

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
January 24, 2022**

The Common Council of the City of Valparaiso, Indiana, met on Monday January 24, 2022 at 6:00 p.m. in City Hall. Mayor Murphy called the meeting to order. The Pledge of Allegiance was said. Present were Councilmembers Reed, Cotton, Schmidt, Pupillo, Anderson, Costas, and Douglas.

Employee Recognition

Lee Evans started with the City of Valparaiso in 1976. He has been with the City for 46 years. He is the guy on site for water emergencies, water main breaks and anytime the Police Department or Fire Department need assistance on site. He has handled nearly every job in the Department. At this time he is retiring. He has promised to come back to the City parttime, in emergency situations and at the compost site. In honor of his service the Mayor presented him with a picture of the crew taken in 2019 to remind him of what he means to his community. Steve Poulos stated other events that happened in 1976. Lee has survived five Mayoral changes, and seven public works directors. His first check for 80 hours of service was \$383. He is well known throughout the City.

Jeff Balon has been with the City of Valparaiso for 30 years. He was named Chief of Police in 2017. Under his leadership the Department has been re-accredited which is the gold standard of policing. For 30 years he has made public safety his mission. U.S. Senator Todd Young's office presented him with a Certificate honoring this anniversary.

MINUTES

Councilmember Douglas moved to approve minutes of the January 10, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion to approve passed with a 7-0 vote.

RESOLUTION NO. 1, 2022

A RESOLUTION OF THE VALPARAISO CITY COUNCIL REVOKING RESOLUTION 7-2006, AS AMENDED BY RESOLUTIONS 3-2010, 2-2013, 37-2015 AND 38-2015 CONCERNING THE FAÇADE AND SIGN IMPROVEMENT PROGRAM

Councilmember Douglas moved that Resolution No. 1, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 1, 2022.

Attorney Patrick Lyp addressed the Council. In 2006 the first façade grant was granted. Over the last year staff has been making changes. At their last meeting, the Board of Works adopted a Resolution stating the funding for the façade grant program will come from the Redevelopment Commission instead of the City.

Councilmember Cotton questioned the procedure. Attorney Lyp explained it will essentially be the same. Staff will still review. How the money can be spent will essentially be the same. Once staff has reviewed, it will be approved by the Board of Works. Councilmember Cotton asked if this was a necessity or is this a matter of preference.

Beth Shrader explained changes were made to streamline the process. This is a grant and grants typically are approved by the Board of Works. This seems like the more appropriate path for a new streamlined version.

Councilmember Cotton stated he likes the broader input versus the narrower channel that exists. The Board of Works is only three members. This has not been a burden to the Council. He would like to see it revert to the Council.

Councilmember Douglas moved to adopt Resolution No. 1, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt passed with a 6-1 vote. Councilmember Cotton voted No.

RESOLUTION NO. 2, 2022

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, REVOKING RESOLUTION NO. 7-2021 CONCERNING THE ISSUANCE OF A DOWNTOWN ALCOHOLIC BEVERAGE PERMIT PURSUANT TO I.C. 7.1-3-20-16(G)

Councilmember Douglas moved that Resolution No. 2, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 2, 2022.

Attorney Patrick Lyp addressed the Council. LeBon signed Written Commitments on May 10, 2021 with the City of Valparaiso. These were in conjunction with the issuance of a Downtown Liquor License. Since that time, they have not met any of the Commitments. Attorney Lyp met with the restaurant owner in December. At that time, he relayed he is not sure if he can meet the requirements and to date has not. The property owner is aware of this situation. Resolution No. 2, 2022 revokes that Downtown Liquor License. Attorney Lyp is going to review and revise the process for granting the Downtown Liquor License Permits.

Councilmember Pupillo stated his disappointment with this situation. He hopes a replacement is found soon.

Councilmember Costas stated he is happy to see the streamlining for future requests.

Councilmember Schmidt expressed his disappointment. He asked if the property owner will still do the remodeling. And does the property owner still have the Façade Grant. Attorney Lyp replied the façade grant is still pending. He is not sure of the property owner's intent. The inside is gutted. It might not be a restaurant.

Councilmember Cotton expressed his disappointment. He discussed that the property owner could have asked for and received the façade grant without the restaurant being a part of the project. Attorney Lyp stated nothing has been revoked. When new plans are prepared, they will be submitted to Beth Shrader and see if they still meet the requirements for a grant.

Councilmember Douglas moved to adopt Resolution No. 2, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt passed with a 7-0 vote.

ORDINANCE NO. 1, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE ST. PAUL PROJECT EID FUND AND PROVIDING FOR PUBLICATION OF NOTICE

Councilmember Douglas moved that Ordinance No. 1, 2022 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 Reed seconded the motion. Clerk-Treasurer Taylor read the Ordinance.

Attorney Patrick Lyp addressed the Council. The St. Paul Project has three buildings occupied. Over the next ten years economic development fees that the property owners pay go back to offset public improvement expenses incurred by the Developer. The City has collected \$21,782.81.

