

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on July 22, 2013 in the Hammond City Council Chambers.

Council President Michael Opinker presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

ROLL CALL

PRESENT: Markovich, Spitale, Venecz, Kalwinski, Uylaki, Higgs, Emerson, Hinojosa, Opinker

ABSENT: None

TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Higgs, moved to accept the minutes of August 24, 2013.

AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from June 19, 2013 through July 17, 2013. Claim #3137 through claim #3615, inclusive.

Councilman Higgs - I think it reflects some of the retirees and I just wanted to reemphasize that I guess the mayor made a point to try to give an incentive to those who are retiring from the city, so I applaud their efforts.

ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Uylaki, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: None

Motion carried

9/0/0

CLAIMS APPROVED

PUBLIC HEARINGS

None

COMMUNICATIONS

Councilman Higgs received a summons from the U.S. Attorney's Office in regards to Ms. Carlotta King filing a law suit and wanted to make it clear that he does not have the power or authority to hire and fire and will be represented by Council Atty. Berger. Submitted the documents to the City Clerk's Office as public record.

Council Atty. Berger stated that he will be filing a response, perhaps a motion to dismiss.

*Prepared by
Robert J. Golec
Hammond City Clerk*

COMMUNICATIONS cont.

Councilman Higgs read correspondence from Kelly Kearney responding to an issue with a tree at 936 Highland Street.

Councilman Higgs read correspondence from the Inspection Dept. in response to a letter from the council from June 25th regarding trees and properties in the district.

COMMITTEE REPORTS

None

ORDINANCE 3RD READING - FINAL PASSAGE

None

INTRODUCTION OF ORDINANCES

13-29 An Ordinance Reclassifying Certain Lands in the City of Hammond for Zoning Purposes and Amending Ordinance No. 8514 (An Ordinance Establishing a Zoning Plan for the City of Hammond Including the Regulations and Maps to Administer the Zoning Plan in Order to Provide for Orderly Growth and Development Within the City, All in Accordance with the Comprehensive/Land Use Plan, as Amended) for Property Commonly Known as 4504 Towle Avenue, Hammond, In

Councilman Spitale, supported by Councilman Higgs, moved that the proposed ordinance go to 1st and 2nd reading by title, referred it to the Council as a Whole Committee, with an Intent to Consider on 9-23-13.

AYES: ALL

RESOLUTIONS

13R-21 A Resolution of the Hammond Common Council Approving the Development Agreement among the City of Hammond, Indiana, Hammond Redevelopment Commission, City of Hammond Economic Development Commission and Caulfield Holding Company Indiana LLC (d/b/a/ Hammond Station Restaurant & Brewery) regarding Development in the Gateway Allocation Area

Councilman Hinojosa, supported by Councilman Higgs, moved for final adoption.

Councilman Hinojosa - We got a very receptive presentation in the back room in the meeting about the brewery opening up on 80/94 and Kennedy Avenue, that big empty lot there. I think it's a very good thing for the city. They're gonna employ probably about 100 people. They did express diversity in the city and hiring diversity in their restaurant. I mean this is gonna be something spectacular. More than just a restaurant bar, I think this is gonna be like a museum. Something that people all over the world are gonna want to go to and see and it's gonna be a family oriented.

RESOLUTIONS cont.

Councilman Higgs - As I stated previously in caucus, economic development is great for the city of Hammond. However, there are a number of areas within the city that are not being approached in that specific way. For instance, Woodmar has been at a standstill for a number of years . There are other areas of the city that I would love to see developed and I think they are doing a wonderful job in Robertsdale and I think there's a wonderful job being done in the 6th District, but I certainly would hope that some emphasis and direction would be directed towards Woodmar and getting it developed. Also I'd just like to add that the business owner who did the presentation was honest enough to tell me when the question was opposed, and certainly I would love to have this in the paper, in terms of addressing the needs of the minorities, he said there's not enough. And I can do nothing but respect an honest person. I appreciate that sir, I really do.

Councilman Markovich - Every district councilman would like to see a project come in their district and I can see where Councilman Higgs is coming from with the Woodmar Carsons. We all know that they just started over there on Main Street and Indianapolis Blvd, what's going on over there. I forget that they call that where the golf course used to be but there's always the rumor that Carsons may move over there. One of the reasons is, like the gentleman stated, is location, location, location. When I asked the question, "How many cars go by there?" Well, when you talk about 450 thousand cars going past his business every day. I mean that's incentive enough in that respect. The only other thing is he had a Notre Dame shirt on and this is Purdue Country.

