

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
March 9, 2020**

The Common Council of the City of Valparaiso, Indiana, met on Monday March 9, 2020 at 7:00 p.m. in City Hall. Mayor Murphy called the meeting to order. The Pledge of Allegiance was said. Present were Councilmembers Reed, Cotton, Schmidt, Pupillo, Anderson, and Douglas. Councilmember Costas was absent.

MINUTES

Councilmember Cotton moved to approve the minutes of the February 10, 2020 meeting with a clarification on the reaffirmation of a previous Resolution. Mayor Murphy advised this can be discussed under other business. Councilmember Reed seconded the motion.

Upon voice vote the motion to approve passed with a 6-0 vote.

RESOLUTION NO. 3, 2020

**A RESOLUTION OF THE VALPARAISO COMMON COUNCIL CONCERNING
CERTAIN ACTIONS AND PROCEEDINGS WITH RESPECT TO THE FINANCING
OF CERTAIN VALPARAISO ASSISTED LIVING FACILITIES**

Councilmember Douglas moved that Resolution No. 3, 2020 be read a first time and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 3, 2020. Councilmember Douglas moved to adopt Resolution No. 3, 2020. Councilmember Reed seconded the motion.

Patrick Lyp addressed the Council. Green Oaks of Valparaiso LLC has petitioned the City to issue economic development revenue bonds. This project will be located on Highway 30. The facility will be marketed to moderate to low income seniors. Representatives of Green Oaks addressed the Council and explained the project. The City will be a pass through for the financing. The City has no liability. They do not guarantee anything and it will not affect the City's bonding ability. The project cost is approximately \$30 Million. It will be a three-story building with 120 units.

Councilmember Douglas asked for clarification that they are involved in 11 projects in Indiana at the present time. They are and of those 11 there is a mix of independent assisted living facilities and multifamily units. Councilmember Douglas asked about the 30-year compliance window. At the end of that time period developers will refinance using the tax credits. But for the 30 years it has to be this use. Councilmember Douglas asked about private pay. It was explained the resident would have to meet certain financial requirements to be accepted to the facility. If a resident has too many assets over \$200,000, they will have to be private pay until they exhaust that amount. Patrick explained this is part one of a twostep process for the Council. This is a for profit entity so they will be full tax.

Councilmember Cotton asked how they will market this as affordable. It was explained this facility will be managed by the largest assisted living facilities in the country which also manages most of the facilities in Indiana. Councilmember Cotton asked about the 30-year compliance. It was explained the developers will more than likely refinance again and redo the tax credits. Councilmember Cotton discussed the income presented would be skewed because Valparaiso has a higher average income level. Councilmember Cotton questioned the collateral level the company is required to maintain. A representative explained the various ways they are scrutinized.

Upon roll call vote the motion to adopt Resolution No. 3, 2020 passed with a 6-0 vote.

ORDINANCE NO. 3, 2020

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,
INDIANA, AMENDING ORDINANCES 29-2011 CONCERNING THE
ESTABLISHMENT OF AN ADVISORY HUMAN RELATIONS COUNCIL WITHIN
THE CITY OF VALPARAISO, INDIANA**

Councilmember Douglas moved that Ordinance No. 3, 2020 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 3, 2020. Councilmember Douglas moved to carry Ordinance No. 3, 2020 to the March 13, 2020 meeting. Councilmember Reed seconded the motion.

Patrick Lyp addressed the Council. This Ordinance cleans up the section regarding Organization of Advisory Human Relations Council in regard to membership and organization in Ordinance No. 29, 2011.

Councilmember Cotton asked if they considered how many terms a member can be on the board. Patrick Lyp replied three, three-year terms.

Upon voice vote the motion to carry Ordinance No. 3, 2020 to the March 30, 2020 meeting passed with a 6-0 vote.

ORDINANCE NO. 4, 2020

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA AMENDING ORDINANCE 31 -2019 CONCERNING COLLECTION BOXES

Councilmember Douglas moved that Ordinance No. 4, 2020 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 4, 2020. Councilmember Douglas moved to carry Ordinance No. 4, 2020 to the March 30, 2020 meeting. Councilmember Reed seconded the motion.

Patrick Lyp addressed the Council. This Ordinance cleans up the Ordinance which was passed on November 25, 2019.

Councilmember Reed asked how a citizen knows if a box is an approved box. Vicki Thrasher replied the boxes will be marked.

Upon voice vote the motion to carry Ordinance No. 4, 2020 to the March 30, 2020 meeting passed with a 6-0 vote.

ORDINANCE NO. 5, 2020

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, AMENDING MUNICIPAL CODE SEC. 94.172 AS TO RATES AND CHARGES

Councilmember Douglas moved that Ordinance No. 5, 2020 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 5, 2020. Councilmember Douglas moved to carry Ordinance No. 5, 2020 to the March 30, 2020 meeting. Councilmember Reed seconded the motion.

