

REPORT OF SUB-COMMITTEE ON MINUTES

TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:

THE SUB-COMMITTEE HAS INSPECTED THE MINUTES OF THE

December 14th, 2015 & January 4th, 2016 Organizational Minutes

MEETING OF THE COUNCIL AND FOUND THEM TO BE CORRECT.

THEREFORE, WE RECOMMEND THE SAME BE APPROVED:



TIM SCOTT

DAVID VARNER

APPROVED BY THE COMMON COUNCIL ON: January 11, 2016

ATTEST:



KAREEMAH FOWLER, CITY CLERK

Be it remembered that the Common Council of the City of South Bend, Indiana met in the Council Chambers of the County-City Building on Monday, December 14, 2015 at 7:00 p.m. The meeting was called to order by Council President Tim Scott and the Invocation and Pledge to the Flag was given.

ROLL CALL

COUNCIL MEMBERS:

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

OTHERS PRESENT:

Kathleen Cekanski-Farrand	Council Attorney (absent)
Adrian Rodriguez	Legal Research Assistant
John Voorde	City Clerk
Janice I. Talboom	Deputy
Kareemah Fowler	Chief Deputy
Aladean DeRose	City Attorney

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Gavin Ferlic made a motion that the minutes of the November 9th, 2015 and the November 23rd, 2015 meetings of the Council be accepted and placed on file. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

SPECIAL BUSINESS

BILL NO. 78-15 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 6, ARTICLE 4 , SECTION 6-10 (d) (2) OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING PLUMBING EXCAVATOR FEES CHARGED BY THE BUILDING DEPARTMENT

Council President Scott reported that this bill was being continued to the January 11th, 2016 meeting.

RESOLUTION 15-104 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND INDIANA, PUBLICLY THANKING CATHERINE D. HOSTETLER, DIRECTOR OF THE HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY FOR HER ELEVEN (11) YEARS OF LEADERSHIP

Councilmember Davis made a motion that this resolution be continued to the January 11th, 2016 meeting. Councilmember Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

A. PATHWAY PROJECT PRESENTATION - 5 MINUTES

Sarah Heintzelman, offices on the 14th Floor of the County City Building, stated the goal of the Pathway program is to increase employment opportunities for the citizens of South Bend. She reported that in the years of 2014 and 2015 approximately \$325 million dollars of private investment has been invested in South Bend. This investment has caused unemployment to drop to a rate of 4.9 percent. In an effort to prepare residents for the opportunities currently available to residents, the goal of this program is to help citizens better capitalize on these job opportunities.

Sarah Heintzelman reported that the Pathway program offers five (5) training tracts where we know growth will be developing in the next few years. Citizens will be recruited by a coordinator, candidates will be assessed by the coordinator and their interests and skills will determine which tract they are entered into.

After the candidates choose their tract of choice on the job training will begin. This will include an employee support network after training is completed if more help is required.

Sarah Heintzelman reported that multiple organizations were found to partner with this program including nonprofits and church organizations. Program coordinators will work with unions, veteran groups, and various other organizations as well.

In an effort to increase success, the Pathway program has a goal to deliver various achievements in the first six (6) months. Some of these goals are working with twenty five (25) different agencies, recruit thirty-eight (38) candidates, maintain a virtual database, create marketing materials, and provide quarterly reports on their progress.

REPORTS OF CITY OFFICES

There was no report from the city offices. Representing the City Administration will be James Mueller.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:10 p.m. Councilmember Oliver Davis made a motion to resolve into the Committee of the Whole. Councilmember Derek Dieter seconded the motion which carried by a voice vote of nine (9) ayes. Councilmember Karen 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.

PUBLIC HEARINGS

BILL NO. 65-15

PUBLIC HEARING ON A BILL AMENDING THE
ZONING ORDINANCE FOR PROPERTY LOCATED AT 1637
AND 1641 PORTAGE AVENUE, COUNCILMANIC DISTRICT
NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Oliver Davis, Chairperson, stated the Zoning and Annexation Committee met and it was a consensus to send this bill to the full Council with a favorable recommendation.

Matthew Chappuies, Area Plan Commission with offices on the Eleventh (11) floor of the County-City Building, presented this bill. Mr. Chappuies reported the petition was to rezone property in the northwest Portage re-district from Single-Family to Office Buffer District. On site currently is a dental office and a vacant property. This petition would bring the entire area into the same zoning and allow for the expansion of the dental office. Across the street is a video store. To the north and west are single family homes. To the east are single family and multifamily homes.

Mr. Chappuies stated this is a commercial node that tapers into residential. He presented pictures of the property and of the site plan showing the existing building and the proposed expansion.

Mr. Chappuies reported that the petition came in with a favorable recommendation from the Area Plan Commission.

There were no questions from councilmembers.

Leslie Green, 58867 County Road Five (5) Elkhart Indiana, spoke as the petitioner. He stated the purpose of the petition is to provide more ample parking and get cars off of the street.

There were no questions for the petitioner from the Council.

No one from the public was present in favor of the petition.

Don Bubaker, 1706 Anderson Avenue South Bend, spoke in opposition to the petition. He stated the ordinances currently in place were set up for air quality and aesthetic appearances. He stated if you put the retaining wall up you will have problems with trees and long term this is not a good idea. He stated there will be nowhere to put snow in the winter in this proposed lot. Mr. Bubaker stated the business across the street from the property follows all the current ordinances and is aesthetically pleasing. Mr. Bubaker recognized his idea is not the most cost effective and provides less parking but is best for the neighborhood in the long-term.

Petitioner Leslie Green spoke to rebut the opposition. He stated in the ordinance you can put a fence in to satisfy the needs of the ordinances. He had no current plan of how to remove the snow in the winter but believed it would need to be removed and not stock piled. He stated installing an elevator and second floor would triple the cost of the proposed building right now by perhaps an additional forty-five thousand to one-hundred thousand dollars. He reported he has been a contractor for twenty-five (25) years and can give examples of his work if they are needed.

