

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, January 12, 2015 at 7:00 p.m. The meeting was called to order by Council President Tim Scott and the Invocation (Chairman John Warren of the Pokagon Band of Potawatomi) and Pledge to the Flag were given.

ROLL CALLCOUNCILMEMBERS:

Present:	Tim Scott	1 st District, President
	Henry Davis, Jr.	2 nd District
	Valerie Schey	3 rd District
	Fred Ferlic	4 th District
	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
John Voorde	City Clerk
Janice I. Talboom	Deputy
Kareemah Fowler	Chief Deputy

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Varner made a motion that the minutes of the December 8th, 2015 meeting of the Council be accepted and placed on file. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

SPECIAL BUSINESS

Council President Scott announced that the South Bend Common Council is accepting applications for citizen members for its 2015 Standing Committees. He also announced that there are openings for the Diversity Utilization Board; Redevelopment Commission (2) appointments and Urban Enterprise Association (2) appointments. He advised that applications may be found on-line on the Council's website and in the Office of the City Clerk, 4th Floor County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana. Applications are to be filed in the Clerk's Office by January 20th, 2015.

REPORTS FROM CITY OFFICES

Tim Scott, President, South Bend Common Council, 4th Floor County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana, states reports from City offices will be due the fourth Monday of each month instead of every Council meeting. Mayor Pete and Chief of staff Kathryn Roos were in attendance.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:12 p.m. President, Varner made a motion to resolve into the Committee of the Whole. Councilmember Valerie Schey seconded the motion which carried by a voice vote of nine (9) ayes. Councilmember White, Chairperson, presiding.

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

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

PUBLIC HEARINGS

BILL NO.

58-14 PUBLIC HEARING ON A BILL TO AMEND THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1430 MISHAWAKA AVE. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

Oliver Davis, Chairperson Zoning and Annexation Committee ask for a motion continue due to petitioner not being present. Recommendation from council motion to continue with notification to be send again to the proper address motion to continue to January 26, 2015. Motion carried by voice vote of (9) ayes.

59-14 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING SECTION 6-37.1 OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING VACANT BUILDING MAINTENANCE AND REGISTRATION

Councilmember Valerie Schey made a motion to continue to January 26, 2015 Councilmember Varner, seconded the motion which was carried by a voice vote of nine (9) ayes.

66-14 PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING VARIOUS SECTIONS OF CHAPTER 20, ARTICLE 7, OF THE SOUTH BEND MUNICIPAL CODE TO ADDRESS SNOW REMOVAL PRACTICES AND PROCEDURES

Councilmember, Valerie Schey made a motion to continue the bill to January 26, 2015, Councilmember Gavin Ferlic seconded the motion all in favor by a voice vote of nine (9) ayes.

RISE AND REPORT

Councilmember Henry Davis made a motion to rise and report to full Council. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of nine (9) 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 7:19 p.m. Council President Tim Scott, presided with nine (9) members present.

BILLS – THIRD READING: -

No Third Readings at this time.

RESOLUTIONS: -

No Resolutions presented at this time.

BILLS - FIRST READING

01-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE ISSUANCE OF BONDS BY THE CITY OF SOUTH BEND, INDIANA TITLED AS ECONOMIC DEVELOPMENT INCOME TAX BONDS OF 2015 AND OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE PAYMENT OF INCIDENTAL EXPENSES ON ACCOUNT OF THE ISSUANCE OF THE BONDS AND REPEALING ORDINANCES INCONSISTENT HEREWITH

This bill had first reading. Councilmember Valerie Schey made a motion to refer this bill to the joint committee of Community Investment and PARC set it for Public Hearing and Third Reading on January 26, 2015. Councilmember White seconded the motion which carried by a voice vote of nine (9) ayes.

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

This bill had first reading. Councilmember Karen White made a motion to refer this bill to Area Plan Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

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

This bill had first reading. Councilmember Valerie Schey made a motion to refer this bill to the Public Works and Property Vacation Committee and set it for Public Hearing and Third Reading on January 26, 2015. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

UNFINISHED BUSINESS: Councilmember Gavin Ferlic made the motion to suspend the rules to allow first reading on bill No 04-15 filed with the City Clerk, this bill has clarifications amendments regarding social media policy. This bill reflects specific feedback and amendments in regards to litigation and is being filed in an effort to avoid litigation. The bill will only have first reading to amend existing legislation on January 26, 2015. Councilmember Derek Dieter seconded the motion all in favor by voice vote of (8) ayes and (1) nay by Council member Oliver Davis.

REPORT FROM AREA PLAN COMMISSION

NEW BUSINESS

Councilmember Gavin Ferlic would like to make the motion at the request of Corporate Counsel Cristal Brisco motion to appoint Council attorney Kathy Cekanski- Farrand to receive mail/notice and file appearance in the case of (ACLU) Davis vs. South Bend pending in Federal District court. Cristal Brisco is the lead Attorney. Tim Scott so moved, Councilmember White seconded the motion followed by a voice vote of (9) ayes.

Councilmember Henry Davis, states concerns with whether or not Council Attorney Kathy Cekanski- Farrand would have the time and resources necessary to handle (ACLU) case Davis vs. South Bend and was assured by Councilmember Gavin Ferlic that Cristal Brisco is the lead Attorney on the case not Kathy Cekanski- Farrand.

Councilmember Henry Davis reiterated that he wants to move forward with dates for Health and Public Safety Committee regarding a resolution passed last year in regards to minority recruitment.

PRIVILEGE OF THE FLOOR

Council President Tim Scott, states quick housekeeping note on privilege request/submissions. Moving forward, will get an answer back to the person filing a week from the time it's filed. We as the Council do not want to give unrealistic expectations of request/complaints of what the Council can do.

Jesse Davis, P. O. Box 10205, South Bend, Indiana, stated that he would like to see the City's sewer insurance ordinance reviewed in terms of South Bend Water Works he states, there are really big water and sewer bills for individuals that aren't utilizing the service. He would like the Council to look into this. Davis states that the landlords are struggling to keep water on because of the high rates even if there is no usage due to vacancy the bills are still very high.

Samuel Brown, 415 LaSalle, South Bend, Indiana, stated something needs to be done about Martin Luther King Blvd. as promised move/installed to a major road in the City of South Bend, it's well over due.

ADJOURNMENT

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 7:48 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Tim Scott, President