

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
June 9, 2025**

Minutes are not verbatim. To Hear Full Comments, Please refer to the – Watch City Meetings Section of the City of Valparaiso's Website (WWW.CI.VALPARAISO.IN.US)

The Common Council of the City of Valparaiso, Indiana, met on Monday, June 9, 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.

Valpo Parks Replay Initiative

Kevin Nuppnau– Present with Kevin were Tristan Leonard – Assistant Park Director, Dan McGuire – Event and Venue Director, Matt Slack – Maintenance and Facilities Director, and Madison Bell - Recreation Superintendent. The Department has executed a five year Master Plan, a feasibility study for an indoor and outdoor amateur sports complex, critical accessibility and energy efficiency audits, among others. On February 23, 2023 they launched the Valpo for All Generations Campaign. This detailed critical upgrades and new facilities for the parks department. The public was introduced to four core components: Improvements to legacy parks, a new center for adult enrichment called ACE to transform the 100 year old Banta Center, the creation of the Valparaiso skate park, and a new public park off of 500 north called the Community Sports and Recreation Complex. They had several impactful public engagement sessions. The momentum and financial backing was there for the Skate Park. This was a \$2.6 Million Dollar project. The land for the Valpo sports and recreation campus was acquired. \$30 Million Dollars in City and RDC bonds along with a Ready Grant was secured for funding. In July of 2023 bids were received for the project. The project's construction cost surpassed the allocated budget. In August Mayor Murphy announced the project and available funding were put on hold. The \$25 Million Dollars was redirected with \$10 Million Dollars allocated to enhance existing parks and \$15 Million Dollars dedicated to the adult center for enrichment and other indoor sports and recreation needs. Mayor Costas announced this in his 2025 State of the City address and it is now called Replay.

Tristan Leonard – The \$10 Million Dollars was enough to cover 10 existing parks. To decide which 10 would qualify they looked at five key priorities. The first priority was accessibility. Priority number two was infrastructure. Sustainability was the third priority. Enhancements was the fourth. And Safety was the fifth.

Dan McGuire – Banta has had several items done to make it more ADA accessible. Will Park has a new pathway that goes from the parking lot to the shelter. The parking lot was resurfaced and striped last year. The park has disc golf and concrete cornhole games. Glenrose South Park has new sidewalks and pathways. Ogden Gardens has a new pathway. They refurbished a number of benches. Foundation Meadows Park has a new butterfly playground. This is an all inclusive playground. They redid the existing 20-year old playground keeping the same footprint as the last one. They have refurbished the interior of the David A. Butterfield pavilion as well as tuckpointing and redoing the letters on the outside.

Madison Bell – All four ball fields at Fairgrounds park were renovated. This renovation allows all ages to use the fields and lets them host some local tournaments. Included in the renovation are updates to the parking lot, lighting, restroom upgrades, and lightning detection units. Rogers Lakewood made the park more accessible

through updates to pathways and trails as well as addressing infrastructure and safety improvements. ValPlayso renovations include playground space, and an all new sports element. They also revitalized the artwork. They have six new pickleball courts. The west side of Tower Park will be renovated with a new playground, a new shelter and restroom building, ADA walkways, site lighting, and improvements to the basketball and pickleball courts. Kirchoff Park is the biggest renovation through the legacy parks. This will be a full renovation of the whole park. Renovation will include a new playground, new shelters and restrooms, improved ballfields, ADA pathways and updated parking, and a new native restoration area with trails and reshaped green space. They will work with the City to improve Institute Street in order to help the flow of parking and entrance in and out of the park.

Matt Slack- Accessibility is a top priority. They are repaving parking lots, adding additional handicap stalls and appropriate signage, walkways, and ramps to make parks more accessible. There is a lot of aging infrastructure in the parks. They have done new siding, painting, resurfacing courts. Sustainability has also been a top priority. Any chance he gets to change out an old light for an LED light he does it. Native restoration is a big job they have undertaken.

Kevin Nuppnau – Valpo Parks, City Administration and RDC are exploring the former McGill factory on Lafayette Street as a potential site for a variety of indoor sports, enrichment, entertainment and community activities. This project is in its due diligence phase. The full \$25 Million Dollars has been reprioritized to ensure they can fully deliver on three of the four initiatives and make substantial progress on key aspects on the sport and recreation campus through existing park improvements.

Councilmember Hunt – With the safety upgrades she did not see the AEDs that had previously been talked about. Have those been installed?

Kevin Nuppnau – They have not been installed. They were not included in this presentation because they were not part of the \$10 Million Dollars. There will be eight AEDs being deployed to the parks. They hope to have that later this summer. They picked eight parks that might be more inclined to need an AED.

Councilmember Cotton - Nice feature to have the lightning detectors. You said Tower Park will be closed. Will that include the baseball and basketball area?

Kevin Nuppnau – The west side will be cordoned off. They will have a temporary restroom. The restroom, shelter and playground will be closed for the duration of the project.

Councilmember Cotton – He hopes the lighting will not be spilling over into the neighborhoods.

Kevin Nuppnau – They are using more direction lighting so it does not spill into surrounding neighborhoods.

Councilmember Domer – Accessibility brings the community together. This is going in the right direction.

