

MINUTES OF THE MEETING
OF THE COMMON COUNCIL
VALPARAISO, INDIANA

June 14, 2010

The Common Council of the City of Valparaiso, Indiana, met on Monday, June 14, 2010 at 7:00 p.m. in City Hall. Mayor Costas called the meeting to order. The Pledge of Allegiance was led by Councilmember Elwood. Deputy Clerk-Treasurer Brewer called roll. Present were Councilmembers Larr, Bowker, Ward, Taylor, Eisenmenger, Elwood and Dick.

MINUTES

Councilmember Dick moved to approve minutes of the May 24, 2010 meeting. Councilmember Eisenmenger seconded the motion. Upon voice vote the motion to adopt the minutes passed with a 7-0 vote.

ORDINANCE NO. 18, 2010

AN ORDINANCE ANNEXING REAL ESTATE INTO THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA KNOWN AS THE "FLAT ROCK ANNEXATION"

Councilmember Eisenmenger moved that Ordinance No. 18, 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. Deputy Clerk-Treasurer Brewer read the Ordinance. Councilmember Dick moved that Ordinance No. 18, 2010 be adopted. Councilmember Bowker seconded the motion.

Craig Phillips addressed the Council. This is a project that includes a subdivision located on Hayes Leonard Road. The fiscal plan was adopted at the previous meeting. There also was a public hearing at the previous meeting. The effective date will be 30 days after adoption by the Council.

Councilmember Larr asked Bob Coolman about County involvement with this project. Mr. Coolman assured the Council this project is being done by County standards which are stricter than City standards. The City Engineer Office has approved this project. Tim Burkman confirmed this project should move forward.

Councilmember Elwood asked about needing 51% of the homeowner's approval for this annexation. Craig explained this is a 100% voluntary annexation. They will have all City services.

Craig further stated he will make sure all typographical mistakes are corrected in the original document.

Upon roll call vote the motion to adopt Ordinance No. 18, 2010 passed with a 7-0 vote.

ORDINANCE NO. 20, 2010

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO AMENDING ORDINANCE NO. 49-2006 ENTITLED "NONSMOKING AREAS"

Councilmember Eisenmenger moved that Ordinance No. 20, 2010 be read a first time and considered on first reading. Councilmember Dick seconded the motion. Deputy Clerk-Treasurer Brewer read the Ordinance. Councilmember Dick moved that Ordinance No. 20, 2010 be carried to the June 28, 2010 meeting. Councilmember Bowker seconded the motion.

Bill Oeding addressed the Council. He explained this is a request from Porter Hospital. The hospital has designated their building as no smoking. People coming into the hospital now have to walk through smoke as they are coming in. They have asked for help to restrict smoking around their building. There is no one present from the hospital at tonight's meeting. He will attempt to have someone at the next meeting.

Dave Hollenbeck explained this is a request to restrict smoking on a public right of way.

Councilmember Eisenmenger asked what facilities this covers. Dave Hollenbeck replied this only applies to the building on LaPorte Avenue. If this facility is no longer used as a hospital, the ordinance would no longer apply.

Councilmember Dick asked if this applies to any hospital. Dave Hollenbeck answered the way the ordinance is currently written, it applies to any public property located adjacent to a facility used as a hospital.

Councilmember Bowker discussed an e-mail he received. He would like to table this ordinance until someone is present from the hospital. He has some concerns about how this is written and would like to hear what the hospital has to say before voting. His concern is, where do you draw the line. He also is concerned about neighbors and what will be done to keep all the cigarette butts out of their yards.

Councilmember Ward agreed with tabling the ordinance. She feels the hospital should have a representative present for questioning.

Discussion followed regarding smoking in the V-Line bus stop and violations that have occurred since passage of the No Smoking Ordinance.

Councilmembers Dick and Bowker withdrew their motion to carry Ordinance No. 20, 2010 to the June 28, 2010 meeting. Councilmember Bowker moved to table Ordinance No. 20, 2010 until a meeting when the hospital has a representative present. Councilmember Dick seconded the motion.

Upon voice vote the motion to table Ordinance No. 20, 2010 passed with a 7-0 vote.

REPORTS

Mayor Costas thanked the Council for the fine job on selecting a school board member.

AUDIENCE

Shirley Patrick addressed the Council. The city survey is not on the city's web page yet. Bill Oeding said it will be their soon. She also asked about Greenbriar Apartments. Bill replied the property has not been closed on yet. There is a lien issue that needs to be cleared up. Once that happens they will tear the building down. They hope to have this done by late summer. Shirley stated her concern about the drug problem in Valparaiso. Mayor Costas discussed the various avenues being used by the City to prevent this. Councilmember Taylor added the County and City are doing whatever they can in regard to this problem. He asked if an ordinance could be adopted to help enforce violations. He encouraged anyone who sees a problem to contact him.

The meeting adjourned at 7:40 p.m.

/s/ Sharon Swihart, Clerk-Treasurer