

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, February 23, 2015 at 7:00 p.m. The meeting was called to order by Council President Scott and the Invocation (Rev. Paul Kollman C.S.C The Leo and Arlene Hawk Director of the Center for Social Concerns, University of Notre Dame) and Pledge to the Flag were given.

ROLL CALLCOUNCILMEMBERS:

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

OTHERS PRESENT:

Kathleen Cekanski-Farrand	Council Attorney
John Voorde	City Clerk
Janice I. Talboom	Deputy
Kareemah Fowler	Chief Deputy

REPORT FROM THE SUB-COMMITTEE ON MINUTES

Councilmember Oliver Davis made a motion that the minutes of the February 9th, 2015, meeting of the Council be accepted and placed on file. Councilmember Valerie Schey seconded the motion which carried by a voice vote of nine (9) ayes.

SPECIAL BUSINESS

Council President Scott announced that there was no special business at this time.

REPORTS OF CITY OFFICES

There were no reports from City Offices at this time, Kathryn Roos/Chief of staff in attendance.

RESOLVE INTO THE COMMITTEE OF THE WHOLE

At 7:07 p.m. Councilmember Valerie made a motion to resolve into the Committee of the Whole. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes. Councilmember White, Chairperson, presiding.

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

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

Councilmember White stated that a brochure may be found on the railing in the Council Chambers explaining those procedures. **Preliminary questions only, with all other Council comments being heard during the Council portion.** No member of the public is permitted to approach the Council Members and everyone is requested to stay behind the Council railing.

PUBLIC HEARINGS

BILL NO. 05-15

PUBLIC HEARING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 14 OF THE SOUTH BEND MUNICIPAL CODE BY THE INCLUSION OF NEW ARTICLE 12 ADDRESSING RESIDENTIAL COMPOSTING REGULATIONS

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 14 OF THE *SOUTH BEND MUNICIPAL CODE* BY THE INCLUSION OF NEW ARTICLE 12 ADDRESSING RESIDENTIAL COMPOSTING REGULATIONS

STATEMENT OF PURPOSE AND INTENT

The Purdue Extension's publication *Home & Environment* notes that "composting is a tool" which benefits the soil and "a well-maintained compost pile can reduce the amount of yard and food waste that is sent to the landfills each year. According to the U.S. Environmental Protection Agency (EPA), Americans produce more than four pounds of waste per person per day (or 1,600 pounds per person per year). The EPA estimates that 65 percent of that waste is organic and could be composted into a rich material that can improve the soil and enhance the growth of lawns and gardens". This publication also noted that composting helps:

- "Improved soil fertility
- Improved soil structure
- Improved water-holding capacity
- Reduced erosion
- Reduced levels of plant pathogens, insects, and weeds"

The City of South Bend, Indiana, is in Region 5 of the Environmental Protection Agency programs which states on their website located at <http://www.epa.gov/region5/waste/solidwaste/compost> that "Region 5 has supported the following activities to help reduce the amount of food and yard waste that needs to be disposed of, and develop markets for compost" which included municipal composting initiatives and grants, webinars, and workshops.

The Common Council desires to encourage composting as well as sustainable living while preserving the quality of life in all residential neighborhoods. In furthering the health and public safety of our residents by encouraging composting which benefits soil health, conserves water and helps the environment, all composting conducted in residential neighborhoods must be free from rodents, animal harborage, and odors.

The following residential composting regulations are believed to be in the best interests of the City of South Bend, Indiana.

Now, Therefore, Be It Ordained by the Common Council of the City of South Bend, Indiana, as follows:

Section I. Chapter 14 of the *South Bend Municipal Code* is hereby amended by the inclusion of new Article 12 which shall read in its entirety as follows:

Article 12. Residential Composting Regulations.

Sec. 14-116. Definitions.

As used in this Article:

(a) Community garden means a parcel or parcels of land which is gardened collectively by a group of individuals and/or a non-profit organization(s) where produce, plants and related food items are grown or developed for the benefit of the community.