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

BILL NO.79-15

PUBLIC HEARING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF ARNOLD STREET FROM DONALD STREET TO THE FIRST EAST/WEST ALLEY FROM A DISTANCE OF 455 . 95 FEET AND A WIDTH OF 14 FEET. THE SECOND ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF EWING AVENUE

Councilmember Henry Davis Jr. stated the Public Works Committee met and sends the bill to the Council with a favorable recommendation.

Gary Mason, 2123 South Arnold Street, spoke as the petitioner and presenter. He stated the alley has always been green space and never an alley. He stated this would consolidate the properties and make it so the neighbors can do their own work on the property.

There were no questions from Council.

Tom Nowack, 2212 Webster St, spoke in favor of the petition. He stated if the City put an alley there it will cost the City of South Bend a lot of money.

No one from the public spoke in opposition.

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.

BILL NO. 73-15

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA, AMENDING
SECTION 13-96 OF ARTICLE 10, CHAPTER 13 OFFENSES
AND MISCELLANEOUS PROVISIONS AND AMENDING
SECTION 2- 213 OF CHAPTER 2 ADDRESSING A
SCHEDULE OF ORDINANCE AND CODE VIOLATIONS OF
THE SOUTH BEND MUNICIPAL CODE

Councilmember Dieter reported the Health and Public Safety Committee met and sends the bill to the Council with a favorable recommendation.

Councilmember Scott, 711 Forest Ave., presented this bill. He stated this petition deals with irresponsible gunfire in the City because as most people know all shots fired up must come down. Mr. Scott stated the ordinance would tighten up the fine and demonstrate the City takes all gunfire seriously. Currently the fine is arbitrary and set by the officer writing the violation and the fine can vary widely. The bill would set the fine at \$2,500 maximum.

Councilmember Scott also stated that the petition would change the ordinance that any firearm fired would be seized and not returned until proof of payment and valid ownership of firearm. He stated this should be the purview of the police so the proposal strikes out that part of the ordinance. Councilmember Scott reported that the Chief of Police also favors this petition.

Scott Ruszkowski, Chief of Police, was available for questions. He thanked the Council for helping with this matter. He reported he does not want to do police work based on monetary advantage but this is a safety issue and a measure which should be passed.

Councilmember Dieter questioned what leeway does the City have to reduce the payment if the person cannot pay the fine? Also, he asked does the Police Department have a mechanism to enforce ShotSpotter which puts the teeth in this proposed ordinance.

Chief Ruszkowski answered that officers are not told to stay out of harm's way. He stated the officers have to use their discretion in each individual case and ShotSpotter can pinpoint these locations and if further evidence is found it can be put forward.

Councilmember Oliver Davis asked what are the average fines currently. He asked how many fines are given yearly on average and how many on New Year's and other celebration times. Councilmember Davis also asked since ShotSpotter is only available on the northwest side how will this bill be enforced on the whole City and what is the range of fines?

Chief Ruszkowski responded that he believes the range is around twenty-five (25) one-hundred (100) dollars and did not know how many of these fines are currently being issued.

Councilmember Scott stated during the research of this bill the average fine was around one-hundred dollars (\$100). He also did not know how many there were in a year. He stated most of the gunfire happens during Fourth of July and New Year's but even in the past two (2) weekends we have had random shootings.

Councilmember Oliver Davis asked how this will work since ShotSpotter is not available throughout the whole City.

Chief Ruszkowski responded enforcement will come down to the individual officer to find the person regardless if ShotSpotter is or is not in place. He reported the public can call in or the

officer can hear the shots and ShotSpotter is only an aid but the ascetics are exactly the same regardless.

Councilmember Oliver Davis expressed his concern that officers may not have the manpower to enforce this because it has not been enforced in the past.

Chief Ruszkowski responded that manpower isn't an issue and the issue is the egregious amount of gunfire in our community. He stated that the first person to receive the \$2500 fine will send a strong message to the community that guns arbitrarily fired cannot be accepted and he again applauded the Council for bringing this forward.

Councilmember Henry Davis Jr. stated celebratory gunshots are not the reason for the bill and asked if they would change the name of the bill since it gives a false impression.

Councilmember Scott responded 'celebratory' is not in the title of the bill but only an informal title he gave it. Councilmember Scott said irresponsible gunfire is a better term than celebratory.

Councilmember Davis Jr. said they have his support but asked if you think raising fees will stop criminal behavior. He also asked if they have any data that raising fees will stop this type of negative behavior.

Councilmember Scott responded that research proves fines do work to stop criminal behavior. He gave examples in the past where fines did stop criminal activity and people breaking City ordinances.

Councilmember Henry Davis Jr. replied that analogy is apples and oranges. He asked if they have more examples.

Councilmember Scott replied no.

Chief Ruszkowski responded that we have a large amount of gunfire and said the fine for possession of a gun illegally is \$250. He asked what is so egregious about increasing that to \$2,500 if it will save lives.

Councilmember Davis Jr. stated we keep raising fines and fees over the past four (4) years and he doesn't think this stops crime because crime has gone up. He wanted to make sure they were not starting a precedent of raising fees to stop crime because this has not stopped people from being bad tenets.

Councilmember Dr. Varner asked if this applies in an act of self-defense.

Chief Ruszkowski responded no and that this is also not applicable to a starter pistol or a twenty-one (21) gun salute.

Councilmember Dieter asked where the fines go.

Councilmember Scott responded that they go to the General Fund.

No one from the public spoke in favor of the bill.

Nosha Kasey, representing the Freemont Park Association, spoke in opposition to the ordinance. She stated she doesn't understand how this helps the community because this will lead to more crime to pay these high fines. She doesn't understand how these fines help and not hurt since they are so high.

Councilmember Scott responded that he agreed with that and violation is at the discretion of the Police Department because officers have the right not to give this violation and fine.

Councilmember Dieter spoke that fines have worked for loud noise issues and stated the intent is not to collect fines but to stop crimes. He said the Council has passed a lot of ordinances and he hopes this is enforced. Councilmember Dieter reiterated that bullets do come down and people have been shot because of this.

Councilmember Oliver Davis stated this is December 14th and New Year's is a little over two (2) weeks away. He stated the public needs serious awareness since this will take place New Year's Day and if this is not enforced to the level it should be the seriousness of it gets washed away

very quickly. Councilmember Davis also stated there needs to be a very clear role of what is self-defense because if someone shoots a warning signal his understanding is that a warning signal is still illegal. He stated there are times when he sees the wisdom of a warning shot and would look at this bill to reform that because this would harm the victim. He stated he hoped those looking at that would give some understanding to the importance of shots fired in self-defense.