Councilmember Pupillo – Are the sunshades still a possibility at ValPlayso?

Kevin Nuppnau – They have had discussions internally about how to best execute that and where it might go. They are working on it.

Councilmember Anderson – You guys are crushing it so well. He is excited for the community.

Councilmember Reed - As the liaison she gets to hear about all of the updates. She is thrilled that everybody is here to hear them as well. Are there any community days where people can come out and help with the invasive species cleaning?

Kevin Nuppnau – Staff deploys to the areas that need clean up when then can. There is a lot of ground to cover and a lot of invasive species to remove. They have had volunteer groups over the years.

Councilmember Pupillo – He would be happy to get together a group of Boy Scouts, Girls Scouts, and volunteers to help out.

Councilmember Kapitan – She thanked the Department for putting together this presentation and showing what all has gone into it and what the citizen are getting out of it.

Mayor Costas – How is the Memorial Opera House going?

Kevin Nuppnau – Fantastic. There have been two main stage shows that were both well attended.

Ivy Tech Presentation

Chancellor Aco Sikoski – IVY Tech has 19 campuses only in Indiana. Statewide they have 205,000 students. When students attend for dual credits, the parents and students are not charged unless they are taking dual enrollment where they come on campus and take courses there. HealthLink is a health care provider. It is headquartered in Valparaiso. They are partnering with HealthLink in Michigan City. They are in the old hospital. The students will take classes on the third floor and do clinical on the second and first floor. They are doing a welding lab upgrade of the ventilation system and infrastructure. They have invested \$1.7 Million Dollars. The Learning Lab Plus a year ago exceeded their expectations so now they get another unit which gives them two units. Students at the Valparaiso campus built an electric car and went to competition at the Indy 500. Students from three different programs worked together to build this car from scratch. Three of the seven students got job offers on the spot. They have 260 nursing students. Last year they had a 98.6% passing rate for the nursing students. They are very proud because the national average is 81% and the IVY Tech average is 84%. The 9th President of IVY Tech is Sue Ellspermann. She announced her retirement a year ago. Dr. Martin Pollio is going to be the 10th President.

Councilmember Cotton – He is impressed they do not charge for the dual credit. Is there a loss leader benefit to this?

Chancellor Sikoski – Yes. When the students are completing these credentials IVY Tech receives some percent from the General Assembly appropriation.

Councilmember Domer – Is there still a campus in Gary?

Chancellor Sikosi – Yes. The Lake County IVY Tech has three locations. The Valparaiso location serves four counties: Porter, LaPorte, Jasper and Starke Counties.

Councilmember Domer – She asked for an explanation of how the budget cut impacted the Valparaiso campus.

Chancellor Sikoski – Typically the revenue is a 50/50 split meaning 50% comes from the General Assembly and 50% comes from tuition. With this budget cut it will be a 5% to 10% cut in funding. In Valparaiso they have kept everything the way they have done in the past. There are no dismantled departments. This fall they are offering an Early Childhood Education. That is being funded by an Eli Lilly Grant.

MINUTES

MOTION: Councilmember Kapitan moved to adopt the May 12, 2025 and May 30, 2025 minutes.

Councilmember Cotton – The May 30th minutes need to be changed. His comment was not to defer from making any additional controversy, but rather to defer from making any additional comments that were unnecessary in relation to the tasks that we were there with regard to the university financing.

Councilmember Cotton seconded the motion with the correction. Upon roll call vote the motion passed with a 7-0 vote.

RESOLUTION NO. 6, 2025

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF PROPERTY KNOWN AS THE “MIDWOOD TERRACE ANNEXATION”

Councilmember Kapitan moved that Resolution No. 6, 2025 be considered on first reading. Councilmember Hunt seconded the motion. Clerk-Treasurer Taylor read Resolution No. 6, 2025.

Bob Thompson – He advised Ed Reckentwall and Kevin Paszko of Olthof Homes are present for questions. The property is currently zoned within the County as R2. This is medium density, single family residential. The R2 zoning means it specifically has to have sanitary sewers and water brought to the site. The Petitioner is requesting from the City to be rezoned as General Residential and Urban Residential. The proposed annexation is approximately 80 acres.

The Plan Commission had a Public Hearing at its April 1st meeting. Their second meeting was May 6th where they forwarded a recommendation to the City Council for the UR and GR zoning. This annexation is super voluntary. That means 100% of the landowners agreed to go forward with this petition. They meet contiguity requirements. The Council has to adopt a Fiscal Plan by Resolution and adopt the annexation Ordinance. Going before the Plan Commission before it comes to the Council is not a State statute. It is in the City's UDO. The Fiscal Plan was prepared by Cendar Dalton and has been reviewed by the Leadership Team. He presented the conceptual plan. In the UR zoning they are doing townhomes. There will be 160 single family lots. On the south east corner there is a proposed fire station. This station is considered a need by the Fire Territory. They serve all of Center Township. The Fire Territory is purchasing the property. It is not given to them.

