

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, June 8, 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 were given.

ROLL CALL**COUNCILMEMBERS:**

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| Present: | 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 |
| | Gavin Ferlic | At-Large |
| | Karen L. White | At-Large, Chairperson Committee of the Whole |

Absent: Derek Dieter At-Large, (Vice-President)

OTHERS PRESENT:

| | |
|---------------------------|-----------------------|
| Kathleen Cekanski-Farrand | Council Attorney |
| Janice I. Talboom | Deputy |
| Kareemah Fowler | Chief Deputy (Absent) |

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Oliver Davis made a motion that the minutes of the May 26th, 2015, meeting of the Council be accepted and placed on file. Councilmember Mr. Ferlic seconded the motion which carried by a voice vote of eight (8) ayes.

SPECIAL BUSINESS

Council President Tim Scott announced that the tall grass ordinances and associated bills; bill 22-15, and bill 15-35 have been continued to June 22nd, 2015.

15-42 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, RECOGNIZING AND PUBLICLY HONORING BONNIE STRYCKER FOR HER CLOSE TO 40 YEARS OF DEDICATED SERVICE AT THE YOUTH SERVICE BUREAU AND FOR HAVING AN ENDURING AND VERY POSITIVE IMPACT OF THOUSANDS OF YOUTH IN OUR COMMUNITY

Whereas, the Common Council of the City of South Bend, Indiana recognizes that on July 20, 1972, the Youth Service Bureau began as a result of funding from the federal Law Enforcement Assistance Administration and matching funds from the City of South Bend; and

Whereas, the Common Council further recognizes that in 1974, a Purdue Boilermaker from the class of 1969, was hired as an outreach worker, who also continued to work on earning her Masters from IU South Bend in 1976, and was then appointed the Youth Service Bureau's Executive Director in 1977; and

Whereas, today, the Youth Service Bureau is the area's only Emergency Youth Shelter which helps children, youth and families "reach their potential for success" by providing emergency shelter, case management and continued outreach to young people in crisis by focusing on the following "runaway & homeless youth outcomes" of "safety, permanent connections, well-being and self-sufficiency" ; and

Whereas, under Bonnie’s dedicated and creative leadership, last Fall, the South Bend Regional Airport became just 1 of 3 airports in the country to be designated as a “Safe Place”, and it became 1 of 143 Safe Places located throughout St. Joseph County; and

Whereas, YSB partners together “to help change lives and make our community great” with many partners including the City of South Bend, Beacon Health System, Unity Gardens, United Way, Martin’s, Centier, Saint Joseph Regional Medical Center, 1st Source Bank, the Indiana Youth Institute, AARC, Busy Hands of Michiana, Burkhart and Crowe Horwath, who have all worked very closely with Bonnie and her Board of Directors in developing advocacy programs & volunteer opportunities to help youth in crisis; and

Whereas, from YSB’s humble beginnings, to the practical and innovative Youth Development Services, Young Mom’s Self-Sufficiency, Porch Light, and Street Outreach, Bonnie’s saying that “if you are not busy growing, you are busy dying” is being championed 24/7 by providing youth with an opportunity “to live free from violence, abuse, neglect, harassment, stalking, exploitation and fear” by fostering stable living situations.

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

Section I. On behalf of all of the residents of the City of South Bend, Indiana, the Common Council is especially honored and proud to recognize a very special person, **BONNIE STRYCKER**, who has dedicated the last 40 years, working at the Youth Service Bureau, by developing the best “quality crisis intervention and programing” for youth & families.

Section II. The Common Council congratulates Bonnie for her tireless work, which has and will continue to positively influence youth throughout our community. We wish Bonnie, who was personally challenged as a widow to raise three great daughters – Theresa, Maggie & Maureen – all the very best, as she begins a rewarding & well-earned retirement.

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

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| <hr/> Tim Scott, 1 st District | <hr/> Oliver J. Davis, 6 th District |
| <hr/> Henry Davis, Jr., 2 nd District | <hr/> Derek D. Dieter, At Large |
| <hr/> Valerie Schey, 3 rd District | <hr/> Gavin Ferlic, At Large |
| <hr/> Dr. Fred Ferlic, 4 th District | <hr/> Karen L. White, At Large |
| <hr/> Dr. David Varner, 5 th District | <hr/> Kathleen Cekanski-Farrand, Council Attorney |
| <i>Guest:</i> | <i>Approved this ____ day of June, 2015.</i> |
| <hr/> Office of the City Clerk | <hr/> Pete Buttigieg, Mayor of South Bend |

Councilmember Dr. Fred Ferlic presented Resolution 15-42 to the full Council. Councilmember Dr. Ferlic thanked her for her service and dedication.

