

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
February 10, 2025**

The Common Council of the City of Valparaiso, Indiana, met on Monday, February 10, 2025 at 6:00 p.m. in City Hall. Mayor Costas called the meeting to order. The Pledge of Allegiance was said. Present were Councilmembers Reed, Cotton, Domer, Pupillo, Anderson, Hunt, and Kapitan.

MINUTES

MOTION: Councilmember Cotton moved to approve the minutes from the January 27, 2024 Council meeting and February 10, 2025 Executive Session. Councilmember Kapitan seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

ADVISORY HUMAN RELATIONS COUNCIL UPDATE

Alison Quackenbush, President of the Advisory Human Relations Council, addressed the Council. The purpose of the Council is to advise the Mayor on issues of diversity, equity and inclusion. It is an Advisory Board only. Under Mayor Murphy there were two years of disability focus. This past year they met three times. They were able to have a bi-partisan Resolution declaring June as PRIDE month. Three members will be rolling off because they have reached the end of their term. She thanked Ellen DeMartinis, Katrina Spence-Smock and Bianca Villarruel. In 2025 The Council will reconstitute their cultural grants. These will be matching not-for-profit initiatives. The goal of the grant is to shift the burdening of programming resources back into the community.

A concept that has come up quite a bit is civility. The Council is hesitant to address this issue. Not because there is not an issue but they do not know how to go about tackling this. She agrees the First Amendment needs to be protected. She doesn't know how to instate the philosophy of "it isn't what you say. It is how you say it."

The two largest incidents of incivility have happened over the last year and have taken valuable hours of time from city leadership, away from our families and a negative force on our mental health. She is a community builder and a bridge builder but she is stuck as to how to turn down the heat and focus on connecting and problem solving. What she proposes is giving the Council as much time as they are willing to contribute as long as they commit to bridge building. The Mayor has given full support to this topic. She needs direction.

Councilmember Kapitan – Where does the funding come from for the Cultural grants.

Alison Quackenbush –She has been told they have a \$10,000 budget. Information will be on the website by the end of the week. It has to be matching funds. It cannot be operational funds.

Councilmember Kapitan – Alison mentioned three people are stepping away this year. Does that mean there are three openings and if so what is the application process.

Alison Quackenbush – Anyone can let her know they are interested. This is the Mayor's advisory council so he identifies people.

Councilmember Cotton – He has talked to Alison about civility. The Mayor has been able to demonstrate that they have a handle on managing civility prior to the outburst at the last Council meeting. The Ordinance establishing the HRC set out the times they would meet. People looked forward to the meetings when it was a regular and on going thing. They established an Intervention and Reconciliation Council. That Council has not met since it was established. He is the liaison to that Council. He tried to find out who held the appointments

from the University President, School board President, the largest health care provider, and no one has made any appointments. He would like to have a discussion about how having more frequent meetings would help.

Alison Quackenbush – She would like to talk more about that but she would also like Attorney Lyp’s thoughts. Her understanding was that the group of people he is talking about only meet when there has been a registered complaint or violation.

Attorney Lyp – In the Ordinance of 2016 there was a committee established on an “as needed” basis. It is not an operating committee. It is there only to investigate certain complaints. Since 2016 they have never gotten to the point where they need that. Councilmember Cotton is correct that no one has been established. If the entities are not going to appoint someone, it might have to be looked at and have a different appointing entity. This group is different than the one Alison is leading. In the past people have come to the HRC meetings just to complain. He is happy with what he sees Alison and Matty doing. He feels it is a group of people with a primary goal of looking to do good for the community.

Councilmember Cotton – The structure is what has cost the Council to be not as vital as it was intended to be.

Councilmember Reed – She asked for the date and time of the meetings.

Alison Quackenbush – This Thursday at 5:30 at Daybreak on Don Hovey Drive.

Councilmember Kapitan – Are there still subcommittees?

Alison Quackenbush – The subcommittees disband when they are done so there are no subcommittees right now. She is not sure how to proceed with the civility issue.

Councilmember Hunt – She asked Alison to re-state the purpose of the HRC.

