

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, May 11th, 2015 at 7:00 p.m. The meeting was called to order by Council President Tim Scott and the Invocation (Council Chairperson Karen White) and Pledge to the Flag were given.

ROLL CALL**COUNCILMEMBERS:**

Present:	Tim Scott	1 st District, (President)
	Henry Davis, Jr.	2 nd District (Seated at 7:09pm)
	Valerie Schey	3 rd District
	Dr. Fred Ferlic	4 th District
	Dr. David Varner	5 th District
	Gavin Ferlic	At-Large
	Karen L. White	At-Large, Chairperson Committee of the Whole

Absent:	Oliver J. Davis	6 th District
	Derek Dieter	At-Large, (Vice-President)

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

City Clerk John Voorde requested a motion that the minutes of the April 13th and April 27th, 2015, meeting of the Council be accepted and placed on file. So moved by Councilmember Schey. Councilmember Mr. Ferlic seconded the motion which carried by a voice vote of six (6) ayes.

SPECIAL BUSINESS

Council President Tim Scott made the announcement that the next Council meeting will be Tuesday, May 26th. The City will be taking applications for the Human Rights Commission. The deadline will be Tuesday, May 26th, as there is a Council position to fill. Council President Tim Scott informed those here for tax abatements 15-31, 15-32 and 15-33, along with Resolution 15-35 regarding employment for youth have all been continued to May 26th, as well as Ordinance 22-15 regarding tall grass.

REPORTS OF CITY OFFICES– MAYOR PETE BUTTIGIEG

There was no report from City Offices to present.

ANNOUNCEMENT: REPRESENTING THE CITY ADMINISTRATION WILL BE CHIEF OF STAFF – KATHRYN ROOS

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:05 p.m. Council President Scott requested a motion to resolve into the Committee of the Whole. So moved by Councilmember Dr. Varner. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of six (6) 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

09-15 PUBLIC HEARING ON A BILL AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1221 MIAMI STREET, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

(Councilmember Henry Davis joined the City Council Meeting)

Councilmember Schey Acting Chairperson, Zoning & Annexation Committee, reported that they met this afternoon on this bill and send it to the full Council with no recommendation.

Presenter: Matthew Chappuies, Area Plan Commission with Offices on the 11th floor – This is a home at the intersection of Miami and Lincoln Way East. The petitioner would like to request a zone change to down zone from MF1 (Multi-Family) to SF2 (Single-Family) to allow for a single family home. There is no site plan as residential doesn't require one. Matthew addressed that there was a letter from someone who did not approve, however, after speaking to the person they were only in opposition as they thought there property would be rezoned as well. When informing the letter writer that would not be the case he removed his opposition. This comes from Area Plan with a favorable recommendation and I would be happy to answer any questions.

Petitioner: Muhammad, 55566 Madrid Court – We found a buyer that would like to convert to a single-family home; therefore we would like to request a zoning change.

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 Gavin Ferlic made a motion for favorable recommendation to full Council concerning this bill. Councilmember Dr. Varner seconded the motion which carried by a voice vote of seven (7) ayes.

16-15 PUBLIC HEARING 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

Councilmember Schey Acting Chairperson, Zoning & Annexation Committee, reported that they met this afternoon on this bill and send it to the full Council with no recommendation.

Presenter: Angela Smith, Area Plan Commission with Offices on the 11th floor – This is a portion of Pulaski Park. She shared a map that illustrated the property parking lot, the store, and a portion of the current stadium. They are rezoning from GB/MU (General Business/Mixed Use) to CBD (Commercial Business District) to be consistent with the remaining development. They are seeking to rezone a small portion of the property as the rest of the property matches the zoning requested.