Councilmember Dr. Ferlic stated he fully endorsed this public measure.

Councilmember Davis Jr. stated Indiana does have a stand your ground law but you still have a state law that covers us and protects people so they won't be victims of someone trying to hurt them.

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

BILL NO. 74-15

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA, AMENDING
CHAPTER 2, ARTICLE 8, BY THE ADDITION OF NEW
SECTION 2- 125 . 2 ENTITLED POST CITY EMPLOYMENT
RESTRICTIONS

Councilmember White reported that the Personnel and Finance Committee met and send this bill with no recommendation as they did not have adequate time and wished for public input.

Councilmember Henry Davis Jr., 5117 Idlewood Dr., spoke as the petitioner. He stated the attached proposal would alleviate transparency and this bill would call for a one (1) year prohibition of any City employee for leaving for a company that they worked within their role as City employees.

Councilmember Davis Jr. stated in an employee's tenure they still have three hundred and sixty-five (365) days from the time they put together a deal. He stated currently under the Mayor's executive order on ethics he has given the ability to wave this order but is silent under the proposed one (1) year employment ban that is set by State code. He stated the State has a similar ban to the one he is proposing. He reported he attached the State of Indiana, New York, Federal Government and City of Chicago bans as well to the ordinance.

Councilmember Scott asked if this included the Council.

Councilmember Davis Jr stated yes, however the Council has not negotiated a contract. What this bill is doing is making sure the people who are purchasing, the Board of Public Works, etc. who are making a determination of who gets a contract. Councilmember Davis Jr. said this does not affect whether your vote should be yay or nay but rather for the folks in Public Works or the Mayor's Office who do have that authority.

Councilmember Scott asked how this will be enforced and who would go and verify that the person left to work for a company that did business with the City and who would investigate?

Councilmember Davis Jr. responded that these are our laws and it is not the responsibility of the taxpayers to hold them responsible. He stated if there is a whistle blower who comes in and says Mr. Doe is working for Company A that will be enough.

Councilmember Scott asked has this been tested in court between an individual that has left and whether it has held up.

Councilmember Davis Jr. said he has no data but if someone enters an agreement they know the responsibilities and it is up to that individual. He stated that comes with choosing this job.

Councilmember Ferlic asked if this prosecuted the individual or the company and stated employees don't sign contracts.

Councilmember Davis Jr. responded that you have a hand book that states your responsibilities which is an agreement.

Councilmember Dieter said we have had dozens of things we have never investigated and given them to other places to investigate. He gave the examples of the former police chief and former deputy mayor who went to work with businesses who had done work with the City after they left. He asked if each would be investigated if this went through.

Councilmember Davis Jr. responded that this gives the Council the ability to investigate or develop an ethics commission to ensure transparency giving the Council more teeth within the given law to do their job better. He also stated the Council has the opportunity to hire counsel and has a full-time counsel.

Councilmember Oliver Davis asked when it was stated earlier that this was done in Indianapolis, if all state employees are currently under this rule.

Councilmember Davis Jr. responded yes.

Councilmember Oliver Davis asked who would serve on the ethics commission.

Councilmember Davis Jr. stated that you would have the ability to set that commission and the Council has that authority. He stated this opens the door to have more authority in this certain situation.

Councilmember Oliver Davis asked if employees have to follow this even if they don't have a formal contract.

Councilmember Davis Jr. responded you do have a contract verbally and when you cash your check.

Councilmember Oliver Davis asked if those other places that have this have not just left it up to the corporate counsel.

Councilmember Davis Jr. responded they have moved away from a one (1) person system.

Councilmember Oliver Davis asked if this would be for new hires.

Councilmember Davis Jr. responded yes this is for new hires and not existing employees.

Councilmember Ferlic asked do you see the City initiating a city suit and seeking monetary reparations.

Councilmember Davis Jr. responded I'm giving you the authority to do your job better and that we can come up with more reasonable ideas for how this works.

Councilmember Dr. Varner questioned the enforcement mechanism and how it exists. He thought the idea of an ethics idea is an appropriate idea.

Councilmember Dr. Ferlic stated this bill says effective January 1st 2016 for any person who works as an appointee, employee or official upon separation from the City and that these people have to go before an ethics committee according to the bill. He asked if the wording is correct. He stated Chicago and other cities have multiple exceptions but this bill does not have those exceptions.

Councilmember Davis Jr. responded that at the end of the day you are not allowed to misuse the public trust and the public tax dollars.

Councilmember Valerie Schey stated she appreciated this concern because there was concern when the former chief left for ShotSpotter and that might be an example of the sort of behavior you are trying to address. She asked the City Attorney if the language is as broad as the councilmembers are reading it.

Aladean DeRose, City Attorney, responded that depending on who is interpreting this bill it is capable of a very broad interpretation down to staff level employees and believed this is a regulation not a statute of the state law.

Councilmember Schey stated the spirit of this bill is good but the language should be tweaked.

Councilmember White stated we may not clean up the bill at this time but I would like to give the public an opportunity to address the bill.

Jessie Davis, P.O. Box 10205, South Bend Indiana, spoke in favor of the bill. He stated he is one of those people who have brought the Council numerous names of people who have left city employment and left to work with people who did have deals with companies. He stated a lot of the people who have been brought to your attention have been working with the City. He gave the examples of Mark Neil who left here, Chief Teachman, and the former street commissioner. He stated you have had numerous state and federal investigations and rumors about millions and millions of dollars. He stated if the Council doesn't vote unanimously he can guarantee he will keep at them. He stated the Council should pass it and tweak it like they do every other ordinance.

David Frank, 50520 Burton Wood, stated Jessie Davis has done a great job but this keeps getting glossed over. Mr. Frank stated we need something in this community that has some teeth. He stated the Council is responsible for three-hundred million dollars but if we have a conflict of interest it erodes the public confidence. He stated what Henry Davis Jr. is bringing makes a lot of sense.

