

**MINUTES OF THE MEETING  
OF THE COMMON COUNCIL  
VALPARAISO, INDIANA  
June 13, 2022**

The Common Council of the City of Valparaiso, Indiana, met on Monday June 23, 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, Peterson, and Costas.

**MINUTES**

Councilmember Cotton moved to adopt minutes of the May 23, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

**RESOLUTION NO. 7, 2022**

**A RESOLUTION APPROVING THE TRANSFER OF FUNDS IN THE CUMULATIVE CAPITAL DEVELOPMENT (CCD) FUND**

Councilmember Schmidt moved that Resolution No. 7, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 7, 2022.

Clerk-Treasurer Taylor addressed the Council. This Resolution transfers money within the CCD Fund from BOW Equipment to Professional Services. This is to pay an invoice from Baker Tilly and have a reserve for future needs.

Councilmember Cotton asked what the actual services were Holly had replied it was less than the \$10,000. There was an item in the ARPA expenditures for personal services that was changed from \$15,000 to \$25,000. That was done without Council approval. He is shy about going with appropriations that are more than the expense and if there is a reason to do that he would like to hear it. Clerk-Treasurer Taylor explained the invoice is for \$5,200. She opted go higher in case they forgot part of the invoice or if they need to do anything else in professional services with the CCD Fund. If the money does not get spent, it stays in the cash balance.

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

**RESOLUTION NO. 8, 2022**

**A RESOLUTION OF THE CITY OF VALPARAISO, INDIANA COMMON COUNCIL AMENDING RESOLUTUION 9-2020, WHICH GRANTED SENSIT TECHNOLOGIES, LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR TANGIBLE PERSONAL PROPERTY UNDER INDIANA CODE 6-1.1-12.1**

Councilmember Schmidt moved that Resolution No. 8, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 8, 2022.

George Douglas addressed the Council. In 2020 Sensit Technologies was granted a four year tax abatement. Covid hit and their equipment was delayed in being installed. Their equipment was not delivered until January of 2021. They are asking for a one year extension on their abatement so they get a full four years. The cost of the equipment exceeded the \$780,000 and was over \$800,000. They were to add five employees and are close to having doubled that number. They are in compliance with what they anticipated doing.

Councilmember Cotton asked about the consequences if they do not get the extension. George Douglas explained they had received 100% abatement for years 1 and 2. Years 3 and 4 were at 90%. If this extension is not granted, they would lose year 1 at 100% abatement and would only receive three years of abatement.

Councilmember Schmidt moved to adopt Resolution No. 8, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 6-1 vote. Councilmember Cotton voted No.

### **ORDINANCE NO. 14, 2022**

#### **AN ORDINANCE APPROPRIATING FUNDS IN THE MUNICIPAL EXCISE SURTAX FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Schmidt moved that Ordinance No. 14, 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 Ordinance No. 14, 2022.

Clerk-Treasurer Taylor addressed the Council. This money and the money appropriated in Ordinance No. 15, 2022 will be used as the matching funds for the Community Crossing Grant. Revenue goes in both funds daily.

Mayor Murphy announced that Ordinance No. 14, 2022 requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will consider the appropriation of \$570,000.00 in the Municipal Excise Surtax Fund. Seeing no one wishing to address the Council, he declared the Public Hearing closed.

Councilmember Schmidt moved to adopt Ordinance No. 14, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

### **ORDINANCE NO. 15, 2022**

#### **AN ORDINANCE APROPRIATING FUNDS IN THE MUNICIPAL WHEEL TAX FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Schmidt moved that Ordinance No. 15, 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 Ordinance No. 15, 2022.

Clerk-Treasurer Taylor addressed the Council. This money and the money appropriated in Ordinance No. 14, 2022 will be used as the matching funds for the Community Crossing Grant. This appropriation is \$245,000.

Mayor Murphy announced that Ordinance No. 15, 2022 requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will consider the appropriation of \$245,000.00 in the Municipal Wheel Tax Fund. Seeing no one wishing to address the Council, he declared the Public Hearing closed.

Councilmember Schmidt moved to adopt Ordinance No. 15, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

### **2022 Paving and Sidewalk Presentation**

Mike Jabo addressed the Council. If the repairs are let go it will cost 2-3 times more. In the roundabouts they are going to grove the lane markings into the pavement, so the plows do not destroy them in the winter. This year they are doing 9 miles of crack sealing. This will prolong the life of the road. There will be 6.98 miles of

street rehab. Alley rehab – 0.67 miles. Patching at 54 locations. Crack sealing – 8.99 miles. The total street repair budget is \$3.76 Million Dollars. The total sidewalks and pathways budget is \$1.92 Million. This is a total of \$5.68 Million.

