations have been issued and there’s no record of texting & driving accidents. We compared this to the State of Illinois and discovered 6,700 citations were issued versus Indiana where it was 186. The difference between the two is that Illinois has a total cell phone ban, but

Indiana just has a texting ban, which is one of the reasons why it is hard to give citations here in Indiana. Indiana has increased in deaths while other states have decreased or stayed the same.

Melissa Hicks, 50535 Ironwood Rd. Granger, IN – ABC News did a survey on 660,000 people and 94% agreed that there should be a texting & driving ban, where half have admitted to texting & driving within the last month, and 74% stated there should be a total cell phone ban like they have in Illinois. Our mission in doing this scholarship is to inform, convince, and change. They are doing social media blasts with at least 3 per day on statistics, quotes from drivers, and pictures. In addition, they will have videos from those affected, Public Service Announcements, and TV shows of interviews with police and shows related to texting & driving. They encouraged everyone to follow them and retweet them for public awareness.

Councilmember Henry Davis, Jr. – Make sure you read it before you retweet as I got in trouble before for retweeting without re-reading.

Councilmember White – I would like to thank the students and Councilmember Henry Davis, Jr. for bringing this before us. What you may want to do is poll the students to see how many are texting and that would give you additional documentation as well.

Councilmember Mr. Ferlic – Thank you for the presentation, great job,

Councilmember Dieter – Make sure you call me so I can give you that information. Good job.

Councilmember Oliver Davis – You did a wonderful job. I encourage you to talk to the common council and other school boards around here to make this a community effort, as it will resonate around our whole area.

Councilmember Dr. Varner – Nicely done organizational and presentational wise. I hope you take this state wide and good luck with your efforts in Indiana.

Councilmember Dr. Ferlic – I pointed out one of the major health issues that we have now, and hope you take to the cell phone ban like they have in Illinois. Thank you and Mr. Davis for bringing this up.

Councilmember Schey – Your presentation was impressive, as this is a really important issue. I ask that the family members to stand up to be recognized. It's important that we recognize great parents and teachers. I want to thank the students, parents, and teachers for bringing them before us tonight.

Council President Scott – Thank you, as this is really incredible. This hit home for me, when one might not get a ticket here because they might be surfing the web. I commute every day and use my headset. This is a great start thank you for bringing it to us.

Councilmember Henry Davis, Jr. – We have some awesome youth, we will have a few more presenting to us here shortly. We should remain diligently in banning cell phones in school zones as city wide and state wide. We will be taking this to the county and the School Boards. Our hope is that they are successful but if not the course of history will still be changed. I would like to state that this is all their initiative, and they approached me. I had nothing to do with it, I'm just helping them present it.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Schey made a move for a favorable adoption of 15-15. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

15-18            A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, CONGRATULATING THE JOHN ADAMS HIGH SCHOOL TEAM "NO RAGRETS" FOR WINNING THE 2015 INDIANA HIGH SCHOOL MOCK TRIAL COMPETITION CHAMPIONSHIP

*Whereas,* one of the many programs sponsored by the Indiana Bar Foundation is the Annual Indiana High School Mock Trial Competition, which was held the first weekend in March 2015, in Indianapolis, Indiana, as part of their mission to “provide civic education for Hoosiers of all ages...”; and

*Whereas,* this year nine (9) of the twenty-two (22) teams competing in the mock trial competition, were representing John Adams High School, with six teams of those teams placing in the top ten; and

*Whereas,* since October of last year, the John Adams High School students have been working closely with Katelan Doyle, Coach; Donna Sharp, Sponsor and Heath Weaver, an Adams’ social studies teacher and Mock Trial Team Sponsor, as well as with local attorneys who volunteer their time to prepare the students for the competition; and

*Whereas,* the South Bend Common Council is especially proud to congratulate each and every John Adams High School student who participated this year in the Mock Trial Competition and all of the students who were members of the nine (9) John Adams High School teams who participated in the Annual Indiana High School Mock Trial Competition: *No Ragrets, Ex Coelll, Just Peachy, Et Ultra, Plot Twist, Squid Squad, Dolce, Zac’s Team, and Hole and Corner.*

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. On behalf of the residents of the City of South Bend, the South Bend Common Council is proud to publicly commend, honor, and sincerely congratulate all of the John Adams High School students who participated and placed in the 2015 High School Mock Trial Competition; Katelan Doyle, Coach; Donna Sharp, Sponsor and Heath Weaver Sponsor; all of the volunteer attorneys, and the family and friends who helped to prepare and support all of these competing high school students who have brought honor to themselves, John Adams High Schools, and the South Bend Community.

Section II. The winning team of eight (8) John Adams High School Seniors, namely **Sarah Neal, Laura Dillon, Claire Migliore, Sophia Wilson, Morgan Proffitt, Stephen Bigger, Claudia Taccheri and Grace Landry** will now represent the City of South Bend, Indiana, in the national competition to be held this May in North Carolina. *Congratulations for a job extremely well done and Good Luck in the Nationals!!*

Section III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

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Tim Scott, 1<sup>st</sup> District

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Oliver J. Davis, 6<sup>th</sup> District

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Henry Davis, Jr., 2<sup>nd</sup> District

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Derek D. Dieter, At Large

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Valerie Schey, 3<sup>rd</sup> District

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Gavin Ferlic, At Large

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Dr. Fred Ferlic, 4<sup>th</sup> District

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Karen L. White, At Large

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Dr. David Varner, 5<sup>th</sup> District

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Kathleen Cekanski-Farrand, Council Attorney

*Attest:*

*Approved this \_\_\_\_ day of March, 2015.*

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Office of the City Clerk

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Pete Buttigieg, Mayor of South Bend

Councilmember Henry Davis, Jr., I just want to commend them on their success and hopefully we are looking at future leaders and legislatures on the local and national level. Councilmember Henry Davis, Jr. presented Resolution 15-18 to the full Council.

