

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
August 11, 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, August 11, 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.

Mayor's Youth Council Swearing In Ceremony

The Mayor welcomed the Youth Council members. The Council consists of 24 VHS 11th graders. The Council will meet monthly over the next 10 months. After discussing the tasks of the Council, Mayor Costas swore the members in.

MINUTES

MOTION: Councilmember Kapitan moved to adopt the July 28, 2025 minutes. Councilmember Hunt seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

ORDINANCE NO. 16, 2025

AN ORDINANCE VACATING PLATTED ALLEY BETWEEN ERIE STREET AND CHESTNUT STREET IMMEDIATELY ADJACENT TO 254 AND 256 ERIE STREET PORTIONS OF LOT 1 AND LOT 2 IN BLOCK 42 IN THE ORIGINAL SURVEY OF THE TOWN (NOW CITY) OF VALPARAISO

Councilmember Kapitan moved that Ordinance No. 16, 2025 be read a second time by title and a third time in full and be considered for adoption with the opportunity for the offering of amendments. Councilmember Hunt seconded the motion. Deputy Clerk-Treasurer Cook read Ordinance No. 16, 2025.

Bob Thompson – He gave a brief summary of the presentation he gave at the July 28, 2025 meeting.

Councilmember Cotton – He asked if the water and gas just go to the one house.

Bob Thompson – Yes. It is not a major main.

UPON ROLL CALL VOTE Ordinance No. 16, 2025 passed by a 7-0 vote.

Council Vote Regarding Mayoral Veto of Ordinance No. 8, 2025

Public Hearing

Richard Wheeler – 2410 Primrose. He is here to try to make a difference. He has emailed several Councilmembers asking them to override the veto. He is here personally to express his opposition to the Mayor's veto. The City should encourage and celebrate diversity. He finds it hard to believe that City funds

should not be used to help with diversity when so much money goes to the parks. He asked the Mayor to withdraw his veto.

Val Kubacki – Valparaiso. We have such a diverse area. People are moving in from all walks of life. She loves the independence of the whole thing rather than grouping this into a political junket that's going to turn into people pitting against another one. We should do what we have done and work together. We have got the most diverse area she has seen since she moved here 25 years ago. Nobody treats anybody bad here. She has not seen any of it. Years ago it was bad but we have learned from that.

Becky Loughner – 1303 Sturdy Road. She is the parent of Valparaiso community school students, some of which are part of the LGBTQ community. Especially for her older children, growing up here was not great. They were treated badly. She hopes the Council overrides his veto.

Julie Storbeck - Valparaiso. She believes the conversation is not about whether we need to disband the AHRC but whether or not we need to separate it from belonging to one person. The Human Rights Council belongs to the people of Valparaiso. She supports Ordinance No. 8. That will keep it non-political. The Councils and Commissions need to be answerable to the people of Valparaiso. Please override the veto.

Jim Bilder – 3070 Indian Summer Circle. When you look at the Human Rights Commission part of what is involved is trust and people coming together. It shows foresight on the part of the Mayor to be interested in human rights. This is to be proactive before a situation arises. We have not had any reports that the AHRC is not carrying out their duties and obligations. The Mayor in any city acts as the executive. The Council acts as the legislative branch. When the legislature moves to usurp the power of the Mayor, it never works well. He urged the Council to work together with the priority being municipal issues. He urged them to uphold the Mayor's veto to keep the separation of powers and keep the level of trust.

Vincent Dory – 822 Jefferson. The Mayor exercised a pocket veto. This is in the Indiana State Code. It is the role of an executive to sometimes veto legislation. The Mayor vetoing the Ordinance is fair and part of his job. The Mayor withheld grant money for organizations and the Council did not like that. So now they are trying to punish him to make sure the correct decision is made from now on. The Council will be giving taxpayer money to values and ideas that many of us do not agree with.

Jennifer Hora – She works at 1400 Chapel Drive. She supports the override. She has written a book on executive legislative relations. The Mayor has the right to veto. However, he has up to 10 days to do so. Why did he wait until the 13th hour to do it? Why did he not explain and engage ahead of time. She does not understand the Mayor's complaints. The Council gets to have a say in where the money goes.