Councilmember Henry Davis requested Angela to re-highlight the area for re-zoning on the map? (Angela Smith displayed the map and explained the property outline) Angela Smith replied that they are looking to rezone the area pointed out to align with the current zoning of the remaining property. Councilmember Davis reminded the Council about an incident with a Church in the area that was concerned about the rezoning. He pointed out the concern for rezoning may affect people that are already there; as these conversations were ongoing from before. Angela Smith responded this is for the property that is already owned by the stadium. There is public notification about the rezoning and the community is made aware before this occurs but again this is for property already owned by the city.

Chris Fielding, 14th Floor Dept. of Community Investment – We are rezoning to CBD which is the same zoning as the Church which would eliminate the Mix Use all together not allowing for others

to come in under that. Councilmember Davis responded there is obviously a plan in place for rezoning, my question is are we in conversation with those being affected by this as to what will be happening in the next 4-5 years. Is the zoning conducive to the area or will it force others out? Chris responded it will be more conducive as it will expand parking. If anything the church which is limited now to parking will have access to more afterwards, which would help them out. Councilmember Davis responded I'm pushing on this as this is in my District. We spent a lot of time on developing that area to ensure what the area will look like in 5 years. I'm not sure if that will delay the zoning or would be a condition of approval. I am interested in the next steps.

Councilmember Dr. Ferlic stated didn't you explain this during the committee meeting? (Chris responded that he did) Councilmember Davis asked what that had to do with anything.

Councilmember White stated in terms of Councilmember Davis' concerns I do recall having that conversation. I think we should have the Church Grandfathered in so they wouldn't lose their zoning and their location. Can we have that in writing? Chris responded there are no plans on file with the contractors as we are being proactive, so when the developers do come we don't have to delay development 4-6 months to wait on approvals but we will be more than happy to put that in writing. Councilmember White asked if the church was made aware of the rezoning and if they had gotten any responses? Council Attorney Cekanski-Farrand responded that they were notified as they are within the 300 radius. Angela Smith stated there was no-one present at the meeting nor did they receive any calls or notifications on opposition. Councilmember White requested can we document this conversation so that it does not have a negative impact on the church, Council Attorney is there anything that we can do? Council Attorney Cekanski-Farrand stated that doesn't fall within their written commitment. If there is going to be a significant change they would need to come back through the Council. This is now all Public Record. You can request additional communication between the department and the Council.

Petitioner Chris Fielding, Department of Community Investment, Offices on the 14th floor – We are trying to accomplish the rezoning for the requested area. This is one large parcel between the cul-de-sac and the synagogue to have the same zoning on that block.

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 interjected before the vote, I can't believe we've gone through all those changes if we are not doing anything. I'm not opposed to redevelopment, I am just more comfortable with having a conversation with the land owners before doing anything further. I just don't want us to run in to a brick wall three years down the road.

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Gavin Ferlic made a motion for favorable recommendation to full Council concerning this bill. Councilmember Schey seconded the motion which carried by a voice vote of six (6) ayes and one (1) nay by Councilmember Henry Davis, Jr.

22-15 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AND AMENDING CHAPTER 19, ARTICLE 2 OF THE SOUTH BEND MUNICIPAL CODE IN ITS ENTIRETY ADDRESSING ABATEMENT REGULATIONS ADDRESSING TALL, GRASS, WEEDS, NOXIOUS WEEDS AND RANK OR OVERGROWN VEGETATION AND FURTHER AMENDING SECTION 16-61 OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING PENALTIES

Councilmember Gavin Ferlic made a motion to continue bill for May 26th back to the Health and Public Safety. Councilmember Schey seconded the motion which carried by a voice vote of seven (7) ayes.

RISE AND REPORT

Councilmember White requested a motion to rise and report to full Council. So moved by Councilmember Schey. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of seven (7) ayes.

ATTEST:

ATTEST:

John Voorde, City Clerk

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 7:25 p.m. Council President Tim Scott, presided with seven (7) members present.

