

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on June 22, 2015 in the Hammond City Council Chambers.

Council President Michael Opinker presided.

Council Coordinator Carmen I. Balboa facilitated.

PLEDGE OF ALLEGIANCE was recited by all.
Invocation by Councilwoman Venecz.

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 Emerson, moved to accept the minutes of June 8, 2015 and place on file. AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by, Councilman Higgs, moved to accept the claims from June 3, 2015 through June 17, 2015. Claim #3251 through claim #3575, inclusive. AYES: ALL

PUBLIC HEARINGS

15-21 Appropriation- Police- \$56,200.48- From: Operating Balance
To: Crash Reduction Grant Fund

15-24 Vacating a portion of 110th between 5th Ave. and Indpls. Blvd.

15-25 Vacating a portion of Public Alley between 114th St. and Stanton Ave.

15-26 Vacating a portion of 5th Ave. between 112th St. and Indpls. Blvd.

George Stoya - Re: 15-25 - Questioned whether one way alley would remain that way.

COMMUNICATIONS

Councilman Higgs read correspondence thanking him for his thoughtfulness.

Councilman Higgs read correspondence regarding the Lakeshore Chamber of Commerce breakfast with BP on Friday, June 26 at the Dynasty Banquet at 8 a.m.

Prepared by
Robert J. Golec
Hammond City Clerk

COMMUNICATIONS cont.

Councilman Higgs read correspondence from the Legacy Foundation and Lake County Community Foundation thanking him for his donation.

COMMITTEE REPORTS

Council as a Whole Committee - Councilman Hinojosa - Brought out 15-20, 15-21, 15-23, 15-24, 15-25.

Community & Crime Watch Committee - Councilwoman Venecz:

Pulaski Park Neighborhood Assoc.; June 30; American Legion; 6:30 pm

Whiting/Robertsdale C.W.; July 9; Calumet College; 6:30 pm

National Night Out will be held Tues., August 4th at the Wolf Lake Splash Pad from 5 to 8 pm.

Council as a Whole Committee - Councilman Kalwinski - Brought out 15-26.

ORDINANCE 3RD READING - FINAL PASSAGE

15-20 An Ordinance Creating a New Fund (Fund #221) for the City of Hammond, for purposes of Appropriating a Crash Reduction Grant

Councilman Spitale, supported by Councilwoman Venecz, moved for final passage.

Councilman Spitale - This is a grant from the State to help patrol the expressway. The total amount is \$56,200.48. This starts effective June 1, 2015 through August 2, 2015.

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9299 PASSED

15-21 An Ordinance to Appropriate Funds within the Hammond Police Department Crash Reduction Grant Fund

Councilman Spitale, supported by, Councilman Kalwinski, moved for final passage.

Councilman Spitale - This is also reflecting back to 15-20. Also the State may conduct a on site monitoring review while this project is in effect.

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9300 PASSED

ORDINANCE 3RD READING - FINAL PASSAGE cont.

*Prepared by
Robert J. Golec
Hammond City Clerk*

15-23 Ordinance Authorizing the City of Hammond, Indiana, to Issue it's Economic Development Revenue Bonds, Series 2015 (Thruport Intermodal Project) and approving other actions thereto

Councilman Hinojosa, supported by Councilman Kalwinski, moved for final passage.

Councilman Hinojosa - This site, so everybody knows more or less where it's at, on Kennedy Avenue and Michigan Avenue where Central Rent a Crane is, right behind there is where the Hammond Gun Range is. It's a site that's been vacated for a very long time. I could remember the site being Bio-Green Compost site. Which had a lot of smell going into the Hessville area, especially around Kennedy Avenue, for a very far distance and that made it miserable for a lot of people. I am for this project 100%. I think it has a lot of potential just from what we heard. Phase one is going to employ about 49 jobs. Phase two is gonna employ an additional 450 jobs. I think we have asked before about the entrance and exits for the site. I think it's gonna be on Kennedy right there by Central Rent a Crane. I'm sure later down the line there might be some complications as far as maybe putting up a traffic light there on Michigan Avenue and Kennedy, but it's something that we can deal with. But the potential is there. If we don't move on this, I believe we heard that there was gonna be a petroleum site that was gonna come here and I think that something like this with Thruport Intermodal project, I think it's gonna be a good company for good jobs in the city of Hammond. We have some information that we got as far as what the jobs were gonna pay. The jobs for the people that are gonna be working there are gonna start off at looks like \$12 an hour going up to \$18 an hour. Of course the shift managers will be making more money. But there's potential for a lot of jobs in Hammond. If you look at companies like Jupiter Aluminum, they hire a lot of Hammond residents. One of the employees of Jupiter just moved right next to me. So, 450 jobs plus the 49 existing, I mean, you're talking about 500 jobs. I think it's good for Hammond. It's good for Hessville. If this doesn't open up, I don't see another company coming here to that site again. I welcome this. As far as the traffic, we'll deal with that later. But I think this is good and that's why I'm moving for final passage of 15-23.