Mayor Murphy announced that Ordinance No. 1, 2022 requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will consider the appropriation of \$21,782.81 for the St. Paul Project EID Fund. Seeing no one wishing to address the Council, he declared the Public Hearing closed.

Councilmember Douglas moved to adopt Ordinance No. 1, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

ORDINANCE NO. 2, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE FIREFIGHTING FUND AND PROVIDING FOR THE PUBLICATION OF NOTICE

Councilmember Douglas moved that Ordinance No. 2, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 2, 2022.

Chief Dutz addressed the Council. This is an annual appropriation. Funds will be used to pay the inspectors. Funding comes from the \$50,000 payment from Valparaiso University.

Councilmember Cotton asked if this depletes the Fund. Chief Dutz replied it does not.

Councilmember Douglas asked if the VU payment is still \$50,000 for five years. Chief Dutz replied that is correct.

In reply to Mayor Murphy's question, Chief Dutz said they do have a lot of calls to Valparaiso University when school is in session.

Councilmember Douglas moved to carry Ordinance No. 2, 2022 to the February 14, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 6-0 vote.

REPORTS

Mayor Murphy discussed the ARP Funds. The City will receive \$7.6 Million Dollars. Last year an Ordinance was adopted which created a special account to hold the funds as they are received. This is a Federal program. It was his decision to wait until all the rules were established for disbursement of the funds. January 13th those rules were announced. With Council approval, a portion of the funds will be used to acknowledge City employees. Especially the Police and Fire and first responders who have engaged with the public and put their personal health at risk throughout this pandemic. In addition, it is his suggestion that the City focus on two groups – Youth and Seniors. He and the Council have received many suggestions. He wants to make sure everyone has a chance to voice their opinion. The City web page has a portal that will be open until February 18th. This is where residents of Valparaiso can state their ideas and thoughts about where the funds received should be spent.

Councilmember Cotton stated this money is for the groups most adversely impacted. They must engage in the process to be fair for the intended target. He asked if this will be dictated or will there be input? He feels the City is doing a disservice to the Plan.

Councilmember Reed stated she wants to make sure the needs of all are heard. She is looking forward to moving forward.

Councilmember Reed stated at the last School Board meeting there was an extensive list of people who made donations to the school corporation. She expressed her gratitude to those people.

Councilmember Douglas announced the Park Board meets tomorrow night. He is looking forward to ARP discussions.

Councilmember Costas thanked Councilmember Douglas for his years of service on the Redevelopment Commission. He went on to discuss the RDC's newest project – Linc. The RDC will be working with a good developer on a project at the corner of Lincolnway and Morgan. This is the present site of Round the Clock Restaurant. They are following the Housing Study guidelines.

Mayor Murphy also extended his thanks to Councilmember Douglas for his work on the Redevelopment Commission.

Councilmember Cotton asked that decisions on the spending of the ARP money be nonpartisan. He also asked that a committee be formed to go through the ideas. He would like to develop the plan not just approve the plan.

Mayor Murphy replied the Council is the committee. They will vote and approve the American Rescue Fund. They will take comments from residents until February 18th. Some communities need the OCRA plan. He does not feel the City of Valparaiso needs that. They will come up with a great plan.

Councilmember Schmidt stated the City has proven they are transparent and always has openness. He likes the process as it is set out.

Councilmember Cotton stated he is not seeing the issues he is seeing. This is a unique situation that deserves engagement. The City needs to engage with various sectors of the community. This process demonstrates a lack of inclusiveness.

Councilmember Costas asked how the process as set out cannot be considered inclusive when anyone can voice their opinion.

Councilmember Cotton asked if he has read OCRA? He further pointed out parts of the OCRA plan and stated what Valparaiso has done in the past is not like anything else. This process is not inclusive.

Councilmember Reed asked about the dates. Attorney Lyp replied the funds need to be allocated by March of 2024 and spent by March of 2026. There is time to put together a plan.

Public Comment

Walt Breitingner - Park Avenue. He wants to make sure youth are given an opportunity to express their goals regarding the ARP Funds, especially with water and water quality.

Jessica Jepsen – 1259 Sherwood. Streamlining is good. Getting kids involved is good. A month and one-half ago she asked Councilmember Cotton for a list of what entities in Valparaiso need help. She still has not received an answer. She has reached out to five non-profits. Two of them are in Councilmember Cotton's district. They all stated no one has reached out to them regarding needing help. She will be telling people to go to the portal on the City's web page.

Councilmember Cotton replied there are too many to enumerate. He has touched base with the United Way. He wants to see a democratic process come to light. Finally, the City can stop saying there is no room at the Inn. The City will be able to help places they could not before. He wants an inclusive process.

Councilmember Reed asked about keeping the portal open longer. Mayor Murphy stated he is open to that. Councilmember Schmidt added he would like to review what has come in by the 18th.

Ellen Kapitan – 108 Washington. She thanked the Council for streaming the meetings online. Her questions regarding ARP money have been answered. She wants to see continued transparency.

The meeting adjourned at 6:57 p.m.

/s/ Holly Taylor, Clerk-Treasurer