Councilmember White – I would like to thank the sponsors, the teachers, the volunteers, the parents, and most importantly the students. Each year we look forward to the students winning and going to Nationals each year. This speaks to the great work that has occurred in the school systems, so again great work and a job well done.

Councilmember Mr. Ferlic – Congratulations again, it does seem like that every year you open the paper and you won another State Title. Again, congrats.

Councilmember Dieter – Thank you to the teachers, parents for all the time and traveling. Make sure you get a champion t-shirt on the way back.

Councilmember Oliver Davis – Congratulations, sometimes when schools win each year people take it for granted but each year you come through. You realize the toughness of each challenge that it takes to win. We are encouraging you and keep your head up.

Councilmember Dr. Varner – Seems like every year, since I been on this Council, you have won. Congratulations to you and all of your efforts. There will be more challenges in your life for you but if you approach them the same way you will do quite well. Thank you for the parents that are involved. Best of luck to you guys in the future.

Councilmember Dr. Ferlic – Congratulations, I'm in my fourth year on the Council, I think the other Councilmembers would agree that we are very envious of your debating skills. Hopefully, you can come teach us something.

Councilmember Schey – I echo the sentiments of my colleagues, and best wishes to you all.

Council President Scott – I won't add anything, other than I won't get in arguments with my neighbor. Thank you again for everything you've done.



This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Heath Weaver, 1701 E. Wayne Street – I just want to say last year we did not win the state championship for the first time in thirteen (13) years. This team, along with the other ten (10) teams that we had decided that was unacceptable. We were able to turn that around, and have the greatest showing we ever had this year. Thank you to our parents, as without them they wouldn't be what they are today. And thank you all to the students for doing all the hard work.

Samuel Brown, 222 E. Navarre St. – I take my hat off to them, it is a lot of hard work. When my grand-daughter was on the team, I realize the time and work. It may seem like it's easy but it is a lot of hard work. I hope we find money to send them out in fine fashion.

Rodolfo Monterrosa, 110 S. Taylor Street, South Bend – I know the entire team worked hard, but I just want to point out two individuals Grace Landry and Sarah Neal as I had the pleasure of being their Coach, when they were freshmen. Then they took first place four years ago and I am proud of them and their progress since then.

There being no one present wishing to speak to the Council in opposition to this bill, Councilmember Schey made a move for a favorable adoption of 15-18. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

15-19            A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
SOUTH BEND, INDIANA, CONGRATULATING THE DICKINSON  
INTERMEDIATE FINE ARTS ACADEMY FOR BEING NAMED A  
MAGNET SCHOOL OF EXCELLENCE

*Whereas*, the South Bend Common Council recognizes that there are approximately 4,000 Magnet Schools of America (MSA) operating throughout the United States today, with each school focusing on a theme and curriculum which attracts a wide-range of diverse students; and

*Whereas*, Dickinson Intermediate Fire Arts Academy located at 4404 Elwood Avenue, South Bend, Indiana, is under the leadership of Principal Thomas E. Sims and Assistant Principal Tammy Newbill, and is a "Premier Arts School" for Magnet and community students in grades 5 through 8 which provides a "rigorous curriculum in all subjects, utilizing strategies for Common Core Standards, with Performance Task Learning, STEAM (Science, Technology, Engineering, Arts and Mathematics) and Arts Integration focused on 21<sup>st</sup> Century skills; and

*Whereas*, Dickinson Intermediate Fine Arts Academy was recognized in 2012 by the Indiana Department of Education for demonstrating the "highest amount of academic gains of all middle schools in the State of Indiana", and in May of 2013, was recognized as a National Magnet School of Merit by MSA; and

*Whereas*, the Magnet School of Excellence Awards are given "only to a select group of magnet schools that have demonstrated the highest level of excellence in all facets of the merit award application"; and are based on a school's "demonstrated ability to raise student academic achievement, promote racial and socio-economic diversity, provide integrated curricula and instruction, and create community partnerships that enhance the school's theme".