BILLS - THIRD READING

09-15 THIRD READING ON A BILL AMENDING THE ZONING ORDINANCE
FOR PROPERTY LOCATED AT 1221 MIAMI STREET, COUNCILMANIC
DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

This bill had third reading. Councilmember Henry Davis made a move for passage of bill 09-15. Councilmember Schey seconded the motion which carried. The bill passed by a roll call vote of seven (7) ayes.

16-15 THIRD 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 third reading. Councilmember Gavin Ferlic made a move for passage of bill 03-15. Councilmember Dr. Varner seconded the motion which carried. The bill passed by a roll call vote of six (6) ayes and one (1) nay by Councilmember Henry Davis Jr.

RESOLUTIONS

15-30 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH
BEND DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH
BEND, INDIANA COMMONLY KNOWN AS 3702 W. SAMPLE SOUTH
BEND, IN 46619 AN ECONOMIC REVITALIZATION AREA FOR
PURPOSES OF A (5) FIVE YEAR PERSONAL PROPERTY TAX
ABATEMENT FOR KRUK ELECTRIC, LLC

WHEREAS, a petition for personal property tax abatement consideration has been 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 3702 W. Sample, South Bend, IN 46619 and which is more particularly described as follows:

Business Personal Property

and which has a Key Number to be assigned be designated as an Economic Revitalization 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 an Economic Revitalization 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 an Economic Revitalization 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 pursuant to Indiana Code 6-1.1-12.1-4.5 et seq., that:

- a. The estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type;
- b. That the estimate of the number of individuals that will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed installation of new manufacturing equipment;
- c. That the estimate of the annual salaries of those individuals that will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed installation of new manufacturing equipment;
- d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed new manufacturing equipment; and
- e. The totality of benefits is sufficient to justify the deduction requested.

SECTION II. The Common Council hereby determines and finds that the proposed new manufacturing equipment can be reasonably expected to yield the benefits identified in the Statement of Benefits as set forth in Sections 1 through 3 of the Petition for Personal Property Tax Abatement Consideration and that Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code 6-1.1-12.1-4.5.

SECTION III. The Common Council hereby accepts the report and recommendation of the Department of Community Investment, and the Community Investment Committee's favorable recommendation, that the area herein described be designated as an Economic Revitalization Area for purposes of personal property tax abatement and hereby makes such a designation.

SECTION IV. The Common Council determines that such designation is for personal property tax abatement only and shall be limited to two (2) calendar years from the date of the adoption of this Resolution by the Common Council.

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

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

SECTION VII. 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

Presenter: Jacob Alexander, Department of Community Investment, Offices on the 14th floor – Presenting a personal property abatement for Kruk Electric LLC. They manufacture springs and wire forms for medical and brake industries. They are locally owned and have been around for twelve (12) years. They employ four (4) full time and two (2) part-time employees. They are looking to expand due to steady growth and new demand. They request new equipment so they continue as a lucrative business. They are looking at \$175,000 in private investment to purchase new wire form machines. New project tax will be \$15,012 over a five (5) year period, estimated taxes to be abated over the five (5) year period are \$6,881, and total taxes to be paid over the five (5) year period are \$8,131.

Petitioner: Dan Kruk, 3702 W. Sample Street, South Bend – We are increasing our production capability in South Bend, with the intent to have an increase in employees which is why we are asking for the abatement.

Councilmember Davis asked the presenter, Jacob is this business in the urban enterprise zone? (The presenter replied yes) I haven't seen too many businesses come in that are in that zone, what other incentive packages does this business get along with other businesses in the area? The presenter replied the only incentive that he is getting is this abatement.

Councilmember Dr. Varner stated the urban enterprise zone is a geographical area instructed to keep the taxes that they receive for use in the area. But I don't think they offer any other incentives. Councilmember Davis replied, I believe the building itself is within in the enterprise zone, the building provides low to no cost rent. The concern is that there are other offers that are given to this business with that zone and we can be using the city money for other businesses outside of that area as there are several benefits that they are already receiving. I just want all the information to be known.