Councilman Markovich - In the caucus they talked about that they were doing this in partnership with another company. Is there anybody from that other company here that's a representative of the partnership with Intermodal?

Councilman Markovich, supported by Councilman Spitale, moved to suspend the rules. AYES: ALL

Councilman Markovich - In the caucus the name of another partner company was just mentioned and I believe to the whole city council that was the first time we ever heard of this other company. So my question is, is there anybody here representing that other company that's in partnership with Intermodal.

Legal Counsel for Thruport Intermodal - No. We're here this evening on behalf of the entire development, excuse me, the other company, Reliable Rail, as we told you in the caucus, is located in Florida. There, quite frankly, have been several occasions where that gentleman has come up here, relative to Redevelopment Commission meetings and other on site inspections, but he was unavailable for this evening.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

*Prepared by
Robert J. Golec
Hammond City Clerk*

Councilman Markovich - During the caucus, questions were asked as far as jobs for Hammond people and Intermodal was not able to substantiate jobs or a percentage of anything. I guess that's the first time this council has learned that they're gonna be the ones running this operation and all you guys are is property owners, I believe, and would have nothing to do with the operations of that. Is that correct?

Atty Wieser - No, that's not correct at all. We will have, I'm their legal counsel, but they will have, both Russ Milbrath and Justin Murphy will have authority to engage in the operations and in fact have the controlling interest, I think.

Atty. Murphy - Correct.

Atty. Wieser - Yeah, and have the controlling interest.

Councilman Markovich - So, again, like the question that was asked in caucus, is Intermodal or is this other company Railway or whatever, are they able to commit to a percentage of jobs for Hammond people?

Atty. Wieser - Councilman, I appreciate your question and the question is a legitimate one because whenever a development comes into a community, obviously the community hopes not only to benefit from the taxes that are generated and the people moving in but also generate from people who are in the community that work. It's very difficult to make a commitment percentage-wise so what I would refer the council to very quickly is what we committed to in the Redevelopment Agreement. Because I think that's critical language and in the Redevelopment Agreement. In section 1.19, I won't read all of it, we went over some of the language in talking about reasonable efforts. But it says, "reasonable good efforts shall mean", doesn't say, "may mean", it says, "shall mean". So this is, we're committed to this. "That the developer shall include in all bid packages or requests for proposals a provision that each contractor, construction manager, and subcontractor shall be given an incentive or other priority in awarding a bid to." So, keep that in mind. They're being given an incentive in awarding a bid to hire supervisory, labor and construction workers that perform any of the work, first, from the city of Hammond. So those companies get an incentive by employing, first, people from the city of Hammond. Then it goes on to say, "and second from Lake County", and also to have at least a majority of it's non-supervisory labors and construction workers that perform any of the worked hired from such areas committed to the same priorities that I just read to you. That isn't just language. That isn't just some flowery legal language. That is binding language. That's language that has this organization and this group committed to making sure that they make every effort possible to ensure that residents and citizens of this community are hired first and foremost. Given the nature of the business, given the nature of the development, it's so difficult to predict and ascertain specific percentages, but that's a commitment that could be made. And this isn't a commitment made from somebody from California, or somebody from Canada, oops, maybe I shouldn't have said that, or somebody from some other area. This is a commitment that is being made by one gentleman, who stands right behind me, who lives in Hessville. Whose business is in Hessville. Another gentleman who lives in Northwest Indiana for many years. Myself, although I'm only their attorney, who was born and raised in Woodmar and Hessville. That's the commitment that we make to this community and we feel strongly about it. Councilman Markovich, your question is well taken. I know you feel strongly about it. I think to that extent, we agree.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

*Prepared by
Robert J. Golec
Hammond City Clerk*

Councilman Markovich - Just for the record, we received a listing of the jobs and the payment and two of the outside companies, one is from Griffith, Track Services, and the other one is Hasse Construction out of Illinois. So, those are already construction companies that I guess have been awarded contracts. Hopefully you will be able to work with them that they would be hiring Hammond people on these construction jobs. Because like I pointed out in caucus, just like on the toll way where they were just repainting and redoing the concrete where you could drive by there and there's ten cars parked there and seven out of the ten cars got Illinois plates. So, I would hope that you could relay this to Tract Services of Griffith and Hasse Construction that maybe they could forward a list of all the people that are working there and see how many Hammond people are working on that during that construction process.

