

RESOLUTION NO. 23 -2024

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)

Whereas, IND. CODE § 7.1-3-20-16(g) allows the Indiana Alcohol and Tobacco Commission (“IATC”) to issue fifteen (15) on-premises alcoholic beverage permits, without regard to the quota provisions of IND. CODE § 7.1-3-22, within the historic district (as defined within the Enabling Statute) of the City of Valparaiso; and

WHEREAS, on **December 14, 2015**, the Common Council of the City of Valparaiso adopted Ordinance 29-2015, which approved the *Amended Criteria for License Allocation and Applicant Compliance Requirements* that was initially approved by Resolution 15-2005; and

WHEREAS, on **August 28, 2023**, the Common Council passed Ordinance 11-2023 which adopted the *Second Amended Criteria for License Allocation and Applicant Compliance*; and

WHEREAS, on **September 9, 2024** the City Council held public presentations by applicants for an on-premises alcoholic beverage permit.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Valparaiso, Indiana, that:

1. **Proino, Inc d/b/a Avgo Breakfast and Lunch**, should be, and is, hereby recommended for a 3-Way on-premises alcoholic beverage permit. Such recommendation being conditioned upon full compliance with the objectives and criteria contained in the *Second Amended Criteria for License Allocation and Applicant Compliance* and pursuant to Indiana Code §§ 7.1-3-19-17 and 7.1-3-20-16(g).

2. That upon written request by the City Council, representatives from **Proino, Inc d/b/a Avgo Breakfast and Lunch**, shall appear and provide a report as to its activities and answer questions relating to any complaints/problems.

3. At all times **Proino, Inc d/b/a Avgo Breakfast and Lunch** shall comply with the executed Written Commitment.

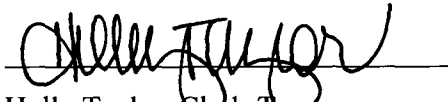
4. This Resolution is contingent upon the sale and transfer of ownership of 16-18 Indiana from the Redevelopment Commission to Boyer Properties or another business entity own by Bruce Boyer on or before September 30, 2024.

PASSED AND ADOPTED by the Common Council of the City of Valparaiso, Porter County, Indiana, by a 7-0 vote of all members present and voting, this 9th day of September, 2024.

A handwritten signature in black ink, appearing to read "Jon Costas", written over a horizontal line.

Jon Costas, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Holly Taylor", written over a horizontal line.

Holly Taylor, Clerk-Treasurer