Councilman Emerson - As I stated in caucus, I had the opportunity to go to the Flossmoor facility in Flossmoor and I wish it was coming to the 4th District but between not having it in the 4th District and not having it at all I would welcome it to the city. I think it would be a great addition.

Councilwoman Venecz - I too have been to the Flossmoor location. I happened to go at Christmas time and it was stated that when you originally opened the Flossmoor station, downtown Flossmoor was struggling, when I was there it was flourishing. Small shops, windows lit with Christmas lights, just enough snow to make it a Currier & Ives Christmas card at the time. I applaud your efforts in Homewood and I really look forward to your efforts here in Hammond. You are a great addition to our fine city. Thank you.

Councilman Hinojosa - Just a clarification that it's in the 5th District, not in the 6th District, but it's still in the Hessville area and we welcome it very much and hopefully maybe in the next presidential election we'll have a presidential candidate stop in at the brewery there and look forward to seeing that in the newspaper.

Councilman Spitale - We're all up here for the city, I'm just glad to see them coming because we need something like this to get a spark going for us.

ROLL CALL VOTE (adoption)

AYES: Markovich, Spitale, Venecz, Kalwinski, Uylaki, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: None

Motion carried

9/0/0

RESOLUTION NO. R21 ADOPTED

RESOLUTIONS cont.

13R-22 A Resolution Prohibiting Discrimination by Sexual Orientation or Sexual Identity in the City of Hammond

Councilman Emerson, supported by Councilman Spitale, moved for final adoption.

Councilman Emerson - You know, briefly, there's, this is a, and I thank Atty. Kantar for working on this, some people have commented, one person called me, it's not a comment on our personal lives of anybody, it is on a persons right to have equal rights and not to be discriminated against. If I could just sum up what I think one of the key sentences of the resolution, "On behalf of the citizens of the city of Hammond, that the city of Hammond wishes to work within the sphere of influence and policy available to it and will support the expansion of federal, state and local laws that prohibit discrimination the basis of sexual orientation and gender identity or expression." I think based on the Supreme Court ruling in June, last month, we are in tune with making Hammond a friendly place for everyone.

Councilwoman Venecz - Since we were children we were all taught to love thy neighbor as thyself. A couple of years ago I was at a convention and I still haven't been able to remember the man's name but what he said that day had such an impact on me and just to paraphrase what he said and related to Hammond. "I don't care if you are black or white or purple, you are welcome in Hammond. I don't care if you hop, skip and jump to Hammond, you are welcome. I don't care if you pray, how you pray, or when you pray, you are welcome in Hammond. I don't care who you love or who you live with, you are welcome in Hammond. Hammond is a city for everyone with no one left out. We celebrate our diversity and we welcome everyone." Thank you.

Councilman Higgs - You know, we can sit here and debate the issue about discrimination and all this whatnot, the reality of it is I feel as though I was discriminated when they took away prayer, So, you know, that's how I feel about the situation. But, no one should be discriminated against. Everybody should be equal. And you have to stand up for what's right. So, there you are.

ROLL CALL VOTE (adoption)

AYES: Markovich, Spitale, Venecz, Kalwinski, Uylaki, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: None

Motion carried

9/0/0

RESOLUTION NO. R22 ADOPTED

13R-23 Resolution to Re-Appoint Manuel Salazar to the Lake County Convention and Visitors Bureau

Councilman Hinojosa moved for final adoption.

Motion failed for lack of a second.

NEW AND UNFINISHED BUSINESS

13R-20 Consideration of Mayor’s Pocket Veto of Resolution No. R20, a Resolution Opposing Imposition of County Income Tax

Councilman Markovich, supported by Councilman Higgs, moved to override the Mayor’s veto on 13R20.

Councilman Markovich - It’s not the Mayor’s veto or whatever, it’s a pocket veto, he elected not to take any action and that’s his prerogative. Anybody can do what they want. We brought it before this council and when this thing was passed on the 24th there were seven in favor and two against. There’s no need for any discussion. Everybody needs to vote their own conscience or their own ways they want to go forward on this. I know it’s a tough decision in some cases and all of that but everybody has to be their own person and for whatever reason, and I’m not planning on getting into any big debate or anything else and all that. That’s basically what it is. I will read the resolution again.

Councilman Markovich reads 13R-20 in its entirety.

