

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
February 14, 2022**

The Common Council of the City of Valparaiso, Indiana, met on Monday February 14, 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 (remote), Anderson, Costas, and Douglas.

Elevate Valpo Downtown Draft Vision Plan Presentation

Beth Shrader addressed the Council. After tonight's presentation her staff will take comments for the next several weeks. She will then present a final version to the Council. Beth introduced the representatives from Context and LandDesign. Fred of Context gave an overview of the presentation. The primary purpose of tonight's presentation is to be open and transparent about where the process is. There are five key elements that inform and advise their suggested action steps. The five are: Parking, Living, Programming, Character and Clarity. Previous planning documents related to the downtown area were reviewed by the consultant team. This new plan's objective was to find the best and brightest ideas within those plans and put them into action here. Previous plans focused on Why change should happen. This plan focuses on What and Where change should happen. The long term vision is principal based. The City has been extremely successful in the last couple of decades. This plan will show what type of investment will make that success continue.

Brent Martin stated Valparaiso has been going through two decades of revitalization. This has happened with investments both public and private. This has created a demand for residential in the downtown area. The plan addresses several key factors but meeting the demand for downtown urban residential may be the single most important thing that drives this plan for the next two decades. What they looked at is how to build upon the character and quality that exists and where are the opportune locations that bringing in new development would pay the most dividends for downtown. Most of the opportunity is south of Lincolnway and the barrel district.

Liz Mooney discussed outdoor seating and that it is hard for pedestrians to navigate. A temporary solution would be to work on the block of Lincolnway directly north of the Courthouse. They are suggesting taking away the parallel parking on this block and doing a temporary infill solution. This would expand the sidewalk. It would allow a clear area for pedestrians to walk. The centerline of the road would not change. Indiana Avenue was called an Arts and Culture district. They would remove the curb on the south side of the street. That would allow more flexibility.

Councilmember Douglas asked about the timeline. Beth Shrader explained they will take comments for the next several weeks. They will present to the Redevelopment Commission within the next month. They will give them sufficient time to give her comments. Then it will all be put together, evaluate what needs to be altered and then bring it back to each body for their approval.

Councilmember Douglas asked for clarification regarding what VUs plans will look like in conjunction with this plan. Fred explained he is part of a group that is helping the University look at their properties right now. They are at the infancy of that study. It is too early to determine how the two studies will meld together.

Councilmember Cotton asked about triangulation being within three minutes of parking lots. This sounds like a lot of dense parking in a time when it appears there will be less car usage in a central business district. He also asked about the turnaround time on this project. Fred answered the scale of each parking will be on a TBD basis. They would encourage the City to see what is available for peak events today and how that demand is met. Also, they should look at how they will meet demand as the plan populates. The plan talks about the principals to have those decisions made but not so much the precise location or the precise capacity. The convenience of parking needs to be 3-5 minutes from the location. People in this area are not willing to walk

much more than that. The City has a unique opportunity with the County parking garage. The usage of this facility over the next few months will let the City know when to make the next investment. Councilmember Cotton asked if there is a time when the removing of curbs and widening sidewalks will take place. Fred replied the property owners along Lincolnway have voiced an opinion to at least try widening the sidewalk. He feels one season will give a good indication if it is going to work.

Councilmember Reed asked about the need for residential in the downtown area. Is there a percentage of residential that he has seen works well in a downtown area? Fred replied there is no set rule. It is unusual to see restaurants closed on a Monday night. Having more critical mass of people downtown will help the restaurants.

Councilmember Schmidt said it shows that they have looked at past data. This shows where we have come from and what we have improved on. He asked how long they have been working on this plan. Fred replied they started around July. They attended a few events, the Farmer's Market, and had two days of focus group meetings. He was happy how candid people were in the focus groups. Councilmember Schmidt asked about the private and public investment in downtown. He asked if this is something they see in every city. Fred answered Valparaiso is a very attractive destination. The culinary district is extremely unique.

Councilmember Anderson said he loves the ideas for the sidewalk expansion on Lincolnway and Indiana. He asked if the parallel parking that will be lost ties into the parking triangulation referred to. Fred said you must remain parking neutral or at least have gains. If the City did not have the County garage it would be a difficult project.

Councilmember Costas stated he likes the increased visibility with the cars out of the way on Lincolnway.

Councilmember Pupillo asked about the loss of parking with the extension on the sidewalk. Fred answered there would be 10 spots lost. The County garage could sustain the increase.

MINUTES

Councilmember Douglas moved to approve minutes of the January 24, 2022 meeting. Councilmember Reed seconded the motion. Upon roll call vote the motion to approve passed with a 7-0 vote.