*Now, Therefore, be it resolved, by the Common Council of the City of South Bend, Indiana, as follows:*

Section I. On behalf of the residents of the City of South Bend, the South Bend Common Council is proud to publicly commend, honor, and sincerely congratulate all of the students, teachers, and administrators of **Dickinson Intermediate Fine Arts Academy** for being named a **Magnet School of**

**Excellence** by the Magnet Schools of America for promoting academic excellence and innovative instruction.

Section II. The hard-work and dedication of everyone learning and teaching at **Dickinson Intermediate Fine Arts Academy**, and their many enthusiastic parents and supporters has brought well-deserved honors to each of themselves, this fine educational magnet school, the South Bend Community School Corporation, and the entire South Bend Community. *Congratulations!*

Section III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

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Tim Scott, 1 <sup>st</sup> District	Oliver J. Davis, 6 <sup>th</sup> District
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Henry Davis, Jr., 2 <sup>nd</sup> District	Derek D. Dieter, At Large
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Valerie Schey, 3 <sup>rd</sup> District	Gavin Ferlic, At Large
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Dr. Fred Ferlic, 4 <sup>th</sup> District	Karen L. White, At Large
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Dr. David Varner, 5 <sup>th</sup> District	Kathleen Cekanski-Farrand, Council Attorney

<i>Attest:</i>	<i>Approved this ____ day of March, 2015.</i>
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John Voorde, City Clerk	Pete Buttigieg, Mayor of South Bend

Councilmember Gavin Ferlic presented Resolution 15-19 to the full Council. I would like to give them a-round-of-applause.

Presenter- Thomas Sims, 53205 Crestwood Drive, South Bend – Four years ago, the state of Indiana was going to intervene with Dickinson Academy since they were in a failing status. The Superintendent charged our team to bring them from an F to an A. We give the students high expectations and help them succeed. We would like to thank all those involved in allowing us this opportunity to help. We look forward to bringing back more awards.

Councilmember Henry Davis, Jr. – I am excited for you guys. I was a Dickinson graduate, and my wife works at the school. You guys have done an awesome job in setting a new standard for the kids. Thank you all for your leadership. We can't do anything but grow from here.

Councilmember Schey – Thank you so much. I know from my own experience without getting the proper foundation, kids can't go on to achieve great things. Thank you.

Councilmember Dr. Ferlic – That is tremendous what you've done to go from an F to an A. I would appreciate a two-page outline on how you did it, so I can use it for my own personal life. Thank you.

Councilmember Dr. Varner – Congratulations on your success. I appreciate anyone that sets high standards and ask people to meet those standards. I appreciate that, I wish you success as that is what we need.

Councilmember Dieter – Thank you as I don't think people understand the impact that has on the community. If you guys ever need anything let us know, as well. Great job.

Councilmember White – I would like to thank the Principal, the Assistant Principal, the leadership, the teachers, social workers, and everyone working on behalf of the students. The statement you made earlier, is that you have to have high expectations. Children will respond if you have the compassion and the ability to learn that high standard. We must give the schools the resources to do a job well done.

Councilmember Oliver Davis – On behalf of the 6<sup>th</sup> District, these are my bosses. I got an understanding of excellence, as it starts from the top, as they expect excellence from the whole community. It has truly be an honor to be at Dickinson. I'm glad that they are here and honored to work with them every day.

Councilmember Mr. Ferlic – Thank you to the Mayor's Office for bringing this to our attention and honoring Dickinson, and thank you Kathy for preparing this.

Council President Scott – I just want to say the conversation of a dying city, does not even start with this when you have these types of rewards and high standards for the kids and students. This really lays the foundation, so that conversation doesn't exist. Thank you all for what you are doing, as you are doing this for our future as well.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Samuel Brown, 222 E. Navarre St. – I'm a regular at the school meetings. I know where it was until where it is now. I want to congratulate Mr. Sims, Dickinson, and the staff for all their hard work.

There being no one present wishing to speak to the Council in opposition to this bill, Councilmember Dr. Varner made a move for a favorable adoption of 15-19. Councilmember Dr. Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

#### **REPORTS OF CITY OFFICES– MAYOR PETE BUTTIGIEG**

Mayor Pete Buttigieg, I am very impressed with the presentations that have went before me. I would like to echo the sentiments for everyone who showed initiative in the Municipal ID cards. I spoke with the Commissioner in New York about their policies and complications. The need are for residents, so they can get access to their benefits, in which many of them have already paid for. I would like to thank the Council for our monthly meetings to make sure we are

communicating our interests. Opening day for the Cubs is happening soon. We are expecting more business to occur since the Lafayette road two-way has completed. The Mayor highlighted the birthday weekend of May 22<sup>nd</sup> with major headliners and the symphony playing. Recently, a class of six (6) new recruits have been sworn in from the academy to contribute to the talent and diversity of our Police force. Mayor Pete mentioned the long-term control plan, about the ongoing cost to the federal mandated changes of our sewer system. We have engaged a top engineering firm to look for cost reductions and set a high bar for what we want on cost savings. I have addressed these issues with the state, as well as President Obama's advisors. There are a number of other cities with the same issues and we will be looking to legislation for adjustments. We are putting together a sidewalk and curb program to split the cost with residents, along with a supplemental program for low-income residents. Mayor's night out will be Monday at Madison school, I encourage Councilmembers to join. In the Parks Department, we have an ongoing investment process with meetings coming up. I would like to welcome our two new board members Amy and Mark Neal to our Park Board. He identified a number of appointments to the city of South Bend, Dr. Virginia Calvin, Judge Roland, Nathan Boyd Principal, and Darrell McKinney including a number of others. Mayor Pete announced Randy Wilkerson will be heading the Department of Code Enforcement. He thanked him for his leadership and the improvements he has made thus far. He thanked the Council for working on the process of the leadership and spacing out updates more than just once a year. Mayor Pete gave an updates for economic development, there are 370 jobs announced thus far in 2015. The ticker on investment has been announced to \$53 million to date. The Mayor extended an invite for the LaSalle Hotel for their ground breaking ceremony on April 24<sup>th</sup>. He acknowledged the increase in minorities on elected officials.