Atty. Wieser - I can assure you that we will relay that to them and I can assure you that they are as bound by this obligation as we are.

Councilman Hinojosa - This property there, is this kind of like east of the gun range? Does it take the property of the gun range or the gun range stays there?

Atty. Murphy - No gun range stays. It's north of the tracks. Gun range is south of the tracks.

Councilman Hinojosa - So it's kind of like behind the existing company that's on Michigan Avenue?

Atty. Murphy - That's Hammond Lead, they are the group that committed to purchase \$2 million of the TIF Bond. They did it as a committed Hammond, you know, they've been here in Hammond, I believe, for 25 years. They've done this as a commitment to the city of Hammond. Quite frankly, I know that Councilman Markovich made comments about Reliable Rail today but we've been working with the city for more than two years and Hammond Lead made it clear to the city of Hammond that they would never sell their land unless the project was good for the city and they would not have sold it to us but for the city going to Hammond Lead and saying this is a project that the city really wants. So Hammond Lead's made a huge commitment to the community by going ahead and agreeing to purchase the bond, or the majority of it. That's the blue building you're talking about.

Councilman Hinojosa - Is there also going to be an entrance through Michigan Avenue as well?

Atty. Murphy - The Development Agreement, we talked about last time, the Unit Train Repair company, their entryway will be there by Central Rent a Crane, there'll be minimal traffic there. We've asked you as part of the Development Agreement to work with INDOT, put a light on 20 right past the curve and we have agreed as a company to do the acceleration, deceleration lane. Our semi trucks coming out of the warehouse will turn east towards Cline. That's where we want the red light. So the majority of the logistics traffic will come out of the site on 20. It'll never affect the Hessville neighborhood. That's one of the things we committed to with the city when we first started this project. The mayor made it clear to us he didn't ever want any traffic to come south of the bridge where the IHB is. So we've committed to that with all vendors and tenants on the property. Our design provides for all traffic to turn north, use 20 to Cline, from Cline to hit both the toll road and 80/94.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

*Prepared by
Robert J. Golec
Hammond City Clerk*

Councilman Hinojosa - Then, of course, another concern that we talked about earlier in a previous ordinance or resolution was that there was a concern about train traffic that goes through Hessville. They will not be using those tracks, they'll be coming underneath Cline Avenue from the Gary side, is that where they're gonna be entering through?

Atty. Murphy - They'll be coming both from the East and West but that is the grade separated corridor, that's where the city has built the bridge over every one of those crossings. So the trains utilizing our facility will not affect any of the crossings whatsoever. That was the biggest part of the plan.

Councilman Markovich , supported by Councilman Higgs, moved to return to the regular order of business.
AYES: ALL

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9301 PASSED

15-24 An Ordinance Vacating a portion of 110th between 5th Ave. and Indpls. Blvd.

Councilman Kalwinski, supported by Councilman Spitale, moved for final passage.

Councilman Kalwinski - This is a request for vacating 276 feet to help with new and orderly development of roads in the marina development area.

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9302 PASSED

15-25 An Ordinance Vacating a portion of Public Alley between 114th St. and Stanton Ave.

Councilman Kalwinski, supported by Councilman Spitale, moved for final passage.

Councilman Kalwinski - This is the vacating of 162 feet of alleyway that runs through the property that will be under development and the alley will remain open for use.

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9303 PASSED

ORDINANCE 3RD READING - FINAL PASSAGE cont.

15-26 An Ordinance Vacating a portion of 5th Ave. between 112th St. and Indpls. Blvd.

Councilman Kalwinski, supported by Councilman Spitale, moved for final passage.

Councilman Kalwinski - This the vacating of around 850 or so feet to allow for more orderly and better use of land fronting Indpls. Blvd. for commercial development.