Bonnie Strycker made some remarks; as she recalled coming before the Council throughout her years of service. She thanked those currently serving and their predecessors on the Council for their support and compassion for the city of South Bend and particularly to the Youth Service Bureau.

Councilmember Karen White – Thank you for your commitment to our youth. Thank you for giving 40 years of your life to our troubled youth; for that I sincerely thank you.

Councilmember Gavin Ferlic – Thank you so much for your service.

Councilmember Oliver Davis – It has been a pleasure working with you over the years. You have been an inspiration. I enjoyed my time devoted to your office. I wish we could have done more financially to help. I thank you for what you’ve done. Congratulations on your retirement.

Councilmember Dr. David Varner – Congratulations on your accomplishments, best wishes in your future and retirement.

Councilmember Valerie Schey – Thank you so much Bonnie for being there for the kids.

Councilmember Henry Davis, Jr. – Our short conversation that we had about your retirement, I learned that you have a calling on your spirit. Because of people like you others are able to see the light. You will be missed, thank you so much for your commitment.

Council President Tim Scott – Bonnie, in the short time that I’ve known you, I appreciate everything that you’ve done. Best of luck in retirement.

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 Mr. Gavin Ferlic made a motion for acclimation for Resolution 15-42. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

15-43 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, THANKING ALL MEMBERS OF THE SOUTH BEND POLICE DEPARTMENT, THE SOUTH BEND FIRE DEPARTMENT, ALL MEDICAL NURSES, DOCTORS AND STAFF, AND THE COUNTLESS VOLUNTEERS WHO MADE SOUTH BEND 150 AND THE GUS MACKER 3-3 BASKETBALL TOURNAMENT SUCH A SUCCESS

Whereas, the Common Council of the City of South Bend, Indiana recognizes that the Birthday Weekend Celebration for South Bend 150 was a spectacular event held on May 22-24, 2015 with an estimated 60,000 people enjoying the River Lights, food courts, adventure games, with about 2,200 zip-lining across the St. Joe River; and

Whereas, the Common Council further notes that thanks to the hard-work, dedication and tireless work of 120 SB150 Committee Members, over 1,000 Volunteers, financial support from more than 250 organizations and individuals along with the outstanding help from the South Bend Police Department and South Bend Fire Department for safety and the logistical help of the Department of Public Works, Street Department, Parks Department, Mayor’s Office, Visit South Bend Mishawaka and Downtown South Bend, Inc. who donated their time, skills, talents and monetary donations, that Birthday Weekend Celebration created lasting memories for countless diverse individuals of all ages; and

Whereas, the Gus Macker 3-on-3 Basketball Tournaments which have been providing opportunities and entertainment for the past 42 years around the country, were also part of the Birthday Weekend celebrating South Bend’s Past, Present and Future; and

Whereas, the Gus Macker was played on the newly refurbished Jefferson Boulevard & at the Howard Park parking lot, which provided fun opportunities for teams which were bracketed by age, height & experience levels; and

Whereas, a great volunteer network of nurses and doctors meticulously attended to twisted ankles, bruised knees, heat stroke, and a few more serious conditions, as persons of all ages and skill sets participated with spirit, athleticism and enthusiasm, with medical volunteers working side by side many of City’s public safety staff, and

Whereas, the Common Council would like to especially thank Memorial Hospital Sports Medicine Division, Chairperson Dr. Linda Mansfield and St. Joseph Medical Center Sports Division, Chairperson Dr. Steve Simons, who along with all of their very dedicated medical personnel, made this event safe and possible:

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

Section I. On behalf of all of the residents of the City of South Bend, Indiana, the Common Council thanks and honors all volunteers, and especially extends its gratitude to those who made **South Bend 150** a safe venue for all to enjoy.

