

MINUTES OF THE MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY

VALPARAISO, INDIANA

March 17, 2025

The Board of Public Works and Safety of Valparaiso, Indiana met March 17, 2025, at 11:00 a.m. in City Hall. Present were Bill Oeding and Katrina Spence. Mayor Costas was absent. Bill Oeding called the meeting to order and led the Pledge of Allegiance.

MOTION: Bill Oeding moved to approve the minutes of the February 14 and February 28, 2025 meeting. Seconded by Katrina Spence and so approved with a 2-0 vote.

MOTION: Bill Oeding moved that the claims be approved for payment subject to appropriation balances. Seconded by Katrina Spence and so approved with a 2-0 vote.

Change Order #1 - Downtown Streetscape Improvements

The Engineering Dept is recommending approval of Change Order #1 for the Downtown Streetscapes project. There were two combined sewer manholes on the project that needed to be larger than proposed in the original design. This increase of \$27,600 will be paid from sanitary sewer funds and has been approved by the Utility Board. The Engineering Department recommends approval.

MOTION: Bill Oeding moved to approve the Change Order #1 of the Downtown Streetscape Improvements. Seconded by Katrina Spence and so approved with a 2-0 vote.

Waiver of Objection and Consent to Annexation

- Lot 93 – 306 Holst Lane

- Lot 94 – 308 Holst Lane

The Engineering Dept recommends acceptance of a waiver of objection and consent to annexation for Lots 93 & 94 within the Cherry Hill Subdivision. This area is served by City Utilities but is outside City Limits.

MOTION: Bill Oeding moved to approve the Waiver of Objection and Consent to Annexation for Lot 93 and Lot 94 in Cherry Hill Subdivision. Seconded by Katrina Spence and so approved with a 2-0 vote.

Recycling and Waste Reduction District of Porter County Tire Amnesty Event

This event will be held at the Valparaiso Compost Site. It is sponsored by Recycling & Waste Reduction District of Porter County. It will be held Wednesday, October 8, 2025.

MOTION: Bill Oeding moved to approve the Tire Amnesty at the Valparaiso Compost Site. Seconded by Katrina Spence and so approved with a 2-0 vote.

Public Assembly Request - Northwest Indiana NOW

Attorney Patrick Lyp presented a Public Assembly Request. This request is made by Deb Mcleod, on behalf of Northwest Indiana NOW presented a Public Assembly Request form. The group is assembling in support of choice, women's healthcare and marginalized communities. They are requesting to organize on the northeast corner of Courthouse Square on every Tuesday from 12:00pm – 1:00pm. They will have a maximum of 15 participants. This request runs from March 25 – September 26, 2025. Attorney Patrick Lyp advised this has been confirmed with Valparaiso Police Department. The Group will not go into street; will not block pedestrian traffic; and will not create any unsafe conditions. Any signs, banners, or displays must be carried and not placed on sidewalk or against traffic light pole. Given the close proximity of the public assembly to a busy intersection, no microphones/ other amplifying devices are allowed. Group will not encourage cars to honk their horns and will abide by the quiet zone policy. If number of participants changes to more than 15, Applicant will notify VPD.

MOTION: Bill Oeding moved to approve the Northwest Indiana NOW request to assemble on Tuesdays from 12:00 p.m. to 1:00 p.m. from March 25-September 26, 2025. Seconded by Katrina Spence and so approved with a 2-0 vote.

Public Assembly Request - Right to Life of Northwest Indiana

Attorney Patrick Lyp presented a Public Assembly Request. This request is made by Mike Finley, on behalf of Right to Life of Northwest Indiana presented a Public Assembly Request form. The group is assembling to peacefully witness for the sanctity of human life, and to pass out resource guides. They are requesting to organize on the northwest corner of Courthouse Square every Tuesday from 12:00pm – 1:00pm. They will have a maximum of 5-10 participants. This request runs from March 17 – September 26, 2025. Attorney Patrick Lyp advised this has been confirmed with Valparaiso Police Department. The Group will not go into street; will not block pedestrian traffic; and will not create any unsafe conditions. Any signs, banners, or displays must be carried and not placed on sidewalk or against traffic light pole. Given the close proximity of the public assembly to a busy intersection, no microphones/ other amplifying devices are allowed. Group will not encourage cars to honk their horns and will abide by the quiet zone policy. If number of participants changes to more than 15, Applicant will notify VPD.

MOTION: Bill Oeding moved to approve the Right to Life of Northwest Indiana's request to assemble on Tuesdays from 12:00 p.m. to 1:00 p.m. from March 17-September 26, 2025. Seconded by Katrina Spence and so approved with a 2-0 vote.

Street closures

- VNA Stroll for Hospice – May 4, 2025

- Hawthorne Neighborhood Fourth of July Block Party – July 5, 2025

These have been reviewed and approved by all impacted departments.

