

CITY OF SOUTH BEND - COMMON COUNCIL

PRESENT: 9

ROLL CALL SHEET

ABSENT: 0

REGULAR MEETING: October 10th 2016

NAME	ROLL CALL	46-16	47-16	55-16	56-16	58-16	62-16	64-16	16-67	16-81						
REGINA PRESTON	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
RANDY KELLY	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
JO BRODEN	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
DR. VARNER	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
MR. OLIVER DAVIS (Vice President)	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	NAY						
MR. FERLIC (Committee of the Whole)	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
MR. VOORDE	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
KAREN WHITE	PRESENT	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE	AYE						
TIM SCOTT (President)	PRESENT	AYE	AYE	AYE	NAY	AYE	AYE	AYE	AYE	AYE						
TOTAL:	9/0	9/0	9/0	9/0	8/1	8/1	9/0	9/0	9/0	8/1						

REPORT OF SUB-COMMITTEE ON MINUTES


TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:

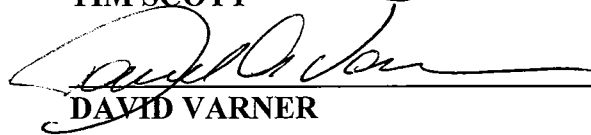
THE SUB-COMMITTEE HAS INSPECTED THE MINUTES OF THE

October 10, 2016

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: October 24, 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, October 10, 2016 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
Regina Williams-Preston	2 nd District
Randy Kelly	3 rd District
Josephine Broden	4 th District
Dr. David Varner	5 th District
Oliver J. Davis	6 th District, Vice President
John Voorde	At-Large
Gavin Ferlic	At-Large, Chairperson Committee of the Whole
Karen L. White	At-Large

OTHERS PRESENT:

Kareemah Fowler	City Clerk
Jennifer Coffman	Chief Deputy Clerk
Alkeyna Aldridge	Deputy Clerk
Joseph Molnar	Clerk Executive Assistant
Kathleen Cekanski-Farrand	Council Attorney
Adriana Rodriguez	Legal Research Assistant

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Gavin Ferlic made a motion that the minutes of the September 26th, 2016 meeting of the Council be accepted and placed on file. Councilmember Karen White seconded the motion which carried by a voice vote of nine (9) ayes.

SPECIAL BUSINESS

Council President Tim Scott announced that Bills 41-16, 59-16, 60-16, 61-16, 63-16, 44-16, 45-16, and 57-16 will all be continued until later dates.

Councilmember Oliver Davis announced that at the next Zoning and Annexation Committee meeting they will have an informational hearing only on the Commerce Center rezoning where they will be asking for certain reports to be given to the Committee. The request list will be sent out for an update to the Committee and Council for a building report, traffic study, Community Investment report, Engineering report, Area Plan Commission confirmation of documents, impact on housing, ABZA minutes from December 2013, and a recommendation from the Mayor. We have ninety (90) days to complete this and would like to have this all done by the first meeting in November.

16-82

A RESOLUTION OF THE COMMON COUNCIL
OF THE CITY OF SOUTH BEND, INDIANA,
PUBLICLY HONORING EMIL "LUCKY"

REZNIK FOR APPROXIMATELY FIFTY (50)
YEARS OF FAITHFUL SERVICE AS A
MEMBER OF TRANSPO & FOR HIS
EXEMPLARY DEDICATION TO THE SOUTH
BEND

Councilmember Oliver Davis read the resolution in full and voiced his support for Lucky Reznik and all the work he has done for the City. Councilmember Davis invited other members of Transpo to come up to the podium as well.

John Leszczynski, Chairman of the Board of Transpo with a residential address of 1525 East Riding Mall South Bend, stated he has known Lucky Reznik for all the years he has been on the board. Lucky has been a true friend and mentor to him. Lucky is a pillar of the community thinking always first for the riders in South Bend and Mishawaka.

David Cangany, General Manager and CEO of Transpo with offices at 1401 S. Lafayette Blvd South Bend Indiana, stated he remembers when he interviewed for this position how much Lucky stood out to him. Lucky has been a truly wonderful contribution to our community and also known on a national level for his leadership in the transit field.

Mayor Pete Buttigieg, Offices on the 14th Floor of the County-City Building, stated he just wanted to echo the voices praising Lucky. He stated he has come to know Lucky not only as a community leader but also as a friend as they go to the same gym. From the locker-room to the boardroom, Lucky is a decent and warm spirited and wise person. South Bend has been very fortunate for nearly fifty (50) years for his service and guidance. Mayor Buttigieg also thanked Mrs. Reznik for sharing Lucky with the City for all that time.

Councilmember Davis stated it is great to see so many people come out in support of someone like Lucky who has given South Bend so much. It is amazing to see someone give so much leadership to one community over such a long period of time.

Each Councilmember thanked Lucky for his service and dedication to South Bend.

Mr. Reznik thanked everyone for their kind words. He stated he has appreciated all the time he has spent with Transpo. He thanked his wife for putting up with so many evenings where he wasn't home and the times he had to travel.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Gavin Ferlic made a motion to adopt Bill 16-82. Councilmember Regina Williams-Preston seconded the motion which carried by a vote of nine (9) ayes.

REPORTS OF CITY OFFICES

Representing the City Administration will be Mayor Pete Buttigieg.

Mayor Buttigieg provided the Council with an update on the City and issues that have been of interest lately. We have received word that legislation is moving through Congress on the WRDA. This is important to South Bend because it includes language that will allow affordability analysis and integrated planning when it comes to the CSO. The House and Senate versions are a little different but we are all going to want to keep close tabs on this and there may come a time where it will be important for the residents of South Bend to make their voices known regarding favorability.

Smart Streets has entered into probably the most disruptive few days of the construction because we have some East/West closures combined with utility work and work done in front of Chase Tower. Reith Riley, the contractor for the project, has set a goal of Saturday October 15th, 2016 to have at least everything in between the curbs on Main Street completed. In a matter of days everything south of Sample will have two-way traffic. The largest remaining piece will be completing St. Joseph St. which will stretch into November. We are working hard to make sure that goal is met. He stated his appreciation for the patience that the community has shown. The

U.S. Secretary of Transportation has recognized the City of South Bend by granting the City the Secretary's Award for Overall Success. This is the first time in recent memory that a U.S. Cabinet Secretary has recognized South Bend and it was largely based on our work with Smart Streets. We are not saying mission accomplished because we have a long way to go on this project but it is nice to see that validation for the approach that the Administration has pressed and the Council has approved.

The First Lady of the U.S. also took time to single out South Bend for the work the City has been doing with her "Let's Move" initiative. That is a credit to a lot of people, largely in the County, on reducing obesity and encouraging child nutrition, wellness, and exercise.

