

**MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA
May 9, 2022**

The Common Council of the City of Valparaiso, Indiana, met on Monday May 9, 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.

Harry Peterson

Mayor Murphy introduced Harry Peterson as the new member of the City Council. Harry was voted in by caucus to fill the vacancy left with George Douglas’s resignation. Harry Peterson addressed the Council and stated he is thankful for the opportunity and is looking forward to serving.

Mayor’s Youth Council Presentation

Maggie Clifton introduced this year’s Mayor’s Youth Council. The students did a presentation on their experience of serving on the Youth Council.

Councilmember Cotton asked how many students signed up for this and how many were selected. Maggie Clifton replied there were 35 students who applied and 18 were selected to serve of the Council based on their paper and video interviews.

MINUTES

Councilmember Schmidt moved to adopt minutes of the April 11, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

ORDINANCE NO. 12, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE PARK & REC GENERAL FUND AND PROVIDING FOR PUBLICATION OF NOTICE

Councilmember Schmidt moved that Ordinance No. 12, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 12, 2022.

John Seibert addressed the Council. The Park Department has partnered with the Mayor’s Youth Council for the Color Run. Proceeds will go towards the Skate Park. The appropriation of money in this Ordinance will go towards:

- Pickle Ball - \$8,745 at Kirchhoff Park
- Pedestrian Bridge Foundation Wall Replacement - \$81,650 at Lakewood
- Water Improvements \$43,000 at Lakewood
- Garbage Collection Unit - \$29,605 Park Maintenance
- Roof Replacement - \$37,000 for Horticulture
- Truck Lease Payments - \$60,000 for Facilities, Park Maintenance and Horticulture.

John Seibert explained how their cash revenue works and emphasized they do not spend any funds until it comes in.

Councilmember Cotton asked if estimates were obtained before these prices were shown to the Park Board. John Seibert replied estimates are obtained. Councilmember Cotton asked what the Park Department’s negative

impact was during covid. John Seibert replied staff found ways to work around the restrictions imposed by covid. Some staff was cut down or eliminated. They kept some programs going with adjustments. The income was down but so were the expenses.

Councilmember Schmidt moved to carry Ordinance No. 12, 2022 to the May 23, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

ORDINANCE NO. 13, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE AMERICAN RESCUE PLAN (ARP) FUND AND PROVIDING FOR PUBLICATION OF NOTICE

Councilmember Schmidt moved that Ordinance No. 13, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 13, 2022.

Clerk Treasurer Taylor addressed the Council. This Ordinance has four items being appropriated from the ARP Fund. They are: Premium pay for employees, Police Department, Fire Department, and consultant fees.

Councilmember Schmidt asked if the Departments have reviewed this request. Clerk-Treasurer Taylor replied they have.

Councilmember Schmidt moved to carry Ordinance No. 13, 2022 to the May 23, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

Council Reports

Councilmember Reed reported three applications have been received for the School Board appointment. Applicants are: John Costas, Julie Smith, and Jennifer Buck. The applicants will receive the list of questions on Friday, May 13th. The Councilmembers will receive a copy of the applications and a list of questions to be asked. The first interview will be Monday, May 16th at 5:00 pm in the Council Chambers.

Mayor Murphy announced that Councilmember Costas has recused himself from these proceedings due to his relationship with one of the applicants. Councilmember Costas confirmed that.

Public Comment

Walt Breitinger – 608 Academy. His concern is the allocation of ARP Funds. He would like to know if there is going to be any open dialogue with the non-profits and government entities that are interested in receiving ARP Funds. He also is concerned with the mud in Beauty Creek. He would like to know what violations have been sited, what fines have been imposed, and what is being done about the situation.

Deb McLeod – 454 Marian Drive. Her concern is Aberdeen and the park property purchased. The development is facing high costs to replace streets and sewers. She lives off Joliet Road. This road is more patched than good road to drive on. The water main in her area has broken three times in the last 18 months. The Mayor has said if an item is important, it will be added to the Agenda. The annexation of Aberdeen is important.

Attorney Patrick Lyp has received an email from Michael Mirochna. His email in its entirety follows.