RESOLUTION NO. 3, 2022

A RESOLUTION TRANSFERRING FUNDS TO THE RAINY DAY FUND

Councilmember Douglas moved that Resolution No. 3, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 3, 2022.

Clerk-Treasurer Taylor addressed the Council. This is an annual Resolution. She determines how many unspent appropriations there are and then determines what portion of that gets transferred to the Rainy Day Fund. Unspent appropriations were \$1.1 Million Dollars. She is allowed to transfer up to \$170,000. She went a little conservative and is requesting that \$100,000 be transferred to Rainy Day. The current balance in the Fund before the transfer is just over \$4.5 million.

Upon roll call vote the motion to adopt Resolution No. 3, 2022 passed with a 7-0 vote.

RESOLUTION NO. 4, 2022

A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF THE CITY OF VALPARAISO TO MAKE TEMPORARY LOANS TO TAX SUPPORTED FUNDS FROM THE RAINY DAY FUND

Councilmember Douglas moved that Resolution No. 4, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 4, 2022.

Clerk-Treasurer Taylor addressed the Council. This is an annual Resolution. It allows the City to loan Rainy Day Funds in lieu of property tax collection. Any loan gets paid back in December.

Councilmember Douglas moved to adopt Resolution No. 4, 2022. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

RESOLUTION NO. 5, 2022

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO IN SUPPORT OF THE VALPARAISO COMMUNITY SCHOOLS OPERATING REFERENDUM

Councilmember Douglas moved that Resolution No. 5, 2022 be read and considered for passage. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Resolution No. 5, 2022.

Mayor Murphy thanked the Council for bringing this Resolution. The City has a unique relationship with the School Corporation. The Council's most important job is to appoint a member to the School Board which runs one of the best school systems in the State of Indiana.

Councilmember Douglas agreed appointing school board members is one of the most important things the Council does. Last week the school board passed their resolution authorizing them to move forward in seeking a referendum. In 2015 the Council passed a Resolution for a seven year referendum which was for operations and facilities. The need is still there. This referendum is 8 years. This rate is going down 26% from where it currently is. He feels it is important for the Council to show their support of the referendum.

Councilmember Reed thanked Councilmember Douglas for putting this together. She is in full support. She encourages community members if they have any questions about how the dollars are used, please ask.

Councilmember Cotton stated it was a pleasure to work side by side with the administration on the last referendum. He feels there might be an appropriate time for the State legislature to have a greater understanding that this is not a permanent solution to the problem. He is fully behind this Resolution. One of Valparaiso's most prized possessions is its schools. It is what drew his family here many years ago.

Councilmember Anderson stated how important the referendum is. Voting "Yes" means the Valparaiso Community schools will be able to continue to maintain the programs and personnel that make such a positive impact. He is in full support of the Resolution.

Councilmember Schmidt agreed with all that has been said. The full Council supports this Resolution. The schools are great and the community supports and backs them. With just getting through Covid there are more social emotional needs now. This is one thing the referendum money will go towards. He supports the Resolution 100%.

Councilmember Costas stated he echoes all that has been said and he is in full support of the Resolution.

Councilmember Pupillo stated the referendum is crucial to the school's success. He is glad to see the reduced rate. This shows the school corporation sharpened their pencils and are bringing value to the taxpayers.

Councilmember Douglas moved to adopt Resolution No. 5, 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 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.

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 about the category the inspectors fall under. Chief Dutz explained they use the Firefighting Fund to pay them. There are eight parttime individuals. They also get paid out of the fund that collects the money paid for inspections.

Mayor Murphy announced that Ordinance No. 2, 2022 requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will consider an appropriation in the Firefighting Fund. Seeing no one wishing to address the Council, he declared the Public Hearing closed.

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

ORDINANCE NO. 3, 2022

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

Councilmember Douglas moved that Ordinance No. 3, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 3, 2022.

Clerk Treasurer Taylor addressed the Council. She explained the RDC gives the City funds every year for purchasing new squad cars. They have received \$400,000 this year.

Councilmember Douglas asked if this is replacing cars or expanding. Chief Balon replied this is replacing older vehicles. They have roughly 63 vehicles. The appropriation is for nine new vehicles.

Councilmember Douglas moved to carry Ordinance No. 3, 2022 to the February 28, 2022 meeting. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

ORDINANCE NO. 4, 2022

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

Councilmember Douglas moved that Ordinance No. 4, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 4, 2022.