(b) Compost means the product produced by the composting of vegetative mater.¹

(c) Composting is the biological treatment process by which microorganisms decompose the organic component of vegetative matter (such as yard or landscaping waste, including leaves, grass brush, limbs and branches.

(d) Organic materials for composting mean discarded garden plants, grass clippings, tree leaves and plant trimmings.²

Sec. 14-117. Compost Area Size and Location Regulations/Limited Exceptions for Community Gardens.

(a) A compost area may only be located in the rear yard of a residentially zoned parcel, shall be located at least five (5) feet from lot lines, and no closer than twenty (20) feet to any habitable building other than the residential owner's own home.

(b) All compost areas shall comply with applicable zoning regulations of Chapter 21 of the South Bend Municipal Code and shall not exceed a total of one hundred (100) cubic feet in volume for city lots less than ten thousand (10,000) square feet and one hundred fifty (150) cubic feet for lots greater than ten thousand (10,000) square feet, and no greater than five (5) feet high.³

(c) If a community garden located within the City is anticipated to exceed the cubic feet

¹ This definition is from the Indiana Department of Environmental Management (IDEM) Office of Land Quality publication dated January 24, 2000, a copy of which is on file in the Office of the City Clerk.

² This definition is from the Department of Horticulture's Purdue University Cooperative Extension Service publication written by B. Rosie Lerner entitled "Managing Yard Wastes: Clippings and Compost" Oct. 2002, a copy of which is on file in the Office of the City Clerk.

³ Reasonable set back regulations are consistent with the City's zoning regulations which are to promote "...the public health, safety, comfort, morals, convenience, and general welfare" addressed in *South Bend Municipal Code* § 21-01.01(c)(3).

Councilmember White led the motion to accept substitute version Bill No. 05-15 as on file in the Office of the City Clerk. Councilmember Gavin Ferlic made the motion. Councilmember Oliver Davis seconded the motion which carried by a voice vote of (9) ayes.

Councilmember Dieter, Chairperson, Health and Public Safety and Residential Neighborhood Committees reported that these committees met and voted to send this Bill No. 05-15 to the full Council with a favorable recommendation.

Presenter of Bill No.05-15, Councilmember Valerie Schey, 227 W Jefferson Blvd. Rm. 441, South Bend, Indiana. Councilmember Schey reads the proposed ordinance in its entirety into the record, she began by acknowledging the Co-sponsor of the bill, Councilmember Oliver Davis. Councilmember Valerie Schey, states that these guidelines were created to accommodate and encourage those individuals that wish to compost, while assuring that it's done properly and doesn't become a neighborhood nuisance.

Councilmember Oliver Davis, states that he is glad to be a sponsor of the bill and believes it will add to the quality of life issues.

Councilmember Henry Davis, wonderful idea but, who will enforce the ordinance and how.

Councilmember Schey stated, Code Enforcement is charged with the enforcing of the ordinance which are complaint driven. The purpose of the bill is to have local enforcement guidelines in place to handle these particular complaints.

Councilmember Schey, ask the Council for full support of Bill No. 05-15

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.

Council Portion:

Councilmember Valarie Schey, ask for the Council full support on the bill.

Councilmember Dr. David Varner, states that he would support the bill at this time, but if it turns into to an issue that's more than compliant driven, he'd surely like to revisit this bill.

Council President Scott, thanked Councilmember Schey for answering his questions earlier in regards to the 5acre lots in the City and how they would be affected.

Councilmember Oliver Davis, thank the Council for support on the bill and assured Councilmember Varner that he would be glad to work with him on revisiting the bill if, in fact it's needed.

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

RISE AND REPORT

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

ATTEST:

ATTEST:

John Voorde, City Clerk

Karen L. White, Chairperson
Committee of the Whole

REGULAR MEETING RECONVENED

Be it remembered that the Common Council of the City of South Bend reconvened in the Council Chambers on the fourth floor of the County-City Building at 7:16 p.m. Council President Tim Scott, presided with nine (9) members present.