He stated his appreciation for the leadership and engagement of the Council on the question of community and police relations. It continues to be the top topic in public discussion for Mayors of diverse cities around the country and certainly that is true here. There continue to be a number of conversations both public and quieter private conversations which we expect to continue in the weeks and months to follow. He thanked the Council again for the dialogue that has been very much open so far.

Mayor Buttigieg stated he would like to offer a couple of framing remarks around the budget and salary ordinances that are before the Council tonight and in two (2) weeks. The overall story, as he presented a few weeks back when the budget was first brought to the Council, is that we are working with tight resources but finding ways to get ahead of future structural issues while maintaining the bond rating that has South Bend as one (1) of the best in our class fiscally. In particular there will be reorganization that has been asked of the Council and will be seen in the salary ordinances. Particularly consolidating the Parks and City venues into the Department of Venues, Parks, and Arts which we think will bring our place making to the next level. Forming the new Department of Innovation and Technology solidifies the gains we have made in terms of our ability to have a forward looking IT department. The Police Department is also undergoing a lot of structural and organizational work which bears on current and future salary ordinances.

When it comes to the salary ordinance itself, the Council will see some fluctuations in headcount. There are a number of new positions, but six (6) of those in the Fire Department are intended to more than pay for themselves due to reduced overtime. There are also some reductions due to efficiencies like our Administration and Finance Department and a reduced caseload in the Human Rights Commission.

Mayor Buttigieg wanted to state officially that the Administration heard the Council's interest in moving faster than originally planned on the migration to \$10.10 as the wage floor for City employees. This was originally scheduled to be the second of three (3) years on a path to \$10.10 but due to favorable news on income taxes and other adjustments that were made we were able to be receptive to the Council and make that part of the budget this year. We really are trying to adjust salaries throughout the City to maintain competitive from the bottom to the top. There will be interest in some of the salaries at the department head level, but we are always guided by trying to make sure our positions are competitive with our peer cities. Three (3) positions that are likely to get attention are department head level positions. Hopefully everybody will probably understand that the new position for the consolidated Department of Venues, Parks, and Arts has greater responsibility than the current director position has. Also, the Controller and Corporation Counsel positions have both demonstrated seven (7) figure value in terms of what the City can do when those departments are going well. Millions of dollars in refunding savings have come from the bond side in the Controller's Office and a tremendous amount of avoided litigation when it comes to the good work done by our Legal team. Those may attract some attention because their salaries are higher than the Mayor salary but that is appropriate given the market.

Mayor Buttigieg stated he wanted to stress the philosophical point about salaries that what goes before the Council in the ordinance is not about any salary for any individual. Rather it is about the salary that is appropriate for the position. Decisions about an individual based on qualifications, experience, and performance are made with regard to what the Council passes as the cap. An individual may make that amount or an amount that is less than the cap. It is in that decision where the qualifications and success of the individual are considered. What we ask the

Council to consider in making your decisions are what is appropriate for the position regardless of who the individual holding that position may be.

The bargaining units are still in process and will go before the members of the respective Teamsters and FOP bargaining units for those wages. We are trying to make sure that the two (2) percent (2%) increase that non-bargaining employees can expect are also given to the union members. You may not see that in the base pay because some unions may prefer to recoup that in the things of benefits or retirement. That point has guided the Administration in our determination on what to bring to the Council.

Public safety continues to be eighty-two (82%) of the general plus fund. While we are requesting a current funding level for the 2017 PSAP program, at a certain level we will be working in the executive board and operations board to hopefully identify ways to not reach the cap of what we are asking the Council to authorize.

In another area where the Administration really heard the Council is the Curbs and Sidewalks program at \$1.5 million. We understand that the neighborhoods are a major priority for the Council and we are trying to make good on that.

Lastly as we prepare for the 2020 fiscal curb, we are going to be very careful about renewing any positions. Anytime we have a retirement for example we are going to ask ourselves if it makes sense for us to fill that position. It is just one (1) way to make sure we are remaining lean and efficient as a City.

Mayor Buttigieg thanked the Council for listening to his presentation and offered to answer any questions.

Council President Scott stated we will do two (2) questions per Councilmember fairly quickly because we have a long agenda before us.

Councilmember Regina Williams-Preston thanked the Mayor for hearing the Council's request to raise the minimum wages for the City a year ahead of schedule.

Councilmember Jo M. Broden stated there are a lot of good things in that presentation and thanked the Mayor for the entirety of his report. She asked how we could get the budget to a two (2) year cycle. When we look at the Administration's staff time and Council time that goes into this it really is an incredible amount of time. That would be a worthwhile conversation to have. This process this year with the Priority Based Budgeting has been terrific and is a great direction. She stated she doesn't believe anyone on the Council is afraid of the heavy work load but the question still needs to be asked if we could drive anything policy-wise downstate to get a change to that.

Mayor Buttigieg responded he would be the first to welcome anything we can do to keep the workload associated with budgeting under control. Once we get full blown Priority Based Budgeting in place next year we will be in that much better position to make decisions on a broader horizon and certainly welcome that conversation both here in South Bend and downstate.

Councilmember Broden stated one (1) of the resounding questions at the meeting out in the community, albeit though there weren't that many people there, was how do we make this process more open and available on an ongoing basis so it is not a really loaded crunch just in a one (1) month period. We should bring along the public on a quarterly basis. There have been terrific tools developed by the finance folks to make it easier for the public to understand but there has been an intense interest from people on how we are spending our dollars and what we are spending them on. The Administration has done terrific things in that regard but we can always be better.

Mayor Buttigieg responded that for us transparency really means not only pushing information out but also making it user friendly. That is why the Administration and Finance Department created the Popular Annual Financial Reports so they don't have to know how to read a CAFR to understand where their money is going. We want to move more in that direction so the information is not only available but also intelligible for the public.

Councilmember Broden responder that is terrific, thank you.

Councilmember Oliver Davis thanked the Mayor for speeding up the \$10.10 minimum wage because he had expressed the desire for that at our last Council meeting. Along with the Curbs and Sidewalks Program, those have been key issues that have come up from the district. He asked the Mayor for an outline of seven (7) things in this budget that we are actually doing to prepare for the 2020 fiscal cliff so that we can go out and explain it to our constituents and also the CSO agreement. Also, Councilmember Davis asked what we can do to address our tent city developing under the bridge. It is getting cold out and those people need shelter. He asked if we can open up more shelters or aid some other non-profits looking to help. Some of those people because of past reasons cannot stay in some of those shelters but they are still members of our community and we have to deal with the problem.