Charles Hayes, 1135 Quidly Blvd, stated he has been working with the Council and other government agencies for years and years and believes they are pillars of integrity. He stated this would only be another layer of bureaucracy. He stated maybe there should be a potential discussion but there has currently been no accusation of any wrong doing regarding the people earlier mentioned. Mr. Hayes stated the Council should not support this.

Councilmember Davis Jr. stated he doesn't want to get into a conversation of who is wrong and who done it. He stated he is interested in closing loopholes and how these things are getting applied to taxpayers. Mr. Davis stated he did not give the South Bend Tribune the examples of Neal and Teachman. He stated we need a more responsible government and to become more responsible to the City's tax dollars.

Councilmember Dr. Ferlic made a motion to send the bill with an unfavorable recommendation to full Council. Councilmember Scott seconded the motion which carried by a roll call vote of six (6) ayes and three (3) nays (Councilmember Henry Davis Jr., Councilmember Oliver Davis, and Councilmember Derek Dieter).

BILL NO. 78-15**PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 6, ARTICLE 4, SECTION 6-10 (d) (2) OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING PLUMBING EXCAVATOR FEES CHARGED BY THE BUILDING DEPARTMENT**

Councilmember Scott made a motion to continue this bill until the January 11, 2016 meeting of the Council. Councilmember Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 75-15**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, Committee Chair, reported the Personnel Finance Committee met and it was the consensus of the Committee to send this bill to the full Council with a favorable recommendation.

John Murphy, City Controller with offices in the County City Building, made the presentation for this bill. He stated it has been the custom over the past few years to have quarterly budget transfers and additional appropriations in March, June, September, and December. He reported this is not additional money being appropriated, only transfers.

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

BILL NO. 76-15

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 \$233 , 296 FROM COUNTY OPTION INCOME TAX FUND (#404) AND \$87, 500 FROM LOCAL ROAD & STREETS FUND (#251)

Councilmember White, Committee Chair, recorded the Personnel Finance Committee met and it was the consensus of the Committee to send this bill to the full Council with a favorable recommendation.

John Murphy, City Controller with offices in the County City Building, made the presentation for this bill. Mr. Murphy stated the bill is for additional appropriations for the Civil City Funds. Details of the appropriations were provided for the Council. Mr. Murphy reported these numbers are only an estimate.

Councilmember Oliver Davis asked if Mr. Murphy found if the bill sent by the County is accurate. He also asked if there is anything we need to question.

Mr. Murphy responded that they will look at it but if it looks correct we'll pay for it.

Councilmember Dieter asked if the estimates given to the Council accompany that with receipts.

Mr. Murphy responded that they will ask for receipts.

Councilmember Dieter asked if they asked for receipts in the past.

Mr. Murphy responded that they haven't in the past.

Councilmember Dieter advised that they should ask for receipts. He stated in the past it has sometimes only been things hand written on paper and there is a lot of discrepancy that he has seen during his time on the Council that no one has questioned.

Mr. Murphy stated that was a good point and they will look into the receipts.

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

BILL NO.77-15

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2015 OF \$10, 000 FROM MPAC CAPITAL IMPROVEMENT FUND (#416) , \$4, 000 FROM CUSTOMER DEPOSIT FUND (#624) , \$750 FROM WATERWORKS SINKING FUND (#625) , \$5, 500 FROM WATERWORKS DEBT RESERVE 0 & M FUND (#629) , \$1, 887, 938 FROM SEWAGE 0 & M FUND (#641) , \$6, 160 FROM SEWAGE WORKS O&M RESERVE FUND (#643) , \$2, 827 FROM SEWAGE WORKS SINKING FUND (#649) AND \$3 FROM 2007B SEWER BOND FUND (#651)

Councilmember Dr. Varner reported the Utilities Committee met and it was a consensus of the Committee to send this bill to the full Council with a favorable recommendation. He also stated the large appropriation is for the Sewer Project.

John Murphy, City Controller, made the presentation for this bill. He stated this bill is for the enterprise funds, which were talked about in Committee. These include the Morris which is first for audio upgrades. He stated some of the other details are housekeeping measures, transferring funds with interests from one account to another. Mr. Murphy stated that Councilmember Dr. Varner mentioned the large one is part of a larger project which they are doing as a "pay as you go" instead of a larger bond.

There were no questions by the Council. There was also no one from the public to speak in support or opposition to the bill.

Councilmember Dieter made a motion for favorable recommendation to full Council concerning this bill. Councilmember Ferlic second which carried by a voice vote of nine (9) ayes.

Before Councilmember White, Chairperson, dissolved the Committee of the Whole she announced Councilmember Oliver Davis had a procedural question for the City Attorney.

Councilmember Oliver Davis asked the Council Attorney regarding the ethics bill they had just talked about, if it is voted down in the next part, how this proceeds since Councilmember Davis Jr. will no longer be on the Council.

City Attorney Aladean DeRose responded that the bill would need a new sponsor.

Councilmember Oliver Davis asked if it could be reintroduced next month.

City Attorney responded that she believed so.

Councilmember White asked for an example if I would like to, or any other member would like to, sponsor this bill after working out the questions we have we could carry forward in January.

City Attorney responded yes.

Councilmember Oliver Davis asked if this process would have to start all over again.

It was the opinion of the Council Attorney that since that would be the beginning of a new term the process would have to start all over again. She reported this is different from a bill being tabled.

Councilmember Henry Davis Jr. asked the members who are coming back in January if they are simply interested in supporting this bill as long as my name is not on the bill.

Councilmember White responded no.

Councilmember Henry Davis Jr. asked the Council if they are more interested in changing this after he leaves. He stated the questions they have on the wording could have been made weeks ago when this was filed. He stated that this is insulting and this bill was filed four (4) weeks ago.

Councilmember White responded no this is not the issue and not the intent.

RISE AND REPORT

Councilmember Scott made a motion to rise and report to full Council. Councilmember Dieter seconded the motion which carried by a voice vote of eight (8) ayes and one (1) nay (Henry Davis Jr.).