BILLS – THIRD READING

Bill No. 05-15

THIRD READING ON A BILL OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 14 OF THE SOUTH BEND MUNICIPAL CODE BY THE INCLUSION OF NEW ARTICLE 12 ADDRESSING RESIDENTIAL COMPOSTING REGULATIONS

Councilmember Dieter made a motion to accept the substitute version of this bill as on File in the Office of the City Clerk. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

This bill had third reading. Councilmember Gavin Ferlic made a motion to pass this bill. Councilmember Varner seconded the motion which carried. The bill passed by a roll call vote of nine (9) ayes.

RESOLUTIONS

This portion of the Council meeting is where the Common Council hears Bills filed as proposed Resolutions. The title of each proposed resolution is read by the City Clerk. A report from the Committee Chairperson of the Standing Committee to which the Bill was referred to for an advisory review and recommendation is then given. **Preliminary questions only, with all other Council comments being heard during the Council portion.**

Bill No. 15-11

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, OPPOSING SENATE BILL 198 AND HOUSE BILL 1019 WHICH WOULD REPEAL THE COMMON CONSTRUCTION WAGE LAW

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, OPPOSING SENATE BILL 198 AND HOUSE BILL 1019 WHICH WOULD REPEAL THE
COMMON CONSTRUCTION WAGE LAW**

Whereas, the State of Indiana's Common Construction Wage statute was first enacted in 1935; is commonly referred to as a prevailing wage law; and governs wage rates paid to construction workers on Indiana's public works projects; and

Whereas, wage rates are adopted by Common Construction Wage Committees in each project county in public hearings where a public works project is estimated to exceed \$350,000 in construction costs which would be paid for by state or local funds and would be owned or leased with an option to purchase by the state or a political subdivision; and

Whereas, currently Senate Bill 198 sponsored by State Senator Carlin Yoder and House Bill 1019 sponsored by State Representative Jerry Torr are pending in the Indiana General Assembly, with both bills proposed to repeal Indiana's Common Construction Wage law with an effective date of July 1, 2015; and

Whereas, SB 198 was one of 589 Bills filed and was referred to the Committee on Pensions and Labor on January 6, 2015 and it remains;

Whereas, House Bill 1019 was one of 669 Bills filed and was referred to the Committee on Employment, Labor and Pensions; and now has eight (8) co-sponsors as of February 16, 2015; and

Whereas, the November 23, 2014 "Fiscal Impact Statement" on HB 1019 reported similar information as that reported on SB 198; and

Whereas, it has been reported that approximately 9.1% of the workforce in the State of Indiana currently belongs to a union; and

Whereas, the Indiana Department of Labor's website has information dedicated to the Common Construction Wage where "nearly all wage scales adopted from 2005 to the present are available; with the most recent entry for the City of South Bend being made on January 7, 2015 for project # IDOL 20140696 where wage rates were established by the Common Construction Wage Committee, who were appointed pursuant to *Indiana Code* § 5-16-7 *et seq* for many classifications listing the total hourly highest and lowest rates for skilled being \$73.07 and \$31.66; for semiskilled being \$60.47 and \$30.31; and unskilled \$52.19 and \$16.95; and projects for St. Joseph County in 2011 through 2015 totaling 68; and

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

Section I. The Common Council recognizes that for the past eighty (80) years, Indiana's Common Construction Wage codified at *Indiana Code* § 5-16-7-1 *et seq.*, has promoted "efficiency, quality, and safety by providing for a stable, well-trained labor force" on public works projects throughout the state.

Common Construction Wage Resolution
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Section II. The two (2) Bills currently pending in the Indiana General Assembly would repeal this state law which would result in a loss of higher wages and fringe benefits for both union and non-union workers; and may undermine proper training for public construction workers similar to the 1930s when workers from outside of the State of Indiana undercut Indiana contractors with less-skilled, lower paid workforces.