Clerk Treasurer Taylor addressed the Council. This is an annual appropriation. Revenue comes from demolitions and other unsafe building issues. The current fund balance is just over \$167,000. They are looking to appropriate \$100,000.

Councilmember Douglas moved to carry Ordinance No. 4, 2022 to the February 28, 2022 meeting. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

ORDINANCE NO. 5, 2022

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, ESTABLISHING THE CITY OF VALPARAISO REDEVELOPMENT AUTHORITY

Councilmember Douglas moved that Ordinance No. 5, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 5, 2022.

Attorney Patrick Lyp addressed the Council. To finance the parking structure as part of the Linc Development, there will need to be a lease financing arrangement. That will happen by having a Redevelopment Authority. To satisfy DLGF and State Board of accounts there must be a building corporation that does the lease. There is no additional TIF authority or taxing authority. For practical purposes it is a holding entity to allow the Redevelopment Commission to own tangible assets.

Councilmember Cotton stated the purpose of an authority seems limited. He researched what RDC authorities means to other cities. There has been some controversy about the Council being able to weigh in. He found Official Opinion 2010 from former Attorney General for the State of Indiana, Greg Zoeller. The concern he was responding to was to what extent the RDC authority could bypass the fiscal body. He asked Attorney Lyp to enumerate all the ways he believes this will help versus what type of things have been gotten done already with the Economic Development Commission working in tandem with the RDC.

Attorney Lyp responded asking for a copy of the 2010 Opinion letter from Greg Zoeller. He further added from the Council's perspective many things will not change. In 2010 there was not an obligation to come to the Council as a fiscal body to seek approval for issuance of debt. That has changed. With the RDC and if approved, the authority, all paths lead to the Council in terms of any desire to issue debt. In many ways the authority is a holding entity. The challenge is they have no funds absent the RDC or the Council appropriating dollars. They have certain ability to do things but no way to fund doing them without appropriation from the Council. The RDC authority will be a holding vehicle for the parking garage and allow financing the bonds to lease the garage from the authority.

Councilmember Cotton stated he is concerned with all the additional power and the executive appointing like minded people. Projects have been successful doing them the way things are now with the RDC. With all the unintended consequences this might facilitate sprawl. Attorney Lyp explained the Amazon Building was a short term hold. The VEDC held the building. The parking garage will be held longer than two or three years. He would suspect that the Council would want a governmental entity owning that asset versus some third party. The RDC cannot own the parking garage.

Councilmember Douglas moved to carry Ordinance No. 5, 2022 to the February 28, 2022 meeting. Councilmember Reed seconded the motion. Upon roll call vote the motion passed with a 7-0 vote.

2022 School Board Appointment Schedule

Councilmember Reed went through the schedule for the appointment. Applications available online beginning February 28th. Applications due online or at the Clerk-Treasurer's office by April 22nd at Noon. If necessary, there will be an Executive Session of the City Council on April 25th to reduce applicant pool to six. April 26-28 the applicants will be notified of their May 2nd interview time. Questions will be sent to each applicant. May 2nd will be the first round of interviews. Questions from the public are due online May 3-9. The second round of interviews (panel format) with questions submitted by the public will be May 16th. The City Council will vote to appoint School Board member following the second interview.

Councilmember Pupillo asked if the Executive Session to reduce the applicant pool was to get the pool to four or six. Councilmember Reed stated the correct number is four. She will get that changed on the Schedule.

Reports

Councilmember Cotton discussed things that have transpired since the last meeting with respect to the American Rescue Plan process. Now there is a plan. However, he does not feel it gives respect to the nuisance of meeting the goals laid out in the Rescue Plan. There has been turmoil at the County level, and they have gone back to the OCRA style plan. The OCRA style plan includes stakeholders steering elected officials on how the money should be divvied up. They are structured in a bipartisan manner that decides where the money goes. The City's process is too narrow. It should collect information, look over the information individually, then meet individually with administration and present it to the Council. The City needs to be more conscientious. Input will be sent to the Mayor and City Administrator. The City Administrator has a large footprint in the County that could be perceived as a conflict of interest if there is a divergence of how the money is handled here at the City versus the County. At the County they look like what OCRA and the Lt. Governor recommended. He has been asking to have this process started since September. This has nothing to do with spending the money quickly. It has everything to do with being conscientious stewards about those most adversely impacted residents.

Councilmember Douglas stated the plan has been laid out. The portal for public input has been kept open longer so we can get more input from the public. There are a lot of ways to get to the end goal. Ultimately it is the Council that will make the decision where the money goes. He is comfortable with the process as it is laid out. He feels it is short sided to say the process is flawed. He was struck by the words on the back of a challenge coin presented by Chief Dutz. "I am not here for me. I am here for We. And We are here for Them. That is what the Council does.