Mayor Buttigieg responded those questions probably deserve richer answers than we probably have time for tonight but stated he would work on communicating clearly what we are trying to do about the fiscal cliff and CSO. On the homelessness issue, Suzanna Fritzberg, Deputy Chief of Staff for the Mayor's Office, is coordinating an interagency conversation and we are going to have a number of fairly swift and urgent dialogues with community partners to work on some solutions. There is probably going to be a difference in the short, medium, and long-term solutions but we are certainly very conscience that it is on people's minds.

Councilmember Davis asked that when they have those meetings if they could copy the Council on the emails to let us know. So many times we are asked as Councilmembers what are we doing as a City and he would like to be able to share those details. That could involve a member of the Council sitting in on the meeting so we actually know what the Administration is doing.

Mayor Buttigieg responded that he would be happy to do that and if any of the Council present wished to compile a list of Councilmembers who want to be more in the loop on the homelessness issue we will take that and use it to keep Council informed.

Councilmember John Voorde stated one (1) thing he is particularly impressed by and supportive of are the changes in the Parks Department and expansion of duties there. He stated he looks forward to seeing that playing out and the IT Department as well. So many things that are maybe beyond his technological skill level but can appreciate what is being done there.

Councilmember Karen White thanked the Mayor for addressing the minimum wages for our employees, that was a top priority and for the City to have the opportunity to not wait until next year is a good move and our employees will be very pleased. As we end the budget process, she stated she wanted to publicly thank the Administration specifically John Murphy and his staff for all of their hard work and responded to the questions that the Councilmembers had. She also thanked them for attending all the meetings over the past two (2) months. She specifically likes the four (4) page summary that was developed by Jennifer Hockenhull, Councilmember White stated she has used that information multiple times and citizens have responded it is very user friendly. She stated she brings it to her visits to the neighborhood associations. She particularly liked the focus regarding salary adjustments of looking not at the individual but the position.

Council President Tim Scott also thanked the Mayor for the minimum wage increase because it was definitely discussed within Council. Also following up on Councilmember Broden's comments, in his business they put out quarterly KPI reports. That may help transparency to get a KPI of what each department is doing in relation to the budget. That may help show citizens where we are at as a City throughout the year and go a long way for the Council as well.

Mayor Buttigieg responded he will certainly take that idea into consideration and one (1) bit of good news from IT is next year we will be in a better position than ever before to satisfy that request.

Council President Scott thanked the Mayor for his total report.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:47 p.m. Councilmember Karen White made a motion to resolve into the Committee of the Whole. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes. Councilmember Gavin Ferlic, Chairperson, presiding.

Councilmember Gavin Ferlic 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

35-16

PUBLIC HEARING ON AN ORDINANCE 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 NO. 1, FOR 22965, 24632, 24650, AND 24700 US 20; 54270 PINE ROAD; AND A TRACT OF LAND ADJACENT TO AND EAST OF 54270 PINE ROAD, SOUTH BEND, INDIANA

Councilmember Oliver Davis, Committee Chair of the Zoning and Annexation Committee, reported that they met and send this bill forward with a favorable recommendation.

Angela Smith, Area Plan Commission with offices on the 11th Floor of the County-City Building, served as the presenter of this bill. The petitioner is seeking to rezone this property and annex into the City of South Bend under the LI Light Industrial zoning designation. Ms. Smith provided images of the property which are on file with the City Clerk's Office. The existing property is agricultural and general manufacturing. It is surrounded by a variety of zoning districts in the County ranging from M-Manufacturing to R-Single-Family District. There are no proposed developments at this time so there is not a site plan associated with the rezoning and annexation. The total areas for annexation is seventy-one (71) acres while the total areas to be rezoned is sixty-eight (68) acres. This comes to the Council with a favorable recommendation from the Area Plan Commission subject to written commitments, the written commitments state that at such time the property is developed if the property owner wishes to access Pine Road they must complete a traffic study that is accepted by both the City and County Engineering Departments and approved by INDOT.

Mike Danch, 1643 Commerce Dr. South Bend, served as the petitioner for this bill. What we are asking to do is annex this ground just to the west of the airport. There was an agreement between the City of South Bend and the Airport Authority, the City did some recruitments for the Airport Authority and in exchange for that the City is getting the property. We would like to take this from the County and bring it into the City of South Bend under the LI Light Industrial category. As earlier mentioned, any eventual development would be subject to the written commitments.

There were no questions from the Council.

There were no comments from members of the public.

Councilmember Oliver Davis made a motion to send Substitute Bill 35-16 to the full Council with a favorable recommendation subject to the written commitments dated August 17th, 2016 and set for third reading on October 24th, 2016. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes.

41-16

PUBLIC HEARING ON AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 401 EAST COLFAX AVENUE, 228 & 230 SYCAMORE STREET, & 312 LASALLE AVENUE, COUNCILMANIC

DISTRICT NO. 4 IN THE CITY OF SOUTH
BEND, INDIANA

Councilmember Regina Williams-Preston made a motion to continue Bill 41-16 until November 14th, 2016 and accept the substitute on file with City Clerk's Office. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes.

55-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, RE-AFFIRMING
ORDINANCE NO. 10333-14 AND FIXING THE
ANNUAL PAY AND MONETARY FRINGE
BENEFITS OF SWORN MEMBERS OF THE
SOUTH BEND FIRE DEPARTMENT FOR
CALENDAR YEAR 2017

Councilmember John Voorde, Committee Chair of the Health and Public Safety Committee, reported that they met and send this bill forward with a favorable recommendation.

John Murphy, City Controller with offices on the 12th Floor of the County-City Building, served as the presenter and petitioner for this bill. On October 27th, 2014 the Council passed a three (3) year collective bargaining ordinance covering 2015, 2016, and 2017. This ordinance just reaffirms the agreement negotiated at that time. During that time first class firefighters received a two point two percent (2.2%) raise during each of those years.

Councilmember Davis asked if that increase was in their base salaries and not the fringe benefits.

Mr. Murphy responded it was an increase in their base salary.

There were no comments from the members of the public.

Councilmember Oliver Davis made a motion to send Bill 55-16 to the full Council with a favorable recommendation. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes.

56-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, SETTING THE
ANNUAL SALARY FOR THE COMMON
COUNCIL MEMBERS FOR CALENDAR YEAR
2017

Councilmember Karen White, Committee Chair of the Personnel and Finance, reported that they met and send this forward with a favorable recommendation.

Council President Tim Scott, with offices on the 4th Floor of the County-City Building, served as the presenter and petitioner for this bill. We are proposing for the Common Council to receive a two percent (2%) maximum increase raise for 2017. Current salary is \$18,658 and this would bump that up to \$19,030. Council President Scott thanked all the Councilmembers for their input and the service on this Council. He also thanked Council Vice President Oliver Davis and Committee of the Whole Chairperson Gavin Ferlic not only for this portion of the budget but also for the entire Council budget.

