

MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA

November 12, 2007

The Common Council of the City of Valparaiso, Indiana, met on Monday, November 12, 2007 at 7:00 p.m. in City Hall. Mayor Costas called the meeting to order. The Pledge of Allegiance was said. Clerk-Treasurer Swihart called roll. Present were Councilmembers Larr, Howe, McCasland, Dick, Eisenmenger, Bowker and Williams.

Mayor Costas recognized all veterans who were in attendance at the meeting.

MINUTES

Councilmember Dick moved to approve minutes of the October 22, 2007 meeting. Councilmember Bowker seconded the motion. Councilmember Howe asked that an addition be made. At the last meeting there was discussion under Ordinance No. 42, 2007 about traffic patterns and deceleration lanes. When INDOT did their survey of the road, the deceleration lane was never officially there, so it was never officially restored. Mayor Costas said he would discuss this issue with INDOT. He would like this added to the minutes. Upon voice vote the motion to adopt the minutes as amended passed 7-0.

ORDINANCE NO. 42, 2007

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY REZONING LAND WITHIN THE CITY OF VALPARAISO FROM R-2 TWO FAMILY RESIDENTIAL DISTRICT TO C-4 NEIGHBORHOOD COMMERCIAL DISTRICT

Councilmember Eisenmenger moved that Ordinance No. 42, 2007 be read a second time by title and a third time in full and be considered for adoption and the opportunity be given for offering amendments to said Ordinance. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read the Ordinance. Councilmember Dick moved to adopt Ordinance No. 42, 2007. Councilmember Bowker seconded the motion.

Craig Phillips addressed the Council. He advised there have been no changes since the last Council meeting.

Councilmember Larr pointed out the Plan Commission minutes say that the developer will use down lighting and a tree line will stay in place.

Councilmember Howe asked Craig to make sure the developer knows the Council's thoughts on the lighting ordinance.

Councilmember McCasland asked if it is positive there will not be a road going through. Craig replied this has been taken care of.

Councilmember Larr asked if this was the last time this piece of land will be rezoned. Craig said he thought so.

Upon roll call vote the motion to adopt Ordinance No. 42, 2007 passed with a 7-0 vote.

ORDINANCE NO. 43, 2007

AN ORDINANCE AMENDING THE ZONING ORDINANCE ARTICLE VI REQUIREMENTS FOR STORM DRAINAGE AND FLOODPLAINS

Craig Phillips addressed the Council. It has been determined that the flood plain language should be taken out of the Zoning Ordinance and put in the Municipal Code. The Plan Commission will hear this request tomorrow night. He asked that Ordinance No. 43, 2007 be tabled to the November 26, 2007 Council meeting.

Councilmember McCasland moved to table Ordinance No. 43, 2007 to the November 26, 2007 meeting. Councilmember Dick seconded the motion. Upon voice vote the motion passed 7-0.

ORDINANCE NO. 44, 2007

ANN ORDINANCE AMENDING ARTICLE XXIX OF THE ZONING ORDINANCE FOR THE CITY OF VALPARAISO

Councilmember Eisenmenger moved that Ordinance No. 44, 2007 be read a second time by title and a third time in full and be considered for adoption and the opportunity be given for offering amendments to said Ordinance. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read the Ordinance. Councilmember Dick moved to adopt Ordinance No. 44, 2007. Councilmember Bowker seconded the motion.

Craig Phillips addressed the Council. This is a request to amend the signature corridor overlay district boundaries to extend them as the City grows. This will eliminate repeatedly coming back to the Council.

Councilmember Bowker asked about Silhavy Road. Craig explained the Thoroughfare Plan for the City says that Silhavy will go north and west towards Calumet.

Upon roll call vote the motion to adopt Ordinance No. 44, 2007 passed with a 7-0 vote.