There is site work currently going on. What is going on in the west half of the development is exactly what was approved in Porter County. That is 184 lot single family subdivision. The County approved the engineering plans and gave them a site permit. They are proceeding with this particular subdivision. Whenever development came in adjacent to the City, the previous director would always send the developers over to the City to discuss the development. The City said they would recommend Suburban Residential for the zoning. They went back to the County because they got a better deal. They could get more lots in than what the City

was proposing at that time. This development will be serviced by Aqua Sanitary. This is the old Saylor treatment facility plant and the South Haven sewage treatment facility at the corner of 700 North and 149. Water is serviced by Indiana American Water. The IURC has given this territory to those entities.

Councilmember Domer – The land that is proposed to be annexed is currently having work done on it?

Bob Thompson – Correct. The west half of that development is exactly what was approved by the County.

Councilmember Cotton – The work is based on what was approved in the county as they are still in the county.

Bob Thompson – Correct. He announced at the Plan Commission meeting that the Council Public Hearing was going to be on June 23rd. After talking with Attorney Lyp and looking up State statute, he realized he made a mistake and the Public Hearing should be at the first meeting the Council hears this Ordinance. Per State statute, this was advertised in the Post Tribune within the time requirements that's required for any Public Hearing that is to go before the City Council. Letters went out to the 63 adjoining of this parcel letting them know he made a mistake and that the Public Hearing was really June 9th. It gave all of the descriptions of this to let them know. A call came in asking why there is not a sign out there. We only put signs up for Plan Commission and BZA. Staff took a sign and covered over Plan Commission with tape, put City Council on it, put the date and time on it and stuck it in the ground.

Councilmember Cotton – What date did the letter go out?

Bob Thompson – May 20 is the date of the letter. He was in the Post Office on May 21st putting 63 stamps on 63 letters.

Councilmember Hunt – It has been discussed that the Council will allow public comment at both meetings.

Councilmember Kapitan – She thinks there were some changes in the concept plan done by Olthoff. Is that worth discussing before Public comment?

Ed Reckentwall – Given the feedback they received, even though they received a 6-1 favorable recommendation, and hearing some of the concerns from the residents, they are considering reducing the density even further on the Urban Residential section. Building 10 is going to be eliminated. That drops about eight units. Also building 22 has been targeted to be removed. This will allow them to create even more of a buffer between entrances at Brigatta and enhance the view from Waterford.

Councilmember Cotton - He was under the impression that they might have the ability to incorporate more condos. Due to the timing you indicated you would take some measures to lessen the burden of what people perceive as not being compatible with their stuff. He asked for the changes to be explained to him again.

Ed Reckentwall – They would eliminate building 10. They would reduce the size of buildings 8 and 9. All the frontage would become more heavily landscaped which would help enclose their subdivision even more. Building 22 would also get eliminated and provide more buffering against the Waterford community.

Councilmember Kapitan – When talking about Urban Residential, terms thrown around are High Density and Medium Density. When looking at buildings 8, 9 and 20 how many units are these?

Ed Reckentwall – Building 10 is six or seven units. All these building are somewhere between six and eight unit buildings. These are attached townhome units. The remaining units will be shrunk so the number of units per building will four or five units. This will allow a lot more greenspace as coming out of Brigatta Hills.

Councilmember Domer – Councilmembr Cotton said something about condos. Are we saying there are no rentals.

Ed Reckentwall – These are single family attached townhomes. They are fee simple not rentals. They are two story. They are not condo style. They will be sold individually to individual homeowners.

Councilmember Domer – Will there be an HOA?

Ed Reckentwall – Yes. For the entire community and for that individual area. Those units will be maintenance free so all the snow removal, lawn care exterior maintenance will all be taken care of by the HOA to make sure they maintain their value and remain consistent with landscaping.

Councilmember Domer – Who drafts the HOA with the details.

Ed Reckentwall – Their attorney drafts the HOA. They submit it to the City for review.

Councilmember Domer – Does the Council have a chance to review that and add anything?

Ed Reckentwall – He will make sure they get a copy. Their HOA and covenants are pretty well restrictive at this point. This is not their first townhome project. They do them all over the area. They have restrictions on parking. They are not allowed to put any accessory structures in the back yard. There are no dog runs.

Mayor Costas – Today they are going to have a Public Hearing. They will also allow public comment two weeks from now. Once this is approved, this will establish the density of the zoning for these two parcels.

Attorney Patrick Lyp – If this body approves the annexation. It then is under the auspice of the City rules. The concept plan is just that - a concept. Getting into the minutiae of placement of townhomes will be done consistent with City Code. Pretty much what you are seeing here is what you will get. They will make sure the appropriate commitments are made before the Council votes.

Mayor Costas – Any changes that have been outlined here today will be reflected in any approval.

Attorney Patrick Lyp – Yes.

Councilmember Cotton - There is a difference with respect to a Planned Unit Development. In a PUD if there is a change that would go to the Plan Commission and not the City Council. Under the zoning rules if there is a change that would come before the City Council. He thinks they need to make sure it is consistent with the zoning versus the PUD.

Attorney Patrick Lyp – This is a better approach. PUD is a mini zoning ordinance. It carves out exceptions, makes certain changes then if not addressed in the PUD then the City's zoning code applies. In this situation you are having two zoning classifications. All the rules that apply in those two zoning classifications will apply in this situation. If there was to be a change in how the zoning code is applied, it would come back to the

Council and ask for a rezone. He feels based on what they are proposing here it meets with the zoning code requirements.