Councilmember Oliver Davis – The beard is in honor of Colfax's birthday today. At our next meeting can you provide us with an update on our potholes? What are your thoughts on the city, administration, and our council in officially welcoming the Pokagon Indians and sending a joint letter stating we welcome them to our area, especially when there is talk of them going to Elkhart? Mayor Pete responded they have contributed to our community in a number of ways in the past. With regards to their development plans, I am very optimistic that this can be beneficial to everyone and it can be a win-win with working with them for both parties. Councilmember Oliver stated I would like to have signatures for a letter, with a welcoming tone; that we welcome them and want them to be a part of South Bend and not Elkhart. Mayor Pete responded I would be happy to get you more information about the potholes especially as the weather changes. We have to use cold patches until the weather changes, then we will get to the hot patches. Mayor Pete stated that I acknowledge that there is abundance of issues especially in your District, particularly with State Rd 23, most citizens don't know that those are State Roads. We have been in close conversation with INDOT to address those issues. Hopefully it will be addressed soon.

Councilmember Dr. Ferlic – Thank you for your report. I would like to emphasize the importance of our long-term control project that the more we are involved with it the city can turn out well. It will be a tough battle but we can get it done.

Councilmember Henry Davis, Jr. – The recruits for South Bend Police and Fire Department, I have been a stickler about how diverse we are. You made some announcements about learning how to hire more minorities to those departments by hiring in a consultant to help hire in those minorities. Over the last two months, I have had the opportunity to talk to residents and particular applicants that have made the grade on the test to become a fire fighter or police officer, which many were of color, that were not hired. They stated that they do not know why they were not hired. Obviously, there is a tier system, in which they were not in the top tier, and all were applicants of color. How do we make sure that isn't an issue later on? Clearly there, maybe a testing issue. How do we address those issues or change the test itself to get different results? Mayor Pete responded part one is expanding the range of the applicants itself, The second area is what happens when someone has applied with all the steps from testing to being sworn in and to see if there is anything there that has an impact that we haven't recognized. My primary issue is looking at our practices and weeding those out. Councilmember Davis stated the issue is with the tier system that if you pass with 70 or 80 and not 90 or 100, than you are not being picked. What can we do to address the tiers along with the testing? I am unhappy with Code Enforcement for a number of reasons. Colfax is still the same and we need to get that

taken care of, something needs to be done. Those folks are living in subpar living conditions, I'm asking for your attention in that area. We have another building downtown and nothing is being done. What are the actual jobs that are actually here right now? Mayor Pete responded we have the number of jobs that were announced, of course some materialize a lot sooner. Every time we have 400 jobs that materialize we have 1% that knocks off from the unemployment rate. Councilmember Davis and Mayor Pete discussed the numbers to adjust the unemployment rate and needing 1,600 jobs to get it down to 4.2%

Council President Scott – One concern/question from me. I'm glad to see new appointees to the housing authority that you are moving forward with that. The Far Northwest Association has been trying to hold their meetings at LaSalle Landing as the idea place. I think we need to look through the housing authority to allow them to meet there after 5pm. Most of the people in the Neighborhood Association are residents there. I think it is being underutilized. There are things to do for the kids and the elderly, with a volunteer force to help oversee the place while people utilize it. Whatever, we can do to get there would be greatly appreciated. Mayor Pete responded I appreciate you raising that issue, I want to do everything we can, and hopefully we can resolve that.

#### **RESOLVE INTO THE COMMITTEE OF THE WHOLE**

At 8:17 p.m. Councilmember Oliver made a motion to resolve into the Committee of the Whole. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of nine (9) ayes. Councilmember White, Chairperson, presiding.

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

Councilmember White stated that a brochure may be found on the railing in the Council Chambers explaining those procedures.

#### **PUBLIC HEARINGS**

02-15 PUBLIC HEARING ON A BILL AMENDING THE ZONING ORDINANCE FOR PROPERTIES LOCATED IN PORTIONS OF THE 500, 600, 700, 800, 900 BLOCKS OF INDIANA AVENUE, PORTIONS OF THE 1500 BLOCKS OF PRAIRIE AVENUE, KEMBLE STREET, CATALPA STREET, CHAPIN STREET, KENDALL STREET, SCOTT STREET AND TAYLOR STREET, SOUTH BEND, INDIANA, COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Oliver Davis Chairperson, Zoning & Annexation Committee, reported that they met this afternoon on this bill and sends it to the full Council with a favorable recommendation.

Presenter: Angela Smith, Area Plain Commission with Offices on the 11<sup>th</sup> floor – For this petition to rezone several districts including SF2, GB, LB, and MF1 to LI (light industrial) with approximately 19 acres just south of the park. The area north of Indiana has all of those mixed uses and there's a buffer along Indiana Ave and that is MF2. The property is currently now vacant. The property is being prepped to create a clear site for development. The Petitioner is not proposing any site plan at this time, they are simply getting the land ready for development so they can market to light industrial users. Once users are identified they can come forward to develop in the light industrial district. This comes from Area Plain with a favorable recommendation and I would be happy to answer any questions.