Section II. The Common Council congratulates everyone who helped and participated for a **JOB WELL DONE!!**

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

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| <hr/> Tim Scott, 1 st District | <hr/> Oliver J. Davis, 6 th District |
| <hr/> Henry Davis, Jr., 2 nd District | <hr/> Derek D. Dieter, At Large |
| <hr/> Valerie Schey, 3 rd District | <hr/> Gavin Ferlic, At Large |
| <hr/> Dr. Fred Ferlic, 4 th District | <hr/> Karen L. White, At Large |
| <hr/> Dr. David Varner, 5 th District | <hr/> Kathleen Cekanski-Farrand, Council Attorney |
| <i>Attest:</i> | <i>Approved this ____ day of June, 2015.</i> |
| <hr/> Office of the City Clerk | <hr/> Kathryn Roos, Chief of Staff, Mayor’s Office |

Councilmember Dr. Fred Ferlic invited Dr. Linda Mansfield the head of Sports Medicine at Memorial Hospital, Dr. Steve Simons the head of St. Joseph Medical Center, Steven Cox the Fire Chief, Jeff Ryneanson the Police Department, Brian Pawlowski the Mayor’s Office, and Kylie Carter SB150 Program Coordinator to the podium. Councilmember Dr. Ferlic presented Resolution 15-43 to the full Council to thank them and all those involved for their services during the celebration of SB150 basketball tournament.

Steven Cox, South Bend Fire Chief, 1222 S. Michigan St, South Bend – I’m here representing Chief Lopez who worked with SB150 team to make sure this was a successful event. We appreciated being a part of it.

Dr. Steve Simons, St. Joseph Medical Center, City of Mishawka – We like to thank the Council and all the physicians who helped with the event. We appreciate the acknowledgement.

Dr. Linda Mansfield, Memorial Hospital, City of South Bend – I would like to thank Dr. Ferlic for letting us be a part of this event. This gave our staff the opportunity to give back to the community. This gave my kids the opportunity to come out, be active, and stay fit. Thank you.

Kylie Carter, SB150 Program Coordinator, 110 Franklin Place – I would like to thank the Council for this recognition and acknowledgement of the countless people who worked so hard to make this a community changing event. It was an honor to be a part of something that was so big. Thank you very much.

Jeff Rynearson, SB Police Department – Thank you for this acknowledgement. I would like to thank Lt. Gene Eisner for his hard-work and countless hours that he put in. I also want to recognize the countless Police Officers who gave up their Memorial Day weekend to make this a safe venue. Thank you.

Brian Pawlowski, Offices on the 14th Floor – There is a reason why this only happens every 150 years. I would like to thank Aaron Perry and Kylie Carter as they made this happen, along with all of our volunteers and the support that the Council gave. Hopefully, we can do events like this in the future.

Councilmember Henry Davis, Jr. – I had an awesome time down there, and played in the tournament. I recognized all the workers. It was a safe environment. Thank you so much for your time and commitment to the community. Where are Cedric and Brandon? We needed them to be here. But outside of that thank you so much, and God bless you all.

Councilmember Valerie Schey – Thank you all. We need to thank Mother Nature as it was a beautiful and wonderful day. Thank you for all of your efforts.

Councilmember Dr. David Varner – I echo the remarks spoken by others. This event was everything and more. Thanks again to Mother Nature. There was a lot of excitement, hopefully we can build upon that in the future. I would like to thank all of you for your efforts.

Councilmember Oliver Davis – The hard-work paid off in so many ways. I would like to thank each and every one of you for dedicating your time. I truly had a good time and look forward to being at the next 150th year anniversary.

Councilmember Gavin Ferlic – The entire event was incredible. I would like to speak on behalf of the Gus Macker committee when I say, the people from the fire department, medical, and volunteers your support and effort was incredible. Thank you.

Councilmember Karen White – I would like to echo my words of thank you to each and every one of you. I had a lovely time, it was beyond words. I would like to acknowledge our citizens and how they embraced this opportunity to come together and enjoy the city of South Bend. As Councilmember Oliver Davis stated hard-work does pay off.

Council President Tim Scott – The one thing I got from it was the joy and energy was incredible. It is good to step back every now and then and just celebrate and enjoy the city. I appreciate everything that everybody did towards it.