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 8:35 p.m. Council President Scott presided with nine (9) members present

BILLS – THIRD READING

BILL NO. 50-15

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT #1, FOR THE WEST PORTION OF 52933 SHELLBARK AVENUE, SOUTH BEND, INDIANA

Councilmember Oliver Davis made a motion to pass Bill 50-15. Councilmember Dieter seconded the motion which carried by a roll call vote of nine (9) ayes.

BILL NO. 65-15

THIRD READING ON A BILL AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1637 AND 1641 PORTAGE AVENUE, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

Councilmember Dieter made a motion to pass Bill 65-15. Councilmember Oliver Davis second the motion which carried by a roll call vote of nine (9) ayes.

BILL NO 79-15

THIRD READING ON A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST ALLEY TO BE VACATED IS THE FIRST NORTH/SOUTH ALLEY WEST OF ARNOLD STREET FROM DONALD STREET TO THE FIRST EAST/WEST ALLEY FRO A DISTANCE OF 455 . 95 FEET AND A WIDTH OF 14 FEET. THE SECOND ALLEY TO BE VACATED IS THE FIRST EAST/WEST ALLEY NORTH OF EWING AVENUE

Councilmember Ferlic made a motion to pass Bill 79-15. Councilmember Dieter seconded the motion which carried by a roll call vote of nine (9) ayes.

BILL NO. 73-15

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING SECTION 13-96 OF ARTICLE 10, CHAPTER 13 OFFENSES AND MISCELLANEOUS PROVISIONS AND AMENDING SECTION 2- 213 OF CHAPTER 2 ADDRESSING A SCHEDULE OF ORDINANCE AND CODE VIOLATIONS OF THE SOUTH BEND MUNICIPAL CODE

Councilmember Dieter made a motion to pass Bill 73-15. Councilmember Ferlic second the motion which carried by a roll call vote of nine (9) ayes.

BILL NO. 74-15

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 2, ARTICLE 8, BY THE ADDITION OF NEW SECTION 2- 125 . 2 ENTITLED POST CITY EMPLOYMENT RESTRICTIONS

Councilmember Ferlic made a motion to defeat Bill 74-15. Councilmember Dr. Varner seconded the motion which carried by a roll call vote of six (6) ayes and (3) nays (Councilmember Henry Davis Jr., Councilmember Derek Dieter, Councilmember Oliver Davis).

BILL NO. 75-15

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

Councilmember Ferlic made a motion to pass Bill 75-15. Councilmember Schey seconded the motion which carried by a roll call vote of nine (9) ayes.

BILL NO. 76-15

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 \$233, 296 FROM COUNTY OPTION INCOME TAX FUND (#404) AND \$87, 500 FROM LOCAL ROAD & STREETS FUND (#251)

Councilmember Ferlic made a motion to pass Bill 76-15. Councilmember Dr. Varner seconded the motion which carried by a roll call vote of nine (9) ayes.

BILL NO. 77-15

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND ENTERPRISE OPERATIONS IN 2015 OF \$10, 000 FROM MPAC CAPITAL IMPROVEMENT FUND (#416) , \$4, 000 FROM CUSTOMER DEPOSIT FUND (#624) , \$750 FROM WATERWORKS SINKING FUND (#625) , \$5, 500 FROM WATERWORKS DEBT RESERVE 0 & M FUND (#629) , \$1, 887, 938 FROM SEWAGE 0 & M FUND (#641) , \$6, 160 FROM SEWAGE WORKS O&M RESERVE FUND (#643) , \$2 , 827 FROM SEWAGE WORKS SINKING FUND (#649) AND \$3 FROM 2007B SEWER BOND FUND (#651)

Councilmember Ferlic made a motion to pass Bill 77-15. Councilmember Dr. Varner seconded the motion which carried by a roll call vote of nine (9) ayes.

RESOLUTIONS

RESOLUTION 15-105

A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 635 S. LAFAYETTE BLVD. , SOUTH BEND IN 46601 AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A TEN (10) YEAR REAL PROPERTY TAX ABATEMENT FOR RDISTRICT ONE, LLC

Chris Fielding, Department of Community of Investment with offices in the County City Building, presented this resolution. He stated the resolution is for a project just south of the Ivy Tower project. He stated Kite Reality in partnership with Kevin Smith are proposing to renovate the site into light industrial and office space. He stated they have many tenants signed up already. The total taxes abated would be \$933,000.00 and the total taxes remaining to be paid would be \$2,250,000.00.

There were no questions by the Council and no one from the public spoke in support or opposition to this resolution.

Sean Peterson, 506 W. South Street, spoke as the petitioner. He stated he appreciated the partnership with the City and looked forward to working with the City going forward.

Councilmember Dieter made a motion to adopt Bill 15-105. Councilmember Ferlic seconded the motion which carried by a roll call vote of nine (9) ayes.

RESOLUTION 15-106 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 1915 BENDIX DRIVE, SOUTH BEND, IN 46628 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (2) TWO-YEAR VACANT BUILDING TAX ABATEMENT FOR APPLETREE ASSOCIATES, LP

Councilmember Ferlic reported the petitioner was not present at the Committee meeting and they are sending the resolution forward with an unfavorable recommendation.

Councilmember Ferlic made a motion to continue this resolution until the January 11th, 2016 meeting of the Council. Councilmember Dieter seconded the motion which passed with a voice vote of nine (9) ayes.

RESOLUTION 15-107 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 LOT 4 PORTAGE PRAIRIE MINOR #5, SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (10) TEN YEAR REAL PROPERTY TAX ABATEMENT FOR ONTARIO PARTNERS, LLC

Councilmember Ferlic, Chairperson, reported the Community Investment Committee met and it was a consensus of the Committee to send this bill to the full Council with a favorable recommendation.

Chris Fielding, Department of Community Investment, with offices in the County City Building, presented this resolution. He reported this is a ten (10) year tax abatement for new construction. He reported the total taxes to be paid over ten (10) years will be \$2,400,000.00 and the total taxes to be abated will be \$800,000.00.

There were no questions from the Council.

Paul Ferrer, with offices at 227 S. Main St., was the petitioner of this resolution. He stated this is a new building which is already pre-leased at forty percent (40%). He stated they are excited about an available space coming onto the market.

There were no questions from the Council.

There was no one from the public either in support of or opposition to the resolution.

