

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA**
August 10, 2020

The Common Council of the City of Valparaiso, Indiana, met on Monday August 10, 2020 at 6:00 p.m. in City Hall. Mayor Murphy called the meeting to order. The Pledge of Allegiance was said. Present were Councilmembers Cotton, Schmidt, Pupillo, Anderson, Costas and Douglas. Councilmember Reed was absent.

MINUTES

Councilmember Cotton moved to approve minutes of the July 27, 2020 meeting. Councilmember Douglas seconded the motion. Upon voice vote the motion to approve passed with a 6-0 vote.

ORDINANCE NO 9, 2020

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,
INDIANA AMENDING SECTION 96 OF THE VALPARAISO MUNICIPAL CODE**

Councilmember Douglas moved that Ordinance No. 9, 2020 be 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 Pupillo seconded the motion. Clerk-Treasurer Taylor read the Ordinance. Councilmember Douglas moved to adopt Ordinance No. 9, 2020. Councilmember Pupillo seconded the motion.

Attorney Patrick Lyp addressed the Council. The Chamber of Commerce has reviewed the proposed changes to this Ordinance. If the Council is in agreement with the changes, they will need to make a motion to amend. If a favorable vote is received, they will need to make a motion to adopt Ordinance No. 9, 2020 as amended.

Councilmember Cotton questioned the comments made by the Chamber. Attorney Lyp discussed the changes made.

Councilmember Douglas moved to amend Ordinance No. 9, 2020 as proposed. Councilmember Pupillo seconded the motion. Upon roll call vote the motion passed with a 6-0 vote.

ORDINANCE NO 10, 2020

**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 Douglas moved that Ordinance No. 10, 2020 be 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 Pupillo seconded the motion. Clerk-Treasurer Taylor read the Ordinance. Councilmember Douglas moved to adopt Ordinance No. 10, 2020. Councilmember Pupillo seconded the motion.

Attorney Patrick Lyp addressed the Council. Regarding the Public Hearing, it was published to have comments and questions emailed and if a citizen felt they really had to be here this evening, accommodations would be made. As of today, no emails have been received with questions nor special accommodation requests. There have been no changes to the Ordinance since the presentation at the last Council meeting.

Mayor Murphy stated Ordinance No. 10, 2020 requires a Public Hearing. Proof of Publication has been received. Attorney Lyp stated for the record that no emails have been received with questions, comments or special accommodation requests. Mayor Murphy closed the Public Hearing.

Councilmember Cotton discussed all the taxes citizens must pay. John Seibert replied this impact fee is by State Statute and can only be used for new facilities. There was further discussion regarding what can be done with existing park facilities.

Mayor Murphy pointed out this will be reviewed again in five years. Attorney Patrick Lyp stated this will go into effect six months after its adoption. That means the rate increase will become effective February 2021. And then in five years it will be reviewed.

Councilmember Cotton discussed who would be eligible for a credit. Attorney Patrick Lyp explained what is required to request a credit. Discussion included that a large sports complex does not fit under the impact fee ordinance.

Upon roll call vote the motion to adopt Ordinance No. 10, 2020 passed with a 6-0 vote.

ORDINANCE NO. 11, 2020

AN ORDINANCE APPROPRIATING FUNDS IN THE MUNICIPAL EXCISE SURTAX FUND AND PROVIDING FOR PUBLICATION OF NOTICE

Councilmember Douglas moved that Ordinance No. 11, 2020 be read a first time and considered on first reading. Councilmember Pupillo seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 11, 2020. Councilmember Douglas moved to carry Ordinance No. 11, 2020 to the August 24, 2020 meeting. Councilmember Pupillo seconded the motion.

Clerk-Treasurer Taylor addressed the Council. This Ordinance is asking for permission to spend money in this Fund which will be used for paving projects. There will be a Public Hearing at the next meeting.

Upon voice vote the motion to carry Ordinance No. 11, 2020 to the August 24, 2020 meeting passed with a 6-0 vote.

