

MINUTES OF THE MEETING

OF THE COMMON COUNCIL VALPARAISO, INDIANA

April 24, 2023

The Common Council of the City of Valparaiso, Indiana, met on Monday April 24, 2023 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, Peterson, and Costas.

Presentation

VHS Gymnastics Team State Championship Proclamation

Mayor Murphy recognized the VHS Gymnastics Team State Champions. A video was watched showing the team. Mayor Murphy presented them with a Proclamation.

MINUTES

MOTION: Councilmember Schmidt moved to adopt minutes of the April 10, 2023 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

Recap of the City's Disability Awareness Month Activities

Maggie Clifton presented a recap of the City's recognition of Disability Awareness Month. Outreach events included a Chamber Luncheon, Valparaiso Rotary and Valpo Noon Kiwanis. The Online Resources are an Ally Toolkit, Calendar of Events, and an Accessible Parking Map. Their Spotlight of the month was Jason Benetti, a nationally recognized sports play-by-play announcer for Fox and the Chicago White Sox. Jason has cerebral palsy. He spoke about overcoming adversity.

ORDINANCE NO. 15, 2023

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, ANNEXING CERTAIN REAL ESTATE TO THE CITY OF VALPARAISO, INDIANA (THE "FRANCISCAN ALLIANCE ANNEXATION")

Councilmember Schmidt moved that Ordinance No. 15, 2023 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. Deputy Clerk-Treasurer Cook read the Ordinance.

Beth Shrader – Tonight is a Public Hearing and vote on this matter.

Councilmember Cotton – He questioned payment in lieu of taxes. Has there been any discussion about that?

Beth Shrader – There is discussion. She would recommend approval contingent on execution of the approved Annexation Agreement. Details of that are still in the works. There is no need to delay a vote tonight as long as it is contingent on the approved and executed Annexation Agreement.

Public Hearing

Mayor Murphy announced Ordinance No. 15, 2023 requires a Public Hearing. He presented Proof of Publication that at tonight's meeting the Council will hear comments and questions regarding the Franciscan Alliance Annexation.

Seeing no one wishing to address the Council regarding the Franciscan Alliance Annexation, Mayor Murphy declared the Public Hearing closed.

MOTION: Councilmember Schmidt moved to adopt Ordinance No. 15, 2023 subject to Annexation Agreement with the City. Councilmember Reed seconded the motion. The motion passed with a 7-0 voice vote.

ORDINANCE NO. 16, 2023

AN ORDINANCE APPROPRIATING FUNDS IN THE OPIOID SETTLEMENT RESTRICTED FUND AND PROVIDING FOR PUBLICATION OF NOTICE

Councilmember Schmidt moved that Ordinance No. 16, 2023 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Deputy Clerk-Treasurer Cook read Ordinance No. 16, 2023.

Attorney Patrick Lyp addressed the Council. He advised the Agreement has been signed by PACT and Board of Works. This Ordinance is to appropriate funds for the coordinator's salary. If any of the funds are not used in 2023, they can be used in 2024.

Councilmember Cotton – Who is doing the interviewing for this position? Is there a list of candidates to be considered?

Attorney Lyp – PACT will be keeping track of the applicants. He is waiting to hear from PACT how the process will work.

MOTION: Councilmember Schmidt moved to carry Ordinance No. 16, 2023 to the May 8, 2023 meeting. Councilmember Reed seconded the motion. The motion passed with a 7-0 voice vote.

UPDATES

1425 Glendale Update

Attorney Patrick Lyp reported this building was started five years ago. In 2018 they were issued a building permit. In January of 2020 an Unsafe Building report was filed. On March 13, 2020 an Order for Demolition was filed. In April, 2020 work resumed. April 18, 2023 the Board of Works was advised that an Order for Demolition will be requested. Three lawsuits have been filed to collect on Mechanic's Liens. An additional lawsuit has been filed by Northwest Health. Porter Health owned the property and sold it. Along with the property were covenants that stated no medical use can be in the building. Those covenants were not recorded. A receiver has been appointed by the Courts. There is a buyer for the property. If this purchase were approved by the Receiver, outstanding claims would be paid and the building completed. The issue is the covenants stating use of the building. To demolish the building would be very expensive. What the City wants is for the building to be finished and occupied and the contractors paid. This probably will be held up in Court for many years.

Councilmember Costas – Is the property listed?

Attorney Lyp – No. There is a purchaser.

Councilmember Cotton – Things like this make him miss the old Porter Hospital. He asked about the cost of demolition.

Attorney Lyp – In 2020 when they first looked at demolition it was north of \$100,000. That was before the additional work was done. This building can be completed. The issue is getting all the collateral issues resolved. Vicki Thrasher will be on the Receiver to have the grass mowed. But what is inside the fence is what will be seen.

Mayor Murphy – Northwest Health is holding up contractors from being paid. They are preventing blight from being removed. This is right across the street from a “jewel” of the City - ValPlayso. This is very frustrating for the City.

Councilmember Pupillo – This is Northwest Health not Porter? And the only thing holding it up is their appeal?

Attorney Lyp – They are one in the same.

Councilmember Anderson – How can it be appealed if there is not a written agreement.

Attorney Patrick Lyp – Because attorneys can always find a way to appeal anything.

Councilmember Costas – Are there squatters?

Attorney Lyp – No. There is fencing. He is not aware of any.

Councilmember Schmidt – Is there any way of being able to get behind the fence to mow?

Attorney Lyp – He will work on that. There will be a cost. The City would like to minimize their expenses with this issue.

Councilmember Anderson - If the building is demolished, who owns the property?

Attorney Lyp – The current owner is defunct. If demolished the City will lien the property. If the property gets sold everyone who is owed money will get some.

Northside Tap Update

Attorney Lyp reported this has been a challenge for the Valparaiso Police Department. On several occasions they have been called for issues that involve gunshots. One of the incidents involved homes in the neighborhood being shot. Allegedly all incidents involved people who had been in the Northside Tap prior to the incident. The City has pushed on the owners, the excise office and the ATC office. The past two weekends Northside has closed at 10:00 p.m. and they have changed the type of music. This seems to have helped the situation.

COUNCIL LIAISON

Councilmember Cotton – He had nothing to report. He did comment on Brian Williams’ comments at the last meeting regarding gun control.

Councilmember Peterson – The skate park groundbreaking was well attended. They have made improvements at Rogers Lakewood.

Councilmember Schmidt – The RDC has a lot happening. They will start on the parking garage soon. 306 Lincolnway is being demolished. They anticipate the Linc project starting within the next four weeks. Journeyman expects to be open for business this fall.

Councilmember Pupillo - Traffic and Safety will meet May 2nd at 9:00 am. The Valparaiso Schools will have a fourth SRO. At the beginning of the 2024 school year they will be adding a 5th officer. May 11th and 12th is the Fire Department Local 1124 Plant Sale. The Fire Department has new firefighters starting May 2nd and June 2nd. They are taking applications. They are working with K2M on a site study to determine future growth for the Department.

Councilmember Reed – At their last meeting the School Board recognized the TJ Science Olympiad team. They won their 30th State title. There were 14 School Board applications received. The Council met in Executive Session tonight to reduce that number to Five. May 1st will be the first interview. May 15th will be the second interview. The five remaining candidates are: Alison Quackenbush, Ashley Kruse, Clay Patton, Curtiss Strietelmeier, and Karl Cender.

PUBLIC COMMENTS

None

The meeting adjourned at 6:52 p.m.
/s/ Holly Taylor, Clerk-Treasurer