Petitioner: Mike Danch – 1643 Commerce Drive, South Bend – I'm from Danch Harner & Associates representing the City of South Bend. What we are asking for is taking several properties south of the railroad, on 19 acres to rezone, to have consistent zoning. If you have any questions I would be more than happy to answer those.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Councilmember Davis – I would like to address the Committee, as when we first talked about the park several years ago, a lot of the concern was that it would be an innovation park. Now you can see where the city has taken a serious interest with the park and I believe this will help grow it. You can now see the investment come in the area, so I'm excited to see this area starting to grow. Thank you.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dieter made a motion for favorable recommendation to full Council concerning this bill. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

03-15 PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTIES: ALL PUBLIC ALLEYS AND STREETS BOUNDED BY KEMBLE STREET ON THE WEST, THE NORFOLK & SOUTHERN RAILROAD (OLD PENN CENTRAL RR) ON THE NORTH, SCOTT STREET ON THE EAST AND INDIANA AVENUE ON THE SOUTH ALL IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Schey Chairperson, Public Works & Property Vacation Committee, met earlier this afternoon on this bill and sends it to the full Council with a favorable recommendation.

Petitioner: Mike Danch – 1643 Commerce Drive, South Bend – I'm from Danch Harner & Associates representing the City of South Bend. This goes hand in hand with the rezoning petition. This will take care of the streets and alleys that exist in the Ignition park boundary area. We are asking that everything is vacated, as part of the process of prepping the land for development.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

Councilmember Oliver Davis – I would like to say thank you. Everything that we can do to help move this project forward will help bring more business to our area in the 6<sup>th</sup> District.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dr. Varner made a motion for favorable recommendation to full Council concerning this bill. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

10-15 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN ENTERPRISE OPERATIONS IN 2015 OF \$875,000 FROM PARKING GARAGE FUND (#601) AND \$66,156 FROM CENTURY CENTER FUND (#671)

Councilmember White requested a motion to be made to hear bill 10-15 and 11-15 combined for the sole purpose of a Public Hearing. So moved by Councilmember Oliver Davis.

Councilmember Dr. Fred Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

11-15 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2015 OF \$30,000 FROM STUDEBAKER OLIVER REVERTING GRANTS FUND (#209), \$2,000,000 FROM ECONOMIC DEVELOPMENT STATE GRAN

T FUND (#210), AND \$21,157 FROM CENTRAL SERVICES FUND (#222)

Councilmember White Chairperson, Personnel & Finance Committee, met earlier this afternoon on bill 10-15 and bill 11-15 and send both these bills to the full Council with a favorable recommendation.

Petitioner: John Murphy, City Controller – Offices on the 12<sup>th</sup> floor – As Mayor Pete indicated we worked with council to amend the budgets on a quarterly basis. Bill 10-15 are additional appropriations for the enterprise funds for the parking garage, and century center which are fully funded with cash balances in the fund. Bill 11-15 are the city civil funds with three additional appropriations with the Studebaker Oliver grants fund, the economic development state grant fund, and central services fund. I would be happy to answer any question on these funds.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dieter made a motion for favorable recommendation to full Council concerning bill 10-15. Council Dr. Varner seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Dieter made a motion for favorable recommendation to full Council concerning bill 11-15. Councilmember Varner seconded the motion which carried by a voice vote of nine (9) ayes.

12-15 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2015

Councilmember White Chairperson, Personnel & Finance Committee, met earlier this afternoon on bill 12-15 and send this bill to the full Council with a favorable recommendation.

Petitioner: John Murphy, City Controller – Offices on the 12<sup>th</sup> floor – Budget bill 12-15 is for budget transfers. They are not additional appropriations in funds, but different transfers from one account to another account or department, to keep housekeeping in order. We plan on doing this on a quarterly basis to keep our books in order.

Councilmember Oliver Davis – When the transfers are made, how long does it take for them to get paid? Petitioner responded we get paid every week. We can pay next week Tuesday. Council President Davis responded so on Tuesday this will take care of everything that is in the budget? Petitioner responded if there is an outstanding invoice we can get it paid by Tuesday. Council member Davis responded I appreciate that.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dr. Varner made a motion for favorable recommendation to full Council concerning bill 10-15. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

**RISE AND REPORT**

Councilmember Oliver Davis made a motion to rise and report to full Council. Councilmember Varner seconded the motion which carried by a voice vote of nine (9) ayes.

ATTEST:

ATTEST:

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John Voorde, City Clerk

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Karen L. White, Chairperson  
Committee of the Whole

**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 8:31 p.m. Council President Tim Scott, presided with nine (9) members present.

