

MINUTES OF THE MEETING  
OF THE COMMON COUNCIL  
VALPARAISO, INDIANA

February 22, 2010

The Common Council of the City of Valparaiso, Indiana, met on Monday, February 22, 2010 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, Taylor, Eisenmenger, Elwood and Dick. Councilmember Ward was absent.

**MINUTES**

Councilmember Dick moved to approve minutes of the February 8, 2010 meeting. Councilmember Elwood seconded the motion. Upon voice vote the motion to adopt the minutes passed with a 6-0 vote.

**PRESENTATION**

Craig Phillips introduced Walker Parking Consultants. Walker's key recommendations regarding parking are: relocate long-term parkers outside the downtown core; provide clearly defined off-street parking options for the public through improved wayfinding and signage; and increase effectiveness of enforcement efforts. Their recommendations were discussed in short term (6-12 months); mid-term (1-3 years) and long term (over 3 years).

Councilmember Elwood questioned the fine increase for repeat offenders. The Walker representative replied the longest he has seen the time period for fines is one year. He has also seen it as short as three months. Their recommendation is that with the 11<sup>th</sup> offense the vehicle is towed and the owner's license is suspended. Councilmember Elwood said they have had consultants advise them to take parking meters out of operation. The Walker representative answered they suggest parking meters in the prime parking spots and leave them out of the remote parking areas. Councilmember Elwood asked about employees of businesses parking in front of their building. The representative said they have heard stories, but it is difficult to track.

Councilmember Bowker stated some business owners are concerned about employee safety and prefer them to park close. The Walker representative replied parking violations are only controlled during the week day. Most business owners say they want parking available for their customers. Councilmember Bowker asked how it works to have private lots shared with public parking. The Walker representative replied this needs to be coordinated between private lot owners and other business owners. Usually there is a financial benefit to the owner. The City can advocate this situation but they are not involved in the decisions. Councilmember Bowker asked about the 12 minute parking spots. The representative replied they really are not enforceable.

Councilmember Dick asked about additional enforcement personnel. The Walker representative replied he has seen cities the size of Valparaiso survive with just one enforcement person. Once the parking area starts to grow there might be a need for additional personnel. Councilmember Dick asked about second story parking on existing parking areas. This is discussed in the full report.

Councilmember Elwood discussed some cities having parking spaces available for special situations such as pregnant women. The Walker representative replied they do not suggest having special parking spaces. When you have those spaces, it takes away from others and then you need more spaces.

Councilmember Eisenmenger asked about handicapped parking. This also is in the full report.

Craig Phillips announced the full report will be available on the City's web page. Mayor Costas asked for input from Councilmembers once they have had a chance to look at the report.

**RESOLUTION NO. 3, 2010**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO,  
INDIANA, AMENDING THE FAÇADE IMPROVEMENT PROGRAM**

Councilmember Eisenmenger moved that Resolution No. 3, 2010 be read a first time and considered on first reading. Councilmember Dick seconded the motion. Clerk-Treasurer Swihart read the Resolution. Councilmember Dick moved to adopt Resolution No. 3, 2010. Councilmember Bowker seconded the motion.

Craig Phillips addressed the Council. This Resolution amends a prior resolution having to do with the downtown façade program. He has asked for adjustments before as a result of carryover projects. This Resolution changes the language and policy of the program. It puts a cap on the program and requires the improvements be done within a certain period of time.

Councilmember Bowker discussed some changes he thinks need to be made. After discussion, Councilmember Bowker moved to remove the last sentence of 5. Approval of Façade Improvement Agreement. Councilmember Dick seconded the motion. Upon voice vote the motion passed 6-0.

Councilmember Bowker moved to remove the first sentence of 5. Approval of Façade Improvement Agreement. Councilmember Dick seconded the motion. Upon voice vote the motion passed 6-0.

Councilmember Larr asked about the extension of one year in section 7. He asked Craig what criteria he would use to grant the extra year. Craig replied if a request for extension were required because of a change it would have to be resubmitted. The reason for the extension is in case the deadline for a project falls in a time of year when construction is not possible. Councilmember Larr expressed his concern that money would be tied up and not available for other businesses.