Councilmember Dieter made a motion to adopt Bill 15-107. Councilmember Ferlic seconded the motion which carried by a roll call vote of nine (9) ayes.

RESOLUTION 15-108

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 301 EAST SAMPLE STREET, SOUTH BEND, IN 46601 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A (5) FIVE-YEAR PERSONAL PROPERTY TAX ABATEMENT FOR MOSSBERG & COMPANY, INC

Councilmember Ferlic reported that the Community Investment Committee met and sends the resolution forward with a favorable recommendation.

Chris Fielding, Community Investment, Offices on the 14th Floor of the County City Building, served as the presenter for this resolution. He stated this a five (5) year personal property abatement for Mossberg who are looking to invest \$490,000.00 in new equipment for their company. He stated they currently employ ninety-nine (99) full time staff. The total taxes to be paid on the equipment for five (5) years will be \$62,768.00 and the total taxes being abated would be \$19,268.00 and the total taxes remaining to be paid will be \$42,036.00.

There were no questions from the Council.

James Holman, 301 E Sample St., served as the petitioner for this resolution. He stated they are an eighty-five (85) year old company and he is the third generation president of the company. He stated this abatement helps them acquire a piece of equipment that will allow them to win a one million dollar contract and employ new employees going forward.

There were no questions from the Council.

No one from the public spoke in favor of or against the resolution.

Councilmember Dieter made a motion to adopt Bill 15-108. Councilmember Ferlic seconded the motion which carried by a roll call vote of nine (9) ayes.

RESOLUTION 15-103

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND INDIANA, ENCOURAGING THE CITY TO STUDY THE FEASIBILITY OF IMPLEMENTING A LOCAL PUBLIC POLLING SYSTEM

Councilmember Ferlic reported the IT Committee met and sends this resolution to the Council with an unfavorable recommendation.

Councilmember Henry Davis Jr., 5117 Idlewood Dr., made the presentation for this resolution. He stated two (2) weeks ago there was an idea brought before the Council to issue funds to support a public polling system. He stated this system would try to do all we can to expand democracy, constructive conversation, and extend the Council's reach into the public. He stated what they are proposing is a system that would allow the community to have the ability to participate in our discussion. He stated this system is solely about expanding democracy in South Bend. He stated he is going to leave it up to the person he has been working with to further explain this proposal.

David Frank, 50520 Burton Wood, spoke in favor of the resolution. He reported he is a lifelong resident and has been pushing this plan for a long time. He stated it is time to use the 21st century technology to allow our residents input in how their tax money is spent. He stated taxpayers pay every dime that goes in this community but they have no input. He stated the reason the Councilmembers are called representatives is because they are supposed to represent someone other than themselves. He stated we now have a system that is corrupted by lobbies and special interests and the people's voices aren't heard. Mr. Frank stated five percent (5%) of the population now owns eighty-five percent (85%) of the wealth. We can change this right now in our community. He stated this proposal will allow the Councilmembers to understand what their constituents think. Mr. Frank stated that he doesn't know how they are doing it now. We have a

plan that will use television to allow the people to start coming up with ideas to make the community better. He stated the people in our community need to be more than taxpayers. We currently vote on American Idol, CNN, and other things but not what is important. He stated we vote every two (2) years for people who talk about transparency but then don't hear from them. Mr. Frank said this is a tool to use the television and the internet to bring issues to the community and they can be debated on. Right now Comcast uses \$900,000.00 a year and they want to take \$600,000.00 of that to implement this program. Mr. Frank said they are working with WNIT and that this can go to every other public broadcasting across the county. He stated issues will be addressed in this community either through violence or communication. He stated we have an excellent communication plan and they have a plan that outlines how this would work. Mr. Frank stated they are asking for the money initially appropriated by Comcast to be used for what it is supposed to be used for and that we can set a precedent for other communities across this country.

Councilmember Schey stated there is an app that we can do this with that only costs \$1,000.00. She stated she loves the idea but wants to do it for less.

Councilmember Oliver Davis asked if they are aware we have been having problems with WNIT. He was informed tonight this meeting is not being broadcasted correctly tonight and have had problems throughout the year. He asked if they are aware of these problems.

Dave Frank responded I guess not.

Councilmember Oliver Davis asked have you worked with state representatives who represent our citizens.

Councilmember Henry Davis Jr. responded no this proposal has not been presented to any state representative of this area. He stated this is the local governing body representing local issues. Davis Jr. stated this is not a step to create a new republic but enhance the ability to know what the public thinks about particular issues. He said he understands elected officials have thought this is to replace them or overthrow the government which is not the case. He said the app itself wouldn't support somebody who does not have a cell phone or know how to work a cell phone. He stated that would not include our seniors who do not know how to use those technologies.

Councilmember Oliver Davis asked has there been a discussion with St. Joe County officials or Mishawaka Council or the South Bend School Board.

Councilmember Henry Davis Jr. responded no that has not been started. He stated there is a very good opportunity to table this in efforts to expand the idea to include those other governing bodies in the face of this idea. He said he thinks it would be appropriate to do that.

Councilmember Davis Jr. stated he thinks Mr. Frank has been very patient over the past eight (8) years waiting to get this in front of the Council.

Councilmember Oliver Davis said what he has heard tonight has been different from what he has heard from Mr. Frank over the years. He asked if they are on the same page that this is different from what Mr. Frank has brought before that the votes of this system would replace the Council's votes.

Councilmember Henry Davis Jr. responded yes this is different. He stated regardless there is no way possible anyone on this Council can overthrow the government through their actions. He said he would like to have a responsible conversation.

Councilmember Oliver Davis said a whole group of other entities should be on this proposal not just the Council. He stated the proposal should have the School Board and Public Works and other entities. This is a different discussion than I understood when I first heard about the \$800,000.00.

Councilmember Henry Davis Jr. asked if there was any way Oliver Davis as a returning Councilmember for 2016 would be willing to facilitate those conversations.

Councilmember Oliver Davis stated he could live with the old idea that was presented.

Councilmember Dieter asked if they would clarify the purpose of this proposal. He asked if this is for the City to study this issue or allocating the \$600,000.00.

Councilmember Henry Davis Jr. responded that this is not legally binding.

Councilmember Dieter disagreed with him.