**BILLS - THIRD READING**

02-15            THIRD READING ON A BILL AMENDING THE ZONING ORDINANCE FOR PROPERTIES LOCATED IN PORTIONS OF THE 500, 600, 700, 800, 900 BLOCKS OF INDIANA AVENUE, PORTIONS OF THE 1500 BLOCKS OF PRAIRIE AVENUE, KEMBLE STREET, CATALPA STREET, CHAPIN STREET, KENDALL STREET, SCOTT STREET AND TAYLOR STREET, SOUTH BEND, INDIANA, COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

This bill had third reading. Councilmember Henry Davis made a move for passage of bill 02-15. Councilmember White seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

03-15            THIRD READING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTIES: ALL PUBLIC ALLEYS AND STREETS BOUNDED BY KEMBLE STREET ON THE WEST, THE NORFOLK & SOUTHERN RAILROAD (OLD PENN CENTRAL RR) ON THE NORTH, SCOTT STREET ON THE EAST AND INDIANA AVENUE ON THE SOUTH ALL IN THE CITY OF SOUTH BEND, INDIANA

This bill had third reading. Councilmember Dieter made a move for passage of bill 03-15. Councilmember Henry Davis, Jr. seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

10-15            THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN ENTERPRISE OPERATIONS IN 2015 OF \$875,000 FROM PARKING GARAGE FUND (#601) AND \$66,156 FROM CENTURY CENTER FUND (#671)

This bill had third reading. Councilmember, Dieter made a move for passage of bill 10-15. Councilmember Dr. Varner seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

11-15            THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS IN 2015 OF \$30,000 FROM STUDEBAKER OLIVER REVERTING GRANTS FUND (#209), \$2,000,000 FROM ECONOMIC DEVELOPMENT STATE GRANT FUND (#210), AND \$21,157 FROM CENTRAL SERVICES FUND (#222)



This bill had third reading. Councilmember Oliver Davis, made a move for passage of bill 11-15. Councilmember Dieter seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

12-15            THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2015

This bill had third reading. Councilmember Henry Davis, Jr. made a move for passage for bill 12-15. Councilmember Schey seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

### RESOLUTIONS

15-16            A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING A CERTAIN AREA WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 1015 OAK STREET, 1042 OAK STREET, 1107 OAK STREET AS A RESIDENTIALLY DISTRESSED AREA FOR PURPOSES OF A (5) FIVE-YEAR RESIDENTIAL REAL PROPERTY TAX ABATEMENT FOR SOUTH BEND MUTUAL HOMES, LP

WHEREAS, a Statement of Benefits and a petition for residential real property tax abatement have been submitted to and filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the area commonly known as **1015 Oak Street; 1042 Oak Street; 1107 Oak Street** South Bend, Indiana, and which is more particularly described as follows:

1) 1015 Oak Street, South Bend, IN

Parcel ID: 18-1033-1461

Legal Description: Lot numbered seventeen (17) as shown in the recorded Plat of William Miller's Addition to the City of South Bend, excepting therefrom that part taken for Sherman Avenue in St. Joseph County, Indiana.

2) 1042 Oak Street, South Bend, IN

Parcel ID: 18-1033-1444, 18-1033-1442, 18-1033-1443

Parcel I: A part of lot numbered eleven (11) as shown on the recorded Plat of William Miller's Addition to the City of South Bend, described as follows, viz: Beginning at the westerly corner of said lot running thence North 39.5° East with the southeasterly line of Oak Street 60 feet; thence southeasterly 38.45 feet to a point 53 feet from the easterly line of LaPorte Avenue; thence South 39.5° West parallel with Oak Street 53 feet; thence North 37.5° West with the easterly line of LaPorte Avenue 36 feet to the place of the beginning. (18-1033-1442)

Parcel II: A part of lot numbered eleven (11) as shown on the recorded Plat of William Miller's Addition to the City of South Bend, described as beginning at the southwest corner of said Lot 11; thence North 27°7' West of the easterly line of LaPorte Avenue 13.13 feet to an angle in said street; thence North 37.5° West on said line of said Avenue 31.65 feet; thence northeasterly parallel with Oak Street 53 feet; thence southeasterly 30.6 feet to a point in the east line of said Lot 11, 56 feet north of the southeast corner of said Lot; thence South 56 feet to said southeast corner; thence west 27.39 feet to the place of beginning. (18-1033-1443)

56 feet on Oak Street, 76 feet north and south along east line Lot 11, William Miller's Addition, according to the recorded Plat thereof, St. Joseph County, Indiana records. (18-1033-1444)

3) 1107 Oak Street

Parcel ID: 18-1033-1430

Ex 76 feet SW end of Lots 52 and 53, Birner PL Add, according to the recorded plat thereof, St. Joseph County, Indiana records

be designated as a Residentially Distressed Area under the provisions of Indiana Code 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as a Residentially Distressed Area under Indiana Code 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as a Residentially Distressed Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the petition for real property tax abatement and the Statement of Benefits form meet the requirements of Indiana Code 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds that the area meets one of the following conditions as formally established in Ordinance No. 9394-03, which was passed on February 10, 2003:

- A. The area is comprised of parcels that are either unimproved or contain only one (1) or two (2) family dwellings designed for up to four (4) families, including accessory buildings for those dwellings; or
- B. Any dwellings in the area are not permanently occupied and are:
  - i. the subject of an order issued under IC 36-7-9; or
  - ii. evidencing significant building deficiencies; or
- C. Parcels of property in the area:
  - i. have been sold and not redeemed under IC 6-1.1-24 and IC 6-1.1-25; or
  - ii. are owned by a unit of local government; or
- D. A significant number of dwelling units within the area are not permanently occupied or a significant number of parcels in the area are vacant land; or
- E. A significant number of dwelling units within the area are:
  - i. the subject of an order issued under IC 36-7-9; or
  - ii. evidencing significant building deficiencies; or
- F. The area has experienced a net loss in the number of dwelling units, as documented by census information, local building and demolition permits, or certificates of occupancy, or the areas are owned by Indiana or the United States; or,
- G. The area (plus any areas previously designated under this subsection) will not exceed ten percent (10%) of the total area within the Council's jurisdiction.