Chief Dutz addressed the Council. The Fire Department has not raised the rates for ambulance fees in 12 years. This Ordinance sets a new fee schedule with increased rates

Councilmember Douglas asked if this is only if transported. The various types of calls and fees charged were explained. Medicare, Medicaid and commercial insurance cover most of the payments.

Councilmember Cotton asked about the raise. It was explained these rates will be effective September 1, 2020 and annually thereafter, the rates will automatically increase three percent (3%).

Upon voice vote the motion to carry Ordinance No. 5, 2020 to the March 30, 2020 meeting passed with a 6-0 vote.

ORDINANCE NO. 6, 2020

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, TO REESTABLISH A UNIFORM RATE FOR THE VALPARAISO FIRE PROTECTION TERRITORY EQUIPMENT REPLACEMENT FUND

Councilmember Douglas moved that Ordinance No. 6, 2020 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 6, 2020. Councilmember Douglas moved to carry Ordinance No. 6, 2020 to the March 30, 2020 meeting. Councilmember Reed seconded the motion.

Chief Dutz addressed the Council. He gave the history of the Fire Territory. Money generated is used for apparatus, equipment and housing. The rate will be established at \$0.0333 per one hundred dollars of assessed value on taxable real and personal property within the Territory's taxing district.

Upon voice vote the motion to carry Ordinance No. 6, 2020 to the March 30, 2020 meeting passed with a 6-0 vote.

ORDINANCE NO. 7, 2020

AN ORDINANCE AMENDING ORDINANCE NO. 27-2019, ESTABLISHING THE WASTEWATER SERVICE AREA FOR THE CITY OF VALPARAISO, INDIANA, AND REGULATING THE FURNISHING OF WASTEWATER SERVICE THEREIN

Councilmember Douglas moved that Ordinance No.7, 2020 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 7, 2020.

Councilmember Douglas moved to have Ordinance No. 7, 2020 read a second time by title and a third time in full and be considered for adoption and the opportunity be given for the offering of amendments. Councilmember Reed seconded the motion.

Steve Poulos addressed the Council. This Ordinance amends Ordinance No. 27, 2019 to replace the map attached thereto as Exhibit A with the map attached to Ordinance No. 7, 2020 as Exhibit A. This is as a result of the Settlement Agreement between The City of Valparaiso, Valparaiso City Utilities and the Town of Chesterton and Aqua Indiana, Inc.

Upon roll call vote the motion to pass on first reading passed 6-0.

Councilmember Douglas moved to suspend the rules on Ordinance No. 7, 2020. Councilmember Reed seconded the motion

Upon role call vote the motion to suspend the rules on Ordinance No. 7, 2020 passed with a 6-0 vote.

Upon role call vote the motion to adopt Ordinance No. 7, 2020, under suspension of the rules, passed with a 6-0 vote.

Other Business

Mayor Murphy discussed the previous Resolution that Councilmember Cotton wants reaffirmed. Mayor Murphy explained Councilmember Cotton has the ability to request an item be placed on the Agenda and there is a procedure to follow to do that. Councilmember Cotton discussed his reasoning as to why he has always been opposed to that procedure. He further explained why he feels the Resolution needs to be reaffirmed. The resolution is in support of the Valparaiso School Boards referendum and in addition to other items, the foreign language program.

Councilmember Douglas talked about his opinion that this is a school board issue. Mayor Murphy stated there is no one who opposes the Resolution. Therefore, there is no reason to reaffirm it.

Councilmember Cotton moved to place Resolution 8, 2015 on the Agenda for the March 30, 2020 meeting for reaffirmation. Failing a second to the motion, the motion died.

Mayor Murphy read a Proclamation Declaring April 1, 2020 as National Census 2020 day. The Proclamation encouraged all citizens to participate in the Census.

Councilmember Douglas stated Bill Oeding was recognized as Distinguished Hoosier by Governor Holcomb. The Council recognizes and thanks him for his service to the City.

March 17, 2020 the Porter County Commissioners are having an informational meeting regarding corona virus.

Mayor Murphy introduced Beth Shrader She replaces Tyler Kent as City Planner and Transit Director.

Public Comment

Rebecca – Sager Road. Thanks to Council regarding their support of the foreign language program. She is disappointed Resolution 8, 2015 is not going to be reaffirmed.

Drew Wenger – He asked about the status of a study which is to be done on housing marketing analysis. Mayor Murphy replied it is still being worked on.

The meeting adjourned at 8:40 p.m.

/s/ Holly Taylor, Clerk-Treasurer