Section III. The sponsors of the two pending Bills have yet to address any of the potential negative results if either of these Bills are passed, such as how it would impact:

- Safety of the workers and the public
- Diversity of the workforce
- Training and apprenticeship programs
- Wages, health care and pension benefits

Section IV. Upon the adoption of this Resolution, the City Clerk shall send copies of this Resolution to all elected state officials representing the City of South Bend requesting them to vote "no" on these SB 198 and HB 1019.

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

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

Voting in Favor _____
Voting Against _____

Moved:

_____, 2015

Adopted this ____ day of

John Voorde, City Clerk

Indiana

Pete Buttigieg, Mayor of South Bend,

Councilmember White made a motion to accept the substitute version of this bill as on File in the Office of the City Clerk. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

Councilmember White, Chairperson, Personnel & Finance Committee, reported that this committee met this afternoon and it was the consensus of the committee to send this bill to the full council with a favorable recommendation.

Presenter of Bill No.15-11, Councilmember Henry Davis, Jr., 227 W Jefferson Blvd. Rm. 441, South Bend, Indiana. Councilmember Henry Davis Jr, reads the proposed ordinance Bill No 15-11, in its entirety into the record. Davis began by acknowledging the Council Attorney Kathy Farrand for assisting with the bill and providing factual information. Councilmember Davis Jr., then asked Mr. James Gardner, 1001 N Michigan St., Lakeville, Indiana, Local Union/ representative/President of St. Joseph Valley Building Trades, to come up and share a few words.

James Gardner, 1001 N Michigan St, South Bend, Indiana stated the impact of this bill will affect and keep various industries from coming to this State and paying individuals less in the construction industry. When individuals leave our program they do not have to pay student loans off, they leave with a skilled trade they can take anywhere and make a decent living wage right away. Gardner states this bill is detrimental to our local economy.

Councilmember Oliver Davis ask Mr. Gardner what he thought about us here locally, in terms of the borderline effect of Michigan and Kentucky River. Mr. Gardner, states that the bordering states has no affect and that he's typically concern with big companies from other major states coming to Indiana getting the jobs/major contracts to pay the skilled trade/construction workers less than they're worth, not bordering states that we already compete against.

Tony Flora 202 E Angela, South Bend, Indiana, stated that the major problem in Indiana is that wages are too high our legislators believe. This law has exist for 80yrs. I'm proud that our

Council has decided to take a stand on this issue. Tony spoke in favor of this bill. Tony urged the Council's favorable adoption of this resolution. Why do we need to have total repeal?

Councilmember Varner, stated I'd like to embark a different take, for example the circumstance that exist such as the CSO project, if wages continues to spiral you'll see more automation and less jobs. Varner states, just because something has been around for eighty years doesn't mean it's the best thing or the best practice, everything needs to undergo some change or review at some point. Another issue is that the bill doesn't set an upper limit maybe such negotiation could take place for higher wages. The assumption is that because something changes it's changing for the worse and that's not always the case.

Councilmember Dr. Fred Ferlic, stated that he liked the common construction wage which is decided by five board members. Ferlic stated the fact that the specialized skilled workers get paid for their particular skill/trade of construction is great, they earned it and the skilled deserve it.

A Public Hearing was held on the Resolution at this time.

There being no one else present wishing to speak to the Council in favor of or in opposition to this Resolution, Councilmember Derek made a motion to adopt this bill. Councilmember Valerie Schey seconded the motion which carried and the Resolution was adopted by a roll call vote of nine (8) aye (1) nay by Councilmember Dr. David Varner.

BILLS - FIRST READING

BILL NO.

08-15 FIRST READING ON A BILL OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, AMENDING ORDINANCE
NO. 10346-15 IN ACCORDANCE WITH SECTION 11 THEREOF
AND OTHER MATTERS CONNECTED THEREWITH AND REPEALING
ORDINANCES INCONSISTENT HERewith

This bill had first reading. Councilmember Gavin Ferlic made a motion to refer this bill to the Community Investment Committee and set for Public Hearing and Third Reading on March 09, 2015. Councilmember Oliver Davis seconded the motion which carried by a voice vote of nine (9) ayes.