Councilmember Davis stated he would like to clarify that the two percent (2%) is consistent with what the other employees across the City are receiving.

Council President Scott responded that is a good point. We traditionally go in line with what the common salary increase for employees across the City is.

There were no comments from the members of the public.

Councilmember Oliver Davis made a motion to send Bill 55-16 to the full Council with a favorable recommendation. Councilmember John Voorde seconded the motion which carried by a voice vote of nine (9) ayes

57-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, SETTING THE
ANNUAL SALARY FOR THE SOUTH BEND
CITY CLERK FOR CALENDAR YEAR 2017

Councilmember Regina Williams-Preston made a motion to continue Bill 57-16 until October 24th, 2016. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

58-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, AMENDING
CHAPTER 20, ARTICLE 1, SECTION 20-18 AND
CHAPTER 2, ARTICLE 19, SECTION 2-213 OF
THE SOUTH BEND MUNICIPAL CODE TO
INCREASE PARKING FINES, AND TO ADD A
NEW SECTION 20-23.1 TO PROVIDE FOR
DISCRETIONARY AMNESTY BY CITY CLERK

Councilmember Karen White, Committee Chair of the Personnel and Finance, reported that they met and send this forward with a favorable recommendation.

Aaron Perri, Director of the Parks Department, served as the petitioner and presenter of this bill. He stated he will be discussing in this presentation not only this ordinance but also things that pertain to Bill 16-81 which the Council will hear later tonight. The Power Point presentation used by Mr. Perri is on file with the City Clerk's Office. Last summer, the Department of Community Investment and DTSB went under a six (6) month parking study where they hired a group to evaluate our entire parking program downtown. We looked at our current supply, future demand, turnover rates, occupancy rates, and benchmarked what other cities are doing. It was heavily weighted with stakeholder engagement throughout. We heard from the parkers, businesses, and a public survey was distributed. In late February and early March of this year the findings were presented at a public meeting at the Century Center and was shortly thereafter posted on the City website. Throughout the summer we made sure we met individually with stakeholder groups that are going to be impacted by these findings whether they be rate changes or other changes. We went through a tremendous amount of input to ensure we are bringing the Council the best possible legislation. We also did some legal and technical preparation, there are some really new and creative things we are introducing to South Bend and we are making sure we have the technology available to execute those ideas. That brings us here today to approve these changes and embed them in the 2017 budget. There are a large amount of deferred maintenance projects in the garages and the need for new signage as well. We will have some new automation that helps us accept credit cards and automatic payments.

Mr. Perri continued by explaining the three (3) large findings: First, there is a sufficient parking supply to keep up with increasing demand. There are some blocks that are deficient but there are many blocks that have more than enough supply so there are some programmatic changes we need to put in place to ensure that proper parking is allocated. The average stay in DTSB is just under two (2) hours so it comes to show that the one (1) hour spaces are really not being used and we intend to change all of those to two (2) hours. We will keep the fifteen (15) minute spaces. We also plan to make all grace periods in the garages consistent at two (2) hours free at all three (3) garages. Second, parking garage rates are too low to sustain operational and capital needs. Our rates are however significantly lower than other municipalities. We hope to implement some creative alternate rate structures and introduce some things we have never seen

before in South Bend. Third, the citation fines for on-street parking were too low to encourage the type of behaviors we want to see and the turnover we would like to see. We also know that the collection rates are too low as well. The Clerk's Office is correcting some of those things and we will get a presentation from the Clerk in a few moments.

Currently with parking rates compared to similar sized cities in the area, South Bend is at the bottom. Our reserved rate, which is one (1) person one (1) spot, is very inexpensive currently which leads to a lot of unused space. The last time the parking rates were increased was 2008. Previously the City had been on a five (5) year trend so certainly this is going to be the longest period without an increase in forty (40) years. The parking study uncovered approximately \$4.75 million in capital needs in the parking garages. The calculated break-even point to keep up with those needs is approximately \$125 per parker per month. We are not intending to make the rate that high and certainly not suggesting it. This just shows the City will continue to subsidize the garages to a degree.

One (1) piece of legislation deals with the on-street citations which is this ordinance here. The fine would increase from \$10 to \$20 and the late fee remains exactly the same at \$10. If the person does not pay in fourteen (14) days they are assessed the late fee. We are implementing something brand new which is a warning ticket. We are aware that we want to be a hospitable place to do business and it is common for people to not catch the sign or understand how parking works. This ordinance establishes that the first ticket a person receives each year will be a warning ticket and will not owe any money. It is important to note those warning tickets and increase in fees only apply to time violations. All other violations and fees stay the same. We will also introduce an annual late fee amnesty day which would apply to violations where there would be one (1) day per year where the person would be forgiven of any late fees. This encourages people to pay their overdue tickets.

Finally, the parking rate structure will change and some new rates will be decreased and some rates will be increased. We will have a \$10 increase in the average monthly subscription. There is a \$25 increase in the premium reserved spot which is that one (1) spot for one (1) person and the idea is that we want to discourage people from purchasing those but if they want to they will pay a premium for it. The more spots we have reserved on a one (1) to one (1) basis the less turnover we have which is an important piece of this demand issue.

There will be a number of discounts, the increases tend to be the headlines but in several scenarios people will see their fees go down. We will offer a part-time parker rate which is at a \$25 discount. That is for people parking twenty-five (25) hours a week or less. This is primarily designed for part-time workers such as restaurant workers. Mr. Perri shared a story where a server at a restaurant was disappointed that the parking rates were going up but after talking it through they realized their rate will go down by about \$15 a month. There will also be a discounted rate for downtown residents. We are aware that the residential population continues to grow and we want to encourage that.

Finally, the daily rate max will increase from \$5 to \$10 which is equivalent with what is over at Eddy Street Commons. We are committed to keeping nights and weekends free which is very important. The stakeholders were very adamant about keeping nights and weekends free and we heard that. The special event rate will also remain at \$5 and there will always be a free option for all special events at the other two (2) garages. Mr. Perri invited City Clerk Fowler to explain the new amnesty program.

City Clerk Kareemah Fowler, offices on the 4th Floor of the County-City Building, the amnesty program will allow residents to pay past parking violations at the initial cost of the ticket. We believe this is a win-win opportunity for the residents of South Bend and the City. It gives the residents and business owners an opportunity to clean the slate while giving the Ordinance Violations Bureau the opportunity to collect on violations outside of the statutory limits. It should also increase ordinance violation revenue.

We currently write \$1.1 million in total parking tickets in South Bend. Our collection rate is currently twenty percent (20%) but we plan for that to increase because we just recently received access to the BMV records as of May 1st, 2016.