Councilmember Cotton – Can the HOA specify owner occupied?

Ed Reckentwall – Federal law restricts them from 100% restricting rentals. They do have language in the HOA that requires them to prove a hardship. Every year they have to submit their lease agreement for review.

Councilmember Cotton – So an owner can buy it and rent it out.

Ed Reckentwall – Not to a third party.

Attorney Patrick Lyp – There is the HOA and the covenants. Then there is the City. The City by ordinance cannot prescribe that a property cannot be leased out. We cannot get involved at all. By contract there are written commitments or restrictive covenants that can put some restrictions on this. So the City cannot bar it but they can put some road blocks in the way so it doesn't become a general practice.

Councilmember Hunt – Originally the plan for the Urban Residential area included 22 townhomes that have six or seven, two story, single family townhomes.

Ed Reckentwall – There are 140 townhome units throughout the whole Urban Residential area.

Councilmember Hunt – She meant 22 buildings.

Ed Reckentwall – Yes. They are looking to drop two buildings and shrink up a couple of them. Along the front they are eliminating buildings 8 and 9. The ones in the interior will stay the same.

Councilmember Hunt – Why would you do that?

Ed Reckentwall – They are trying to provide better streetscape on 500 and 175. That would allow them to provide more landscaping and additional buffering.

Councilmember Hunt – What is the anticipated cost of those townhomes?

Ed Reckentwall – They anticipate the cost to be somewhere between \$250,00 to \$275,000.

Councilmember Hunt – And the single family homes?

Ed Reckentwall – Those will be somewhere between \$325,000 to \$375,000. Those are conservative numbers.

Councilmember Hunt – Those prices could go up. With the changes to the townhomes, to make them less dense, will that drive up the price?

Ed Reckentwall – Yes. That is why he gave a range.

Councilmember Pupillo – If the Council votes on this and passes it tonight, is this accepting the current zoning?

Attorney Patrick Lyp – No. The Resolution is the Fiscal Plan. For an annexation it is a two step process and approval. One is a Fiscal Plan that gives the Council and the City a view of the economics of annexing this property. The annexation ordinance is a formal step for the Council to accept and bring the property into the City. Probably what he and Bob will recommend tonight is that you not consider the Resolution but carry it to the next meeting. The only legal requirement is that the Resolution be approved prior to the Ordinance.

Councilmember Pupillo – This is in the 4th District which is his District. He has heard the residents loud and clear. He thinks the fire station is great. It is crucial we have coverage in this area as the City expands. He would be a lot more comfortable if this was just residential. He does not think the Urban Residential fits the character of the neighborhood. We want to see people build in the City and different housing levels. He has heard from people that they want housing that is attainable for multiple income levels. But there is nothing urban about this area. If it can go back to something similar to what the County has approved or a little bit more density, but stick with General Residential or Residential 2 then it would be in good shape.

Councilmember Cotton – Valparaiso is a city and it is an urban city. He has been around long enough to remember when everything north of Glendale was rural. He is not sure when it changed that there were large estates and in close proximity were cottages. This was a diverse mix of housing that is conducive to the type of dynamic you want in a city. It has almost become an entitlement that because we have certain types of housing here that is all that should ever be here. Something has to revert back to the way our beautiful downtown was initially laid out. We are not the country. We are the City of Valparaiso.

Councilmember Pupillo – As the City continues to develop and density becomes necessary, it can be redeveloped. That is what we have done with the downtown. The downtown was Residential 2 and now is becoming more dense. That is a natural progression. The center of cities are more dense. The peripheries are not. This is on the periphery of the City. We are annexing it.

Mayor Costas – We may annex it. They can do the initial project in the County so they do not need to be annexed.

Councilmember Pupillo - He thinks the Council looks forward to working with Olthof to find something that is amicable for all.

Councilmember Reed – We have had a lot of conversation about the need for attainable housing especially for our seniors who are looking to downsize. Conversations about the multi units have extended to saying they are apartments and will create a transient neighborhood. That will not happen. These are townhomes that are owner occupied. This is a great use and potential for our seniors to find a place to live. That opens up other homes in the community where people can move in as they become vacated. She does not have a problem with the structure of this. She lives in an area that is mostly rental and she understands what those dynamics are. But when they are owner occupied units, that creates a different dynamic.

Councilmember Pupillo – His main concern is density. The Brooks was annexed with 285 homes on 150 acres. This is 300 homes on 80 acres. It is a significant amount of density in a very small area. The neighbors all think the area should be developed.

Councilmember Hunt – She is a little bit confused about what the concern is. She thinks of a neighborhood like Keystone. They blend in. She is not 1000% sure she understands what the concern is with the townhomes.

Councilmember Anderson – If all the townhome area was gone and it was all single family detached like the rest of the development does that not work?

Ed Reckentwall – The impact of the fire station affects our property more than any of the other surrounding residents. They feel it is a better place to have a little higher density. The impact of the corner there as well. With all the development in that area 500 is tagged to be a major arterial roadway. And 175 is a residential or a high level collector roadway.

Councilmember Anderson – What is the difference between this concept plan and what the County approved?