From: Michael Mirochna Sent: Monday, May 9, 2022 2:54 PM To: Marci Palmer Subject: City Council 5/9/2022 Dear Marci, I will not be able to attend tonight's meeting, the agenda states we email you about that if we have questions. 1) Do we still have a chance to get some of the ARPA funding appropriated to

environmental causes that would also save the city money AND give the appearance to others that our community is capable of forward thinking climate initiatives? This would specifically include electric trucks for the parks department, maybe 10 such trucks and chargers and maybe changing some of the equipment to electric too so that some of the workers are not breathing in fumes all from gas engines. 2) What is each council member's position on the annexation of Aberdeen? Why should we or should we not annex it? 3) Please tell the city residents what we are getting in return for the public dollars going toward the LINC? It makes no sense to me as a physician, why we need to give away 3.4 million dollars in funding from the RDC in order to create this development. I've asked many people, I don't have an answer yet, but maybe I haven't asked the right people. If the reason is to satisfy the housing demands of the recent housing study, then let's have the argument about how good of an investment that 3.4 million dollars is. Even if the RDC is making that deal, city council still has to vote to pass it. Thanks Marci, have a good day. Mike Mirochna 605 Washington St. Valparaiso

The meeting adjourned at 6:45 p.m.

/s/ Holly Taylor, Clerk-Treasurer

ORDINANCE #12, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE PARK & REC GENERAL FUND AND PROVIDING FOR PUBLICATION OF NOTICE

SECTION 1: BE IT ORDAINED, and the Common Council of the City of Valparaiso, Indiana, does hereby make the determination a need exists and that the following amount of money be and the same is hereby appropriated from the Park & Rec General Fund for the purpose and use here in after set forth, all for use during the current year of 2022, to-wit:

PARK & REC GENERAL FUND

Capital Outlays/Improvements	\$260,000.00
Total	\$260,000.00

SECTION 2: Appropriations over and above those made during the budget process are allowed under Indiana Code 6-1.1-18-5 and as otherwise provided under Indiana law.

SECTION 3: The City Clerk-Treasurer is requested to provide notice, as outlined under Indiana Code 5-3-1, as to the meeting date and the opportunity of the public to participate in a Public Hearing. Such notice shall be published one time at least ten (10) days prior to the meeting in a Qualified Publication – as such term is defined under Indiana Code 5-3-1-0.7.

SECTION 4: The Public Hearing provided for in Section 3 shall be set for the May 23, 2022 meeting of the Common Council of the City of Valparaiso, at City Hall located at 166 West Lincolnway.

SECTION 5: After the Public Hearing is held in accordance with such notice as herein provided, the Council may approve the proposed appropriation.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage in the manner provided by law.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a _____ vote of all members present and voting, this _____ day of _____, 2022.

Matthew R. Murphy, Mayor

ATTEST:

Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this _____ day of _____, 2022 at the hour of _____ o'clock P.M.

Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this ____ day of _____, 2022 at the hour of _____ o'clock P. M.

Matthew R. Murphy, Mayor

ORDINANCE #13, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE AMERICAN RESCUE PLAN (ARP) FUND AND PROVIDING FOR PUBLICATION OF NOTICE

SECTION 1: BE IT ORDAINED, and the Common Council of the City of Valparaiso, Indiana, does hereby make the determination a need exists and that the following amount of money be and the same is hereby appropriated from the American Rescue Plan (ARP) Fund for the purpose and use here in after set forth, all for use during the current year of 2022, to-wit:

AMERICAN RESCUE PLAN (ARP) FUND

ARP Grant	\$750,000.00
Total	\$750,000.00

SECTION 2: Appropriations over and above those made during the budget process are allowed under Indiana Code 6-1.1-18-5 and as otherwise provided under Indiana law.

SECTION 3: The City Clerk-Treasurer is requested to provide notice, as outlined under Indiana Code 5-3-1, as to the meeting date and the opportunity of the public to participate in a Public Hearing. Such notice shall be published one time at least ten (10) days prior to the meeting in a Qualified Publication – as such term is defined under Indiana Code 5-3-1-0.7.