Councilmember Schmidt likes the way things have progressed so far. The portal is easy to use. All have been elected to serve the City. He does not have any contempt for other parts of the City. Each councilmember must represent their district but all of them want to listen and spend the money wisely.

Councilmember Pupillo has full confidence in the process. They have open ears for listening to how the money should be spent. He feels it will be spent wisely and benefit the most amount of people especially the children and elderly.

Councilmember Reed appreciates the extension of time being given to receive input. She also likes that they will be able to sit down and go over what has been suggested. She believes increasing the dialogue with community stakeholders is vital. She does not want to leave any stone unturned in making certain that the money is being appropriated and every measure is taken to help our community members in what ever way we can. Writing things down is good. But there is a lot to be had from dialogue.

Councilmember Cotton asked Councilmember Douglas how the process is public if the input goes to the City Administrator and the Mayor to craft a plan? He would like Mike Jessen to explain how the process has emerged at the County.

Mayor Murphy stated the process is the process. It has been approved. He understands Councilmember Cotton has an objection and it is noted. We are not Porter County. We do not need OCRA telling our City Council how to invest the money. He knows Councilmember Cotton disagrees. But we are not going to belabor this point again and again.

Councilmember Cotton replied this is not about him or the Council. It is about something much bigger than all of us. He agrees with what is on the back of the challenge coin. The Mayor's statement is to dismiss the best

practice of developing a process that will give the Council the ability to do as well if not better than the County. We don't do better just because we are Valpo. We do better because we endeavor to accommodate the terms and circumstances that are laid out for us. These are the people who are always told there is no room in the inn. I don't believe there is any conscious contempt. But the actions sometimes say something different than what the words do.

Mayor Murphy stated the Council has heard his objections. They can make a change to the process if they wish. Please let him know. He will be happy to entertain that but the majority of them are telling him they are happy with the process. He is convinced it is a great process and there will be some great outcomes.

Councilmember Cotton stated there is a clean energy initiative and there is about \$1.8 Million in grants. He has heard people wanting to come to downtown Valpo but they do not have charging stations for their vehicles. He asked if any of these grants have been applied for. He handed the paper work to Clerk-Treasurer Taylor and said the money is there for the taking and feels it makes sense to begin incorporating electric charging stations at key places. Particularly in the downtown.

Public Comments

Steve Ingram – 106 Washington Street. He has been in real estate over 40 years. He has written many feasibility studies. He discussed the Elevate Valpo presentation. There are contradictions within the document. Being three minutes from your car is not good for anybody. It states on street parking is desirable yet there are plans for several parking garages. The closest Class A building is in Chicago. Eastport is full of empty office spaces. The document refers to appropriately scaled to other structures. He asked if the Morgan and Lincolnway project is appropriately scaled or is it too big. The document discusses gateway features. He asked if the Morgan and Lincolnway project is a gateway feature. It states redevelopment should save important landmarks. Remember the Old Jail and Memorial Opera House. Significantly altering them not only destroys them but also what is around them. Across the street from his home is proposed as commercial. This will remove three houses and two churches and make it a commercial corridor. He doesn't understand the thinking in the overlay area as far as density. The document refers to connecting downtown with the University yet nowhere in the report does it propose connecting the two. Declining neighborhoods should be redeveloped. He feels Beth Shrader should visit all the neighborhood associations to hear their concerns. He feels comments in the report were from developers and not so much from citizens.

Thomas Museus-Dabay – 503 Jefferson. He is a new resident of Valparaiso. This is his first Council meeting. He asked how the plan would affect rental costs.

Bernard Bradford – 3054 Sager Road. He is for a referendum. Maybe just not this one. If the Council approves the budget for the school, he would like to see a dollar-for-dollar type of budget so they know what they are voting on. He is also concerned that the referendum will be a permanent increase in the operating budget of the school. If they are asking for too much it might not pass.

Kenard Taylor – 306 Napoleon Street. The referendum is an extension of an existing tax rate at a lower rate. This will keep teachers, counselors today. If it does not pass, then cuts will have to be made. Over the last few days or months there have comments made that he does not understand. The Councilmembers were elected to office by the people. There is no need to have a huge committee for budgetary purposes. That is the Council's job. If there are questions the citizens contact the Councilmembers. It then is the responsibility of the Councilmember to take it to the full Council. It is their job.

The meeting adjourned at 7:40 p.m.
/s/ Holly Taylor, Clerk-Treasurer