Ed Reckentwall – They had single family in that area.

Councilmember Anderson – If we do not approve the annexation will you proceed with single family on the whole property?

Ed Reckentwall – That depends. If the fire station still wants to do something there then it will materially change Olthof's plan. They will have to do something different. If they go back to the County it will require a special use exemption for the fire station. If they are going to do all of that, they will probably change the plan one way or another.

Councilmember Domer – She is trying to understand. Does the fire station have to be in the City?

Mayor Costas – No it does not. They see that as an ideal location for the need.

Councilmember Domer – You mentioned 500.

Ed Reckentwall – It is proposed to be a major arterial.

Councilmember Domer – Right now what is the classification of 500?

Ed Reckentwall - When they get to the engineering stage they will be widening and adding what's necessary to make it an arterial.

Councilmember Domer – It seems to her that would have to be part of the plan. You are adding this many units there will have to be some consideration.

Bob Thompson – Irongate and Brigatta are in the City. So 500 and 175 are considered minor arterial roadways. In the County they are at least a collector roadway.

There was discussion regarding the City and County and some roads that are split responsibility.

Councilmember Anderson – The residents will not have City utilities?

Ed Reckentwall – That is correct. They will have Aqua Sanitary and Indiana American Water. They will receive trash, police and fire from the City.

Mayor Costas – The annexation in terms of planning is significant. If it remains in the County it is difficult for the City to control the borders.

MOTION: Councilmember Cotton moved to continue Resolution No. 6, 2025 to the June 23, 2025 Council meeting. Seconded by Councilmember Reed. Upon voice vote the motion passed with a 7-0 vote.

ORDINANCE NO. 11, 2025

ORDINANCE NO. 11-2025 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, ANNEXING CERTAIN REAL ESTATE TO THE CITY OF VALPARAISO

Councilmember Kapitan moved that Ordinance No. 11, 2025 be read a first time and considered on first reading. Councilmember Hunt seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 11, 2025.

Public Hearing

TO HEAR CITIZENS' FULL COMMENTS, PLEASE REFER TO THE WATCH CITY MEETINGS SECTION OF THE CITY OF VALPARAISO'S WEBSITE (WWW.CL.VALPARAISO.IN.US)

Omar Obaid – 3357 Sienna Drive. The median cost of a home in Valparaiso is \$250,000. There are 103 homes for sale in Valparaiso that are \$300,000 or under. Olthof is building another development in this area with homes priced at \$300,000. They don't need this high density in this area.

Eric Johnson – 3454 Regalo. The issue is density. This proposal does not fit in. The land will be developed but they are over stepping with the Urban Residential. This will tax the supporting roadways. Something can be reached where everyone can be happy.

Jennifer Brock – 522 Kinsale. She lives in Waterford. When her husband built their home in 1994 he did so for under \$250,000. Today hardly anyone is building homes for under \$400,000 inside the City limits. It is not only people moving from out of state who need housing. It is also our children trying to buy a home. Our friends moving on from a divorce. Our parents wanting to downsize. She supports attainable housing initiatives. We can ask Olthof and the Fire Station to be good neighbors. She hopes the developer retains the grove of mature trees. Varying the siding colors would give it more of a village look. The promise of affordable housing should not be a smoke screen.

Melissa Reed - 2008 Blackhawk. She discussed duplex versus condominium units and the number of roofs that are individually owned and working that out. Because of affordability she likes the town homes. She is not sure it is the right place. Traffic noise could be a problem. Are the prices they are saying realistic. Having the master bedroom upstairs is not what the move down buyers are looking for.

Nicole Nelson – 228-1 Grandhill. She is against the annexation. He knows the land will be developed. If annexed she would like the Councilmembers to educate themselves on retention ponds. Olthof has a history of drainage issues in subdivisions. Olthof did the development adjacent to the proposed development. They had to have a booster station pulling off of Indiana American Water. She is concerned that the plans today are different than what was shown to the County.

Audrey Rosetti – 3802 Ellio Way. She has heard in the last two meetings that the purpose of the townhomes is to mask the fire station. It seems a better solution would be to landscape around the fire station. Luke Oil owns a big field at 250 W and 130. That would be a good place for a fire station.

Mike Davis – 3355 Tratino Court. The issue seems to be the townhomes and the high density. This development would add about 600 cars to the road. At the entrance there is a house across the street. There is no way to make this a wider road. The traffic density is the major issue this proposed development will have. Eliminating the townhomes would do a lot to alleviate that.

Michelle Grossnickle - 136 Regatta Court. She has been watching them move dirt. The developer has dammed/restricted the natural course of water flow. The City should dictate the density. The USGS geological maps require the drainage must not be altered. Where they are proposing a pond is not the right place. Every house should be required to have a soil boring. You are not allowed to build on top of fill. She hopes the school board is looking at how many additional kids will be in schools. The drainage is not good where the proposed fire station is located.

Jack Hugenard – 514 Lismore Lane. He likes the idea of a fire station. But why does it have to be located there?

Walt Breitingner – 608 Academy. He would like the development to be more walkable. More bicycle friendly. More green space. Less asphalt. Less impervious surface. More wetlands. More ribbon curbs. More retention pond. More detention pond. Maybe do half of the project first. Make sure there are no drainage issues.

