

ORDINANCE NO. 25-2012

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, AMENDING CHAPTER 31 OF THE VALPARAISO MUNICIPAL CODE OF ORDINANCES ENTITLED "COMMON COUNCIL"

WHEREAS, Chapter 31 of the Valparaiso Municipal Code of Ordinances sets forth certain provisions related to the authority and duties of the Common Council of the City of Valparaiso, Indiana; and

WHEREAS, the Common Council of the City of Valparaiso, Indiana, is desirous of amending certain sections of Chapter 31 in order to update and revise the duties of the Council; and

WHEREAS, the Indiana Code sets forth the specific duties of the Common Council related to the appointment of voting members of the City of Valparaiso's various boards, commissions and committees; and;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso, Indiana, that certain sections of Chapter 31 of the Valparaiso Municipal Code of Ordinances shall be amended to read as follows:

Section 1. Section 31.04 of the Valparaiso Municipal Code of Ordinances shall be amended to read as follows:

§ 31.04 APPOINTMENT OF LIAISON AND OTHER COUNCIL COMMITTEE MEMBERS

- (A) No later than the first regular meeting of the Common Council on the month of January of each calendar year, the members of the Common Council shall meet and appoint one, or more, member(s) of the Council to serve as a liaison(s) to any board, commission, committee and/or department of the City as the Council deems appropriate.

For the purposes of this Chapter, the word "liaison" is defined as a member of the Common Council that is appointed by the Council to serve as a contact between the Council and a specific board, commission, committee and/or department of the City. Liaisons shall communicate with the specific board, commission, committee and/or department as such liaison deems necessary. Liaisons shall provide reports to the Common Council on at least a quarterly basis concerning to the activities of the board, commission, committee and/or department to which such liaison is assigned.

The Common Council may appoint one or more members to serve as liaisons to any of the following:

- (1) Valparaiso Community Schools;
- (2) Public Safety;
- (3) Park Department;
- (4) Finance;
- (5) Utilities;
- (6) Engineering/Building/Code Enforcement;
- (7) Technology;
- (8) Human Resources;
- (9) Ordinances;
- (10) Festival & Events; or
- (11) Transportation.

The above list of possible liaison appointments is not intended to limit or otherwise restrict the Council's power to appoint liaisons to any board, commission, committee or department of the City as the Council deems necessary.

- (B) Any change in the appointment of a liaison Council member(s) may be made by the members of the Common Council at any regularly scheduled meeting upon the affirmative vote of the majority of elected Council members present and voting. The Common Council may appoint additional liaisons as the Council deems appropriate.
- (C) The Common Council may create standing committees and establish their duties. A Traffic and Safety Committee shall be established and consist of one member of the Common Council, who shall serve as Chairman of that Committee, and various Department Heads as may be deemed appropriate by the Common Council.
- (D) Select committees of the Council may be appointed by the Mayor or the Common Council if a select committee for a particular purpose is deemed necessary with the power of appointment passing to the Mayor if it is his or her desire to appoint a committee for a particular purpose and with the power of appointment given to the Council if it is the decision of that governmental body to appoint a committee for a particular purpose. A select committee so appointed shall be dissolved if its report has been made and there is no further business or function to be performed.

Dissolution of a select committee shall be accomplished by no formal action of the Common Council.

- (E) When an item of business has been referred to a committee of the Council, the Council member requesting the referral shall have the right to meet with and act as a member of the committee during its deliberations and discussions and shall have the right to vote on any business of the committee.
- (F) In accordance with I.C. 36-4-6-6 the following provisions shall apply to the vacation of a Council member's seat and/or the expulsion of a Council member from the Council:
 - (1) The Common Council may declare the seat of any member vacant if he or she is unable to perform the duties of his or her office.
 - (2) The Common Council may expel any member for violation of an official duty.
 - (3) An affirmative vote of two-thirds of the members of the Council present and voting is required to expel a member or to vacate his or her seat.
 - (4) If a Council member's seat is declared vacant and/or a Council member is expelled in accordance with this Chapter, then said Council member's liaison appointments will be assigned to such Council member's successor.
- (G) In addition to appointing liaisons as set forth above, Indiana law also requires the Council to appoint individuals to serve as voting members of the following boards and/or commissions:
 - (1) Plan Commission, I.C. 36-7-4-209;
 - (2) Redevelopment Commission, I.C. 36-7-4-209;
 - (3) Valparaiso Community School Board, I.C. 36-7-14-7;
 - (4) Economic Development Commission, I.C. 36-7-12-5;
 - (5) Board of Zoning Appeals, I.C. 36-7-4-902.

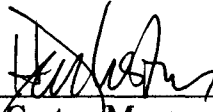
BE IT ORDAINED THAT, if any portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion or provision of this Ordinance.

BE IT FURTHER ORDAINED THAT, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided,

however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, re-established and confirmed.


This Ordinance shall be full force and effect from and after its adoption and the procedures required by law.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a vote of 6-0 of all members present and voting this 12th day of November, 2012.



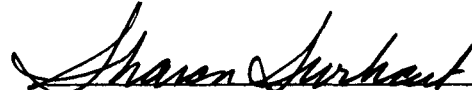
Jon Costas, Mayor

ATTEST:



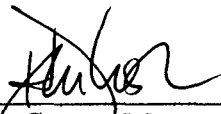
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 12th day of November, 2012, at 7:25 o'clock p.m.



Sharon Swihart, Clerk-Treasurer

This Ordinance approve and signed by me this 12th day of November, 2012, at 7:25 o'clock p.m.



Jon Costas, Mayor