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

There being no one present wishing to speak to the Council either in favor of or in opposition to this bill, Councilmember Mr. Gavin Ferlic made a motion for acclimation for Resolution 15-43. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

REPORTS OF CITY OFFICES

There were no city reports to come before the full Council.

ANNOUNCEMENT: REPRESENTING THE CITY ADMINISTRATION WILL BE DEPUTY CHIEF OF STAFF – BRIAN PAWLOWSKI

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:25 p.m. Council President Scott requested a motion to resolve into the Committee of the Whole. So moved by Councilmember Valerie Schey. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of eight (8) 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

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 22-15 for June 22nd, 2015. Councilmember Valerie Schey seconded the motion which carried by a voice vote of eight (8) ayes.

Councilmember Karen White reported there will be a special committee meeting on Tuesday, June 16th, at 5:00pm in the Chambers on bill 22-15. The public is invited so we can hear concerns and feedback. The public can send emails to the Council President or sponsors of the bill, which is Dr. Fred Ferlic or myself.

RISE AND REPORT

Councilmember White requested a motion to rise and report to full Council. So moved by Councilmember Oliver Davis. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of eight (8) 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 7:28 p.m. Council President Tim Scott, presided with eight (8) members present.

BILLS - THIRD READING

There were no third readings to come before the Council this evening.

RESOLUTIONS

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

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

A PARCEL OF LAND BEING A PART OF PARENT PART OF LAND AS DESCRIBED IN DEED RECORD INSTRUMENT NUMBER 9944308 AS RECORDED IN OFFICE OF RECORDER OF ST. JOSEPH COUNTY, INDIANA, IN PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 3 EAST, CITY OF SOUTH BEND, PENN TOWNSHIP, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32; THENCE SOUTH 00°16'29" EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER; A DISTANCE OF 1,988.74 FEET TO THE SOUTHWEST CORNER OF CRESCENT OAKS SECTION 1A, A REPLAT OF CRESCENT OAKS SECTION 1, AS RECORDED AS INSTRUMENT NUMBER 0839817 IN THE OFFICE OF RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 89°51'58" EAST ALONG THE SOUTH LINE OF CRESCENT OAKS SECTION 1A, A DISTANCE OF 706.23 FEET TO THE SOUTHEAST CORNER OF CRESCENT OAKS SECTION 1A; THENCE NORTH 00°31'01" WEST ALONG THE EAST LINE OF CRESCENT OAKS SECTION 1A, A DISTANCE OF 134.72 FEET; THENCE SOUTH 89°28'59" WEST ALONG THE EAST LINE OF CRESCENT OAKS SECTION 1A, A DISTANCE OF 10.93 FEET; THENCE NORTH 00°31'01" WEST ALONG THE EAST LINE OF CRESCENT OAKS SECTION 1A, A DISTANCE OF 188.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°31'01" WEST ALONG THE EAST LINE OF CRESCENT OAKS SECTION 1A, 178.50 FEET; THENCE NORTH 89°28'59" EAST ALONG THE EAST LINE OF CRESCENT OAKS SECTION 1A, 9.51 FEET; THENCE NORTH 00°31'01" WEST ALONG THE EAST LINE OF CRESCENT OAKS SECTION 1A, 123.07 TO THE NORTHEAST CORNER OF CRESCENT OAKS SECTION 1A.; THENCE NORTH 89°53'49" EAST, 168.00 FEET; THENCE NORTH 00°16'57" WEST, 125.00 FEET; THENCE NORTH 89°53'49" EAST, 232.00 FEET; THENCE SOUTH 85°49'33" EAST, 202.76 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 2,235.00 FEET, BEING SUBTENDED BY A CHORD OF 158.62 FEET, BEARING SOUTH 13°44'17" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE 158.65 FEET; THENCE SOUTH 82°47'05" EAST, 136.53 FEET; THENCE SOUTH 88°33'39" EAST 22.41 FEET; THENCE SOUTH 00°08'02" EAST, 105.24 FEET; THENCE NORTH 89°51'58" EAST 19.71 FEET THENCE SOUTH 00°08'02" EAST, 159.73 FEET; THENCE SOUTH 89°51'58" WEST , 71.02 FEET TO THE NORTHEAST CORNER OF CRESCENT OAKS SECTION TWO AS RECORDED AS INSTRUMENT NUMBER 1210614 IN THE OFFICE OF RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 83°32'59" WEST ALONG THE NORTH LINE OF CRESCENT OAKS SECTION TWO, 73.42 FEET; THENCE SOUTH 89°51'58" WEST ALONG THE NORTH LINE OF CRESCENT OAKS SECTION TWO, 76.58 FEET; THENCE NORTH 79°46'57" WEST ALONG THE NORTH LINE OF CRESCENT OAKS SECTION TWO, 60.00 FEET; THENCE NORTH 10°13'03" EAST ALONG THE NORTH LINE OF CRESCENT OAKS SECTION TWO 1.91 FEET; THENCE NORTH 89°33'02" WEST ALONG THE NORTH LINE OF CRESCENT OAKS SECTION TWO, 469.66 FEET TO THE POINT OF BEGINNING; SAID DESCRIBED PARCEL CONTAINING 6.23 ACRES, MORE OR LESS.