Chris Fielding, Department of Community Investment, Offices on the 14th floor – When it comes to the credits available to the enterprise zone, most businesses that are smaller business do not receive them, as it would cost more money for them to file the paperwork than the actual incentives. We usually use a TIF abatement or a tax abatement for the smaller businesses in that area. There are a dozen abatements in the urban enterprise zone and none of those have received funding from the urban enterprise zone. Councilmember Davis replied including this business here today? Chris responded that is correct.

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 motion to adopt this Resolution. Councilmember Gavin Ferlic seconded the motion which carried and the Resolution was adopted by a roll call vote of seven (7) ayes.

15-31 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA COMMONLY KNOWN AS 111 ST. JOSEPH ST. SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (2) TWO-YEAR VACANT BUILDING TAX ABATEMENT FOR JSK DEVELOPMENT, INC

15-32 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH

BEND, INDIANA COMMONLY KNOWN AS 120 ST. JOSEPH ST. SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (9) NINE-YEAR REAL-PROPERTY TAX ABATEMENT FOR JSK DEVELOPMENT, INC

15-33 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 CRESCENT OAKS SECTION THREE AS A RESIDENTIALLY DISTRESSED AREA FOR PURPOSES OF A (5) FIVE YEAR RESIDENTIAL REAL PROPERTY TAX ABATEMENT FOR TAMPICO DEVELOPMENTS, LLC

Councilmember Gavin Ferlic made a motion to continue bill 15-31, 15-32, & 15-33 to May 26th. Councilmember Schey seconded the motion which carried by a voice vote of seven (7) ayes.

15-34 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND INDIANA RECOMMENDING THAT PUBLIC INPUT BE ENCOURAGED TO BE RECEIVED ON A SUGGESTED ADDITIONAL STREET LOCATION TO BE CONSIDERED TO BE RENAMED TO HONOR THE LATE REV MARTIN LUTHER KING JR IN SOUTH BEND INDIANA

Whereas, the Common Council of the City of South Bend, Indiana recognizes that almost a thousand communities across our great county have renamed public streets to honor the late Rev. Martin Luther King, Jr. as depicted in the following map¹; and

Whereas, currently the Board of Public Works has the “control and supervision of the streets within the city” pursuant to *South Bend Municipal Code* §18-2, and has a record of reviewing requests for a change of a street name on a case by case basis; and

Whereas, currently, approval of changing the name of a street requires a proper Board of Public Works Resolution which notes among other things the location of the street under consideration, the requesting party, and that the “change of the name requested will not adversely affect the health, safety or welfare of the citizens of the City of South Bend”; and

Whereas, upon adoption of such a resolution by the Board of Public Works, the Clerk of the Board then notifies the following entities: Area Plan Commission, Building Department, AT & T, U.S. Post Office, St. Joseph County Circuit Court Clerk, South Bend Community School Corporation, St. Joseph County Assessor’s Office, St. Joseph County Auditor’s Office, St. Joseph County GIS Department, Department of Administration and Finance, Community Investment Department, Mayor’s Office, Common Council, Fire Department, Police Department, Law Department, Division of Engineering, Bureau of Streets, Division of Traffic and Lighting, Park and Recreation Department, Solid Waste, Water Works, Wastewater Treatment Plant; and

Whereas, the South Bend Common Council notes that currently Dr. Martin Luther King, Jr. Drive is located north of Washington Street and extends north to Lincoln Way West in the City of South Bend; and

Whereas, the South Bend Common Council believes that the public should be involved in a meaningful process to recommend renaming an additional street in the City of South Bend, Indiana, to honor and remember this Civil Rights leader, Martin Luther King, Jr. (1929-1968).

¹ 78 *Social Education* 123 (May, June 2014) Jerry T. Mitchell and Derek H. Alderman of the National Council for the Social Studies “A Street Name for a King: The Politics of Place-Naming” notes that “the United States now contains no fewer than 890 streets, boulevards, avenues, and courts named for the slain civil rights icon...”