Since that time when we voted on it there was a law suit filed in the District Court by Karen Mason and Ronald Janiewicz versus the Lake County Council. They filed suit in that respect so there is a lawsuit and I know when the Council voted on this, the Lake County Council voted on it that a lot of the councilmen thought that it’s done and over with we should take no action. Well that’s not true because a lot of the other cities and towns had their own resolutions. Some in favor of it, that they wanted this income tax, and there were several councils on the towns and cities that were against it. So that’s why I’m bringing it before the council and again I’m not gonna get into a debate with anybody or anything, that’s basically what it is. If you’re in favor of an income tax so be it and if you’re not there’s other ways to do it. One of the things is that probably should be looked at is a county sales tax. Just like they have in Cook County and all of that. They can generate more revenue with a County sales tax and when you have 450 thousand cars passing through Lake County in one area those people are stopping at Cabela’s, they’re gonna stop at the micro brewery, and a lot of other places and they’re gonna spend their money there, let them pay for it. Use a County sales tax to pay for that extra money and we can do that. That’s maybe one of the things that should be looked at is a county sales tax and not hit the taxpayers because it’s gonna hit the older people on fixed incomes and so forth and all of that. I’m sorry for taking too much time and reading that and if anybody wants to debate that’s their prerogative. I don’t intend to say too much more. Basically you’re in favor of the County Income Tax or you’re against it. Thank you.

Councilwoman Venecz - A County Sales Tax falls outside of our purview. The law suit that has been filed, I’m assuming is against the county. One more time I would like to vote on my opposition to the County Option Income Tax.

ROLL CALL VOTE (To override the Mayor’s pocket veto)

AYES: Markovich, Spitale, Venecz, Higgs, Emerson, Hinojosa, Opinker

NAYS: Kalwinski, Uylaki

ABSENT: None

Motion carried

7/2/0

POCKET VETO OVERRIDDEN

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont.

Councilwoman Venecz - Since we last met our city was hit by a very damaging storm on June 27th from which we are still recovering. I wanted to thank our Police Dept., our Fire Dept., our Street Dept., and our Park Dept. for all their efforts during the immediate aftermath of this storm and cleaning up the damage. It has been difficult. There are trees still down. Trees that still need to be removed and yet we are receiving calls from residents requesting pick ups in the alley of couches or refrigerators or what have you. We thank you for your patience up to this point and we have to ask for your continued patience until all the clean up is complete. They can only do so much. The trees or the couches and it has been difficult and so I thank everyone for your patience.

Councilman Higgs - I want to give my condolences to the Lewis family, Mr. Lewis passed away. As well as to Benny Miles family who was a former employee with the city of Hammond who passed away on last week. As well as the McPie family. Three funerals in the last couple weeks so it's been and Ms. Verna Clayton who also passed away who her son was a fire man on the Hammond Fire Dept. So condolences to those families.

Councilman Higgs - I have a list of letters that need to be submitted to the Board of Works as well as to Code Enforcement. 837 Ames St. has been vacant for 15 years it needs to be demoed. 940 Ames has been vacant for 8 years and needs to be demoed. 1052 Moss, it's a green and white house on the corner, it also needs to be demoed. 1130 Highland also needs to be demoed. 930 Field is for sidewalks to be replaced. 1004 Field is to be for sidewalks to be replaced. 1120 Field sidewalks need to be replaced. 1124 Field sidewalks need to be replaced. 1132 Field sidewalks need to be replaced. 1005 Moss there's a barrier that's been there for approximately six months, sidewalks need to be replaced as well. For the Inspection Department, 904 Morris has an empty lot where trees are still vacant and been there since the storm. It needs to be cut up and removed. I know there's probably a procedure, I'm not for sure who owns the lot but it certainly needs to be looked at. 6000 block of Rhode where the parkway is there are trees that's been sitting over there since the storm that need to be removed. 1129 morris in the back there's a vacant property that's two doors from me that's been vacant for quite some time, boarded up with trees sitting in the back. Whoever owns the property needs to be cited and have the trees removed. 1020 Ames there's a vacant lot where it needs to be maintained and it's been that way for a number of years and I've submitted several letters, so I want the Inspection Department to take a look at that. Number four is 1121 Field Street, removal of trees as well. And a number of these have been submitted over and over and over again and recently the mayor did inform me that two of the inspectors had been demoted in the Inspection Department so certainly I would hope in that endeavor that whoever is in charge or whoever is responsible for getting the job done would step up and get it done. So I'm requesting that those letters be submitted to Board of Works, the Judge's Office, Engineering and Code Enforcement. I so move.