Gavin Denias – 500 Indiana Avenue. He moved to Valpo to attend school. He stayed here because he fell in love with it and all its people. He discussed the differences of how Republicans and Democrats are reacting to this issue. He thanked Mayor Costas for vetoing the Ordinance. He has the trust of the citizens to do what is right. The Council is all public servants. They have been wasting time and resources debating national, political social talking points. They should refocus on what local government should be doing. Leave the culture wars to the people.

James Ferguson – 303 Indiana. He supports the veto. After the first reading of Ordinance No. 8, he went to the next AHRC meeting. There were no Councilmembers there. AHRC members said there has been a complete

lack of communication between the Council and the AHRC. There are Councilmembers who participate in the protests downtown. You can't make a person change their moral beliefs. Not everyone likes everyone.

Walt Breitinger – 255 Park Avenue. He trusts Mayor Costas to make decisions along with the Board. This is not a debate between left and right but a debate between what is right and what is wrong.

Comments from Councilmembers

Attorney Patrick Lyp – Under State statute there are two ways a mayor can veto an ordinance or resolution. Ten days after the City Council takes action the Mayor can issue a formal veto in which he lays out the reasoning for that. The other way is if the mayor fails to sign an ordinance or resolution then that piece of legislation is deemed vetoed. The next step is, if the Council wants to, at their next meeting they can override the veto. This requires two thirds of the Council. In this case there are seven members so it takes five affirmative votes to override the veto. If there is a motion and a second and five members vote affirmatively then Ordinance No. 8, 2025 is adopted by the Council and deemed approved.

Councilmember Kapitan - The Council got notified after 5:00 pm on Thursday about the non-signature. This was after the Agenda was published. It required four additional councilmembers to get this on the Agenda so it could be on the next public meeting. She asked the Mayor to explain his veto.

Mayor Costas – A lot of time has been spent on this. Cultural issues are difficult because we celebrate different things as a community. He has a concern over the amount of time he has spent on this issue. As Mayor he is the executive. He is in charge of directing city services to all of the 35,000 people. He oversees 400 employees. He has been doing this for a while. A well run city government is the best thing the mayor can do. Staying focused on the core duties. Making sure there is an excellent leadership team. Make sure they are hiring the very best. The challenge with some of the cultural things is it takes a lot of time and energy because they are very emotional and hard to resolve. We are one of a few credited police departments in the State. To him that is the most vital thing when it comes to some of these issues.

He does not think anybody really understands how effective this group has been to him in his unique duty as the executive of this City. He has met more with Alison Quackenbush than any other Board President. Those conversations have been very helpful to him. They try to get ahead of issues rather than be reactive to issues. He has had maybe five or ten minutes of discussions with Councilmembers on this. He does not think they have spent much time with Alison or members of the AHRC. The functioning of the AHRC in its current form will be lost. He thinks that is a disservice to the citizens. The Council has every right to create this committee and he has said that all along. The AHRC has been very effective behind the scenes to foster peace. To get ahead of issues. That will be lost. He doesn't think the Council understands how effective the committee is and how it really functions. The new group may do great things but it will function differently.

He asked for two things. Politics is about compromising and collaborating. He has said the Council has every right to create their own Council. Maybe some good things will come out of it. He asked them not to take members of the current AHRC and put them on their committee. And he said he does not want any appointments on this because it clearly says this is to advise the Council not the Mayor. Let it be a Council committee. To him it is unclear what they think the committee will do. Nobody knows what they want this council to do. That is yet to be seen. It has not been discussed. He asked them to amend the Ordinance on these two issues and there was no attempt at collaboration. He does not think that is a good thing. If they do not collaborate that is not a good thing for the citizens of Valparaiso. He can appreciate that they are finally

coming to some closure. He can appreciate the fact that people can feel differently about things. He thinks it is really important that he stay focused on duties of the mayor to continue to keep this City strong. He hopes good things come out of this. If this passes, he will probably take his committee in a slightly different direction because it is redundant.