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

Section I. The Common Council recommends that a 7-member Advisory Street Re-Naming Committee be established, which would be composed of residents of the City of South Bend, with four (4) individuals being appointed by the Common Council and three (3) individuals being appointed by the Mayor.

Section II. The Advisory Street Re-Naming Committee would be charged with overseeing a process which invites residents and business owners in the City of South Bend to recommend a current street for consideration to be renamed to honor the late Rev. Martin Luther King, Jr. by the Board of Public Works. Such a process would:

1. Encourage public participation for submission of streets to be considered over a thirty (30) day period.
2. Establish a 1-page form for all recommendations which would be sent to the Office of the City Clerk.
3. Tally all recommendations in an order of those receiving the most amount of recommendations, with the originals of all forms being maintained in the Office of the City Clerk.
4. Forward the tally of the public response to the Board of Public Works, the South Bend Common Council, and the Mayor within ten (10) days after the ending of the thirty (30) day response period.
5. Request that the Board of Public Works review all recommendations and have meaningful public dialogue at a time and place more convenient for the general public, within thirty (30) days of receiving the tally from the Advisory Street Re-Naming Committee.

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.

Karen L. White, Council Member at Large
South Bend Common Council

Henry Davis, Jr. 2nd District Council Member
South Bend Common Council

Oliver J. Davis, 6th District Council Member
South Bend Common Council

Attest:

Approved this ____ day of _____, 2015.

Office of the City Clerk

Pete Buttigieg, Mayor of South Bend

Presenters: Councilmember Karen White, 1912 Malvern Way, South Bend, Councilmember Henry Davis, Jr., 5117 Idlewood Drive, South Bend – White along with Councilmember Henry Davis presented Resolution 15-34 to the full Council. Councilmember White read the letters and history of the request by Mr. Schoby and residents for the public change to Martin Luther King Drive to a more prominent street. Councilmember Henry Davis, Jr. read the Resolution to the full Council.

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

Those wishing to speak in favor:

Samuel Brown, 222 E. Navarre St., South Bend – I work for a group Citizens United for a better government. I commend Mr. Schoby for his hard work. I am for this bill and hope that we get it done like it should be done.

Huey Schoby, 3415 Riverside Drive, South Bend – Community Activist fighting on Martin Luther King Drive. The reason for this request as it gives access to schools, businesses, residents to the Northwest Community and covers a lot of territory. As we know many people lost their lives for the actions taken to get a civil rights bill and a voter registration bill. For the last fifty years, as I've seen how blacks were treated and are still being treated today, is why I chose for this street to be re-named. We have four (4) girls who lost their lives for this. We need to give good exposure for his name daily. I think this is well overdue, Dr. King deserved better than that. The bus terminal will have his name on their scroll. This will be best for the community and the city of South Bend. I have been working on this for several years, on the streets that covers the schools that buses will be in route, serve as a great reminder. I would like for the Council to consider this change.

Constance Green, 3217 Dunham St., South Bend – I am approximately two blocks off of Western Ave. One day I found that Western Ave street name had been changed, there was no petition and the neighborhoods didn't know about it. What I like about this resolution is that it gives organization; you are organizing a procedure and no-one is left out. If there is a procedure everyone will have a voice.

Deborah Walker, 639 Diamond Ave, South Bend – I was the original person that fought for Martin Luther King and the first street change. It took 5-6 years then, just to get that small strip. It is emotional for me as I worked hard along with several other people. If you want to make an addition to what it is now then that is fine, but do not spite the people that worked to get where we got.

Charlotte Bridges, 2220 S. Dundee St., South Bend – I marched on city hall along with Dr. Martin Luther King. I thought all the time that three blocks was an insult to him. It should have been for more than that from the beginning but something is better than nothing. Can you explain to me that we are taking the three blocks and the additional street, or what are we doing with the current three blocks? When they started in the beginning they could have changed the whole street. He deserves far more than that.