Councilmember Davis Jr. said the money is there for down the line.

Councilmember Dieter asked if there is going to be a relationship with WNIT for this.

Councilmember Henry Davis Jr. stated a relationship has started with WNIT over this.

Councilmember White asked if they would be willing to expand this to more members than the Council to increase transparency.

Councilmember Henry Davis Jr. responded yes.

Those from the public wishing to speak in favor:

Jessie Davis, P.O. Box 10205, South Bend Indiana, spoke in favor of this resolution. He stated he has spoken in favor of this a few times. He stated he thinks this is a great tool to give the Councilmembers a better tool of knowing what the opinion of their constituency is. He said this is an opinion poll not necessarily a vote by the public. He stated whether it goes forward tonight or in a future Council he doesn't care what they say, there is no way councilmembers talk to the majority of their constituents. He said this is not something that is going to go away. He said this gives us a tool to hold you accountable because we are not seeing that transparency currently.

James Pepple, 52205 Portage Rd., spoke in favor of the resolution. He stated he is a veteran and recipient of the Indiana Accommodation Medal. He stated that without communication you will not have success and we have the opportunity to increase communication in this community. He stated everything in the world has communication and if you do not have it you are going to have failure. He asked if there was communication with the people when they changed the roads to two (2) ways. He said if we do not have communication we are going to fail.

Reverend Sylvester Williams, 702 Lincolnway West, spoke in favor of the resolution. He said four (4) years ago he talked to the Council about public access. He said you are right Councilman Davis WNIT is down. He said that is hindsight though and this is future sight. He said radio is here and is going to be here and the only reason we are partnering with David Frank is because we are getting people involved with getting decisions forward. He said don't drop the ball on this like you did four (4) years ago with public access. He said people who don't have TV can use radio as well. Reverend Williams said this is about getting citizens involved and hopefully the next Council will be interested in this.

No one from the public spoke in opposition to the resolution.

Councilmember White stated she believes going forward this has to include the other local government entities.

Councilmember Ferlic stated he has seen presentations on technology that could be used for \$100 or \$300 a month for a City to collect feedback which would be very valuable. He said he understands this resolution is simply looking into the idea but that can be misinterpreted by the media and I don't support the way it is written right now.

Councilmember Henry Davis Jr. stated he wouldn't expect Councilmember Ferlic to support this.

Councilmember Dieter stated he encourages the next Council to look into this.

Councilmember Oliver Davis stated there has been misunderstanding on this resolution. He stated he likes where this is going but wants to include the other entities. He said he appreciates that we are looking at this again and stated that other cities have other entities that are broadcasted as well and it should not just be the Council. He said he likes the concept but it needs to be expanded.

Councilmember Dr. Varner stated this is going to be the same discussion as the adoption of the Public Access Channel which had been done away with. He stated the reach of WNIT is far beyond the City of South Bend and those other entities such as Elkhart need to pay a price in

whatever this is. He stated if South Bend has to go it alone with this it's not feasible under those circumstances, it has to be other entities buying into this.

Councilmember Dr. Ferlic stated he attended a meeting at Notre Dame which David Frank may be interested in which is an App and web application which can be used for less than \$200 for the City. He stated the whole app is trying to get all citizens using this. He stated this is a way to reach all the citizens and hopes David Frank reaches out to them. He thinks the ideas are great but it's obviously the \$600,000.00 price tag that I disagree with.

Councilmember Henry Davis Jr. spoke in rebuttal to the statements of the other councilmembers. He stated that radio and TV are encompassing to all citizens while an app would not reach all residents. He stated he is not against the app idea but wants to reach all people. In regards to Councilmember Dr. Varner's comments about including Elkhart, Councilmember Davis said he wanted to keep this program just to St. Joseph County and South Bend. He stated Elkhart, LaPorte, Niles and other entities is too far reaching at this time.

Aladean DeRose, City Attorney, stated that she was concerned about the language of the resolution if it went through because it refers to a specific plan and the next Council would be required to only look into this proposal. She suggested amending the resolution to also say "including but not limited to".

Councilmember Henry Davis Jr. stated that the proposed additional language would include the proposal of looking into an app and they were not interested in that and they were only interested in their proposed system. He stated this resolution was intended for this specific proposal.

Councilmember Dieter made a motion to amend the resolution to include the language proposed by the City Attorney. Councilmember Oliver Davis seconded the motion which carried by a voice vote of eight (8) ayes and one (1) nay (Councilmember Henry Davis Jr.).

Councilmember Dieter made a motion to adopt Bill 15-103 as amended. Councilmember Schey seconded the motion which carried by a roll call vote of nine (9) ayes.

BILLS FIRST READING

BILL NO.80-15 FIRST READING ON A BILL TO VACATE THE
FOLLOWING DESCRIBED PROPERTY: FIRST E/W ALLEY
NORTH OF CALIFORNIA AVE. BETWEEN SHERMAN AVE.
AND THE NORTH/SOUTH ALLEY

This bill had first reading. Councilmember Scott made a motion to refer Bill 80-15 to the Public Works Committee and set it for Public Hearing and Third Reading on January 11th, 2015. Councilmember Dieter seconded the motion which carried by a voice vote of nine (9) ayes.

BILL NO. 81-15 FIRST READING ON A BILL AMENDING THE ZONING
ORDINANCE FOR PROPERTIES LOCATED AT 5603 F J
NIMTZ PARKWAY, THE SOUTHWEST CORNER OF F J
NIMTZ PARKWAY AND MOREAU COURT AND PROPERTY
NORTH OF AND ADJACENT TO 3575 MOREAU COURT,
SOUTH BEND, INDIANA COUNCILMANIC DISTRICT NO 1
IN THE CITY OF SOUTH BEND, INDIANA

This bill had first reading. Councilmember Scott made a motion to refer this bill to the Zoning and Annexation Committee and set it for Public Hearing and Third Reading on January 11th, 2015. Councilmember Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

BILL 82-15 FIRST READING ON A BILL OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND INDIANA, ESTABLISHING

A POLICE AID PROGRAM AND FUND

This bill had first reading. Councilmember Scott made a motion to refer this bill to the Public Health and Safety Committee and set it for Public Hearing and Third Reading on January 11th, 2015. Councilmember Schey seconded the motion which carried by a voice vote of nine (9) ayes.