Mayor Murphy asked when they anticipate starting the paving projects. Mike Jabo replied they anticipate starting the paving right after the 4<sup>th</sup> of July.

Councilmember Reed asked about the alleys. Some alleys were paved so long ago they are now gravel. Some alleys have never been paved. Councilmember Reed hopes that some of the alleys that have never been paved will be looked at in the future.

Councilmember Schmidt asked about the contractors that will be used. He asked if they are locked in on their prices. Mike Jabo replied they took bids and then took the lowest bidder and the price is locked in.

Councilmember Cotton asked Mike Jabo how he perceives things relative to going forward. Mike Jabo replied he will present a 5 year plan later in the summer.

### **Council Liaison Reports**

Councilmember Pupillo announced at the May 31<sup>st</sup> meeting the Council conducted their second round of interviews and at the end of that meeting they unanimously appointed Jon Costas as the new school board member.

Councilmember Cotton advised the Council as Code Enforcement liaison he has been advised IDEM would like to give a presentation to the City Council regarding an exploratory digging for potential contamination in and around the Fair, McKinley, and Calumet corridor. There is an old gas station that had tanks removed. There was a lot of contamination. IDEM wants to stick exploratory wells around the area for a couple of years. The constituents feel since there is no surface contamination this is something that has adverse effects. They had acquired a permit which indicated they would start digging in the next week. The City has delayed issuing the permit in lieu of what he thinks will be desirable and reasonable to have some public hearings or engagement with IDEM and the residents. Would the Council entertain a series of public hearings on this issue? Mayor Murphy replied he would need more information from City staff. This is not a City issue. It is an IDEM issue, and he does not want to get into issues he should not be going into. Attorney Lyp added he does not know the particulars of this situation. He does know where the gas station is and work that was done there. He was not aware of IDEM seeking permission to put more testing wells in there. Testing wells are normally looked upon as a positive thing because they can tell you definitively if the clean up was successful.

### **Public Comment**

Deb McLeod – 454 Marion Drive – Where are discussions held and how can the public contribute to that discussion? How do citizens get involved with decisions? When was the last time citizens placed an item on the Agenda? How can citizens get things placed on the Agenda?

Kathleen Watts- 2518 Eisenhower. The Mayor and Councilmembers, except for Councilmember Cotton, do not answer citizen requests. It is not right that they cannot put things on the Agenda. She feels they do not want anything on record and dismiss the voter. If they feel the voters cannot be trusted with the truth, democracy is at risk. There should be respect for the people and they should be taken seriously. If people are informed, they can respond. She has turned in a FOIA request for all documents regarding the \$5.5 Million ARPA park project. The Council and Mayor said it has received comments, email, phone calls, etc. from, citizens. She got her FOIA request but she saw nothing that supported their statements. What she did see is concerns from the people of Valpo requesting that both sides of the table come together and decide how the money should be spent. If they are confident in their decisions, then they should tell the truth.

Cedric Northern – 2810 Double Eagle Lane Unit L – now homeless. He had a leak in his apartment from the upstairs apartment. He contacted the superintendent of the Masters. He contacted the Valpo Fire Department. He was ignored by the Fire Department. On April 11<sup>th</sup> there was a Section 8 inspection. Old toilet water came out of his ceiling. This spilled on him and he has had health issues ever since. He has been forced out of his home because of negligence. He played a recording of him and a city employee regarding this issue. Tenants are afraid to speak up due to retaliation by the apartment complex manager. He was told to stay in a homeless shelter. He is now sleeping in his car. He has been getting the runaround. He wants to know what is going to be done. He is not going to stay in a shelter.

Attorney Lyp advised this matter has progressed to where all correspondence and communication should go through him. The City has given him options. They have done as much as they can to help. The lawsuit is between him and the apartment complex. It is fair to say that Mike Jessen and Attorney Lyp have spent an inordinate amount of time on this. He advised the City will still help but Cedric must make some decisions.

Joanne Mosby – 1404 Beech Street. She works for disabled. The last time the Mayor's Council on Disabled met was in 2019. When will they meet and will there be improvements on the Agenda?

Ellen Kapitan – 108 Washington. She is working to save 58 Jefferson which is the old Sewing Shop. This is a building that is 122 years old. She does not want the ground to become a parking lot. She would like to speak to the Historic Preservation Committee.

Mayor Murphy addressed the audience. Anyone can come to the Mayor with the support of 2 or 3 councilmembers to get something on the agenda. The Council on Disabilities was a group formed by Mayor Costas. He has decided not to continue this group. The Historic Preservation Committee is also a Committee formed by Mayor Costas. They meet on an as needed basis.

The meeting adjourned at 6:54 p.m.

/s/ Holly Taylor, Clerk-Treasurer