


South Bend councilor seeks public talk about Niezgodski allegations

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LOCAL

Council member Oliver Davis calls for public meeting about VP Sheila Niezgodski's conduct

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South Bend Tribune

SOUTH BEND — On Monday night, supporters and family members of local political blogger Logan Foster returned to South Bend Common Council to talk about city officials' alleged inaction after Foster accused Council Vice President Sheila Niezgodski of assaulting him.

The group has regularly voiced its concerns during public comment at council meetings since the incident occurred on May 13, but this time, they had the support of council member Oliver Davis.

Davis, who is an at-large council member for the city, had released a statement a few hours before Monday's council meeting saying that the investigation that the rules committee had undertaken about Niezgodski's conduct was inadequate and "dishearteningly" ruled that the allegations were a non-issue. He said he "firmly" disagreed with the rules committee's findings.

Like Foster's supporters, Davis called for a public process to deal with the allegations.

"It is my firm view that as a Man, if I had approached a Woman resident as was done on May 13, 2024, I would have certainly been censured ... and asked to resign from my position," Davis said in his statement. He said that he was disappointed council leadership and the council attorney had "publicly ignored" the matter since May 13.

Foster runs a website called Redress South Bend where he writes about the region's local government officials. He had been looking into a plumbing company linked to Niezgodski's family and said during public comment at the May 13 Common Council meeting that she unfairly awarded city contracts to the company, an issue he had brought up at previous meetings, as well.

Niezgodski, who is vice president of the Common Council and chairperson of the council's public works and property vacation committee, is married to state Sen. David Niezgodski.

According to Foster, Niezgodski walked toward him and raised her hand at him at the May 13 meeting. A video taken by Foster and uploaded on his social media account shows Niezgodski walking toward the camera and then being pulled away by council member Sharon McBride a few seconds later near the doors of the council chambers.

The gesture that Foster is alleging Niezgodski made was not filmed, but in the video, as McBride pulled Niezgodski away, Foster says, "she just raised her hand and almost assaulted me," to the spectators in the council chambers.

The video of the May 13 meeting uploaded on the city's website ends just as Niezgodski walked away from her seat on the dais because the meeting had been adjourned by that point. In that video, before the alleged altercation, Niezgodski responded to Foster's public comments saying that her husband is no longer employed by Niezgodski Inc., the plumbing company linked to their family. "You're badgering my family," she said.

The council's rules committee had met in private to discuss the incident and didn't take any further action. According to the city's municipal code, investigations into the alleged conduct of a council member can be made based on a signed written complaint. The rules committee that operates in closed, executive session can determine whether the complaint fails to "allege facts sufficient to constitute a Code or statutory violation."

At the Aug. 26 meeting of the Common Council, Don Foster, Logan's father, said in public comment that a formal complaint he submitted to the council's rules committee at the end of May was wrongly dismissed. Foster said that city attorney Bob Palmer informed Logan in writing on July 9 this year that council members Sharon McBride, Troy Warner and Ophelia Gooden-Rodgers voted to dismiss the complaint in executive session.

There is another executive session of the council rules committee at 6:15 p.m. Wednesday, Sept. 11. Speakers at Monday night's Common Council meeting said that those proceedings must be open to the public.

"Transparency is something that has been lacking by this council," said Linda Bryant, who has criticized Niezgodski's conduct in public comment at previous meetings. "It needs to be a public hearing. ... Obviously, we would never expect the council to public, to police themselves in private. ... Again today, I am asking for Vice President Sheila Niezgodski to resign."

Council member Davis urged his colleagues on the Common Council to seek a "proper resolution" in a public forum, not a private executive session.

Davis told The Tribune on Tuesday morning that during his first year on the Common Council in 2007, representing District 6, the district Niezgodski currently represents, residents would raise many controversial issues during the public comment section. "If I had gotten up from

my seat back then ... raised my hand at a resident and another council member needed to pull me away, I would have lost my professional license" as a social worker, Davis said.

He told The Tribune that the incident and Niezgodski's failure to acknowledge it has fractured how people do business in the city government during a busy budget season.

"Failure from our Council Leadership to not address the issue ... only keeps the flame of public distrust burning, which is causing all of us to be burnt by this fire, whether we caused it or not," Davis wrote in his statement.

Niezgodski didn't respond to the public's comments during the meeting. The Tribune left a voicemail Tuesday seeking her response.

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