The Office of the City Clerk will work in collaboration with stakeholders, City Departments, and DTSB to determine a mutually convenient day and approach. Amnesty day will be advertised through press releases, City websites, and the current City Clerk's distribution list and social media. We don't have anything for projected revenue but other cities have been very successful. For example, Chicago saw a forty percent (40%) increase in collections and during their two (2) week amnesty period they collected \$7 million but that was all code violations. If amnesty day is successful we can look towards doing this for all tickets but right now we are just starting with parking tickets.

Councilmember Davis asked how much we are currently collecting through the garages.

Mr. Perri responded we currently receive about \$1.2 million annually.

Councilmember Davis asked how much we are off from breaking even.

Mr. Perri responded we are on budget but that is with a big subsidy from the City. These changes would bring in an estimated \$213,000 for the garage.

Councilmember Davis asked where the money goes for the parking fines.

Mr. Perri responded it also goes into the garage fund.

Councilmember Davis stated now that we have the BMV access to do better on collections, we can make that \$213,000 from the fines. With the collection program in place, if we can boost our collections to say sixty percent (60%) we would have enough to cover all of the capital funds plus have extra monies and at this section given the fact that we are about to vote on raises for utilities, raises for water, raise for sewer, raises for everything else when we can look at having a better collection program in place then we don't necessarily, even though it's been eight (8) years, this is something we don't have to put on the people of South Bend. We have already met our budget and need \$213,000 in capital and we can collect all of that money and even have a surplus with the issue of having a better collection process so therefore there is no need to have more monies raised from the people of South Bend.

Mr. Perri responded that the amount of capital needs far exceeds the \$213,000.

Councilmember Davis stated he needs dollars. He asked for a firm dollar amount that we need to raise not just "far exceeds". He stated in his mathematical brain, he came to the determination that if we had a better collection system based on what our capital expenses are we could make that. If we need say an extra \$50,000 we can cut some of the raises and maybe go up \$5 for the fee instead of \$10. He stated he has a concern that just because we haven't raised fines in eight (8) years doesn't mean we should. He asked earlier with Councilmember White that we need a list of all these raises and he has a concern of having all these things come up piece by piece to the people of South Bend and we can be creative enough to get all of our capital needs met without having to do that.

Mr. Perri responded there is a lot to follow here but he will stick with the parking topic.

Councilmember Davis stated Mr. Perri just said they all go together.

Mr. Perri responded he did some quick math that the gross revenue potential even if we collected one hundred percent (100%) of tickets issued would be \$276,000. Remember we are doing some changes in terms of offering a free ticket and things of that nature.

Councilmember Davis asked when Mr. Perri put these figures together did they factor a higher rate of collections. He stated the exact dollar amount we can deal with that later on but to his knowledge what he received today does factor in the higher rates of collection. We have only had that access for the last few months and during that time we have done really well. If we really push forward we can do better for collections.

Mr. Perri responded that is a thought to consider but even if we got one-hundred percent (100%) of the fees and did the fee increases we talked about today, which are off-settled by some of the decreases, the gross revenue potential isn't even \$500,000 annually and we've got over \$4.75 million worth of deferred capital needs. We still have to subsidize this from somewhere.

Councilmember Davis asked how much would we have to subsidize because he would be more willing to vote yes tonight if we can justify to people that we will still be in debt on the garages. At the moment we don't know how far we are in debt. He stated his opinion that if we get that collection rate up we don't need these increases.

Mr. Perri responded we are at an annual operating deficit of \$900,000 a year right now on the garages that is subsidized from the rest for the City. Even if we got one-hundred percent (100%) collections and did the fees we would still be \$500,000 a year short.

Councilmember Davis stated he thought we met budget already with the current system.

Chairperson Ferlic commented that we are meeting budget but that is with the City still subsidizing from somewhere else. Right now that is at about \$900,000 in subsidies. This all still comes from the taxpayers anyway.

Councilmember Broden asked going forward knowing the history that there hadn't been changes in a while, what would Mr. Perri's recommendation be on when the increases should be.

Mr. Perri responded the historic cadence had been approximately every five (5) years. He recommends to get back on that cycle. The consultant of the parking study actually recommended to build it into the ordinance. That was a recommendation we didn't follow.

Councilmember Broden asked why not have the escalation built in so we don't have to deal with this every five (5) years.

Mr. Perri responded he didn't believe the Council would like to legislate automatic increases.

Councilmember Broden stated one (1) of the report's recommendations was a need for better signage and awareness. How fast are some of those improvements like automation going to happen.

Mr. Perri responded it is part of the entire project we are looking to introduce. Some of these capital funds go to address signage and equipment upgrades. It is our goal by January 1st, 2016 when these rates go into effect to have the automatic payment systems up and running. In terms of signage and awareness there is a desire by his office as well as the Board of Public Works to do a sign audit in downtown and understand a comprehensive way-finding package. That may take a little bit longer but it is an important piece of the puzzle.

Councilmember Broden thanked Mr. Perri for his answers. In regards to the amnesty program, she asked if anyone feels that one (1) day will be a sufficient time period given these numbers of uncollected tickets.

Clerk Fowler responded if it is just for parking, one (1) day will be sufficient. If we expand to all citations in the City that would be a different story. She stated she is glad to work with Council and all other stakeholders to tweak and expand the program as we move forward.

Councilmember Williams-Preston asked if people could pay online for that amnesty program.

Clerk Fowler responded they could go online and pay and also come in. There is one (1) other provision in here that people would still have to pay court costs if the ticket was sent to legal. When this first goes into effect, we will probably see the biggest economic impact because we will have the ability to go back on tickets that are outside the statutory limit.

Councilmember Davis asked what percentage of people are currently paying late.

Clerk Fowler responded in total we only have twenty percent (20%) total of people paying. That means automatically eighty percent (80%) of the other people are late. It may be a bit larger than that because some that do pay, pay after the late fee.

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

Those from the public wishing to speak in opposition:

Jesse Davis, P.O. Box 10205 South Bend IN, stated he has a couple of concerns and questions. The good point was made that we are throwing around numbers like \$1.1 million and then it goes down to \$213,000. It is pretty confusing for someone trying to follow along plus throwing in

collection rates. The whole idea of Smart Streets was to bring people downtown and make it friendlier. Now we are going to jack these rates up, which are in some cases a little crazy, which would discourage people from coming downtown. We have other issues with parking. If you go to the courthouse there is very limited parking, which is dedicated to the police. Then if a resident goes into the courthouse and is stuck there too long and then you get a time violation ticket. There shouldn't be any parking limit in front of the courthouse. There are also spots outside this building that are very confusing to understand between the lack of signs and curb painting. This is a nice little trap to raise money. Also, Mr. Davis asked why Mr. Perri is up here talking about these ordinances because this is supposed to be run by DTSB.

