

**MINUTES OF THE MEETING  
OF THE COMMON COUNCIL  
VALPARAISO, INDIANA**  
April 12, 2021

The Common Council of the City of Valparaiso, Indiana, met on Monday April 12, 2021 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.

**MINUTES**

Councilmember Douglas moved to approve minutes of the March 29, 2021 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion to approve passed with a 7-0 vote.

Mayor Murphy announced Resolution No. 7, 2021 will be pulled from the Agenda. This will be discussed under Other Businesses.

**RESOLUTION NO. 6, 2021**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,  
PORTER COUNTY, INDIANA, ADOPTING A FISCAL PLAN FOR THE  
ANNEXATION OF PROPERTY KNOWN AS THE “PRAIRIE RIDGE ANNEXATION”**

Councilmember Douglas moved that Resolution No. 6, 2021 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 6, 2021.

**ORDINANCE NO. 6, 2021**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,  
PORTER COUNTY, INDIANA, ANNEXING CERTAIN REAL ESTATE TO THE CITY  
OF VALPARAISO**

Councilmember Douglas moved that Ordinance No. 6, 2021 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 6, 2021.

Beth Shrader, City Planner, addressed the Council. The Home Owners' Association has requested more time to review this matter. Beth is asking that Resolution No. 6, 2021 and Ordinance 6, 2021 be continued.

Councilmember Cotton moved to continue Resolution No. 6, 2021 and Ordinance No. 6, 2021. Councilmember Douglas seconded the motion.

Upon roll call vote the motion to continue Resolution No. 6, 2021 and Ordinance No. 6, 2021 passed with a 7-0 vote.

## **ORDINANCE NO. 4, 2021**

### **AN ORDINANCE APPROPRIATING FUNDS IN THE PARK GENERAL FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Douglas moved that Ordinance No. 4, 2021 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.

John Seibert addressed the Council. He presented a chart of expenditure priorities.

Playground	\$80,000
2 Bleachers	\$21,000
Replace Concrete Boat Ramp	\$70,000
Resurface Lakewood Parking Lot	\$30,000
Kitchen Remodel	\$11,830
Replace 250 Chairs	\$ 9,000
Resurface Old Fairgrounds Lot	\$16,083
ADA Sidewalk	\$ 3,000

Councilmember Cotton asked if these figures are from a bid. John Seibert reported once this is approved, the items will go out for bid. This is presented like a budget.

Mayor Murphy stated Ordinance No. 4, 2021 requires a Public Hearing. He presented Proof of Publication that at tonight's meeting the Council will hear comments for and against the appropriation of \$250,000 in the Park General Fund. Attorney Patrick Lyp stated no requests have been received from the public to speak for or against this Ordinance. Seeing no one to speak on this Ordinance, Mayor Murphy closed the Public Hearing.

John Seibert stated one of the items did receive a proposal. That is the boat ramp project. Time was important in this matter. Once this Ordinance is approved, they will award the project. All proposals received were under the budgeted amount of \$70,000.

Councilmember Douglas moved to adopt Ordinance No. 4, 2021. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt Ordinance No. 4, 2021 passed with a 7-0 vote.

## **ORDINANCE NO. 7, 2021**

### **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, AMENDING THE MUNICIPAL CODE OF THE CITY OF VALPARAISO AND AMENDING ORDINANCE #11, 2001 CONCERNING THE CREATION OF A CAPITAL ASSET CAPITALIZATION AND INVENTORY POLICY**

Councilmember Douglas moved that Ordinance No. 7, 2021 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 7, 2021.

Clerk-Treasurer Taylor addressed the Council and explained the updated Capital Asset Policy. The threshold has been raised from \$5,000 to \$25,000. It is still recommended that all vehicles, land and rights-of-way be capitalized regardless of the cost.

Councilmember Douglas asked if \$25,000 is an accepted level. Clerk-Treasurer Taylor replied she works closely with Mike Nielsen of Governmental Fixed Assets, and he recommended the \$25,000 figure because it is pretty much a common amount. The Policy was approved by the Board of Works last Friday.

Councilmember Cotton asked if the list was published as an itemized list. Clerk-Treasurer Taylor answered it is listed by Department and then general categories. It is not each individual item listed. This is posted on Gateway.

Councilmember Douglas moved that Ordinance No. 7, 2021 be carried over to the April 26, 2021 meeting. Councilmember Reed seconded the motion.

Upon voice vote the motion to carry Ordinance No. 7, 2021 to the April 26, 2021 meeting passed with a 7-0 vote.

### **RESOLUTION NO. 7, 2021**

#### **A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, RECOMMENDING ISSUANCE OF A DOWNTOWN ALCOHOLIC BEVERAGE PERMIT PURSUANT TO I.C. 7.1-3-20-16(g)**

This Resolution has been pulled from tonight's meeting and will be on the April 26, 2021 Agenda.

Attorney Patrick Lyp stated Sage restaurant has closed leaving an unused Alcoholic Beverage Permit. There are four applicants for this permit. The Valparaiso Downtown Alcoholic Beverage Licensing Committee met and reviewed all applicants and recommended approval of Scarpe LLC. One of the non-voting members of the committee was involved in legal proceedings with one of the four applicants. That applicant did not feel the review process was fair.

Attorney Lyp is requesting that Resolution No. 7, 2021 be carried over to the April 26, 2021 meeting. At that meeting, the four applicants have the opportunity to be present, state their request for being the one to get the alcoholic beverage permit, and answer any questions from the Council. The Council can then make their decision on awarding the permit to one of the four applicants.

Councilmember Douglas thanked Attorney Lyp for the history of this matter and believes this is a fair process to follow in this case. He asked about the applicants being at the next meeting. Attorney Lyp explained they have the option of attending the next meeting. If they want to, they can give a presentation to the Council stating why they should receive the permit. They can change their presentation. They will not change their application.

Councilmember Cotton asked if the applicants will be submitting new applications. Attorney Lyp replied they will be stating their case regarding why they should get the permit. However, they will not be submitting a new application.

Councilmember Cotton stated he appreciates the process of having a primary review and recommendation. Attorney Lyp stated after this granting of a permit, the process will be reviewed.

## **COUNCIL REPORTS / OTHER BUSINESS**

### **Public Comment**

Attorney Patrick Lyp stated no public comments have been received for tonight's meeting.

### **School Board Applications**

Councilmember Reed stated applications are being taken for the School Board appointment until April 23, 2021 at noon. Applications are available on the City's web page. To date one application has been submitted.

Councilmember Pupillo stated he is still looking for volunteers for the City Clean-Up day. A date for the clean-up will be announced soon.

The meeting adjourned at 6:27 p.m.

/s/ Holly Taylor, Clerk-Treasurer