**SECTION III.** The Common Council also hereby determines and finds the following:

- A. That the description of the proposed redevelopment meets the applicable standards for such development.
- B. That the estimate of the value of the redevelopment is reasonable for projects of this nature;
- C. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment; and
- D. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code 6-1.1-12.1-3.
- E. The deduction will not be allowed unless the dwelling is rehabilitated to meet local code standards for habitability.
- F. The deduction will not be allowed unless the dwelling rehabilitation is completed within five (5) calendar years from the date of the adoption of this Resolution by the Common Council.

**SECTION IV.** The Common Council hereby determines and finds that the proposed described redevelopment can be reasonably expected to yield benefits identified in the Statement of Benefits and the petition for real property tax abatement consideration and that the Statement of Benefits form prescribed by the State Board of Accounts are sufficient to justify the deduction granted under Indiana Code 6-1.1-12.1-3.

**SECTION V.** The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as a Residentially Distressed Area and hereby adopts a Resolution designating this area as a Residentially Distressed Area for purposes of real property tax abatement.

**SECTION VI.** The designation as a Residentially Distressed Area shall be limited to five (5) calendar years from the date of the adoption of this Resolution by the Common Council.

**SECTION VII.** The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of five (5) years as shown by the attachment pursuant to Indiana Code 6-1.1-12.1-17.

**SECTION VIII.** The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code 5-3-1 and Indiana Code 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

**SECTION IX.** Pursuant to Indiana Code 6-1.1-12.1-2, the rehabilitation must meet all local code standards for habitability as a specific condition of having such property designated as a residentially distressed area.

**SECTION X.** This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Member of the Common Council

Councilmember Gavin Ferlic, Chairperson, Community Investment Committee met this afternoon and send bill 15-16 to the full Council favorably.

Presenter- Brock Zeeb, Offices on the 14<sup>th</sup> Floor of this building- The three parcels before you are a part of the 2014 South Bend mutual homes Lincoln Park neighborhood development that was approved. These three parcels were inadvertently left off of that proposal. As a refresher this is a 24 single-family home, approximate assessed value of \$641,520. The new project taxes created are \$84,324, estimated taxes to be abated over the five (5) year period are \$24,350, and total taxes to be paid over the five (5) year period are \$59,974. I will answer any questions that you may have.

Councilmember Henry Davis, Jr – People that are a part of this program will they be defined as renters or homeowners?

Ann Mannix, 724 W. Washington – They will be members of a co-operative. They will purchase a share of the non-profit organization managing the development, they will vote on property managers. So it will be a combination of renter/homeownership. For the first fifteen (15) years it will be owned by a limited partnership due to some of the finances for the property.

Councilmember Davis, Jr. asked what will happen after the first fifteen (15) years. Petitioner responded the co-op then will have the option to purchase it to own their share. Councilmember Davis, Jr. responded they will have an option to be shareholders, will they receive dividends?

Ann responded they are paying off a mortgage of \$10,000 per unit, they will be very inexpensive. They have control over their housing, with rent as low as \$250 per month, we already have 20 application without any publicity. Councilmember Davis, Jr. asked what is the difference between subsidized housing from the government versus the amounts in the co-op? Ann responded the board sets their monthly cost per unit versus the government being in charge of the pricing.

Councilmember Dr. Varner – So the people in the houses are paying the rent and no equity is accruing to them personally. Petitioner responded correct the term would be limited equity in return for their low monthly cost with a very inexpensive place to live.

City Clerk John Voorde – Can they not sell their share as the group evolves? Petitioner responded we will have the group determine that. However, if you sell it, the next person will have to buy it, as the money has to come from somewhere versus keeping it affordable and keeping the price the same. This is a counter market strategy to keep the cost down. Thank you all for your support. We are having a ground breaking in May.

This being the time heretofore set for the Public Hearing on the above bill, proponents and opponents were given an opportunity to be heard.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Dieter made a motion to adopt 15-16. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

15-13            A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, VOICING CONCERNS OVER MANY OF THE ASSESSMENTS OF LAND IN THE CITY AND SEEKING AMICABLE SOLUTIONS OF THESE CONCERNS WHICH ARE IN THE BEST INTERESTS OF THE TAXPAYERS

Councilmember Dr. Varner requested a motion to continue bill 15-13 to April 13<sup>th</sup>. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

### **BILLS - FIRST READING**

BILL NO.

13-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 20 OF THE SOUTH BEND MUNICIPAL CODE BY DELETING ARTICLE 13, SECTIONS 20-130 THROUGH 20-135 ADDRESSING MOPED REGULATIONS AND AMENDING CHAPTER 2, ARTICLE 19, SECTION 2-213 ADDRESSING SCHEDULE OF ORDINANCE AND CODE VIOLATIONS

This bill had first reading. Councilmember Dr. Varner made a motion to refer this bill to the Health and Public Safety for April 13<sup>th</sup>. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

14-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 14 OF THE SOUTH BEND MUNICIPAL CODE BY THE INCLUSION OF NEW ARTICLE 12 ENTITLED COLLABORATIVE PILOT INITIATIVE ON HOMELESSNESS

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to Community Relations Committee for April 13<sup>th</sup>. Councilmember Dr. Varner seconded the motion which carried by a voice vote of nine (9) ayes.