Mr. Perri was given the opportunity for a rebuttal. He stated just to clear up confusion, the garages are currently operating at about a \$900,000 annual loss inclusive of capital. What we stand to gain is to take that down about \$200,000 by the parking fine program and new parking rate structures. The idea is to make a kinder and gentler parking enforcement by introducing part-time parker rates, residential parking rates, increasing the number of two (2) hour spaces, and adding the warning ticket as well as the amnesty day. Finally, he stated he is speaking as a representative of the Parks Department. Recently parking garages were assigned from the Department of Community Investment to the Parks Department. Historically they were always run by the Parks Department, they went to Community Investment for a period of time, and now they are back under Parks. DTSB does do the operations of the garages and they are a strong partner with this and have been involved throughout the entire study.

Councilmember Davis thanked Mr. Perri because she was really concerned that here we were just increasing another fee but at least there has been some creativity and consideration in terms of how can we offer relief as well. With the amnesty day program and with the warning ticket being issued first that is great. Also increasing the number of spaces which are two-hour parking is a great idea as well. At least there has been an effort and she stated she recognizes it and appreciates it. The City needs to continue to think in this way anytime we talk about raising fees also to be creative to lessen the burden and provide some relief.

Councilmember Davis stated that's why his first question was about the budget, because of that conversation it has come out that the garages are \$900,000 in the hole. He asked how long the garages have been in debt like that and what has been done in the past to get out of that hole. This ordinance does not bring us completely out of the hole and he has a concern that there will be increased policing to get out of the hole. It was shared we do not know what our projected revenues will be. We may be back here next year asking to raise fees again. We have to find other measures to take care of those things, we keep hiking up all of our fees. We are trying to tell everyone to come downtown but we are hiking the fees.

Mr. Perri responded that there is an appropriate level of subsidies that taxpayers will bear as a whole and that's how we have been making up the gap. We are meeting budget, but we are just subsidizing it from other areas of the City. If we wanted to have completely no subsidies for the garages it would be \$125 per month per parker and we shouldn't go that high.

Councilmember Davis asked where we are subsidizing it from.

John Murphy, City Controller with offices on the 12th Floor of the County-City Building, responded we subsidize from a few funds. The TIF fund is one (1) fund we have used at times, other times we have used COIT. Those are probably the two (2) primary funds we have used. Really the capital expenditures have been more of a problem. In the past we really were deferring capital and breaking even just by the parking garage fund itself, but now the capital is really catching up with us so we have put more money into capital the past four (4) or five (5) years from those sources.

Councilmember Tim Scott made a motion to send Substitute Bill 58-16 to the full Council with a favorable recommendation. Councilmember Karen White seconded the motion which carried by a voice vote of eight (8) ayes and one (1) nay. (Councilmember Oliver Davis)

SOUTH BEND, INDIANA, FIXING THE
ANNUAL PAY AND MONETARY FRINGE
BENEFITS OF SWORN MEMBERS OF THE
SOUTH BEND POLICE DEPARTMENT FOR
CALENDAR YEARS 2017, 2018, 2019 AND 2020

Councilmember Tim Scott made a motion to continue Bill 59-16 until October 24th, 2016.
Councilmember Karen White seconded the motion which carried by a voice vote of nine (9) ayes.

60-16

PUBLIC HEARING ON AN ORDINANCE TO
VACATE THE FOLLOWING DESCRIBED
PROPERTY: THE FIRST NORTH-SOUTH
ALLEY LYING WEST OF PORTAGE AVENUE,
BOUNDED ON THE NORTH BY THE SOUTH
RIGHT-OF-WAY LINE OF BULLA STREET
AND BOUNDED ON THE SOUTH BY THE
NORTH RIGHT-OF-WAY LINE OF THE FIRST
EAST-WEST ALLEY NORTH OF KING STREET
IN PORTAGE TOWNSHIP

Councilmember Regina Williams-Preston made a motion to continue Bill 60-16 until October 24th, 2016. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes.

61-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA FIXING MAXIMUM
WAGES OF TEAMSTER EMPLOYEES FOR
CALENDAR YEARS 2017-2020

Councilmember Tim Scott made a motion to continue Bill 61-16 until October 24th, 2016.
Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

62-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, SETTING THE
ANNUAL SALARY FOR THE MAYOR FOR
CALENDAR YEAR 2017

Councilmember Karen White, Committee Chair of the Personnel and Finance Committee, reported that they met and send this forward with a favorable recommendation.

John Murphy, City Controller with offices on the 12th Floor of the County-City Building, served as the presenter for this bill. This bill increases the Mayor's salary by two percent (2%) for a total of \$106,579. This is consistent with the Council salaries and standard non-bargaining positions.

There were no questions from the Council.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Oliver Davis made a motion to send Bill 62-16 to the full Council with a favorable recommendation. Councilmember Tim Scott seconded the motion which carried by a voice vote of nine (9) ayes.

63-16

PUBLIC HEARING ON AN ORDINANCE
FIXING MAXIMUM SALARIES AND WAGES
OF APPOINTED OFFICERS AND NON-
BARGAINING EMPLOYEES OF THE CITY OF
SOUTH BEND, INDIANA, FOR THE
CALENDAR YEAR 2017

Councilmember Tim Scott made a motion to continue Bill 63-16 until October 24th, 2016.
Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

64-16

PUBLIC HEARING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA AMENDING
CHAPTER 2, ARTICLE 4, SECTION 2-13 OF
THE SOUTH BEND MUNICIPAL CODE
LISTING CITY EXECUTIVE DEPARTMENTS
TO ADD THE INNOVATION AND
TECHNOLOGY DEPARTMENT, AND TO
REORGANIZE THE PUBLIC PARKS
DEPARTMENT UNDER A NEW, EXPANDED
DEPARTMENT

Councilmember Oliver Davis made a motion to amend Bill 64-16 so that in the title it should be section two dash thirteen (2-13) as opposed to two point thirteen (2.13) also on page three (3) subparagraph (B)(6)(a) and to add at the very end of that paragraph a comma and golf courses. Councilmember Tim Scott seconded the motion carried by a voice vote of nine (9) ayes.

Councilmember Karen White, Committee Chair of the Personnel and Finance Committee, reported that they met and send this forward with a favorable recommendation.