UNFINISHED BUSINESS

Councilmember Henry Davis, Jr., advised that he is not satisfied with Graffiti removal on the Westside, snow on sidewalks that hasn't been removed in school zones and the lawn parking that isn't being enforced. Davis questions whether or not City Code Enforcement has enough or equate resources to do their jobs. Davis states that he wants to address quality of life issues.

Council President Tim Scott, states the questions should be addressed in writing and forwarded to the Chairperson of the Health and Public Safety Committee.

Councilmember Dieter, Chairperson of Health and Public Safety, stated that once concerns are received he'll forward to the appropriate departments in the administration and ask that a report/update be given under City reports at the following Council meeting.

REPORTS FROM AREA BOARD OF ZONING APPEALS

None at this time.

NEW BUSINESS

None at this time.

PRIVILEGE OF THE FLOOR

David Wells, 701 W. Sample St. South Bend, Indiana, started by requesting an additional three minutes from the Council to complete his statement.

President, Tim Scott entertained the motion made by Councilmember Dr. Fred Ferlic to grant petitioner an additional three minutes councilmember Henry Davis seconded the motion, the motion carries.

Wells states that he would first like to ask the council for an additional three minutes to complete my statement. Thank you for the time you have given me to speak to you tonight.

Mr. President, distinguished council members, ladies and gentlemen.

My name is David Wells. For the last three years I and others have been embattled in litigation that has not only affected my personal life but my professional career. During this time, I have become the lone city employee still fighting this ongoing relentless effort by this body to listen to private conversations that were ruled in a federal court to be completely illegal.

It is important to note here for all to understand, that we as plaintiffs have taken great steps in trying to alleviate much of the financial burden and continued embarrassment this situation has generated in our community. It has damaged not only our reputation as a community but our potential for greater economic development. As plaintiffs, we have dismissed many law suits that pertain to the tapes controversy in order to end this damaging issue.

For example: We have dismissed you, the South Bend Common Council, Captain Darryl Boykins, Former Communications Director Karen DePaepe and her attorney Scott Duerring. We have settled our litigation with the city all in an effort to try and stop this ongoing drama which can have no winners. Still, this body of elected officials continues to pursue this matter to apparently no financial end. Even after this much anticipated and very expensive August 2014 trial, you continue to issue subpoenas. The continued efforts to now hear recordings from a hard drive that has eleven months of stored conversations from potentially hundreds of citizens and police officers in nothing more than a witch hunt of financial irresponsibility to simply satisfy mere curiosity. The amount of tax payer dollars spent on such a task can never be justified by this body given the dollars spent to date.

You should know that I am a South Bend native and second generation Police Officer here. I have served this community for more than twenty years with distinction. Neither I nor Tim Corbett, Steve Richmond or Brian Young have ever been reprimanded for any conduct unbecoming a police officer or that is contrary to the Police Department's duty manual. We have all received numerous letters of commendation and awards and have risked our lives for the people of this community more than we care to count. In, fact as former SWAT officers, I, Tim Corbett and Brian Young have served shoulder to shoulder with the council's own Vice President on the most dangerous police operations and high risk drug warrants.

I and Tim Corbett continue to work with a team of dedicated police officers who solve murders and violent crimes in this community at an exceptionally high success rate. As Commander of the Special Victims Unit, Brian Young works the most heinous crimes ever committed against women and children. And finally, as Assistant Warden for the Sheriff's Department, Steve Richmond has the dangerous job of maintaining inmates who have been accused and convicted of many of those terrible crimes. We are dedicated public servants for the people of this community which we care deeply for.