LETTERS SENT: JULY 23, 2013

Councilwoman Venecz - I did want to acknowledge the president of the Redevelopment Commission, Ms. Lambert is with us here this evening. Thank you. Also the president of our Human Relations Commission, Mr. Mullins. Thank you.

NEW AND UNFINISHED BUSINESS cont.

Councilwoman Venecz - I also wanted to announce that on August 6th the community watch and crime watch groups are partnering with the city of Hammond to host National Night Out August 6th, 5 to 8 p.m. at the Wolf Lake Splash Pad. There will be a variety of activities including finger printing, a drunk driving simulator, there will be police and fire emergency vehicles, face painting and tattooing for the children, games and prizes, and I just found out today that we'll have for a door prize a basket from NIPSCO with a \$100 certificate towards your NIPSCO bill, and also Ronald McDonald will be there for the children. The cost is free. We ask for a donation of a cleaning product such as Comet, Windex, a Brillo pad, Brillo pads, something of that nature that will be donated to the Claude Street Shelter here in Hammond. For that donation you will receive a free hot dog, chips and pop, and the entire family is welcome. This is not only for children but for adults as well. It's a great event to meet some of your neighbors and share in some neighborhood camaraderie. So I invite everyone to attend.

Councilman Higgs - I just want to bring to Councilman Uylaki's attention that there was a homicide today on the 1400 block of Sherman and the residents on the 1400 block of Sherman are requesting your assistance in beefing up patrol in that particular area. Also I would like a letter sent to the Hammond Police Dept. in regards to MLK Park where there's been a couple of shootings and they had to shut down the summer recreation program for the kids in regards to this particular incident. So I am requesting that the chief increase police protection and make sure that the hours of the park are enforced as to when it opens and when it close. I so move.

Councilman Higgs second.

AYES: ALL

LETTER SENT: JULY 23, 2013

Councilman Hinojosa - I was contacted by Dave, the President of the Hessville Eagles #3117 on Kennedy Avenue inviting all of the elected officials including the Mayor, the City Clerk, all the Councilmen, to their picnic over at the Hammond F.O.P. this Sunday, July 28th from 12 to 6 p.m. last month the Hessville Eagles did a bike run for a charity and they raised over \$6 thousand. So they're doing a lot for the community and they'd like to see the elected officials there this Sunday for 12 to 6 p.m.

Councilman Spitale, supported by Councilman Higgs, moved to have a letter sent to Chief Miller and his staff that were out there this weekend did a great job of crowd control for an overwhelming crown on Saturday and Sunday. They did a great job.

AYES: ALL

LETTER SENT: JULY 23, 2013

Councilwoman Venecz - I just wanted to comment on the letter Councilman Higgs requested to be sent to Chief Miller. For months since there was the vacancy in the 2nd District I have been in contact with Chief Miller about all of the activity on Sherman Street. As soon as Councilman Uylaki was sworn in I apprised him of the activity on Sherman Street as well. Last week we both attended the Columbia and Lafayette Crime Watch meeting at the Hammond Public Library in which Chief Miller was in attendance in addition to the residents from Sherman Street that have been affected. There have been constant patrols down that street. There has been constant

NEW AND UNFINISHED BUSINESS cont.

Councilwoman Venecz cont. - monitoring. Everyone from the mayor, I suspect down to the janitor, know what's been going on on Sherman St. So I appreciate the letter being sent to Chief Miller.

Councilman Emerson - I agree with Councilman Spitale about Chief Miller and the Hammond Police Department during the Festival of the Lakes the whole week.

Councilman Emerson, supported by Councilman Spitale, moved to send a letter to Pat Moore in the Parks Department. I think they did a fantastic job with not just the evening shows but all the things that go on during the day, senior citizens, polka, fishing, the boat rides. The crowd was fantastic, they seemed to enjoy it.

AYES: ALL

LETTER SENT: JULY 23, 2013

PUBLIC EXPRESSION

Ronald Mullins - Chairperson of the Hammond Human Relations Commission - As Commissioner I would like to applaud and support you in supporting resolution 13R-22. Anyone who believes they have been discriminated against in seeking housing please come to the Hammond Human Relations Commission.

Councilman Markovich, supported by Councilman Higgs, moved to adjourn.

AYES: ALL

ATTEST:

Michael Opinker, President
Hammond Common Council

Robert J. Golec, City Clerk

Time: 7:00 pm
cb

Minutes approved at the Common Council meeting of 8-12-13.

*Prepared by
Robert J. Golec
Hammond City Clerk*