James Mueller, Chief of Staff of the Mayor's Office with offices on the 14th Floor of the County City-Building, served as the presenter and petitioner of this bill. Mr. Mueller stated he hopes most of the Councilmembers will agree with Councilmember Voorde's sentiments earlier that these two (2) reorganized departments are very exciting for what they will bring to the citizens of South Bend. He thanked Council President Scott for his role as Chair of the IT Committee and helping to forge that vision for the Innovation and Technology Department. Amazingly, they have been able to do most of the things in their three (3) year strategic plan in less than one (1) year. We don't want to raise expectations too much but just imagine what these two (2) groups can do when they have a clear organization and do not have to worry about reordering the departments. This ordinance before the Council is less exciting if you are interested in the difference in the structural organization of these departments, if you want that breakdown please see their respective budget presentations which laid those structures out in detail and have before and after layouts. It is clear to anyone looking at this that it is a big improvement on clarity of organization and efficiency. This particular ordinance in the municipal code lists all City departments and the core functions of those departments. This bill simply adds the Innovation and Technology Department and renames the Parks Department as the Venues, Parks, and Arts Department. It also clarifies that some of the responsibilities of the other departments have shifted over the years that just didn't get updated in the code.

There were no questions from the Council.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Dr. David Varner made a motion to send Bill 64-16 to the full Council with a favorable recommendation. Councilmember Karen White seconded the motion which carried by a voice vote of nine (9) ayes.

CONTINUED IN COUNCIL PORTION ONLY

44-16

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF SEVERAL DEPARTMENTS OF THE CIVIL CITY OF SOUTH BEND, INDIANA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT

Councilmember Randy Kelly made a motion to continue Bill 44-16 until October 24th, 2016. Councilmember Regina Williams-Preston seconded the motion which carried by a voice vote of nine (9) ayes.

45-16

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DESIGNATED ENTERPRISE FUNDS OF THE CITY OF SOUTH BEND, INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 INCLUDING ALL OUTSTANDING CLAIMS, AND OBLIGATIONS, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT.

Councilmember Karen White made a motion to continue Bill 45-16 until October 24th, 2016. Councilmember Regina Williams-Preston seconded the motion which carried by a voice vote of nine (9) ayes.

46-16

PUBLIC HEARING ON AN ORDINANCE OF THE CITY OF SOUTH BEND, INDIANA, LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE PURPOSE OF RAISING REVENUE TO MEET THE NECESSARY EXPENSES OF THE CIVIL CITY OF SOUTH BEND FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017

Councilmember Karen White made a motion to accept Substitute Bill 46-16. Councilmember John Voorde seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Tim Scott made a motion to send Substitute Bill 46-16 to the full Council with a favorable recommendation. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

47-16

PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING, ADOPTING AND APPROVING THE SOUTH

BEND PUBLIC TRANSPORTATION
CORPORATION'S 2017 BUDGET AND
LEVYING THE TAX AND FIXING THE RATE
OF THE TAXATION FOR THE PURPOSE OF
RAISING REVENUE TO FUND THE SOUTH
BEND PUBLIC TRANSPORTATION
CORPORATION, SOUTH BEND, INDIANA,
FOR THE FISCAL YEAR ENDING DECEMBER
31, 2017

Councilmember Tim Scott made a motion to send Bill 47-16 to the full Council with a favorable recommendation. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

RISE AND REPORT

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

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 8:43 p.m. Council President Tim Scott presided with nine (9) members present

BILLS – THIRD READING

46-16

THIRD READING ON AN ORDINANCE OF
THE CITY OF SOUTH BEND, INDIANA,
LEVYING TAXES AND FIXING THE RATE OF
TAXATION FOR THE PURPOSE OF RAISING
REVENUE TO MEET THE NECESSARY
EXPENSES OF THE CIVIL CITY OF SOUTH
BEND FOR THE FISCAL YEAR ENDING
DECEMBER 31, 2017

Councilmember Dr. David Varner made a motion to pass Bill 46-16. Councilmember Karen White seconded the motion which carried by a roll call vote of nine (9) ayes.

47-16

THIRD READING ON AN ORDINANCE OF
THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, APPROPRIATING,
ADOPTING AND APPROVING THE SOUTH
BEND PUBLIC TRANSPORTATION
CORPORATION'S 2017 BUDGET AND
LEVYING THE TAX AND FIXING THE RATE
OF THE TAXATION FOR THE PURPOSE OF
RAISING REVENUE TO FUND THE SOUTH
BEND PUBLIC TRANSPORTATION
CORPORATION, SOUTH BEND, INDIANA,
FOR THE FISCAL YEAR ENDING DECEMBER
31, 2017

Councilmember Gavin Ferlic made a motion to pass Bill 47-16. Councilmember Dr. David Varner seconded the motion which carried by a roll call vote of nine (9) ayes.

55-16

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, RE-AFFIRMING ORDINANCE NO. 10333-14 AND FIXING THE ANNUAL PAY AND MONETARY FRINGE BENEFITS OF SWORN MEMBERS OF THE SOUTH BEND FIRE DEPARTMENT FOR CALENDAR YEAR 2017

Councilmember Karen White made a motion to pass Bill 55-16. Councilmember Dr. David Varner seconded the motion which carried by a roll call vote of nine (9) ayes.

56-16

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE COMMON COUNCIL MEMBERS FOR CALENDAR YEAR 2017

Councilmember Gavin Ferlic made a motion to pass Bill 56-16. Councilmember Dr. David Varner seconded the motion which carried by a roll call vote of eight (8) ayes and one (1) nay. (Council President Tim Scott)

58-16

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 20, ARTICLE 1, SECTION 20-18 AND CHAPTER 2, ARTICLE 19, SECTION 2-213 OF THE SOUTH BEND MUNICIPAL CODE TO INCREASE PARKING FINES, AND TO ADD A NEW SECTION 20-23.1 TO PROVIDE FOR DISCRETIONARY AMNESTY BY CITY CLERK

Councilmember Karen White made a motion to accept Substitute Bill 58-16. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Gavin Ferlic made a motion to pass Substitute Bill 58-16. Councilmember Karen White seconded the motion which carried by a roll call vote of eight (8) ayes and one (1) nay. (Councilmember Oliver Davis)

62-16

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, SETTING THE ANNUAL SALARY FOR THE MAYOR FOR CALENDAR YEAR 2017

Councilmember Gavin Ferlic made a motion to pass Bill 62-16. Councilmember Karen White seconded the motion which carried by a roll call vote of nine (9) ayes.

64-16

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AMENDING CHAPTER 2, ARTICLE 4, SECTION 2-13 OF THE SOUTH BEND MUNICIPAL CODE LISTING CITY EXECUTIVE DEPARTMENTS TO ADD THE INNOVATION AND TECHNOLOGY DEPARTMENT, AND TO REORGANIZE THE PUBLIC PARKS DEPARTMENT UNDER A NEW, EXPANDED DEPARTMENT

Councilmember Gavin Ferlic made a motion to amend Bill 64-16 as it was in the Committee of the Whole. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember Gavin Ferlic made a motion to pass Bill 64-16 as amended. Councilmember Karen White seconded the motion which carried by a roll call vote of nine (9) ayes.

