

**MINUTES OF THE MEETING  
OF THE COMMON COUNCIL  
VALPARAISO, INDIANA  
May 10, 2021**

The Common Council of the City of Valparaiso, Indiana, met on Monday May 10, 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.

Mayor Murphy read two Proclamations. One was for Baylor Bears who won the NCAA Championship with Valparaiso native Scott Drew as Coach. The next was for the Valparaiso High School gymnastic team who won their 13<sup>th</sup> State team title.

**MINUTES**

Councilmember Douglas moved to approve minutes of the April 26, 2021 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion to approve as presented 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)**

Councilmember Douglas moved that Resolution No. 7, 2021 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 7, 2021.

Attorney Patrick Lyp addressed the Council. He has presented a copy of the Written Commitments for LeBon who was awarded the Downtown Alcoholic Beverage Permit by the Council. Resolution No. 7, 2021 refers to Le Bon Brasserie. Attorney Lyp was given documents today that show the legal name is Le Bon. That change will be made to the Resolution.

Upon roll call vote the motion to adopt Resolution No. 7, 2021 passed with a 7-0 vote.

**ORDINANCE NO. 5, 2021**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,  
INDIANA, REZONING PROPERTY FROM HEAVY INDUSTRIAL (INL) DISTRICT  
TO PUD, PLANNED UNIT DEVELOPMENT, KNOWN AS "JOURNEYMAN  
DISTILLERY"**

Councilmember Douglas moved that Ordinance No. 5, 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. Councilmember Douglas moved to adopt Ordinance No. 5, 2021. Councilmember Reed seconded the motion.

Beth Shrader and Attorney Todd Leeth addressed The Council. Issues presented by Staff have been resolved. Some changes came in today. Todd Leeth discussed some internal architectural changes. Parking requirements are based on the use and size of the use. The square footage has changed. He presented a red lined copy of the PUD Ordinance. Over 50 spaces are reduced in the overall demand. The parking situation has been addressed and changed for the better.

Rex Richards addressed the Council. The Chamber supports this project. This project will bring thousands of people to Valparaiso every year. It will be a tremendous asset as a destination facility in the community. He congratulated staff for an outstanding job.

Councilmember Cotton asked about the north east parking lot. This is not included in the PUD.

Councilmember Douglas thanked Beth and staff for a job well done. Todd Leeth expressed his thanks also.

Councilmember Cotton asked about the north east parking lot. He asked for confirmation that it is owned by the RDC. Todd Leeth replied that is correct and will ultimately be owned by the developer. There was discussion that the parking is adequate. Councilmember Cotton stated he was under the impression there would be housing in the area. Beth Shrader replied the number of spaces that are available is a snapshot in time. The needs may change over time. If parking spaces are taken out it will be up to the petitioner to find spaces to make up for that loss. The RDC is committed to making sure the land is used to its best potential.

Todd Leeth added not all of the land owned by the developer was brought into the PUD. Some of the land was left out to be able to provide flexibility.

Councilmember Pupillo asked for clarification on the timeline of the project. Todd Leeth replied design will continue through 2021. He does not have an answer as to when the project will be complete.

Upon roll call vote the motion to adopt Ordinance No. 5, 2021 passed with a 7-0 vote.

## **ORDINANCE NO. 8, 2021**

### **AN ORDINANCE APPROPRIATING FUNDS IN THE CAPITAL EQUIPMENT FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Douglas moved that Ordinance No. 8, 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.

Clerk-Treasurer Taylor addressed the Council. She explained this money was given to the City by the Redevelopment Commission and is to purchase squad cars for the Police Department.

Mayor Murphy announced Ordinance No. 8, 2021 requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will hear comments on the appropriation of \$387,000.00 for the purchase of squad cars for the Police Department. Attorney Patrick Lyp

reported no requests or comments were received from the Public by email. Seeing no one wishing to address the Council, Mayor Murphy declared the Public Hearing closed.

Councilmember Douglas moved to adopt Ordinance No. 8, 2021. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt Ordinance No. 8, 2021 passed with a 7-0 vote.

### **ORDINANCE NO. 9, 2021**

#### **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, ESTABLISHING THE AMERICAN RESCUE PLAN FUND**

Councilmember Douglas moved that Ordinance No. 9, 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.

Clerk-Treasurer Taylor addressed the Council. The American Rescue Plan will disburse funds to certain local units of government to mitigate the fiscal effects stemming from the public health emergency. The City needs to establish a local ARP Fund to receive the allocation of funds. As part of this process a plan needs to be established. The State should receive the money tomorrow and they have 30 days to disburse it to the local municipalities.

Councilmember Douglas asked and Clerk Treasurer Taylor explained the Council will approve the plan which states how the funds will be spent.

Councilmember Douglas moved to adopt Ordinance No. 9, 2021. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt Ordinance No. 9, 2021 passed with a 7-0 vote.

### **ORDINANCE NO. 10, 2021**

#### **AN ORDINANCE AMENDING TEXT OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF VALPARAISO**

Councilmember Douglas moved that Ordinance No. 10, 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.

Beth Shrader addressed the Council. She has made some changes based on questions that were asked at the last Council meeting.

Councilmember Douglas asked about the parking. Beth replied she already has a pretty big list of items to be looked at the next time the UDO is reviewed. She expects this to be presented next year in conjunction with the Comprehensive Plan. Her goal is to have something by the end of 2023 for presentation which will address some of the bigger items. This would include parking and items suggested from the Housing Study. She feels these areas should have public input.

Councilmember Cotton discussed traffic studies. Beth replied there are general engineering standards. Every situation is unique. It is important to have discretion available. Mike Jabo added the number that could trigger the need for a traffic study is trips in and trips out. The UDO provides for a traffic study under certain situations. This could be different depending on what area is being looked at. That is why it is important to have discretion.

Councilmember Douglas moved to adopt Ordinance No. 10, 2021. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt Ordinance No. 10, 2021 passed with a 7-0 vote.

### **ORDINANCE NO. 11, 2021**

#### **AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF VALPARAISO**

Councilmember Douglas moved that Ordinance No. 11, 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.

Beth Shrader addressed the Council. There are no changes since she presented this at the last Council meeting. She is working with the McNairs on a Special Exception application.

Councilmember Douglas moved to adopt Ordinance No. 11, 2021. Councilmember Reed seconded the motion. Upon roll call vote the motion to adopt Ordinance No. 11, 2021 passed with a 7-0 vote.

### **Other Business**

Councilmember Reed stated the Council has had their first round of interviews. They are accepting questions from the public to be asked of the applicants until May 13th.

Councilmember Douglas reported the RDC meets May 13<sup>th</sup> .

Councilmember Pupillo reported the City Clean Up Day is May 22<sup>nd</sup> from 9:00 a.m. until Noon.

Councilmember Cotton asked the other Councilmembers to respond to him on the email he sent regarding redistricting.

### **Public Comment**

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

The meeting adjourned at 6:47 p.m.

/s/ Holly Taylor, Clerk-Treasurer