SECTION 4: The Public Hearing provided for in Section 3 shall be set for the May 23, 2022 meeting of the Common Council of the City of Valparaiso, at City Hall located at 166 West Lincolnway.

SECTION 5: After the Public Hearing is held in accordance with such notice as herein provided, the Council may approve the proposed appropriation.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage in the manner provided by law.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a _____ vote of all members present and voting, this _____ day of _____, 2022.

Matthew R. Murphy, Mayor

ATTEST:

Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this _____ day of _____, 2022 at the hour of _____ o'clock P.M.

Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this _____ day of _____, 2022 at
the hour of _____ o'clock P. M.

Matthew R. Murphy, Mayor

ORDINANCE #14, 2022

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

SECTION 1: BE IT ORDAINED, and the Common Council of the City of Valparaiso, Indiana, does hereby make the determination a need exists and that the following amount of money be and the same is hereby appropriated from the Municipal Excise Surtax Fund for the purpose and use here in after set forth, all for use during the current year of 2022, to-wit:

MUNICIPAL EXCISE SURTAX FUND

Other Services & Charges	\$570,000.00
Total	\$570,000.00

SECTION 2: Appropriations over and above those made during the budget process are allowed under Indiana Code 6-1.1-18-5 and as otherwise provided under Indiana law.

SECTION 3: The City Clerk-Treasurer is requested to provide notice, as outlined under Indiana Code 5-3-1, as to the meeting date and the opportunity of the public to participate in a Public Hearing. Such notice shall be published one time at least ten (10) days prior to the meeting in a Qualified Publication – as such term is defined under Indiana Code 5-3-1-0.7.

SECTION 4: The Public Hearing provided for in Section 3 shall be set for the June 13, 2022 meeting of the Common Council of the City of Valparaiso, at City Hall located at 166 West Lincolnway.

SECTION 5: After the Public Hearing is held in accordance with such notice as herein provided, the Council may approve the proposed appropriation.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage in the manner provided by law.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a _____ vote of all members present and voting, this _____ day of _____, 2022.

Matthew R. Murphy, Mayor

ATTEST:

Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this _____ day of _____, 2022 at the hour of _____ o'clock P.M.

Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this _____ day of _____, 2022 at
the hour of _____ o'clock P. M.

Matthew R. Murphy, Mayor

ORDINANCE #15, 2022

AN ORDINANCE APPROPRIATING FUNDS IN THE MUNICIPAL WHEEL TAX FUND AND PROVIDING FOR PUBLICATION OF NOTICE

SECTION 1: BE IT ORDAINED, and the Common Council of the City of Valparaiso, Indiana, does hereby make the determination a need exists and that the following amount of money be and the same is hereby appropriated from the Municipal Wheel Tax Fund for the purpose and use here in after set forth, all for use during the current year of 2022, to-wit:

MUNICIPAL WHEEL TAX FUND

Other Services & Charges	\$245,000.00
Total	\$245,000.00

SECTION 2: Appropriations over and above those made during the budget process are allowed under Indiana Code 6-1.1-18-5 and as otherwise provided under Indiana law.

SECTION 3: The City Clerk-Treasurer is requested to provide notice, as outlined under Indiana Code 5-3-1, as to the meeting date and the opportunity of the public to participate in a Public Hearing. Such notice shall be published one time at least ten (10) days prior to the meeting in a Qualified Publication – as such term is defined under Indiana Code 5-3-1-0.7.

SECTION 4: The Public Hearing provided for in Section 3 shall be set for the June 13, 2022 meeting of the Common Council of the City of Valparaiso, at City Hall located at 166 West Lincolnway.

SECTION 5: After the Public Hearing is held in accordance with such notice as herein provided, the Council may approve the proposed appropriation.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage in the manner provided by law.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a _____ vote of all members present and voting, this _____ day of _____, 2022.

Matthew R. Murphy, Mayor

ATTEST:

Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this _____ day of _____, 2022 at the hour of _____ o'clock P.M.

Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this _____ day of _____, 2022 at
the hour of _____ o'clock P. M.

Matthew R. Murphy, Mayor