Alison Quackenbush – Her understanding is that it is to advise the Mayor on issues of diversity, equity and inclusion. She does not know that they ever did programing except with Mayor Murphy and the disability programs.

Mayor - A lot of what the HRC does is behind the scenes receiving information and disseminating information.

Councilmember Domer – She feels civility and equity align with each other. She was gaveled once in a public comment portion of a meeting. She left feeling that was done because the person did not like what she was saying. Equity is in HRC’s wheelhouse. She feels there is an opportunity.

Utility Senior Citizens Discount/Benefit

Steve Poulos – During rate cases in 2024 relief options were discussed. The VCU Board did a study on low income subsidy with numbers. He discussed the Crown Point Senior Discount Program. Their program starts at 62 years of age. There is \$100,000 available for discounts. The funds are received from HIDTA funds as per the Ordinance as they are the Fiduciary for the Lake County HIDTA. The dollars are divided evenly to all applicants. The \$100,000 is through a fiduciary service as provided by the City. The money does not come from the City General Fund. The average credit is \$2.50 per statement or \$30 per year. They administer over 3,000 applicants per year. This has been in place since 2009. He recommends having further dialog on the matter.

Councilmember Domer – It is nice to know that we may have options to provide our citizens some relief.

Councilmember Hunt – She knows they discussed a usage-based reduction.

Steve Poulos – When we present at a subsequent meeting we will look at three pieces with the whole picture in front of them.

Councilmember Domer – Will you have further information on the HIDTA program or what are the next steps in investigating the Crown Point option?

Steve Poulos – He is not quite sure what else there is to investigate. The Crown Point model is pretty simple and is all outlined in the Ordinance. He reminded her that when they were doing the rate cases the legal counsel advised against age based discounts because they could be discriminatory and challenged.

Councilmember Domer – If the rate were adjusted. In the Crown Point model the rate is not adjusted.

Clerk-Treasurer Taylor – HIDTA stands for High Intensity Drug Trafficking area. The VPD works the areas of 94 and the toll road. If there is a bust the Department gets part of the money. Crown Point is the fiduciary. They pay the overtime for the officers and VPD get part of the money.

Steve Poulos – He will go back to Crown Point and look into it.

COUNCIL LIAISON REPORTS

Councilmember Hunt – Next school board meeting is February 20th. Senate Bill 1 would cause a \$14 Million Dollar shortage for VCS.

Councilmember Reed – At the last Park Board meeting there was a presentation on Toys for Tots. Cristina Darr is relocating to another state. NWI Fence is replacing the fence on the four fields at Fairgrounds Park. Parks will be getting an overhaul. Seniors have designated ice skating from 10:00 am to noon.

Councilmember Cotton – The Fire Territory at its meeting gave a use of service report. They identified a parcel of land for a fourth fire station. This will require additional staff and equipment. The VFD Union is sponsoring a simulated event. RSVPs should be turned in. The Merit Board is moving forward. Cass Rosinski is the new Fire Union President.

Councilmember Kapitan – Traffic and Safety meets on the 17th. They will be working with the new software. The Environmental Board had their first meeting. She asked about the effect of SB1 on municipalities.

Clerk Treasurer Taylor – She has not been asked to do anything with providing numbers except for AIM who lobbies on behalf of municipalities.

Mayor Costas – There are still a lot of unknowns. The City is working on it.

Councilmember Hunt- The City needs to have conversations, so they know if they need to reevaluate this year's budget.

Councilmember Domer – RDC closed on the Regal building. The next meeting is February 10th. This Wednesday is League Day for League of Women Voters at the State House. She would be happy to deliver a letter from the City stating their position on SB1.

Councilmember Pupillo – February 21st the VFD will vote on the citizen members of the Merit Board. VPD gave awards for officer, supervisor and detective of the year.