Subject to any easement, covenants, restriction, and right way of record.

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

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as a Residentially Distressed Area under Indiana Code 6-1.1-12.1, et seq., and South

Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

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

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

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

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

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

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

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

SECTION IV. The Common Council hereby determines and finds that the proposed described redevelopment can be reasonably expected to yield benefits identified in the Statement of Benefits and the petition for real property tax abatement consideration and that the Statement of Benefits

form prescribed by the State Board of Accounts are sufficient to justify the deduction granted under Indiana Code 6-1.1-12.1-3.

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

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

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

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

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

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

Member of the Common Council

Councilmember Gavin Ferlic made a motion to accept the substitute version for bill 15-33. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

Councilmember Gavin Ferlic, Chairperson, Community Investment Committee met this afternoon and send bill 15-33 to the full Council favorably.

Presenter: Brock Zeeb, Department of Community Investment, Offices on the 14th floor – Before you is a residential real property tax abatement for Tampico Developments, LLC. It is a request for a 26 home project. \$3.9 million dollars will be spent; the homes will range between 1,400 and 1,800 sq. ft. The total taxes created from the project are \$246,532, total taxes to be abated over the five (5) year period are \$213,236 and total taxes to be paid during will be \$33,296. The petitioner is here to answer any questions that you may have.

Petitioner: Daryl Knip, 750 Lincoln Way East, South Bend – We are requesting a five (5) year tax abatement. The homes are middle class homes ranging from \$150,000 up to \$195,000. I will be happy to answer any questions.

Councilmember Henry Davis, Jr. – I have a question about the tax abatement for Brock. I am interested in discussing taking tax abatements to areas that don't necessarily receive them. I would like to have a conversation on making special exceptions on Western Ave. Brock Zeeb responded that he would be happy to have a conversation about that. Tax abatements are open throughout the city and Western Ave is open on the Western side with no restriction as long they come prior to the building permit. Councilmember Davis interjected that it is a different process. Brock Zeeb gave an example of a previous special request and reiterated that he would be happy to set up a meeting with him. Councilmember Davis stated it was an example but I am talking

about other special exceptions not just limiting it just to the Westside as it needs to be open across the board.

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 to adopt this resolution. Councilmember Dr. Varner seconded the motion which carried and the Resolution was adopted by a roll call vote of eight (8) 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 continue bill 15-35 for June 22nd, 2015. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

BILLS - FIRST READING**BILL NO.**

28-15 FIRST READING ON A BILL AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 742 EAST IRELAND ROAD, SOUTH BEND, INDIANA COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND INDIANA

This bill had first reading. Councilmember Karen White made a motion to refer this bill to the Area Plan. Councilmember Mr. Ferlic seconded the motion which carried by a voice vote of eight (8) ayes.

29-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE AS A MENDED BY REPEALING AND REPLACING ARTICLE 5 PLANNED UNIT DEVELOPMENT DISTRICTS

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to the Area Plan. Councilmember Karen White seconded the motion which carried by a voice vote of eight (8) ayes.

