

MINUTES OF THE MEETING  
OF THE COMMON COUNCIL  
VALPARAISO, INDIANA

November 10, 2008

The Common Council of the City of Valparaiso, Indiana, met on Monday, November 10, 2008 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, Bowker, Ward, Taylor, Eisenmenger, Elwood and Dick. .

**MINUTES**

Councilmember Dick moved to approve minutes of the October 27, 2008 meeting. Councilmember Bowker seconded the motion. Upon voice vote the motion to adopt the minutes passed 7-0.

**PRESENTATION**

Steve Doniger gave a presentation on the proposed downtown Park. The proposed plan will be available on the City's web page.

Councilmember Larr asked about funding and timeline. Steve answered it is hoped that funding will be obtained from private donations as well as City funds. He hopes to have final plans ready for bid early next year.

Mayor Costas asked for comments or questions from the audience. Tom Sanders stated he likes the pitch of the roofs on the buildings.

**RESOLUTION NO. 21, 2008 AND ORDINANCE 41, 2008**

Craig Phillips addressed the Council. He summarized the Fiscal Plan of the Kyres Annexation. This property is located at the south east corner of Sturdy and US 30.

Todd Etzler, attorney for the Petitioner, addressed the Council. He discussed proposed development of the property.

**RESOLUTION NO. 21, 2008**

**A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF  
PROPERTY KNOWN AS THE KYRES ANNEXATION TO THE CITY OF  
VALPARAISO, INDIANA**

Councilmember Eisenmenger moved that Resolution No. 21, 2008 be read a first time and considered on first reading. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read Resolution No. 21, 2008. Councilmember Dick moved to adopt Resolution No. 21, 2008. Councilmember Bowker seconded the motion.

Mayor Costas announced this requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will hear the Resolution adopting a Fiscal Plan for the annexation of the south east corner of Sturdy Road and US 30. Seeing no one wishing to address the Council, he declared the Public Hearing closed.

Councilmember Larr asked about water runoff. Todd discussed where they expect to put a retention pond. They will comply with the engineer's recommendation.

Councilmember Bowker stated this is not part of a TIF District.

Upon roll call vote the motion to adopt Resolution No. 21, 2008 passed with a 7-0 vote.

**ORDINANCE NO. 41, 2008**

**AN ORDINANCE ANNEXING REAL ESTATE INTO THE CITY OF VALPARAISO,  
PORTER COUNTY, INDIANA KNOWN AS THE “KYRES ANNEXATION”**

Councilmember Eisenmenger moved that Ordinance No. 41, 2008 be read 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. 41, 2008 to the November 24, 2008 meeting. Councilmember Bowker seconded the motion.

Upon voice vote the motion to carry Ordinance No. 41, 2008 to the November 24, 2008 meeting passed with a 7-0 vote.

**ORDINANCE NO. 37, 2008**

**AN ORDINANCE TRANSFERRING FUNDS IN THE GENERAL FUND**

Councilmember Eisenmenger moved that Ordinance No. 37, 2008 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. 37, 2008. Councilmember Bowker seconded the motion.

Upon roll call vote the motion to adopt Ordinance No. 37, 2008 passed with a 7-0 vote.

**ORDINANCE NO. 39, 2008**

**AN ORDINANCE APPROPRIATING FUNDS IN THE MAJOR MOVES FUND AND  
PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Eisenmenger moved that Ordinance No. 39, 2008 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. 39, 2008. Councilmember Bowker seconded the motion.

Bill Hanna addressed the Council. This money will be used to repair the collapsed road on County Road 400. The project went over budget, however, they are hopeful to get 75% reimbursement from FEMA. The remaining money is for work on the corner of Morgan and Lincolnway. The corner has been designed so semi trucks should not have difficulty turning.

Mayor Costas announced this Ordinance requires a Public Hearing and presented Proof of Publication that at tonight's meeting the Council will consider the appropriation of \$150,000. Seeing no one wishing to address the Council, he declared the Public Hearing closed.

Upon roll call vote the motion to adopt Ordinance No. 39, 2008 passed with a 7-0 vote.

**ORDINANCE NO. 40, 2008**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,  
INDIANA, PERMITTING THE USE OF A WHEEL LOCK DEVICE WITHIN THE  
CITY LIMITS OF VALPARAISO, INDIANA**

Councilmember Eisenmenger moved that Ordinance No. 40, 2008 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. 40, 2008. Councilmember Bowker seconded the motion.

Upon roll call vote the motion to adopt Ordinance No. 40, 2008 passed with a 7-0 vote.

**NEW BUSINESS**

Councilmember Bowker announced the Redevelopment Commission will meet Thursday evening in City Hall.

Councilmember Eisenmenger announced the Traffic and Safety Committee will meet tomorrow at 1:00 p.m. in City Hall.

Councilmember Dick announced there will not be a Plan Commission meeting tomorrow.

Bill Hanna announced the Veteran's Day service at Foundation Meadows tomorrow.

#### **AUDIENCE**

Candice Shaw invited Councilmembers to attend a neighborhood conversation with residents and the school board. Conversation will center primarily on the Banta Neighborhood and Central School. The meeting will be Wednesday, 7:00 p.m. at Central School.

Rich Wheeler asked Councilmember Taylor for a progress report on the Banta Historic Preservation Committee. Councilmember Taylor asked Bill Hanna the status of this meeting. Bill answered he hopes by the end of this week to have all information together and ready to schedule a meeting.

The meeting adjourned at 7:45 p.m.

/s/ Sharon Swihart, Clerk-Treasurer