MOTION: Bill Oeding moved to approve the VNA Stroll for Hospice and Hawthorne Neighborhood Fourth of July Block Party as presented. Seconded by Katrina Spence and so approved with a 2-0 vote.

58 Lincolnway - Awning Replacement

Jessica Gage addressed the Board. Six Cypress is moving from Washington Street to the former Isabella Boutique. The owner would like to replace the existing brown awning with the same awning style, in black. As with signs, fences, etc., when an item is removed, the new item is reviewed against current ordinance.

Per Unified Development Ordinance (UDO) Section 2.401 Exceptions to Yard Standards (Nonresidential), awnings without supports that extend to the ground, not less than 8ft above sidewalk, and no interference with traffic flow, can extend into the right-of-way in the Central Business District (CBD) a maximum of 8ft but not closer than 2ft from the back of curb, subject to Board of Works approval.

This proposal meets those guidelines and the Planning Department recommends approval. It will be a welcomed update for this storefront.

MOTION: Bill Oeding moved to approve the 58 Lincolnway -Awning Replacement request. Seconded by Katrina Spence and so approved with a 2-0 vote.

Proposed Update (with revisions since 02/28/25 meeting) Downtown Outdoor Dining Standards and Conditions

Jessica Gage addressed the Board and presented current revisions. The yellow highlights you see in the current draft (dated today, 03/11/25) are changes made since the 02/28/25 meeting. Most are for clarification purposes, grammar cleanup.

Substantive changes made since 02/28/25 meeting:

- **GRANDFATHER VS SUNSET:** Instead of grandfathering enclosure styles no longer wanted -- mainly the unstable thin fence styles, but others too (Radius enclosure with chains comes to mind) – a “sunset” was recommended and a suggestion was made that this be the last season for those. The draft reflects that suggestion.
- **WAIVER PROCEDURE:** Patrick suggested a waiver procedure. This has been drafted to apply to Amplified Sound as well as Hours of Operation. The idea here is that these would be minor deviations.
- **FINE ESTABLISHED:** The language was modified to reflect “up to” \$200, assessed as a daily measure, not per offense.

Bill Oeding -What is the time frame for the “sunset”.

Jessica Gage – It is drafted to be one year. She wants to go to the various establishments and do some measuring before a final draft is submitted.

Some Establishments are itching to set up their enclosures. As all previously approved enclosure styles will be permitted this year (if not longer, depending on what is decided), we'll offer the opportunity for them to set up their Outdoor Dining Areas as soon as their needed paperwork is in. No new products of any kind will be approved until the revised Standards and Conditions are in place.

Katrina Spence – How many restaurants are in conformance based on what they had last year?

Jessica Gage – She believes it is three.

Katrina Spence – How many restaurants participate in outdoor dining?

Jessica Gage – She believes it is 24.

Bill Oeding – He suggested putting in a sunset date of one year. However, if they have proof that they invested in their enclosure in the last several years, you could get an extension of one year.

Jessica Gage – Are we still distributing for comment? What she got out Friday was if they are still working with the same enclosure as last year, then they can turn in paperwork and will get approval. Any new enclosures are on hold.

Attorney Patrick Lyp – His suggestion is to circulate a copy with yellow highlights of the changes. Advise them the BOW will take final action at its next meeting.

Jessica Gage – There have been many changes. She would prefer to send out a clean copy.

Attorney Patrick Lyp- His suggestion is to do that and include a memo pointing out a few highlights of changes she knows will be important to them.

Picante – Outdoor Dining

Jessica Gage – She presented Picante's request for outdoor dining. They are located at 454 Greenwich. This is the same as last year.

MOTION: Bill Oeding moved to approve Picante's request for outdoor dining.
Seconded by Katrina Spence and so approved with a 2-0 vote.

VFD MOU with Valparaiso University

Chief Dutz presented an MOU with Valparaiso University for fire protection. The MOU has increased from \$50,000 to \$60,000. They receive 10 no charge events per year. The term of the

MOU has been reduced from five years to three years. The payment will be in two installments. One will be July 1st and one December 31st.

MOTION: Bill Oeding moved to approve the MOU between VFD and Valparaiso University. Seconded by Katrina Spence and so approved with a 2-0 vote.

Two New Ambulances - VFD

Chief Dutz requested approval to purchase two new ambulances. The cost is \$730,000. They have 4.96% interest. He is requesting approval to purchase and to work with Attorney Lyp on the Agreement.

MOTION: Bill Oeding moved to approve the purchase of two new ambulances and to work with Attorney Lyp on an Agreement. Seconded by Katrina Spence and so approved with a 2-0 vote.

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)

Ron Mory – 960 West Street. He discussed veteran groups and their ability to use the Memorial Opera House for meetings.

There was no further business, and the meeting adjourned.