Councilmember Cotton - He wants to put a check on cultural versus quality of place. What one person might call cultural he calls enhancing the quality of place for every single resident. Sometimes that involves dealing with social issues. Ordinances are not created with consideration for the existing Mayor. Any subsequent mayor should have the opportunity to collaborate in a way that has been set forth in the structure of this law. We don't tailor laws to accommodate the personal preferences of an individual mayor. We take great pride in the quality of place that we have created. We have heard story after story about people feeling marginalized or not particularly involved or engaged in the quality of place. He feels that should be a concern. An environment that is conducive for people connecting to this sense of place. The Council has been collaborative. To say that by not accommodating a pretty peculiar interest in having a law extract the Mayor from collaborating going forward with the Council, he feels it is a bridge too far. It is not about the Mayor. It is not about the Council. It is about all of us. The Mayor did not create this committee. The City Council created it. And the City Council sees fit to amend as they do from time to time to create a better, more effective functioning entity going forward.

Letter from Larry R. Baas Ph.D. is scanned in and can be found at the end of the minutes.

Councilmember Kapitan – She is disappointed by the Mayor's veto of the Ordinance. Especially the timing of the notice of it so the Councilmembers and public could not respond in a collaborative way. The revised Ordinance was carefully crafted to create a balanced structure for the human relations council. This approach is to ensure diverse perspectives to foster meaningful collaboration between legislative and executive branches with strengthening the Council's ability to serve the entire community. The changes were about building a stable, public facing Human Relations Council that will endure the future of our City. The Mayor has said there is no collaboration. She would like to know how the veto fosters collaboration. There was no collaboration when the AHRC recommended cultural grants. Besides the LGBTQ outreach grant there was a Latino community dinner and a Valparaiso Creative Council arts initiative. This Ordinance provides provisions for what happens if a mayor chooses not to make appointments. Public facing programs, especially those focused on human rights, are being cut. It is essential for Valparaiso to reaffirm its values through shared governance. Ordinance No. 8, 2025 provides vital checks and balances, safeguards the Human Relations Council from Political shifts and ensures that it remains a visible, trusted bridge between residents and City government. We all benefit when new neighbors feel this is their city and they belong and are welcome here. The Human Relations Council is meant to make that vision a reality.

Councilmember Hunt –The exercise of a veto is significant. A Council override of that veto should not be taken lightly nor should it occur without careful and thoughtful discussion. The current HRC is 10 members appointed solely by the Mayor. One of its purposes is to advise the Mayor on matters related to Human relations in Valparaiso. Ordinance No. 8, 2025 simply adds Council appointments to the HRC and includes the Council in the advisories that have been so helpful to the Mayor. The changes proposed recognize the importance of multiple perspectives on a board built to address human relations in our City. When it comes to human relations a Council created board must serve the interests of the community and not the interest of the executive who appoints them. The Council considered both of the Mayor's requests in some form during the four months between introduction and passage. The suggestion that they have not attempted to work together or collaborate is misleading. The majority of the Councilmembers have questioned how a duplicate board could

be effective and the division that would be created by having two competing boards. The decision as to whether current members want to continue service should rest with the members themselves. An amendment was added clarifying the Mayor's ability to waive his appointment power. It appears the request is now that no mayor ever have appointments to this board. That does not make sense. She has a great amount of respect for the Mayor but an even greater amount of responsibility to the City. She believes the Mayor is asking the Council to write policy that is against the long term interest of the City and instead in his best interest. The reasons provided by him she does not feel justify a veto and she supports an override.

Councilmember Reed – She respects and values Mayor Costas, his opinion and his leadership. He continues to work in a collaborative manner. He provides a thoughtful approach to decisions in our community. She has struggled with how best to move forward in a manner that provides balance and compromise. She wants to ensure that we have an HRC that continues providing recommendations and advocacy on behalf of our constituents. She does not know if creating two groups is in the best interest. She does not know how that would function or work. Maybe the outcome and process would have garnered different results had conversations started and continued earlier on in trying to find a resolution. Here we are. She believes in giving this avenue a try. Should adjustments need to be made we will be back here to revisit them.