These continued efforts by this body to hear what someone may or may not said about someone else are exhausting for everyone. Having approached the Department of Justice ourselves and having asked the FBI for an investigation ourselves into the illegal wiretapping practices at the police department, we are convinced that had any of the allegations against us of illegal activity

and racist comments been true, we would have seen this investigation conducted by the FBI take a completely different turn. In fact, the release document that Capitan Boykins signed in order to receive his settlement states: "The parties (City of South Bend, Boykins and police officers) agree that neither (of the parties) is aware of any evidence of illegal activity by the Wiretap plaintiffs or any evidence that reveals that the wiretap plaintiffs used any racist word against Boykins"

I find myself in the unique position of being the sole city employee left in this ongoing battle with you. An atmosphere of hostility continues for me every day this matter remains unresolved. Former Division Chief Steve Richmond and former Detective Bureau Capitan Brian Young have retired. Both incredible police officers and dedicated to serving the people of South Bend. Their loss as city employees is tragic as is the loss of our first African American Police Chief. None of this should have happened. The wounds for all of us our families are real and cannot begin to heal until this is resolved. I am asking this body to stop pursuing efforts that continue to prolong this drama with no apparent end in sight. The politics and personal agenda of some both elected and in the private sector are damaging for all the people of South Bend and its reputation as a whole. We will not stop fighting! As long as this prolonged effort to continue this litigation and waste more and more tax payer dollars is pursued by this elected body, we will resist.

We arrive to work every day sworn to uphold and protect the rights of all citizens and we swear to protect those very same rights that inherently belong to us as well.

Thank you for your time.

David Wells

Jessie Davis, Po Box 10205, 46680, South Bend, Indiana, stated the Council and the citizens want to know on the tapes and will not rest until there heard. Davis also states his turning in a privilege of the floor form to the City Clerk for the Council and would like for them to look into the status of the Roos patio issue that went to a special prosecutor almost two months ago. At that time it was reported in the media that the prosecutor would give an update on this in the weeks coming, yet no one has heard anything.

Rev Greg Brown, 1258 Diamond, South Bend, Indiana, states it was listed in Newsweek that we are a dying City but we aren't in fact a dying City we're a lying City. Brown states something has to be done about the release of the tapes and if we don't wake them up then we'll shake them up.

Rev Mario Sims, 608 So St. Joseph St, South Bend, Indiana, states is here tonight in the capacity as a spokesperson for people for better government. Sims then ask for additional time.

President, Tim Scott entertained the motion made by Councilmember Henry Davis, Jr. to grant petitioner an additional three minutes councilmember Oliver Davis seconded the motion, the motion carries.

Mr. Sims goes on to state that he respects law enforcement, however the facts are the facts and what was said tonight is not the truth. A report from FOX news states that Karen DePaepe got paid the most money in the wiring tapping settlement. Most would ask why Karen DePaepe get paid the most money cause in her notice of the tort claim prepared by her attorney it states that high-ranking officers engaged in misconduct, racial slander and criminal acts. Karen DePaepe's listening was in the scope of her assigned job duties. Sims goes on to state that none of the discussion had anything to do with the officers job duties but they engaged in these practices while on duty is where the real problem comes in. Mrs. DePaepe's settlement does not detract her statements she has already disclosure what was on the tapes misconduct, offensive racial slander and criminal acts which is part of the public record. The mayor paid her in a settlement and no discovery was ever done, settlements require discovery. Chief Boykins and Karen DePaepe has not been prosecuted because that would require their defensive attorney's to listen to the tapes. This is a shell game, why would the officers sue Councilmember Henry Davis and allege slander and then come here today and say seal the tapes that doesn't make any sense at all. After paying almost (1) million dollars of taxpayer dollars we still don't know if we have high-ranking officers who are committing crimes/criminal offenses such as covering up murders etc.

Samuel Brown, South Bend, Indiana, states he's representing citizens for united government, Then ask the Council that he be granted (6) six minutes.

President, Tim Scott entertained the motion made by Councilmember Oliver Davis to grant petitioner an additional three minutes Councilmember Henry Davis seconded the motion, the motion carries.

