

MINUTES OF THE MEETING

OF THE COMMON COUNCIL VALPARAISO, INDIANA

November 28, 2022

The Common Council of the City of Valparaiso, Indiana, met on Monday November 28, 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, Peterson, Anderson, and Costas.

MINUTES

Councilmember Schmidt moved to adopt minutes of the November 14, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

ORDINANCE NO. 28, 2022

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, ESTABLISHING MUNICIPAL RIVERFRONT DISTRICT PROJECT AREA WITHIN THE CITY OF VALPARAISO

Councilmember Schmidt moved that Ordinance No. 28, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 28, 2022.

Attorney Lyp addressed the Council. Valparaiso has 21 of 3-way liquor licenses. This is set by the State every ten years based on the census. All are accounted for. They also have 10 downtown liquor licenses. These must stay in the downtown area. In 2018 the City wanted to go outside downtown. They looked at Porter's Vale and the area where Journeymen's is located. In 2022 a potential purchaser of the property at 498 Morthland asked about a liquor license. This started the discussion of a riverfront district.

A riverfront is defined as:

- One side on a river;
- Must be in a TIF District;
- Funded with State and City funds;
- Must be established by City ordinance.

The Mayor reviews applications. The Mayor can forward the application to the Council for approval. If they approve, the Mayor issues an approval letter. He recommends attaching a \$25,000 fee. That is not insignificant, but the last 3-way license was sold for over \$300,000. The Redevelopment Commission will have to pay a consultant for the expansion of its TIF District. This fee could also go towards that.

Attorney Lyp presented the proposed map. It includes property along Salt Creek. Of the 19 properties, three are owned by the State. He is not looking for approval of any specific project. He is looking for input before the next meeting. It has been suggested that language be added to say that no holder of a downtown license can apply for a riverfront license. Whether or not this Ordinance is adopted, if the Council is comfortable with the process, he recommends that they revisit the Downtown Liquor license.

Questions/Comments from the Council

Councilmember Pupillo – He clarified the number of licenses is determined by the State. Any property within the Riverfront can qualify and apply for a license. There will be commitments for the owner.

Councilmember Costas - Why not Porter's Vale? Attorney Lyp replied because no one has asked. It was a potential purchaser of the Bethel Church property that started the conversation. Councilmember Costas stated he feels this needs more discussion. This can change the future of the City.

Councilmember Reed - There are 19 parcels. This is limited but a developer could come along and develop property and then create more establishments along this area that would create more opportunities for those properties to request a license.

Attorney Lyp – There is little likelihood that established businesses in this area would convert and be asking for a license. It would be up to the Council to approve a request.

Councilmember Costas – What is the goal? Is it to get one redevelopment or to encourage more development?

Attorney Lyp – The conversation began with the potential purchaser of lot 3. Initially they wanted to keep the area small. The map can be amended.

Councilmember Schmidt - He likes the plan. It gives people options.

Councilmember Cotton – In 1975 Bridgeview Theater was in what has recently been Bethel Church. It is a good location. He agrees with Councilmember Costas. There needs to be more discussion. How many licenses will be provided with this project?

Attorney Lyp – This is up to the Council. They can put a certain number or leave it blank.

Councilmember Anderson – Are Horse Prairie property owners too far away from Salt Creek to qualify?

Attorney Lyp – If the City decides to use the storm water ditch to the east of Horse Prairie, then those properties can also be considered. Chesterton uses Coffee Creek on the east side of town for their downtown riverfront district.

Councilmember Anderson – He likes the idea as the south gate into the City.

Councilmember Costas – Under State law, the establishment is required to be open six days and serve lunch and dinner. The Council can add more restrictions if they feel it is necessary. He asked what body of water would be used to qualify at Porter's Vale.

Attorney Lyp – The northeast corner has a large pond that can serve as the body of water.

Councilmember Cotton – Asked if that pond is City property. No one knew for sure but did not think it was City property. He asked what is the current percentage of land coverage that encompasses the Redevelopment area. A few years ago it was 35%. That is still an accurate number.

MOTION: Councilmember Schmidt moved to carry Ordinance No. 28, 2022 to the December 12, 2022 meeting. Councilmember Reed seconded the motion. Upon voice vote the motion passed with a 7-0 vote.

ORDINANCE NO. 29, 2022

AN ORDINANCE CONCERNING THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO THE WATERWORKS OF THE CITY OF VALPARAISO, INDIANA, THE ISSUANCE OF REVENUE BONDS TO PROVIDE THE COST THEREOF, THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SAID WATERWORKS, THE SAFEGUARDING OR

**THE INTERESTS OF THE OWNERS OF SAID REVENUE BONDS, OTHER MATTERS
CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN ANTICIPATION OF
BONDS, AND REPEALING ORDINANCES INCONSISTENT HEREWITH**

Mayor Murphy pulled this Ordinance from the Agenda and stated it would be continued to the December 12, 2022 meeting.

ORDINANCE NO. 30, 2022

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

Councilmember Schmidt moved that Ordinance No. 30, 2022 be read a first time and considered on first reading. Councilmember Reed seconded the motion. Clerk-Treasurer Taylor read Ordinance No. 30, 2022.

John Seibert addressed the Council. The Park Board unanimously approved this appropriation. The weather has been unusual this year in that they have been able to keep golfers on the course and have ice skaters on the ice rink. This appropriation is requesting to spend money they have created.

MOTION: Councilmember Schmidt moved to carry Ordinance No. 30, 2022 to the December 12, 2022 meeting. Councilmember Reed seconded the motion and so approved with a 7-0 vote.

Community Update

Mayor Murphy thanked the Park Department for the Viking Fest they put together for the State Champion VHS Football team.

Council Liaison Reports

Councilmember Cotton congratulated the Utilities for the many awards they have awarded.

Councilmember Harris reported on the tree lighting in Central Park.

Councilmember Pupillo reported the Police Department is hiring. The Fire Department swore in three new officers tonight.

Councilmember Reed reported a teacher at Memorial qualified for the Presidential Award for excellence in Math and Science education. Central was named Spell Bowl Champion, VCS new policy to use buses for emergencies. Corporation received \$172,000 in grants and donations. November 15th there was a special education forum. A video of the forum is online.

Public Comment

Tom Davis – 56 Chicago Street. A mother and child got hit by a speeder today in a school zone. Citizens need to be educated and there should be more traffic enforcement.

Ellen Kapitan – Chicago Street. The bump outs on Chicago Street are good. The crosswalks have not been painted.

Mary Abraytis – 605 Yellowstone. Delivered notice to the Mayor, Councilmembers and Attorney Lyp.

Walt Breitinger – 608 Academy Street. In the Riverfront project be sure to look at any impact to Salt Creek.

The meeting adjourned at 6:58 p.m.

/s/ Holly Taylor, Clerk-Treasurer