Stephanie Liakopoulos – 4029 Brander Drive. She discussed the connectivity between the subdivisions. This presents some safety concerns. There is evidence they are coming in with illicit drug use and stealing from the construction sites. There is an incredibly high water table. There are drainage issues. What has been built already has a lot of foundation issues. Soil borings are incredibly important. It is a shame the homes are being built so quickly. The City does not have enough resources. Homes have drainage issues that never should have passed inspections.

Mayor Costas – There will be another opportunity to be heard on this at our next Council meeting. Seeing no one else wishing to address the Council, he declared the Public Hearing closed.

Bob Thompson – There is a traffic study being completed. A booster station was built in Magnolia. That was done in Phase 1 of Magnolia. The detention pond was approved by the County. It went through the engineering section of the storm water management and the County engineer at the time. The County has a more restrictive release rate. It is released into a defined drainageway. If this is annexed the City will have to go through primary platting process and again will have to review this.

Mayor Costas – This may be the next place for a City Park. The City safety is very high level.

Bob Thompson – The Fire Territory has a very high certification. This helps with insurance rates for homeowners.

Councilmember Cotton – The detention pond being sufficient and soil borings. That seems reasonable to him.

Ed Reckentwall – They have already done soil borings on the property. They have had a soil scientist tell them how the foundation should be designed. All the earth work that's happening out there is based off an approved engineering plan that was vetted through the County. They are maintaining the County's stormwater requirements which are more stringent than the City's.

Mayor Costas – He finds it interesting that the average median price of a home in Valparaiso is \$233,000. His understanding is that it is closer to \$333,000.

UPON VOICE VOTE Ordinance No. 11, 2025 was carried to the June 23, 2025 Council meeting by a 7-0 vote.

ORDINANCE NO. 12, 2025

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA AMENDING SECTIONS 72.01 OF THE VALPARAISO MUNICIPAL CODE CONCERNING METHOD OF PARKING

Councilmember Kapitan moved that Ordinance No. 12, 2025 be read a first time and considered on first reading. Councilmember Hunt seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 12, 2025.

Attorney Patrick Lyp – This request was sent to him by VPD and more particularly the Parking Enforcement folks. Where there is parallel parking most people park in the direction in which traffic is flowing. Every now and then for various reasons, we have some folks that park in the opposite direction. They tell parking enforcement that it is not explicit in the Code so they cannot issue a ticket. The second issue is an example on Lincolnway. There is angled parking. Most people will be east bound and turn into the parking slot. Occasionally there will be a person who wants to back into the spot. That can create some public safety challenges as those cars leave that spot. Parking Enforcement uses license plates to determine how long a car has been parked. With this Ordinance they are looking to tighten up these two issues for the Parking Enforcement.

Councilmember Cotton – It is only on the angled parking? In the garage a lot of people do prefer to back in.

Attorney Patrick Lyp – In the Parking Garage Ordinance they put in the language that they have to park so the license is visible. The main concern is safety and having a section of the Code for enforcement.

Councilmember Domer - She gets the angle parking issue. But what is the problem with parallel parking on the opposite side?

Chief McIntyre – You are leaving your lane of traffic so you could have issues with oncoming traffic.

Councilmember Pupillo – He asked for clarification – This is just angle parking on Lincolnway.

Chief McIntyre – It is for angle parking on Lincolnway and the parking garage.

Holly Taylor – They purchased equipment for Law Enforcement to do their job safe and efficient by readying license plates. They can't read a plate if you are backed in.

Councilmember Cotton – With regard to parallel on the opposite side of the street there are situations where he has found it useful and even necessary to park on the opposite side. He thinks that is more of a central downtown issue. He would not want that restriction on his little street.

Councilmember Reed – She has seen it where people who are not familiar with an area think if the car is parked on the opposite side of the street going the wrong way then that is a one way street.

Councilmember Kapitan – As this is written, is this for any road in the city for the parallel parking?

Attorney Patrick Lyp – Yes. Parking Enforcement people are essentially in two areas. Downtown where you need a permit and occasionally by Uptown and University Promenade where you need a permit. And they will be in the garage.

There was discussion regarding this being ok for the downtown area but not neighborhoods. An amendment can be made to limit this only to certain areas. To park on the opposite side of the street going the wrong way you are leaving your lane of traffic. This is a violation itself.

UPON voice vote the motion to carry Ordinance No. 12, 2025 to the June 23, 2025 meeting passed with a 7-0 vote.

ORDINANCE NO. 13- 2025

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, TO ESTABLISH A NEW EQUITABLE IMPACT FEE FOR THE PURPOSE OF PLANNING AND FINANCING PARK AND RECREATIONAL INFRASTRUCTURE TO SERVE NEW DEVELOPMENTS IN THE CITY OF VALPARAISO, INDIANA PURSUANT TO INDIANA CODE CHAPTER 36-7-4-1300 ET. AL.

Councilmember Kapitan moved that Ordinance No. 13, 2025 be read a first time and considered on first reading. Councilmember Hunt seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 13, 2025.