Brown goes on to state, the tapes need to be heard and there will not be peace until justice is served. They're not giving up and we're not giving up and there will not be peace until then. If it comes out it will change the election and the face of South Bend. He asked what you guys are covering up. Brown states we will not stop the fight.

Dan Mullins, 632 So. 28th St, South Bend, Indiana, Dan states he wants to see accountability in all the departments including the mayor. There are some good people in government states that things need to change come election time.

Rebecca Kaiser, 913 Diamond Ave. South Bend, Indiana, asked the Council if she could be granted (6) six minutes instead of three minutes if needed.

President, Tim Scott entertained the motion made by Councilmember Oliver Davis to grant petitioner an additional three minutes, Councilmember Gavin Ferlic seconded the motion, and the motion carries

Rebecca states that as an administrator of a large social media page listed as South Bend neighborhood problems and concerns. For three years the tapes has been used to divide the community, states she doesn't need to hear people saying offensive things about one another she can hear that right out on the streets. If the tapes are released what is it going to solve, nothing at all, but we'll continue to keep it going and spent the money to pursue it. States it's not worth it forget the tapes we need to work together.

Tim Corbett, 523 Jefferson St., South Bend, Indiana, states that he would like to have (6) six minutes as well.

Councilmember, Oliver Davis made the motion to grant petitioner an additional three minutes Councilmember Henry Davis seconded the motion, the motion carries

Corbett goes on to state, people are focus on one tape, what about the tapes that were deemed illegal to listen to under the Federal law, no one has mentioned anything regarding that. Corbett states, it's funny that everyone has all of these facts but the only person that has listen to the tapes is Karen DePaepe, Daryl Boykins in his statements stated that he's never heard the tapes. Corbett stated that there are three ways to hear a tape legally and since no one has heard the tapes all of the allegation are false and just allegation and nothing more than that. Corbett stated that all the talk of racial slander being on the tapes and that being the reason the tapes need to be heard doesn't make much sense at all to him. Corbett states he has a very tough profession, which he takes pride in and most people couldn't do his job and constantly commended for doing a job well done. Corbett states that he takes his job serious and most of the crimes are black on black crimes not car loads of whites going to shoot-up blacks and vice-versa, therefore the racial issues doesn't make sense, he states when he's doing his job he doesn't see color, he helps victims and puts his self on the line. Corbett stated he'll fight to the end and he's not backing down from this any time soon.

Jason Banicki-Critchlow, 3822 W Ford St., South Bend, Indiana, States in regards to the tapes it all comes down to rights and we don't have the right to listen to the tapes. We need to respect the right of others and their private conversation.

Joseph Shabazz- Tillman, 914 LWW, South Bend, Indiana, States that South Bend wants to let bygones be bygones. I'm tired of this attitude all the time, citizens have rights as well, if nothing is on the tapes it shouldn't be a big deal to listen to them. Joe states that if you're sitting up there

in Council seats and you don't have the best interest or the rights of the citizens at hand why you are sitting up there.

Braylin Watson, 2010 S. Gertrude St., South Bend, Indiana, states that he's heard everyone tonight and wants everyone to know that God is watching. What's done in the dark will come to light. Mr. Watson states he comes to represent Jesus and he comes subject to God and we all will too at some point. Mr. Watson wants us to remember that God is watching us all.

Kintae Lark, 307 Chapin St, South Bend, Indiana, states that he'd like to request (6) six minutes if needed.

Oliver Davis made the motion to grant petitioner an additional three minutes Councilmember Henry Davis seconded the motion, the motion carries.

Kintae states that he speaking on behalf of the issue presented here tonight, states he's running for City Council at Large and says he's had a really hard life and he now mentors young-children. Regarding the issues presented here tonight leaders at the end of the day what do we tell our children, they are the future.

ADJOURNMENT

There being no further business to come before the Council, President Tim Scott adjourned the meeting at 8:10 p.m.

ATTEST:

ATTEST:

John Voorde, City Clerk

Tim Scott, President