ORDINANCE NO. 45, 2007

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

Councilmember Eisenmenger moved that Ordinance No. 45, 2007 be read a second time by title and a third time in full and be considered for adoption and the opportunity be given for offering amendments to said Ordinance. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read the Ordinance. Councilmember Dick moved to adopt Ordinance No. 45, 2007. Councilmember Bowker seconded the motion.

Bill Oeding addressed the Council. He explained this money is for an ornamental iron fence around Maplewood Cemetery.

Mayor Costas announced Ordinance No. 45, 2007 requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will consider the appropriation of \$34,000 in the Cemetery Fund. Seeing no one wishing to address the Council he declared the Public Hearing closed.

Upon roll call vote the motion to adopt Ordinance No. 45, 2007 passed with a 7-0 vote.

ORDINANCE NO. 46, 2007

AN ORDINANCE ENACTING AND ADOPTING SUPPLEMENTS TO THE CODE OF ORDINANCES FOR THE CITY OF VALPARAISO, INDIANA

Councilmember Eisenmenger moved that Ordinance No. 46, 2007 be read a first time and considered on first reading. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read the Ordinance. Councilmember McCasland moved to carry Ordinance No. 46, 2007 to the November 26, 2007 meeting. Councilmember Bowker seconded the motion.

Clerk-Treasurer Swihart explained that the Municipal Code is updated yearly. Ordinance No. 46, 2007 adopts the supplement, which is Ordinances that have been passed during the year amending the Municipal Code.

Upon roll call vote the motion to carry Ordinance No. 46, 2007 to the November 26, 2007 meeting passed 7-0.

ORDINANCE NO. 47, 2007

AN ORDINANCE TRANSFERRING FUNDS IN THE GENERAL FUND

Councilmember Eisenmenger moved that Ordinance No. 47, 2007 be read for a first time and considered on first reading. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read the Ordinance. Councilmember Dick moved to carry Ordinance No. 47, 2007 to the November 26, 2007 meeting. Councilmember McCasland seconded the motion.

Clerk-Treasurer Swihart addressed the Council. This Ordinance is a transfer of appropriation balances from one account to another.

Upon voice vote the motion to carry Ordinance No. 47, 2007 to the November 26, 2007 meeting passed 7-0.

NEW BUSINESS

Councilmember McCasland discussed the Historical District and the Banta neighborhood. Citizens who are concerned about the City being able to tell them what color they can paint their house have approached him. Councilmember Howe replied that the color of a person's house could lower the value of other homes in the neighborhood. After discussion, Craig Phillips said he would have Tyler Kent and Carolyn Connor present at the next Council meeting to discuss the Historic Preservation Committee.

Councilmember Eisenmenger announced Traffic & Safety Committee meets Tuesday, 1:00 p.m. in City Hall.

December dates for Council meetings will be e-mailed to all Councilmembers.

Councilmember Dick announced the Plan Commission meets Tuesday, 7:00 p.m. in City Hall.

Councilmember Howe asked about the house that was moved onto Chicago Street. Craig Phillips advised that most of the work being done now is interior. Mr. Engstrom has kept the property clean. He is waiting to do any site work until after NIPSCO is finished doing an extensive project that will tear up the property.

Councilmember McCasland stated he is glad the concrete is gone on Lincolnway, but he would like to see something done with the windows on the old Lincolnway Furniture store.

Mayor Costas welcomed the new Councilmembers – Art Elwood, Kelly Ward and Bob Taylor. He also commended Jeff Lawley on running an excellent campaign.

AUDIENCE

James Manago addressed the Council. He discussed the growth in Valparaiso, especially the commercial development and the South Shore extension. He would like to see Valparaiso encourage eco-friendly tourist trade.

City Engineer, Dave Pilz, announced the pre-construction conference for Valparaiso Street will be Friday. They are hoping for a December 1st start date.

Rich Wheeler thanked the Police Department for responding to a call from his neighbors who had not seen him in a few days.

The meeting adjourned at 7:45 p.m.

/s/ Sharon Swihart, Clerk-Treasurer