COUNCIL COMMENTS

Mayor Costas – Public engagement is one of the City’s greatest strengths. In presiding over more than 400 Council meetings in the past 17 years, he has always tried to give all who wish to speak a wide berth. He has been told he gives too much time to speakers. Others have told him he should be more aggressive in moderating remarks made during public comment. The First Amendment’s right to free speech is a corner stone that government must respect in public meetings. To attempt to curtail another’s words is not in the spirit of the Constitution. Those who aspire to lead learn to grow thick skin as it invites criticism. Leaders are human having emotions and feelings and are not made of Teflon. One person’s free speech can be another person’s offensive remark. Shouting and aggressive finger pointing are not appropriate. Nor is addressing the audience rather than the elected body. It is the desire of those serving you to present a positive example of respect and decorum and to expect it of the citizens we serve.

Since the last meeting he has met with Councilmember Kapitan and Hunt to review the events of the last meeting. He has also met with Alison Quackenbush AHRC president. At the bottom of the Agenda there is a comprehensive overview concerning appropriate behavior at Council meetings. It is a likely time to revisit and possibly expand certain aspects. He has asked HRC to help. Going forward the Council and he will continue to foster robust but respectful comments.

Councilmember Kapitan – What started by asking what is residency, quickly turned into asking what is acceptable behavior in a meeting and from our City leaders. This Council holds itself to a higher standard of conduct than the public and rightfully so. We should also hold our appointees to that standard. The behavior displayed by Dr. Behrend has raised significant concerns resulting in multiple meetings, multiple concerns being emailed in from residents, a review of our own security protocols and engagement with the HRC to explore a formal code of civility. Our ultimate goal is to create an environment where all voices are heard and where discussions remain respectful and productive. Citizens should feel empowered to ask questions, raise concerns and actively participate.

She apologized to the residents, students who were present and those that have since witnessed the outburst at the last meeting. The action, the yelling, the unfounded accusations exceeded the boundaries of respectful discourse. There should be no question that that behavior was unacceptable. We take the safety of our citizens and their First Amendment rights seriously. It is the Council’s duty to set the tone for discourse and to make sure disagreements remain civil. As a body they are committed to ensuring meetings foster a space for respectful dialogue. One where aggression and disorder do not dominate and all opinions can be expressed safely. She can only imagine how unsettling it was for those sitting in the room. Especially those sitting in close proximity. She owes and the Council owes an apology for allowing that to unfold in the chambers. Moving forward they will do better. As President of the Council she takes accountability not for his actions but for her failure to address them in the moment. Please do not accept this silence as acceptance.

PUBLIC COMMENTS

TO HEAR CITIZENS’ FULL COMMENTS, PLEASE REFER TO THE WATCH CITY MEETINGS

SECTION OF THE CITY OF VALPARAISO’S WEBSITE (WWW.CI.VALPARAISO.IN.US)

Jennifer Hora, Heritage Valley – They appoint her school board members. She hopes she is allowed the same time and liberties as other speakers as at the last meeting. She asks the Council to re-visit the Ordinance and lack of amending the policies since the 1950s. She asks them to take accountability for allowing the January 27th meeting to become a travesty of governing and an on line laughing stock. She appreciates Councilmember Kapitan. There are 10 people sitting in front. She further discussed the actions of Dr. Behrend at the meeting and the inaction of the Council. Some get gavelled for three seconds of laughing while others are allowed to go on uninterrupted or corrected for 10 minutes. Please take meaningful action by passing a Resolution formally

apologizing to the citizens of Valparaiso for allowing such unruly and undignified display in this meeting space and reprimanding the speaker that broke the City of Valparaiso's public speaking rules.

Councilmember Cotton – He answered her with an email. In that email he told her he does not think there is a Resolution necessary.

James Ferguson, 303 Indiana – He discussed the sidewalks on Calumet from downtown to Town and Country. Many areas do not even have a curb. He had to put in a Public Request Record to find out why he has been blocked from the State Action Facebook page by the Council members.

There was discussion between him and Councilmember Hunt who pointed out that he is not blocked.

Deb McLeod, Valparaiso – He asked that addresses not be required. She has an Order of Protection from a person who got her address from the City's website. She discussed a personal situation where she is being stalked and does not feel safe.

The Next Council Meeting will be February 24, 2025

The meeting was adjourned at 7:25 p.m.

/s/ Holly Taylor, Clerk-Treasurer