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

ORDINANCE NO. 9304 PASSED

INTRODUCTION OF ORDINANCES

15-27 Creating A Voluntary Retirement Program in 2015 for Certain Eligible Employees

Councilman Spitale, supported by, Councilman Higgs, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Council as a Whole Committee. AYES: ALL

Councilman Higgs requested to be added as a sponsor.

Councilman Spitale - This voluntary retirement program will be extended for a limited period of time in 2015. It will not be offered again at least for the next two years. The pay is the same as it was prior in 2013 when it came out. The requirement is no later than Tuesday, September 1st to sign and prior to December 31st and you can not withdraw after Tuesday, September 1st, 2015.

15-28 To Reclassify Property at 828 114th Street from R1-U Urban Single Family Residential to C-4 General Commercial

Councilman Kalwinski, supported by Councilman Spitale, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Council as a Whole Committee. AYES: ALL

Councilman Kalwinski - There is a small portion of the property that is still zoned residential and this is a commercial development consequently the land that's residential has to be reclassified and that's why this ordinance is moving forward.

RESOLUTIONS

15R-14 To Dedicate an Honorary Street Designation in Honor of Councilwoman Kathleen

*Prepared by
Robert J. Golec
Hammond City Clerk*

Pucalik

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

Councilman Emerson - I was approached by a number of people including Kathy's mother and I know a lot of the council members have worked with her. This resolution, as stated, is to have an honorary street, Oakdale 7300 to 7600 blocks. That's the street Kathy grew up on. Her service to the community has been exemplary before she passed away too soon, some would say. I only knew her as a friend, and she was a friend. I served briefly, a few years anyway, in the Kuwani's Club with her and what's not in the resolution and Kay wrote a great biography of Kathy, is that we worked together at the school city for a few years, but I know that other members of this council worked with her on the council and I was not on the council then, so I'm very, very happy to sponsor this resolution.

Councilman Kalwinski - I too had the opportunity to work with Kathleen on the city council and enjoyed working with her.

Councilman Kalwinski requested to be added as a sponsor.

Councilman Markovich - Usually when they do a street, they just do a block, and here we're doing several blocks so is that an error. Because usually it's just the one block where she grew up on. I know where we just did if for, well the person wasn't dead but Father Kalicky, it was like the one block were he lived and that was it. I mean, there's like four or five blocks north and south of where father Kalicky grew up but they just did the one block and here we're asking for a whole street so I was just wondering if that was an error on your part or if you just meant to do the 173rd Street, I guess that where she lived, on the corner there.

Councilman Emerson - I'm not sure, I'm looking at other blocks when we've done memorial streets. What comes to mind is Hernandez on River Drive and that is, I believe, 2½ blocks. I also believe in the 3rd District, Sgt. Rojas', Carroll St., I believe that's more than a block. Okay, well.

Councilman Higgs - I had the honor of honoring Mr. Latko last week and we only designated one block. Certainly, I mean, it's up to the discretion of the council, but the dedication was on Friday and it was only the 100 block of Highland, and we also have another dedication and it's only one block. But it's to the councilman's discretion and my colleagues how they want to handle it. It's fine with me.

Councilwoman Venecz - I did not have the pleasure of working with Kathy on the council but I am proud to say that she was my friend. Kathy was a lifetime resident of the city of Hammond and the block of Oakdale on which she lived. I think it's completely appropriate to have the three blocks that are mentioned because I'm sure that on her way to Gavit or anything else that she did in the city of Hammond that she travelled those blocks on Oakdale. So, I would be in favor of keeping the resolution as it is.

RESOLUTIONS cont.

Councilman Markovich - Just for a point of clarification with Councilwoman Venecz just said, 173rd Street is

*Prepared by
Robert J. Golec
Hammond City Clerk*

the corner where she lived, the other two blocks are going south and it dead ends to the Borman Expressway so she wouldn't of walked that way to go to Gavit.

Councilwoman Venecz - Well, excuse me but actually she grew up on 175th and Oakdale if you want to be specific.

Councilman Spitale requested to be added as a sponsor.

Councilwoman Venecz requested to be added as a sponsor.

Council President Opinker requested to be added as sponsor.

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. R14
ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Higgs read correspondence from Ashley Spann asking for help in financing her education.

Councilman Higgs - I want to take the time to express my concern with the recent incident that occurred, not in my district, but in another one of the district's in the city of Hammond and it was a relative of mine. The ongoing killing that's taking place in Hammond has to stop. So I'm hoping that in some form or fashion that we can unite as a community and speak to these issues. Because it makes no sense to kill and take someone's life, especially at the age of 20, which he would have been 21 this week. Certainly I would hope that the crime watches in the community would take a conscientious effort in addressing this concern throughout the entire city. Put the guns down. That's all I ask. It makes no sense. Put the guns down.