16-15 FIRST READING ON A BILL AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 416 WESTERN AVENUE AND 501 W. SOUTH STREET, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

This bill had first reading. Councilmember White made a motion to refer this bill be sent to Area Plain. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

17-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA CONFIRMING COMPLIANCE WITH IC 36-1-12-1 ET. SEQ, AND RENDERING FINAL APPROVAL OF A GUARANTEED ENERGY SAVINGS CONTRACT RELATING TO CENTURY CENTER, APPROPRIATING MONIES FROM CENTURY CENTER CAPITAL IMPROVEMENT FUND (#671) ESTABLISHING A NEW FUND (#672) TO BE KNOWN AS THE CENTURY CENTER ENERGY CONSERVATION DEBT SERVICE FUND, AND TAKING ALL OTHER ACTION IN CONNECTION THEREWITH

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to the Park Committee for April 13<sup>th</sup>. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

### **UNFINISHED BUSINESS**

#### **REFERRAL FROM BOARD OF ZONING APPEALS**

**BILL 15-17 – SPECIAL EXCEPTION – 609 LASALLE ST.**

Councilmember White made a motion to refer bill 15-17 to the Zoning & Annexation Committee for April 13, 2015. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

**BILL 06-15 – REZONING – 3408 AND VACANT PARCEL WEST OF 3408 ARDMORE TRAIL**  
Councilmember Gavin Ferlic made a motion to refer bill 06-15 to the Zoning & Annexation Committee for April 13, 2015. Councilmember Varner seconded the motion which carried by a voice vote of nine (9) ayes.

**NEW BUSINESS**

Councilmember Oliver Davis in our next meeting, can we have our Public Works, Valerie if we can, give an update on our street issues with Curbs and Sidewalks. Can each one submit a report? Councilmember Valerie Schey responded so a committee report from the committee. Councilmember Oliver Davis confirmed, then addressed the letter that I referenced to the Mayor, would that go to Community Relations, (that was confirmed by Councilmember). Great, then I will work with that Committee regarding that.

**PRIVILEGE OF THE FLOOR**

Ron Goodchild – 837 S. Point St., South Bend – I’m in the 4<sup>th</sup> District with Valerie Schey, I was interviewed by Howard Dukes. In the process of this issue we asked for a common meeting with a reporter. There was no reporter present at the meeting which was promised. There was a misunderstanding on the meeting place and from the church St. Augustine. Ron read a letter from the Director of St. Augustine with some discrepancies on the issue.

Samuel Brown – 222 E. Navarre St., South Bend – I don’t think our city is a dying city. I would like to address the issue with city workers doing work on private property. We have to clean up in house before we can celebrate. He pointed out, The Hall of Fame, as I am a sport fanatic, I have never stepped foot on that sidewalk because of what one of our leaders has done. I hope we can resolve this.

Sharon Banicki – 3822 Ford St., South Bend – I stand before you as a sadden citizen. As we celebrate 150 years, we have lost a year in our history. I’m upset that the committee meeting minutes from 2014 have been overlooked. I have a press report from January 9<sup>th</sup>, stating they would be under review and be posted by the end of February. I have a job description from the city clerk, that they are responsible for minutes. I know John, you alone are not to blame. It is sad that citizens took time out of their schedule to voice their concerns but yet there is nothing left to memorialize it. How many times has Samuel Brown, Jesse Davis, and Reverend Sims been here, what were their concerns? Our history should be their first priority. At this point we don’t know for sure if everything was legally followed, as we have no minutes. The staff has already been paid by the City of South Bend but yet we didn’t receive them.

Noreen Deane-Moran – 716 W. Colfax, South Bend – This is not an issue with the ash trees, I know Valerie Schey had a great idea of the city taking care of the tree lawn last fall, which was set for another time and another year due to lack of funds. However, that is not our request, we want a one-time help for our situation. We reforested our neighborhoods 35 years ago, with the help of the city. If no one gives us any help our street will be treeless. I’m confused as to what got voted down as there was never any meetings, I’m curious to know what the issues were. I’ve gotten threatening letters which makes me disgusted. Can we please have a discussion about these trees and the issue with the lack of support? (Councilmembers requested that she provide the clerk with the letter so they can address that concern)

Kareemah Fowler – 430 S. 35<sup>th</sup> Street, South Bend – I am here to address the minute’s situation. There were some issues last year in 2014 with recording equipment, which is why the press release went out. I do understand the issue of concerned citizens, but when you are a concerned citizen that is when you go in to the office and request the meeting minutes. There are minutes for 2014 that have been approved by the Council. The minutes being online are a courtesy that we provide to the citizens. Not once has anyone come to the Clerk’s Office to request the meeting minutes for 2014. If you would like to come in to the office to see the minutes you are more than welcome to. Just wanted to clarify that there are in fact minutes for 2014. Thank you.

**ADJOURNMENT**

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 9:01 p.m.

ATTEST:

ATTEST:

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John Voorde, City Clerk

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Tim Scott, President