Rebuttal: Councilmember White, We are saying the process has to be more open and include the citizens. That the process is clear with those who make the decisions with street naming and is handled within the city in the Mayor's office. We are stating that three blocks is not adequate and does not do justice for Dr. Martin Luther King. That we are looking at a more prominent area that does justice to the late Dr. Martin Luther King. That there is a process that involves community engagement, where you don't have to open the paper to find out a street has been renamed. What we are doing as a Council, is creating a process that does not rest with us but is open and transparent to the community.

Huey Schoby, 3415 Riverside Drive, South Bend – I would like to add that the Mayor already made a commitment to move that street from its present location, which is recorded in the Clerk’s Office. I have been fighting this for three years, which is why I chose Portage Ave, it wasn’t to spite anyone. It is left to the board of Public Works and the Mayor. We already had an eight (8) to one (1) vote to move its present location.

There being no one present wishing to speak to the Council in opposition to this bill, Councilmember Schey made a motion to adopt this resolution. Councilmember Gavin Ferlic seconded the motion which carried and the Resolution was adopted by a roll call vote of seven (7) ayes.

15-35 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND INDIANA RECOMMENDING THAT A TALL GRASS WEED ABATEMENT PILOT PROGRAM FOCUSING ON PROVIDING YOUTH WITH WORKING OPPORTUNITIES AND LIFE SKILLS TRAINING AND DEVELOPMENT BE IMPLEMENTED FOR THE SUMMER OF 2015

Councilmember Gavin Ferlic made a motion to refer this bill back to the Health and Public Safety for May 26th. Councilmember Schey seconded the motion which carried by a voice vote of seven (7) ayes.

BILLS - FIRST READING

BILL NO.

25-15 FIRST READING ON A BILL AMENDING THE ZONING ORDINANCE AND REQUESTING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 803 WASHINGTON ST., COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to Area Plan. Councilmember Schey seconded the motion which carried by a voice vote of seven (7) ayes.

UNFINISHED BUSINESS

Councilmember Henry Davis, Jr. – I was out on Taylor Street and the residents were complaining that there is no parking for them in front of their apartment’s during baseball games. This issue came up my first year or two on Council and obviously is still an issue. I would ask that we move this conversation to the Public Works and Property sub-committee to find out the laws on who can park on that street or if there needs to be some changes made parking during baseball games.

Councilmember Schey responded I would gladly accept that at the May 26th committee, as Chairperson. Councilmember Schey asked Council Attorney Cekanski-Farrand who should be present? Council Attorney Cekanski-Farrand replied someone from Public Works should be present.

NEW BUSINESS

Councilmember Henry Davis, Jr announced we will have many members from our community share in the privilege of the floor as I asked them to. I would like to thank them for showing up. We had a passionate conversation on the recreational center this past week. I don’t think there is any controversy just different opinions. I feel that Western Ave has not been included in the discussion points that have been talked about thus far. Per the report, it did not suggest or give a clear insight as to what the residents were asking for. The Council passed the resolution to begin the process of redefining what re-development looks like for the Western Ave corridor. The Council passed this bill unanimously, which was associated with city dollars. This Council led the way to begin to redevelop that corridor. As it is our responsibility, with the process that has

begun be held to what the community is asking for. Residents are expressing that property taxes are going up, vacant lots are not being developed, lack of commercial and retail businesses present, curb line needs to be redefined along with sidewalks. These are basic standards that our neighborhoods should have. The meetings they were a part were not beneficial as their voices were not being heard. This is not a black against brown situation, it is about inclusiveness that your voice is being heard; where documents align with the issues stated. I am asking the Council to intervene and restart the conversation so the residents will feel as this body is supporting them, and that they are getting what they pay for.