Councilman Spitale, supported by Councilman Emerson, moved to send a letter to Prosecutor Bernie Carter for stricter punishment for the railroad for blocking the crossings.

Councilman Markovich - probably a cc: for that letter should go to Police Officer Pat Vicari, who's in charge of enforcement and probably a copy to the Law Department also. It's my understanding that they do file tickets or whatever and all of that and I guess they're settled with a big group all at once and that's what happens to that effect. Whether the prosecutor pursue's it or not, I guess that's another thing. But I guess they have a settlement conference where they take all these different tickets, group them together and they come up with a settlement conference then. But do whatever you want to do but the Law Department and Vicari should probably get a cc: on that letter.

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs - Also that letter should go to our Judge and recently I brought that up at the Board of Works meeting, about the trains sitting, especially in the Hessville section of the city near Kennedy Avenue, it's just ridiculous. They sit there for two, three hours. If someone is in dire urgency to get to the hospital, God forbid they'll probably end up passing away. Because the trains literally just sit there they don't move for hours and you have to find an alternate route to go around. It's just ridiculous and it's been going on for quite some time. So I'm hoping that something can happen to correct this issue because it's really sad.

LETTER SENT: JUNE 23, 2015

Councilman Kalwinski, supported by, Councilman Spitale, moved for an Intent to Consider on 15-22 on July 13, 2015. AYES: ALL

Councilwoman Venecz - I want to announce that the League of Women's Voter's Naturalization Ceremony on Saturday, July 4th at 6:00 p.m. at the Wolf Lake Pavilion. Judge Rodovich will preside and the speakers will be Congressman Pete Visclosky, Mayor McDermott and I've been honored to ask to speak once again this year. As I said, I had the honor of speaking at last years naturalization ceremony an it's really quite moving to see people from all over the world and from all walks of life who are proud to be called an American. These are people who want the responsibility of being a citizen of these United States and are proud to stand and put their hand over their heart and pledge allegiance to this great country of ours. So I invite everyone to come out. This will be the 239th celebration of our country's independence. So, I invite you all to come.

Councilwoman Venecz - I would like to announce that Hammers for Hearts is in town. If any of you are ... or if anyone has not heard about Hammers for Hearts, they are a faith based group of youth and adult volunteers who come from all over the country, pay their own way, to come to Hammond, Indiana to perform hands on home repair projects for elderly, disabled and low income residents. Right now, as we speak, approximately 1560 volunteers are at Hammond High. They are sleeping there. They are eating there and showering there and in about half an hour they will begin their devotions. If anyone has an opportunity to go over to Hammond High, the auditorium and just observe their devotion. It si truly inspiring to see young people being directed by God and having God as a purpose in their life. Every night there is a hospitality group that hosts the volunteers. Tonight Crime Watch happened to be the hospitality hosts. I'm sure hostesses. Tomorrow night is a group of youth. I'm not sure who's there Thursday and Friday the Hammond City Council is going to be represented as hospitality hosts. Councilman Markovich. Councilman Spitale, and myself are going to tend to the hospitality needs of this group of really fine young people. If you see a Hammers for Hearts sign in front of someone's house, stop by, say hello, thank these young people for coming to our fine city and doing the work that they are doing.

Councilman Higgs - Thank you for that point of information. I'm aware that Hammers for Hearts is here but I didn't know where they were stationed at and that no extended the invitation for all the councilmen but I will try to reach out to these individuals this evening because I have quite a few things going on this week and say thank you for giving a hand.

NEW AND UNFINISHED BUSINESS cont.

*Prepared by
Robert J. Golec
Hammond City Clerk*

Councilwoman Venecz - You got notice last meeting and were asked to volunteer. I didn't hear from you, I assumed you weren't interested.

PUBLIC EXPRESSION

George Stoya - Council needs to look to its authority under Robert's Rules or the law or otherwise and stop all this bickering, Mr. President. It's getting way out of line and stupid.

Councilman Spitale, supported by Councilwoman Venecz, moved to adjourn.

AYES: ALL

ATTEST:

Michael Opinker, President
Hammond Common Council

Robert J. Golec, City Clerk

Time: 7:05 pm
cb

Minutes approved at the Common Council Meeting of July 13, 2015.