30-15 FIRST 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 \$200,000 FROM LOCAL ROAD & STREETS FUND (#251), \$800 FROM PROFESSIONAL SPORTS DEVELOPMENT FUND (#377) AND \$316,091 FROM CREDIT FUND (#408)

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to Personnel & Finance for June 22nd, 2015 for second and third reading. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

31-15 FIRST 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 \$14,500 FROM WATERWORKS BOND RESERVE FUND (#626) AND \$297,000 FROM CENTURY CENTER FUND (#671)

This bill had first reading. Councilmember Karen White made a motion to refer this bill to Personnel & Finance for June 22nd, 2015 for second and third reading and Public Hearing. Councilmember Gavin Ferlic seconded the motion which carried by a voice vote of eight (8) ayes.

32-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2015

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to Personnel & Finance for second and third reading for June 22nd, 2015. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

UNFINISHED BUSINESS

Councilmember Henry Davis, Jr. updated the Council on this past week's resolution meeting that was on file. The Assessor and the Treasurer, Mike Kruk both came in to discuss how properties are assessed. The resolution will come back before the Council, as the work done in the office effects the way we do business as it relates to property taxes paid into the state. This was a meaningful discussion on what we can do to provide services in the city. I would like to thank Councilmember White for opening the discussion for the betterment of our community. Councilmember Davis inquired about an update on MLK Drive, Council President stated that he has a comment on that. Councilmember Davis commented on the cosmetics of Greenlawn and Southwood that the beautification is nice. As a Councilmember, I wish that those exciting cosmetics could happen across the entire city. But when we are dealing with cutting grass, and simple services, you cannot have but an ill feeling with the way things are happening. You are dealing with areas of low-income to cover the cost of curbs and upkeep for property that they will never own. I am talking about services that we are supposed to be rendering to citizens as a government as they are unable to pay for it.

Councilmember Valerie Schey made a comment pertaining to the permeable pavers as South Wood is a part of 3rd District. The permeable pavers was a part of the CSO project; as an alternative they were used instead of putting in pipes and drains. My question is for the utilities committee, since the permeable pavers was used an alternative, although I agree it is more attractive, were they less expensive? Councilmember Henry Davis, Jr. responded so we disrupt other areas with curbs, and traffic signs that disrupt traffic and restrict growth; when we have another option that is more attractive and allows the street to exist in the manner in which it was built. My point is it is inequitable, what we do for one we should do for the other. Council President Tim Scott responded I agree we need to have more conversations on that point.

Council President Tim Scott reported on MLK Drive, I will be putting together guidelines on the application process and setting deadlines this week. Karen and I met with the Mayor; the Mayor has three seats on the committee to fill. We are waiting for the administration on their feedback on guidelines, along with their vision. In the meantime, I would like to hear feedback from the Council. I will be sending an email to Councilmembers tomorrow. As long as I get enough feedback we can start the conversation with the public by the end of this week.

NEW BUSINESS

There was no new business to come before the Council.

PRIVILEGE OF THE FLOOR

Jesse Davis – P.O. Box 10205, South Bend – I come before you about bill 24-15 which will be heard June 22nd. They propose that they are saving money, but don't answer to any questions. They replaced local contractors, they were caught double billing, and using city workers for repairs. There is a discrepancy of \$6,000 that is unaccounted for. I have a discrepancy about who they are hiring and the rates that are being charged for sewer repairs. Where is the money going? I hope we get to the bottom of this before this bill passes.

Samuel Brown – 222 E. Navarre St., South Bend – I represent the group Citizens United for a Better Government. Lincoln Way West, I am confused on how you can get off the side streets as there are no stop lights. I would hate for an accident to happen in the winter. One of the city lots

has a tree hanging over a home. The homeowner was asked to go through their homeowners, when it is clearly the city that owns the lot. After you take these houses down, we have no-one that comes in and cleans up these lots.

Keith D. Shrock – President of Lord Marketing (Facebook based), South Bend – I’m going to mention SB150, as in the past we have been called a dead city. I posted your good news on the SB150 tonight. SB150 was an arousing success. I think you should give yourself a high-five. A major Chicago magazine picked the story up, from our photos of the colored fountains. As a result the Chicago magazine, named our city as the number one (1) honeymoon destination for Chicagoland people.

Darrell McKinney, 501 Alonzo Watson Dr. – Drive, South Bend – I have been driving down Cushing Street and I believe California, and the city needs to get the trees in front of the stop signs. This should be the first block of Cushing St. If not there will be a major accident as the stop sign is not visible.

ADJOURNMENT

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 7:56 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Tim Scott, President