RESOLUTIONS

16-67

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN GERMAN TOWNSHIP (AIRPORT AUTHORITY ANNEXATION AREA)

Councilmember Oliver Davis, Committee Chair of the Zoning and Annexation Committee, reported that they met and send this bill forward with a favorable recommendation.

Michael Divita, Department of Community Investment with offices on the 14th Floor of the County-City Building, served as the presenter for this bill. This fiscal plan is for a seventy-one point three (71.3) acre annexation requested by the Airport Authority property owner of seven (7) properties southwest of the Bypass and Lincolnway West. As the Council heard earlier in the meeting, the Airport Authority will transfer the property to the City to market for light industrial uses. No capital improvements are planned by the City as part of this annexation. Water is available along the Lincolnway West edge of the site. Sewer usage would have to be extended to the site at the developer's cost. A portion of Pine Rd. will be added to the City as will a section of Lincolnway West but as U.S. 20 it will continue to be maintained by the Indiana Department of Transportation. The annexation area will be added to the Common Council's First District and be served by Police Beat Twenty-Four (24), Fire Station six (6) located on Western Avenue, Emergency Medics Four (4) and Five (5), and Code Enforcement Area Eight (8). These and other non-capital services will be in place within one (1) year of the effective date of the annexation with response times comparable to other areas in the City.

There were no questions from the Council.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Gavin Ferlic made a motion to adopt Bill 16-67. Councilmember Karen White seconded the motion which carried by a roll call vote of nine (9) ayes.

16-81

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING PARKING RATES, CHARGES,

AND RULES FOR PUBLICLY-OWNED
PARKING FACILITIES IN THE CITY OF
SOUTH BEND, INDIANA

Councilmember Karen White, Committee Chair of the Personnel and Finance Committee, reported that they met and send this bill forward with a favorable recommendation.

Aaron Perri, Director of the Parks Department, served as the presenter and petitioner of this bill. We have addressed this in the previous presentation. This is the second part of the changes, the Council already voted on the rates and fines of the on-street parking this particular bill is for the garages.

Councilmember Dr. David Varner stated he would like to clarify that for all practical purposes the two (2) hour free parking remains on the streets downtown.

Mr. Perri responded that is correct and there will actually be more two-hour spots than there are currently.

Councilmember Dr. Varner stated many of the stakeholders and businesses which rent these spaces have already been included and did not find this to be an alarming proposal. Maybe they were not in total favor of it but they didn't find it as something alarming.

Mr. Perri stated the users of the garages have been involved entirely in the process from the study period through findings and implementation. All regular parkers got an email about the changes about two (2) weeks ago and we haven't heard much at all in response. The South Bend Tribune article that spoke on this topic actually interviewed three (3) business owners that were in favor of the changes and we were pleased to hear that.

No one from the public spoke either in favor of or in opposition to the bill.

Councilmember Gavin Ferlic made a motion to adopt Bill 16-81. Councilmember Karen White seconded the motion which carried by a roll call vote of eight (8) ayes and one (1) nay.
(Councilmember Oliver Davis)

Councilmember Gavin Ferlic left the meeting at 8:53 p.m. Quorum now stands at eight (8) Councilmembers present.

BILLS FIRST READING

65-16

FIRST READING ON AN ORDINANCE
AMENDING THE ZONING ORDINANCE FOR
PROPERTY LOCATED AT 913 LAWRENCE
STREET AND 427 CORBY BOULEVARD,
COUNCILMANIC DISTRICT NO. 4 IN THE
CITY OF SOUTH BEND, INDIANA

Councilmember Oliver Davis made a motion to send Bill 65-16 to the Area Plan Commission and the Zoning and Annexation Committee and set public hearing for November 28th, 2016. Councilmember Regina Williams-Preston seconded the motion which carried by a voice vote of eight (8) ayes.

66-16

FIRST READING ON AN ORDINANCE OF THE
COMMON COUNCIL OF THE CITY OF SOUTH
BEND, INDIANA AMENDING VARIOUS
SECTIONS OF THE SOUTH BEND MUNICIPAL
CODE AT CHAPTER 17, ARTICLES 4 AND 6
TO ADDRESS NEW WATER RATES AND
CHARGES

Councilmember Karen White made a motion to send Bill 66-16 to the Utilities Committee and set public hearing for November 28th, 2016. Councilmember Dr. David Varner seconded the motion which carried by a voice vote of eight (8) ayes.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Councilmember Broden stated regarding the homelessness issue it seems advisable to assign the issue to a certain committee in terms of input and make sure we are abreast of information. She suggested either the Health and Public Safety Committee or the Community Relations Committee. She stated it seems the Mayor invited us to be a part of the process.

Council President Scott stated he sees it falling under the Health and Public Safety Committee so he will defer to Committee Chair John Voorde to organize.

Councilmember Voorde responded that is fine with him and he will move forward.

PRIVILEGE OF THE FLOOR

Jesse Davis, P.O. Box 10205 South Bend Indiana, stated he hopes the City can find at least a temporary solution to the homelessness problem under the bridge for at least the winter months. The amnesty program is supposedly going to open up a month early but that will only take care of thirty (30) some people and that would just cover those living under the bridge. We have provided approximately fifty (50) people with tents and they are not all under the bridge. Several people are working on long-term solutions and hopefully the Administration and Council will work with any of the groups to make sure things are done to get solutions. These people, for lack of a better terminology, are round pegs trying to be shoved through a square hole when it comes to some of the non-profits and other programs. Many of them can't qualify because of possibly a past criminal history haunts them or addiction problems. Most of us go and have a drink occasionally, some of these people will drink until the day they die. We can't force them to stop drinking. The drugs are a little different story, if it's an illegal substance we can take care of those matters. These are people who do not fit into the current criteria. Most of the people under that bridge are aged fifty-five (55) and older and many are veterans. He stated he was appalled by the article in the newspaper that stated we are beautifying in front of the veterans place on Michigan Street when we have veterans sleeping under a bridge. We bring refugees here when we can't house and take care of our own citizens here. He stated he really hopes the Council takes this issue to heart, Councilmember Williams-Preston is still the only Councilmember he has seen down there under the bridge. He recommended the Council takes a walking tour under the bridge and talk to some of those people. They are not all drug addicts and people who don't want to work.

Thomas Bush, 1770 Perri Avenue South Bend, stated last week the City paved two (2) blocks on the north section of Swygert Street. One (1) of those blocks by the railroad track has one (1) house on it and a junk yard. The north side of Swygert, which he lives on the corner on, hasn't been repaved in ten (10) years. They come out every year and fill pot holes but they don't pave the entire road. He asked why the City didn't pave the entire street.

Councilmember Davis asked Mr. Bush to talk to Mr. Mueller about the paving schedule and why the street wasn't paved.

ADJOURNMENT

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