Kevin Nuppnau – He was joined by Chuck Lehman of V3 Companies. An impact fee was started in 1991. The General Assembly passed an impact fee bill that allowed municipalities to create funding for infrastructure related to fast growing communities. An impact fee is considered an entrance fee for new residents to build and live in our community. The funds must be applied directly to the needs caused by that growth. It is a 10 year projection but must be updated every five years to be compliant. The fee is collected upon issuance of a residential building permit. The benefit to the City and Park Department is the future residents pay for the increased demand on infrastructure. A strong quality of life, which the park system is part of, attracts residents to Valparaiso. The fees can be used on new infrastructure. An identified deficiency in inventory. They can be used on park land. They can be used on the study. The fees cannot be used on personnel, supplies, materials, service contracts, deferred maintenance and current deficiencies.

Ordinance No. 10, 2020 approved the impact fee at a rate of \$1,448.00 and a 2.5% inflation rate to where we are today. That was approved by the Parks, Plan Commission and City Council. Tonight they have Ordinance 13, 2025. They propose to increase the starting residential impact fee to \$2,687.00. This is a little over \$1,000 increase from where they are ending this Ordinance to where we would be beginning the next. This is a 68% increase year over year. They are also proposing to go from a 2.5% inflation adjustment rate to a 5% adjusted

rate. Over the last five years they have generated \$1.2 Million Dollars in impact fees. To date in 2025 they are at \$139,000.00. In 2024 there were the most permits pulled since 2017. Some of the projects they have applied impact fees to are: pathways to parks, Valparaiso Dog Park, and Flounder and Friends Skate Park. The impact fee accounts for about 5% of the current budget. Annual revenue is about \$7.6 Million Dollars.

The Council's role is to review and approve the recreation impact fee ordinance. They can establish an impact fee review board to go over the impact fee as well as the plans to spend. The Council will appropriate the funds for spending. They can request an annual review of the impact fee and the plan to ensure that things are continuing to be spent per the Ordinance.

The impact fee is a tool for sustainable growth. The impact fees help them move into new parks and new places as the community grows with it.

Chuck Lehman – They have gone through the procedure that State statute requires. They formed an advisory committee that worked through the process with them. They came up with a recommendation that was presented to the Park Board the last part of May. It was presented to the Plan Commission earlier this month and tonight to the Council. The study looked at the population. They did a 10 year growth projection. They looked at the park inventory. They used this to determine the current level of service. Statute requires any current deficiencies cannot be funded by impact fees. They worked with the Plan Department and City Administration to determine future growth. They looked at all undeveloped parcels and their zoning. They determined if the parcels were developed what the increase in population will be. Their estimate for 2024 population of the City is 34,782. The 2034 population would be 43,362. He went through a list of the park inventory. Their recommendation is that after calculations the impact fee be \$2,687.00. The advisory committee felt that the single family would be the baseline so that represents 100%. Townhomes and duplexes would be added to that. Condominiums would be 90% of the 100% and apartments based on the number of bedrooms would be either 63% or 80%. The recommendation is not only the impact fee itself but also the suggested changes in the housing equivalency. When the last Ordinance was presented, it had a 2.5% annual adjustment. It was mentioned then that the average adjustment was 3%. That 3% has fallen short of inflation. The average has moved up to 5%. Some communities have gone to 8%. He presented a list of other communities and their impact fees. Valparaiso is in the top 10 on that list. Carmel is the highest in the State. They are at \$5,800 now and projected to be at \$8,000 in five years. They are much higher than the 5%.

Councilmember Cotton - We have a cooperative with our Township. He doesn't think the residents of Center Township outside of the City limits will be assessed the same fee. Can we ask the Township to participate?

Chuck Lehman – Defining an impact zone is required as part of the Ordinance. We try to match the impact zone to be that of the City's Comprehensive Plan. The collection of the impact fees has to be within the City limits. The level of service will be disproportionate.

Councilmember Pupillo – We are raising our impact fee. We all know that everybody within a 10 mile radius of Valparaiso is using the park system. The citizens of Valparaiso are shouldering that burden. He would love to see a partnership with the Township. With the new development they were talking about tonight, those impact fees should be used to build a new park in that area. The statute allows for developers to get impact fee credits. In lieu of paying \$2,600 per unit, if the developer wants to donate 40 acres of land they can get credit for that land. Impact fee credits make the most amount of sense doing park acreage or trail development.

Councilmember Reed – In 2024 we had \$381,514 we brought in. That was 183 building permits. The renovations at Foundation Meadows cost about \$500,000.00. What would it cost to do a park from scratch.

Kevin Nuppnau – The improvements at Kirchoff of just replacing everything was a little over \$3 Million Dollars. That is with infrastructure already in place. We would estimate \$5 Million Dollars plus in order to do something new. The Center Township Trustee Jesse Harper provides \$85,000 in capital every year to the parks as part of our joint park board. He thinks it would be fair to say the annual capital the Park Department receives would probably be greater than what we might receive in impact fees.

Councilmember Cotton – What about non-profits? Is it too late to consider something like that?

Councilmember Reed – Nonprofits don't pay taxes so they are already getting that benefit. By having them pay this impact fee they are paying something towards the community for the benefit of the children that are going to live there.

Councilmember Cotton – They are doing it to fill a spot that otherwise would not be filled. Is this something that can be considered?