ORDINANCE NO. 12, 2020

AN ORDINANCE APPROPRIATING FUNDS IN THE MUNICIPAL WHEEL TAX FUND AND PROVIDING FOR PUBLICATION OF NOTICE

Councilmember Douglas moved that Ordinance No. 12, 2020 be read a first time and considered on first reading. Councilmember Pupillo seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 12, 2020. Councilmember Douglas moved to carry Ordinance No. 12, 2020 to the August 24, 2020 meeting. Councilmember Cotton seconded the motion.

Clerk-Treasurer Taylor addressed the Council. This Ordinance also is asking for permission to spend money that is in this Fund for paving projects.

Upon voice vote the motion to carry Ordinance No. 12, 2020 to the August 24, 2020 meeting passed with a 6-0 vote.

Other Business

Valparaiso Police Department 2019 Overview

Chief Jeff Balon addressed the Council and gave an overview of 2019 and where the Police Department is headed in 2020.

The Department has 59 sworn officers: 2 African Americans; 5 female, and 6 Hispanic. They are broken down by staff as: 41 patrol, 5 detectives, 3 school resource officers, 2 technology, 1 community services, 2 Porter County Drug Unit and 5 Administrative Staff. The Department has been CALEA certified. Every year CALEA looks at their policies. Every four years they do an onsite inspection. There are only 477 departments certified in the country. The average response time is between 5-7 minutes. The building's lobby project has been completed. The retention of officers is good. This helps with recruitment. The outreach programs have been successful. The community event programs have equated to 222 police officers at events with citizens. In 2020 they have acquired a used ambulance. This will be used to house drones which will allow them to look for missing people. They will also take the ambulance to events where they will use the child ID equipment. They have started a Police Recruit and Engagement Program. There have been struggles in 2020. The death of an officer on duty affected many. COVID-19 has been a struggle to deal with.

Mayor Murphy thanked Chief Balon for keeping us all safe. He also discussed how close the police family is which was shown through the death of Officer Kobitz.

Councilmember Pupillo thanked the Chief for everything. Councilmember Douglas thanked Chief Balon and added he feels the Police Department has helped citizens get through all that is going on in the world today. He feels the accreditation process helped the Department be able to do that. He asked Chief Balon to describe the accreditation process. He also asked how the e-bike program is working. Chief Balon admitted the accreditation process can be stressful. However, the Department prepares for this every day. The e-bikes have opened up engagement with the kids in the community. The officers would like to have more of them. The motorcycle is getting attention also.

Councilmember Cotton stated he is proud of the outreach programs. However, the Department is not complying with State mandates regarding wearing masks. Attorney Patrick Lyp explained the Governor's Order strongly suggests citizens wear masks. The challenge is enforcement. On private property the business owner can decide how they want to handle the mask issue. It is the State Health Department that hands down the order to the County Health Department. It is up to the County Health Department how they enforce wearing masks. Attorney Lyp feels the County Health Department will be coming down with more guidelines. They are the office with enforceability.

Mayor Murphy restated for clarification that in Valparaiso when there is a complaint, that person should call the Porter County Health Department. The Porter County Health Department is responding to those complaints. If the Health Department needs help with enforcement, they may call the Valparaiso Police Department. The VPD has no authority to enforce wearing a mask. Attorney Lyp replied that is correct and there is no State statute or ordinance at this time to govern wearing masks. Councilmember Cotton asked about Home Rule to make people wear masks. Attorney Lyp replied the City does not have authority to enforce on this issue.

Councilmember Cotton stated citizens are unnerved and asked if the officers remind people what the Governor's Order is. Chief Balon replied his officers wear masks as an example for citizens.

Councilmember Schmidt thanked Chief Balon. He asked about the expected increase in population. Chief Balon replied he will make sure City Hall and the Council know what challenges the Department faces and will let them know when additional officers are needed.

Councilmember Cotton asked about the body camera policy. Chief Balon replied all officers wear them and they are interaction activated.

Councilmember Costas stated the community cannot operate if it is not safe. There has been so much to worry about it is nice to know that in Valpo you don't have to worry about your windows being smashed. The Police Department has not crushed under the pressure of what all is going on.

PPE Workshop

Councilmember Pupillo thanked all who helped with the PPE workshop. It is available online.

Councilmember Douglas moved to adjourn the meeting. Councilmember Pupillo seconded the motion.

The meeting adjourned at 7:16 p.m.

/s/ Holly Taylor, Clerk-Treasurer