PRIVILEGE OF THE FLOOR

Constance Green – 3217 W. Dunham St., South Bend – I am the President of the far Northwest Neighborhood Association which effects 6,000 people, this borders Western Ave. I own several properties in that area. I agree with Councilmember Davis that this is not a racial issue and we are not being heard. I was at several meetings where we asked for safety and better neighborhoods. I am asking for you to reconsider and stop the process until all groups have input, as many things were left out.

Samuel Brown – 222 E. Navarre St., South Bend – I represent the group Citizens United for a Better Government. Since we've taken down 1,000 houses in 1,000 days, we are leaving these areas deteriorated. Who cleans up those areas? There is trash, tore up sidewalks... who takes care of that? I will be out here looking for that to be taken care of, as that's what I do.

Charlotte Bridges – 2220 S. Dundee St., South Bend – I feel angry as they come to the center where we tell them what we want but they are not listening. I pay taxes on six (6) properties, we pay for this and should be heard. We stated that we don't want bike lanes and they put them there anyway. You should be listening to us and what we want as we are paying for this.

Jesse Davis – P.O. Box 10205, South Bend – I talked to Councilmember Scott before the meeting, so some of this was covered. I come before you for things asked for over a three (3) year period that weren't covered or done properly. I will hand this to Mr. Voorde.

Sampson – 746 S. Meade St., South Bend – I represent the Latin American Chamber of Commerce. I want to speak on the Western Ave. plan. We had a great meeting this Thursday, to start additional dialogue. Most of the things people want short term is what is going to come in this first year. I do believe we need to have more conversations and go block by block on the decisions that need to be made. Everyone agreed to have better lighting, better curbs... I think we need to continue to have those conversations. Lastly, I want to encourage as the city puts this out to bid, that we make sure we use local and diverse contractors and employ within our community.

Notia Casey – 1902 N. Fremont St, South Bend – I represent Fremont Youth Foundation. I am here to talk about Lincoln Way and upgrades to the park. Are you looking at the safety issues that you are making changes with lights and stop lights to ensure it matches the street needs? For Fremont Park, there was no clean-up for the trees that they took down. The park is in worse condition than it was before. We are not hearing about the upgrades that we asked for. We will be standing for this change to happen.

Lynn Collier – 4900 W. Washington St., South Bend – I am advocating for quality life concerns senior citizens, and education. I attended the meeting the gentleman spoke of. I agree with him, but we really don't understand what has been voted on. I was at the Council meeting where Henry Davis tried to address the concerns but he was demonized. What we need to understand is the different parts of the project. When homes have been destroyed for a park that has not come up yet. I would like to have a clear vision of the steps and the process. We will be having a meeting Thursday at the Charles Black Recreation Center. We want to be involved and want quality of life too.

I want to address the transparency of the meetings, I was unaware of the meeting that was today or next Thursday. Only certain people were brought to the table, which is the issue we are having with transparency.

Councilmember Henry Davis, Jr. – I ask that the (CI) Community Investment committee takes over those community meetings, so they are led by the Council and are being recorded. We can't keep having all these meetings where the consensus of the community is that we are all confused. We need to do it together not separately. The CI committee should be a part of the meeting so we can participate. Council President Tim Scott replied I will make sure that we get the word out for the Thursday meeting. Councilmember Davis asked Councilmember Mr. Ferlic if he would be looking to share that meeting this Thursday. Councilmember Mr. Ferlic replied that I will be at a conference, but will check with my assistant chair to see if he is available. If nothing else, I will coordinate with Council President Scott to publish the meeting as a Community Investment meeting.

William B. Johnson – 5203 Floral Place, South Bend – I was at the meeting this morning with Ms. Green, I agree we need transparency. We need to have better communication so that way there is no rebuttals. I'm not sure how the changes occurred on Western Ave, as lines have not been painted on the road in three years. It is almost like playing a video game, and is a dangerous situation. I know we need to make upgrades, I want to see Western Ave be a productive area. We shouldn't rush into it, we need to have transparency and trust.

ADJOURNMENT

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 8:23 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Tim Scott, President