Councilmember Domer – She voted yes for Ordinance No. 8, 2025 because it facilitates collaboration between the public, the common Council and the Mayoral branches of our local government with the shared purpose being for the betterment of all Valparaiso residents.

Councilmember Pupillo – He is against this. He supports the veto. This is driving culture wars into our City government. It does not belong there. The City needs to focus on the core competencies that were listed. This is Mayor Costas' second veto in approximately 20 years of being Mayor. Mayor Costas was elected overwhelmingly to serve this City. The City trusts him to do the job. He has the ability to govern with prudence and make the right choice for all the City of Valparaiso. He made the right decision here.

Councilmember Anderson - He agrees with Jack and stands with the Mayor.

Councilmember Cotton – He keeps hearing about culture wars. It is naïve to think that a lot of the disposition against enhancing the Human Relations Council isn't already infected with the national and state disposition.

Mayor Costas – He wants to talk about it being “my council”. His job is unique and distinct from that of the Council. His point was simply that in his unique role as Mayor the way it functions now is very effective and has served the citizens well. That could be lost if he doesn't continue that. It does not mean that the group the Council creates can't do some good. It is not about if it is His council. It is about whether or not a council is constituted as working the way it does, has served the Mayor's office and thereby the people of Valparaiso. So when he says it is working well it is not about him, it is about the people he serves.

Councilmember Cotton - In your unique position you have the ability to have an ad-hoc group to talk to you every morning. The Council cannot do that. If more than three of them are there it is a quorum.

Attorney Patrick Lyp – You need a motion and a second for the override.

MOTION: Councilmember Cotton moved that the Council consider an override of the Mayor's veto of Ordinance No. 8, 2025. Councilmember Kapitan seconded the motion to override the veto. The Motion passed with a 5-2 roll call vote. Councilmembers Pupillo and Anderson voted No.

Recommendation on Upcoming Environmental Advisory Board Appointments

Councilmember Kapitan – They have had two student appointments. One will be going to college. The Council is the appointing body. The Board opens applications in August and then will have the conversation about who to appoint in September. They will be appointing two students each August.

Update on RFP for a Dynamic Impact Study

Councilmember Cotton – In 2024 some money was set aside to do a study of TIF Districts. The study was to determine the impact that such a large entity has on everything outside of the TIF District, within the community, and consistent with the overarching charges for a Redevelopment Commission. In keeping with their responsibility the City Council has to understand and demystify some of the questions that are unanswerable without a deeper dive. Have we gotten job creation and business development? Has the total investment of tax revenue created a better quality of life for all citizens across the board. A focused analysis will help the Council determine the most strategic sequence of development within our extensive TIF boundaries ensuring we are maximizing returns on these significant public investments. Tonight he wants to present a draft. They can take input from the Economic Development Director, the Mayor and the Council so they can begin to figure out what components to put into a study of this nature. He asked if all members had a copy of the draft.

Councilmember Anderson – This is the first he has heard of this.

Councilmember Cotton – He is the only one with a copy. He has been trying to get the beginning of a draft.

Councilmember Anderson – Other members of the Council seem to know all about it but this is the first time Jack and he have heard of it.

Councilmember Cotton – We do discuss what initiatives we would like to pursue in caucus but nevertheless it has been something that he has led the initiative.

Mayor Costas – It seems like a novel idea. Are we aware of any community that has done a study like this?

Councilmember Cotton – Yes and that has been his biggest frustration that a lot of those reports are behind firewalls that cost money to read. There are tons of them.

Mayor Costas – Are you aware of some local communities? He is sure he can get a copy from them. It would help to see some other examples of it.

Councilmember Cotton – He will make certain they share whatever his diligence has led him to. He cannot cite specific examples at this moment. He is looking to meet with others to have an exchange of information.

Councilmember Kapitan – She asked Attorney Patrick Lyp about timelines etc for this process.