Chuck Lehman – It could be. It should be looked at how many bedrooms are in the unit. It should be discounted from that standpoint based on a nonprofit versus a for profit entity.

Attorney Patrick Lyp – We don't look at the cost of the building. We look at the cost in terms of what the impact of those living in the structure will be. If you were to readjust the analysis based on the cost of the structure we could be subject to a challenge because the impact fee would not be within the boundaries of what the State statute allows for the impact fee to be calculated on.

Councilmember Cotton – How does review committee work?

Chuck Lehman – The review committee is one that we are required to establish. The committee had to have 40% representation from the real estate industry, builder industry and the developer industry. They were part of the study.

Councilmember Hunt – Director Nuppnau said we could establish a new committee.

Chuck Lehman – The statute requires that this municipality establishes an impact review board.

Councilmember Cotton – He was referring to Director Nuppnau said the Council can establish an impact review board of this Council.

Chuck Lehman – What he was referring to was the assisted living adjustment. The impact review board is like a Board of Zoning Appeals. They only meet when someone wants to appeal the impact fee itself. At one point in time a developer came in who was doing a senior development. He had petitioned that with the review board. The adjustment was made at that point in time.

Councilmember Cotton – Did we establish that? It seems the Council would have established that review board since they have authority.

Councilmember Hunt – Is the \$2,687 fee based on the 2034 projections? So you are proposing that we use the impact fee that would be appropriate for 2034 numbers?

Chuck Lehman – You are building towards that each year.

Councilmember Hunt – Based on 2034 population numbers and projections, the projected recreation impact fee to sustain 2034 numbers would be \$2,687 in 2034.

Chuck Lehman - What is going to be the number of new people here in ten years.

Councilmember Hunt – To her it would be more appropriate to not have numbers based on 10 years from now. It would be numbers now or five years at the most. It seems artificially inflated to her.

Chuck Lehman – He referred to a chart that shows in 2025 there will be 190 new building permits or 417 new population. In 2026 it would go up to 224 and so on. Basically it is a building block. We get to a ten year forecast because that is what State statute requires. And that is how that is projected out. How that applies is that the money cost of infrastructure in 2025 is going to be different in 2026 so they are adjusting that by that 5%.

Councilmember Cotton -Where have these ever gone down? Has your ten year prediction ever been that when that time is up it is lowered.

Chuck Lehman – Typically it has not. The impact on this is going to be if in 2026 we don't bring in 224 units. We only bring in 200. That is going to impact your impact fee. You are collecting on the number of building permits.

Councilmember Domer – In theory though you are not spending as much.

Chuck Lehman – This is for communities that have growth potential.

Councilmember Domer – Is there a pathways budget in the Park Department right now?

Kevin Nuppnau - There is not. They have used impact fees to help supplement other pathway dollars.

Councilmember Domer – You said you used impact fees to pay for the Froberg Road pathways. How is that decision made? A pathway that is not even connected to a City park in any way. She thought pathways were being funded through other funding mechanisms.

Kevin Nuppnau – The last time impact fees were used was the Vale Park west pathway which was 2017. There were other funds also. A pathway is considered a linear park. There might not be a park on the west side of town but if you have a pathway to connect and bring people in to your parks then that is considered to be a good source and use of those funds. The parks doesn't have a line item for pathways in the operating budget. They have in the past used impact fees to support other funds for pathway projects.

Councilmember Domer – Would this body have to approve money being transferred from the impact fee into some other fund?

Kevin Nuppau - You would have to approve the appropriation of funds to spend on the project that I would bring before you.

Councilmember Domer – Pathways was a big part of this presentation and she doesn't think he is spending money on pathways with impact fees.

Kevin Nuppau – They haven't for quite some time.

Councilmember Domer – They said the growth is 2.23%. Is that in line with the City projections.

Mayor Costas – He thinks it is closer to 1%. Maybe a little bit over.

Councilmember Cotton – It seems like there is a lot of discretion with the ability to define what efficiency is. He has not seen a delineation of what constitutes a deficiency. An anecdotal like a shelter was given.

Chuck Lehman – He showed a picture and said to take a hard surface play area. There are 19 components that fall within the parking infrastructure right now. If you look at the current population and divide it by the 19 units on that, it would have a level of service of 0.54. If we did nothing and applied it to that same level of service and applied it to the ten year growth factor, that 19 units would have to be grown to 23.41 or an additional 4.41 units.

Councilmember Domer – You said there is no future needs cost allocated for facility complexes. So we can anticipate that funding for the renovations of Regal Beloit will not be coming from impact fees.

MOTION: Councilmember Kapitan moved to carry Ordinance No. 13, 2025 to the June 23, 2025 Council meeting. Councilmember Hunt seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

COUNCIL LIAISON REPORTS

MOTION: Councilmember Cotton moved to carry Council Liaison Reports to the June 23, 2025 Council meeting. Councilmember Anderson seconded the motion. Upon voice vote the motion passed with a 5-2 vote (Kapitan & Hunt voted no).

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)

No one was present that wished to address the Council.

The Next Council Meeting will be June 23, 2025

The meeting was adjourned at 9:36 p.m.

/s/ Holly Taylor, Clerk-Treasurer