

CITY OF VALPARAISO
SPECIAL MEETING/EXECUTIVE SESSION MINUTES

February 13, 2023

The City Commission met this date in a special session in the Commission Chambers. A quorum being present, the meeting was called to order at 5:30 PM with the following in attendance.

Mayor	:	Hubert B. Smith
Commissioners	:	Catherine Hamilton (Video Portal)
	:	Edward Crosby
	:	Clark (Tom) Browning, IV
City Clerk	:	Tammy Johnson
Police Chief	:	Joe Hart
City Attorney	:	Hayward Dykes
Public Works Director	:	Nathan Kelley (camera)

Others in attendance: Amber Rodriguez (Court Reporter)

EXECUTIVE SESSION

Mayor Smith stated the City of Valparaiso will hold a special meeting in order to adjourn and meet in an executive session to discuss the pending litigation in CAJTDM v. Valparaiso v. Gator Boring v. Construction Services case number 2020 CA 001818 C. Mr. Dykes said since we have a quorum and I know Comm. Hamilton would like to participate remotely. **COMM. BROWNING MADE A MOTION TO ACCEPT COMM. HAMILTON AS A REMOTE PARTICIPANT. COMM. CROSBY SECOND THE MOTION WHICH PASSED WITH A UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.** Mr. Dykes stated that in a moment we will break into Executive Session he asked Comm. Hamilton to confirm she was by herself. Comm. Hamilton answered in the affirmative. Now we will ask for the room to be cleared other than those listed in the notice. For the record Comm. Wasdin is not in attendance. We will turn off the video and audio. We will have no vote during the Executive Session in the event there is a vote that will be done after the Executive Session in an open meeting. Special Meeting moved to the executive session at 5:04 PM.

SPECIAL MEETING

The special meeting resumed at 6:07 PM.

Mr. Dykes said we just broke from the Executive Session and at this point we can entertain any motions based on the discussion during the Executive Session. **COMM. BROWNING MADE A MOTION TO ACCEPT CONSTRUCTION SERVICES PROPOSAL WITH THE CITY ATTORNEY TRYING TO ADD LANGUAGE TO PROTECT THE CITY IN THE RELEASE. COMM. HAMILTON SECOND THE MOTION.** Mayor said this should have been discussed in the Executive Session if they spent anything on attorney fees. He does not know if they should have been in this lawsuit to begin with. Mr. Dykes said at this point it has been fairly minimal and he does not think this is a discussion we should have at this time. **MOTION PASSED WITH A UNANIMOUS VOTE OF THE COMMISSION 4 to 0.**

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 6:11 PM.

Hubert B. Smith
Mayor

Catherine Hamilton
Chair, VCA

ATTEST:

Tammy Johnson, CMC
City Clerk

A recording of the February 13, 2023, Special Commission meeting will be kept on the City's secure file server as a permanent part of these minutes.