Attorney Patrick Lyp – The Council can seek a contract for professional services. That agreement would go to the Board of Works for approval. It appears it might be well served to go the RDC and more particularly the Councilmembers that serve on the RDC. It seems there could be some sort of arrangement whereby the RDC

might be able to cover the cost of this. That would be as opposed to the Council doing an RFP. If this is deemed by three RDC members to be a good thing to do, then the RDC could potentially have the report prepared and circulated to the Council.

Councilmember Kapitan – She needs to clarify what she was asking. When the Council decides what they want in the draft, do they go through Attorney Lyp? Does the RFP get posted? Is it posted for so many days?

Attorney Patrick Lyp – There is no state requirement for hiring professional contractors and professional services. It is not required to have an RFP. He is not sure what a dynamic impact study is but presumably there are consultants out there that can do this for you. Then a resolution or a directive goes to the Board of Works asking for approval. It seems like all roads lead to the RDC. The process is going to require RDC involvement.

Councilmember Kapitan - That will be a discussion further along. They are starting with a draft that could use everyone's perspective.

Councilmember Cotton – We have talked about RDC participation but this is Council driven. Consistent with the Council as the authority that authorizes the RDC it is within their domain to make sure it is delivering in a manner that is optimal for all the people who contribute into it the taxes that are captured by the RDC. There was some concern with respect to the nature of who the report would be made for. Would it be the RDC with their involvement or would it be done for the Council to scrutinize the impact of the RDC. Traditional consultants are not the people who do these. It is the academic community.

Councilmember Domer - To Attorney Patrick Lyp - If we issue an RFP, whoever wants to can respond to that. Then the council takes their proposals under advisement. If the Council does not issue an RFP then a suggestion may be that we select two or three consultants to come forward to propose what they can do or to look at the document they will have created. They will sell themselves as the consultant.

Attorney Patrick Lyp – There is no process in terms of getting RFPs or getting two or three quotes for professional services which is what this is. A good example of this may be last year when the Council brought in the housing consultant. There was not an RFP issued. It was deemed her qualifications were appropriate. Working with the Board of Works she was approved and then her report was prepared. The Council may have to do an RFP to attract qualified people. His recommendation is to interview those who show interest and see if they can produce the type of report they are looking for. Ask them if they are hired can they answer these types of questions. He feels it would be important to have conversations with the RDC and the appointments on the RDC to have coordination of this going forward.

Councilmember Cotton – They do not need an RFP but they will need Board of Works to sign off. In the event BOW decides to not sign off does that revert somewhere

Attorney Patrick Lyp- His first recommendation is to work with the RDC. They are the body that will have almost all of the information. The Council should explain what they want. Then in cooperation with the RDC they could hire someone the Council feels comfortable with and prepare the report. That report would be disseminated to the RDC and the City Council.

Councilmember Reed – One of the thoughts that comes to mind is the expense. Sometimes it is the right time to spend money and sometimes it is not. If there is an avenue to get information not going through an outside entity, they should start to get the information they can that is readily available instead of hiring a company.

COUNCIL LIAISON REPORTS

Councilmember Hunt – The School Board voted Erika Watkins as President and Ashley Kruse as Vice President. The next meeting is August 28th. She attended a health and safety fair hosted by the Porter County Health Department. She was there on behalf of Be Smart of Kids which is a program designed to educate parents and gun owners on how to keep our guns out of the reach of children. She thanked Chief McIntyre and VPD for providing 15 gun locks that they handed out. She thanked the Council for passing the safe storage ordinance over a year ago.

Councilmember Reed – The Park Board has received a proposal from the Welter family for a multifamily housing project using the existing Banta Center. A committee has met and they will be making a recommendation. Matt Slack received his certification as a playground safety inspector. Some outside organizations came to help provide manual labor to mulch playgrounds and painted the shed at West Side Park. At Will Park the cornhole pads and boards are installed. The College Hill neighborhood picnic was held at Will Park. A bee hive that was in one of the parks was relocated near the community garden. Friends of Fishing had a free DNR day. The golf simulators at Creekside will be replaced. The food waste compost site lease agreement has been established. This will be a year-round project. Banta Center will be the collection site. The golf irrigation pump house is going out to bid on September 12th. The back patio of the Butterfield Pavilion has been redesigned. The Porter County Health Department and the Parks Department signed an MOU to provide extra AEDs for the parks.