UNFINISHED BUSINESS

Councilmember Scott made a motion to hear Bill No. 15-109, Bill No. 15-110, Bill No. 15-111, and Bill No. 15-112 at the same time. Councilmember Schey seconded the motion which was approved by a voice vote of nine (9) ayes.

BILL NO. 15-109

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND INDIANA,
PUBLICLY THANKING HENRY DAVIS, JR.
FOR TWO 4-YEAR TERMS OF PUBLIC
SERVICE AS THE 2ND DISTRICT COUNCIL
MEMBER

Councilmember Dr. Varner read the resolution in support of Councilmember Henry Davis Jr. This resolution publicly commends the various achievements by Henry Davis Jr. during his two (2) terms on the South Bend Common Council representing the 2nd District. The Common Council wishes Henry Davis Jr. and his family the best going forward.

BILL NO. 15-110

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND INDIANA,
PUBLICLY THANKING VALERIE SCHEY
FOR ONE 4-YEAR TERM OF PUBLIC SERVICE
AS THE 31W DISTRICT COUNCIL MEMBER

Councilmember Oliver Davis read the resolution in support of Councilmember Valerie Schey. This resolution publicly commends the various achievements by Valerie Schey during her one (1) term on the South Bend Common Council representing the 3rd District. The Common Council wishes Valerie Schey and her family the best going forward. Councilmember Oliver Davis also thanked Valerie Schey for her time as Chairperson of the Committee of the Whole.

BILL NO. 15-111

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND INDIANA,
PUBLICLY THANKING AND COMMENDING
DR. FRED FERLIC FOR DILIGENTLY
SERVING AS THE 4TH DISTRICT COUNCIL
MEMBER FOR 2012-2015

Councilmember Ferlic read the resolution thanking Councilmember Dr. Fred Ferlic for his four (4) years on the Council representing the 4th District. This resolution publicly commends the various achievements by Dr. Ferlic during his time on the South Bend Common Council. The Common Council wishes Dr. Ferlic and his family the best going forward.

BILL NO. 15-112

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND INDIANA,
PUBLICLY THANKING AND COMMENDING
DEREK D. DIETER FOR HIS
DISTINGUISHED TWELVE (12) YEARS OF

DEDICATED SERVICE AS A MEMBER OF THE
COMMON COUNCIL

Councilmember White read the resolution in support of Councilmember Derek Dieter. This resolution publicly commends the various achievements by Councilmember Dieter during his three (3) terms on the South Bend Common Council. The Common Council wishes Derek Dieter and his family the best going forward.

Peter Buttigieg, Mayor of the City of South Bend, with offices on the 14th Floor of the County City Building, expressed on behalf of the City of South Bend gratitude for the work of the outgoing councilmembers. He stated he sincerely wishes all four (4) of these councilmembers the best going forward. The Mayor stated that people do not come to the City Council for glamor or for money. The Mayor, wishing to grant the highest honor the city can grant, brought the four (4) outgoing councilmembers forward and gave them each a Key to the City of South Bend.

Jesse Davis, P.O. Box 10205, South Bend Indiana, stated he would like to thank you all four (4) of the outgoing councilmember for their service. Mr. Davis stated he thinks everyone is here to make the City a better place and he appreciates their work.

Noasha Kacy, 1902 N. Freemont, gave a special thanks to Councilmember Derek Dieter for helping with the Freemont Association's reading program. She also thanked Henry Davis Jr. for all the programs he helped her with during his time on the Council.

Sharnell Mayfield, 5121 Cedarwood Ln., spoke in support of the outgoing councilmembers. She specifically thanked Henry Davis Jr. for his service to his district and the City. She stated Henry Davis Jr. helped her come back to the City and get involved with bettering the City and seeing the bigger picture of what South Bend can be.

Councilmember White spoke in appreciation for all of her outgoing colleagues. She stated her thanks for everything they have done during their time in public service.

Councilmember Ferlic spoke in favor of the outgoing councilmembers and also wanted to single out his father Councilmember Dr. Fred Ferlic for exceptional public service and lifelong commitment to making people's lives better.

Councilmember Oliver Davis thanked each of his colleagues for working with him during his time on the Council. He also wanted to thank Henry Davis Jr. as they had a special relationship since they were elected together.

Councilmember Dr. Varner spoke in favor of the outgoing councilmembers and thanked them for their service to the City. He stated that diversity in all things is key to having a successful Council and wanted to thank the outgoing members for all the things they have taught him.

Councilmember Dr. Ferlic spoke about future projects going forward in South Bend he is excited about. He also challenged his fellow councilmembers and the City Clerk's office to look into gun control measures and lighting Colfax Bridge. He stated he is more excited about South Bend now more than any time before.

Councilmember Henry Davis Jr. spoke in appreciation of everyone who helped serve with him during his time in office. He also thanked the City Clerk's office for their help during his time in on the Council.

Councilmember Valerie Schey thanked everyone who worked with her during her time on the Council. She stated this was such a great learning opportunity and challenge but is very grateful for getting to know so many different people and life perspectives.

Councilmember Scott thanked all the outgoing councilmembers for their service and what they have helped teach him. He stated they all in their own way helped make him a better person. Councilmember Scott agreed with the Mayor that the councilmembers do not do this for money or fame but to help the City of South Bend.

Councilmember Dr. Varner made a motion to adopt Resolutions No. 15-109, No. 15-110, No. 15-111, and No. 15-112. Councilmember Ferlic seconded the motion which carried by a voice vote of nine (9) ayes.

NEW BUSINESS

Councilmember Dieter stated this is the fourth time WNIT has aired a different meeting and not the one being held. He stated they should be paying the City of South Bend back for those missed meetings.

PRIVILEGE OF THE FLOOR

Jesse Davis, P.O. Box 10205, South Bend, Indiana. Mr. Davis asked about what Block by Block is doing with the money they are receiving from the City.

Noasha Kacy, 1902 N. Freemont, wanted to thank the Council on behalf of the Freemont Foundation for approving their splash pad.

ADJOURNMENT

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 10:24 p.m.