Councilmember Elwood asked if there was a rush to have this passed tonight. He just got this and has not had time to thoroughly read it. He would like to have more time to look at it.

Councilmember Elwood moved to table Resolution No. 3, 2010. Councilmember Larr seconded the motion. Upon roll call vote the motion failed with a 4-2 vote, Councilmembers Larr and Elwood voting yes. Mayor Costas asked for a roll call vote on the motion to adopt. The motion failed because there were not four votes. Councilmember Dick recused himself because of a conflict of interest.

### **ORDINANCE NO. 6, 2010**

#### **AN ORDINANCE APPROPRIATING FUNDS IN THE POLICE MOTOR VEHICLE EQUIPMENT FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Eisenmenger moved that Ordinance No. 6, 2010 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 that Ordinance No. 6, 2010 be adopted. Councilmember Elwood seconded the motion.

Chief Brickner explained this is for new cars and other equipment.

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 \$35,000 in the Police Motor Vehicle Equipment 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. 6, 2010 passed with a 6-0 vote.

### **ORDINANCE NO. 7, 2010**

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

Councilmember Eisenmenger moved that Ordinance No. 7, 2010 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. 7, 2010 to the March 8, 2010 meeting. Councilmember Bowker seconded the motion.

Bill Oeding addressed the Council and discussed the appropriations. The total is \$1,013,000.00

Upon voice vote the motion to carry Ordinance No. 7, 2010 to the March 8, 2010 meeting passed with a 6-0 vote.

#### **ORDINANCE NO. 8, 2010**

##### **AN ORDINANCE APPROPRIATING FUNDS IN THE LOCAL ROAD & STREET FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Eisenmenger moved that Ordinance No. 8, 2010 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. 8, 2010 to the March 8, 2010 meeting. Councilmember Bowker seconded the motion.

Clerk-Treasurer Swihart reported this is the yearly appropriation for paving. Mayor Costas asked Mr. DeTorrice to give Councilmembers a draft of proposed paving jobs and then Councilmembers should provide their suggestions to Mr. DeTorrice.

Upon voice vote the motion to carry Ordinance No.8, 2010 to the March 8, 2010 meeting passed with a 6-0 vote.

#### **ORDINANCE NO. 9, 2010**

##### **AN ORDINANCE APPROPRIATING FUNDS IN THE CAPITAL EQUIPMENT FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Eisenmenger moved that Ordinance No. 9, 2010 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. 9, 2010 to the March 8, 2010 meeting. Councilmember Bowker seconded the motion.

Clerk-Treasurer Swihart reported these are the funds contributed by the Redevelopment Commission for the purchase of public safety equipment and street cleaning equipment.

Upon voice vote the motion to carry Ordinance No. 9, 2010 to the March 8, 2010 meeting passed with a 6-0 vote.

#### **ORDINANCE NO. 10, 2010**

##### **AN ORDINANCE APPROPRIATING FUNDS IN THE PARK AND RECREATION IMPACT FEE FUND AND PROVIDING FOR PUBLICATION OF NOTICE**

Councilmember Eisenmenger moved that Ordinance No. 10, 2010 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. 10, 2010 to the March 8, 2010 meeting. Councilmember Bowker seconded the motion.

John Seibert addressed the Council. This is for recertification of the impact fee. Statute requires this be revisited every five years. This has to be approved by the Plan Commission, Park Board and City Council.

Upon voice vote the motion to carry Ordinance No. 10, 2010 to the March 8, 2010 meeting passed with a 6-0 vote.

#### **REPORTS**

Councilmember Larr announced the committee reviewing the rental rehab fee will meet

Wednesday at 3:30 p.m. with public input.

Mayor Costas announced John Hardwick has been given the George Warren Fuller award by the American Water Works Association.

**AUDIENCE**

No one wished to address the Council.

The meeting adjourned at 8:10 p.m.

/s/ Sharon Swihart, Clerk-Treasurer