Councilmember Cotton – There have been no meetings with his committees.

Councilmember Kapitan – Plan Commission meets Tuesday, September 2nd. Traffic and Safety meets this coming Monday. She participated in the Night Ride with VPD. She spent some time at the police department checking out new technology. She attended the Community Improvement Awards. Congratulations to all winners.

Councilmember Domer - RDC meets this coming Thursday. The Board of Works: grant request was approved for the community recycling grant; private streets in Pepper Creek were dedicated to public streets; the Board approved a policy on this procedure. The Courtyards of Pepper Creek streets were not included in this. A 25 MPH speed limit sign was approved for Goodrich Road. She read a statement on redistricting.

Councilmember Pupillo – A shout out to VPD for the National Night Out. It was a great event.

Councilmember Anderson – No utility board meeting since last Council meeting. He and Councilmember Kapitan are working on the Opioid grant applications.

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.

The Next Council Meeting will be August 25, 2025

The meeting was adjourned at 7:37 p.m.

/s/ Holly Taylor, Clerk-Treasurer

I encourage Mayor Costas to sign Ordinance 2025 or the City Council to override his veto,

I have always had a great deal of respect for Mayor Jon Costas as an effective leader, but more importantly, as a compassionate person who has a genuine concern for the public he serves. I think this is an opinion shared by most of the community, including persons who often disagree with his positions on matters of public policy. Despite the Mayor's virtues, in his veto of Ordinance 8 2025, he seems to have lost sight of his major responsibility of doing what's best for all citizens. In vetoing Ordinance 8 2025, Mayor Costas ignores the opportunity to establish a truly public-facing organization where issues concerning human rights can be considered, rather than having an advisory commission (AHRC) the Mayor regularly refers to as "my committee." As described in Ordinance 8, the Human Rights Commission (HRC) still has an advisory function, but more importantly, it is a place where issues concerning human rights can be openly considered and discussed by members of the public.

In his veto memo the Mayor focuses on three concerns: 1) his opposition to the transfer of AHRC members to the new HRC, 2) that he did not want to appoint any of the members of the HRC so it would not be his committee but "exclusively a council driven board," and 3) his opposition to these concerns resulted in "no serious attempt at collaboration on these matters" and as a result, the Mayor asserted "I feel that vetoing the measure was warranted."

In response to the Mayor's concerns it should be noted that Section 38.03 of Ordinance 8 provides existing members of the AHRC the choice to stay on the HRC or resign. As to the Mayor's not wanting 3 appointments, the discussion during Council meetings indicated that would be unfortunate but could be handled easily. As to the lack of collaboration on this ordinance, it was the position of members of Council that the final project (HRC) produced a "collaborative" commission where both the Council and the Mayor can work together to deal with issues of human rights in this community, rather than a committee that serves only the Mayor.

There are other reasons to support an override of the Mayor's veto. It is clear that the persons who originally conceived of a human relations commission in Valparaiso did not envision this to be a personal advisory committee to the Mayor. Rather it was to be an active group that would work to protect the rights of all citizens in the community. Their vision, while not completely realized in Ordinance 8, is much closer to realization in Ordinance 8 than what is in the current AHRC.

Finally, as a parent of a child of color in this community, I have observed the effects of racism, both systemic and personal, through the eyes of my child. It has not been pretty. In addition, as principal investigator of studies on bias motivated incidents in Northwest Indiana, it is clear that over time there are more incidents of bias in the Valparaiso community than any other city in the region. It is very clear to me that the commission outlined in Ordinance 8 2025 rather than the mayor's personal committee, has a much better chance of attacking these issues of human relations and make Valparaiso truly a welcoming community

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