

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on October 24, 2016 in the Hammond City Council Chambers.

Council President Janet Venecz presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

Invocation by Councilman Emerson.

ROLL CALL

PRESENT: Markovich, Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz

ABSENT: None

TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Higgs, moved to approve the minutes from the Common Council meeting on October 11, 2016 and place on file. AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from October 6, 2016 through October 19, 2016. Claim #6330 through claim #6637, inclusive.

ROLL CALL VOTE

AYES: Markovich, Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: None

ABSENT: None

Motion carried

9/0/0

CLAIMS APPROVED

PUBLIC HEARINGS

None

COMMUNICATIONS

Councilman Torres - We all got a letter from the Mayor to the Council. It's a scathing letter, not approving of my asking for a 5% raise at the last Council Meeting on the 11th for the police. It's kind of lengthy so I don't want to read it in its entirety but I'll give a copy to the Clerk and I'd like the whole letter to be included in our minutes.

Councilman Torres, supported by Councilman Markovich, moved to enter a letter to be included in the minutes in its entirety which was addressed to the Council from the Mayor.

*Prepared by
Robert J. Golec
Hammond City Clerk*

COMMUNICATIONS cont.

Councilman Markovich - Question. Did we all receive a copy of that letter? Because Councilman Higgs says he doesn't have one.

Mayor McDermott - I sent that to every council member, and I sent it to members of my administration, and members of the police administration.

Councilman Higgs - I didn't get a copy, so, that's the reason why I don't know...

Mayor McDermott - Councilman Higgs, I for sure sent a copy to you. I don't know what happened to it.

Councilman Higgs - Well, I'll find one. I mean, it's no big issue. I'm just saying, I've got a million and one envelopes here.

Mayor McDermott - I mean, believe me, I sent a copy to every council member.

Councilman Higgs - When did you send it?

Mayor McDermott - I think you guys got it this morning.

Councilman Higgs - Oh, this morning. That's why. It's probably here in today's mail.

Council President Venecz - On the motion by Councilman Torres, second by Councilman Markovich, to enter the letter from the Mayor into the record. Clerk Golec roll call please.

ROLL CALL VOTE (motion to enter letter into record)

AYES: Markovich, Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: None

ABSENT: None

Motion carried

9/0/0

MOTION CARRIED

Councilman Higgs announced the Wine and Canvas at the Jean Shepherd Center on Friday, Oct. 28 from 6 to 9 pm. Cost is \$35 per seat. 21 and over only. Food and drinks will be available.

Councilman Higgs announced a community fundraiser at 5 Guys for Jimmy McCormick for one day only we will receive a donation for every purchase made at 5 Guys, 8231 Calumet Avenue, Munster, IN. On Thursday October 27 for all hours of operation 20% of the sales and an additional \$1 for every milkshake.

Councilman Higgs announced the Hammond Parks and Recreation Indoor Garage Sale at the Jean Shepherd Center, 3131 Mahoney Dr. on Saturday, November 19 from 10 am to 3 pm. Free to enter. Concessions will be available. Vendors booths are \$35 each. For information call 219-554-0155 or stop by the Jean Shepherd Community Center.

COMMITTEE REPORTS

Finance Committee - Councilman Spitale - Brought out 16-25 and 26.

Council as a Whole Committee - Councilman Higgs - Brought out 16-27, 28 and 29.

Police & Fire Committee - Councilman Rakos - Brought out 16-30.

Community & Crime Watch Committee - Councilwoman Venecz announced upcoming meetings:

Edison Community Watch; Wed., Nov. 9; Edison School; 6:30 pm

Edison Community Watch on the Road; Fri., Nov. 4; 1 pm; Golden Manor Senior Bldg

Irving Community Watch; Fri., Nov. 4; 9:15 am; Irving School

Jefferson Crime Watch; Wed., Oct. 26; 6:30 pm; Jefferson School

Pulaski Park Neighborhood Association; Tues., Oct. 25; American Legion; 6:30 pm

Whiting/Robertsdale Crime Watch; Calumet College, Thur., Nov. 10; 6:30 pm

Coming up this Saturday, Edison Community Watch and the East Side Community Council are partnering with Home Depot to host our 5th Annual Trunk or Treat event at Home Depot. It begins at 6 pm and goes til 7:30. I know that's a Cubs game as well but if you get the kids there early you'll be able to get home and get on the couch. That's Saturday, October 29 , 6 to 7:30 pm at Home Depot.

ORDINANCE 3RD READING - FINAL PASSAGE

16-25 2017 Civil City Budget Proposal

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

Councilman Markovich - I would like to refer to the City Council's budget, page 4. It's been brought to my attention through our secretary that we have been steadily reducing this line item budget and it's not really feasible for the Council to operate because of the cuts on this. Back in 2014 we had \$41,810. in General Services, they've knocked that down to \$8,000. In the best interest, as far as an emergency, if we need a new Xerox machine, anything else that comes up, that we have that money there for future emergencies. In addition, we do not have a second person in the office, just part timer. In the event that anything should happen to our secretary where she may be off for extended period of time due to illness, there would not be any money in the budget to suffice to pay for a part time person to be in there in her absence. It's for those reason I would like to put back the \$41,810 in the 101 Fund, General Fund Services and Charges Line Item code 43900. I so move.

Councilman Higgs second the motion.

Mayor McDermott - A couple things, first off. My City Controller could not be here, she has strep throat, first. Secondly, when dealing with elected officials, like the City Council, like the Clerk, like the Judge, my policy, our policy, this administration's policy has always been to let the elected official put in their own budget. We don't tell them what to do. This position has been cut for a long time now. I don't remember when it was cut. I think it was about five years ago. 2014 is when it was cut? Okay.

*Prepared by
Robert J. Golec
Hammond City Clerk*

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Markovich - 2015 it was cut. 2014 we still had that amount of money in there. So, 2015 they cut it to 26,500.

Mayor McDermott - We've approached the council, like we always have and these are the numbers we got. Okay, and we published it. So, from what I understand, if this budget is going to be changed you have to pull it from another part of your budget to make it work. So, as long as you can meet that parameter, Councilman Markovich, because we published this amount. That's fine with me, I don't care. But, like, I don't want you to think that the city is putting you in and cutting your people. That's not what we do.

Councilman Markovich - For clarification though, Councilwoman Venecz took it upon herself to do it on her own without consulting the rest of us.

Mayor McDermott - I'm not sure how you guys do business.

Councilman Markovich - It was brought up in discussion. You weren't there.

Mayor McDermott - I know, I apologize for that.

Councilman Markovich - If that's what it is was published but, you know, we can also increase our budget even though it's not published. It's just the Controller will have to make those changes.

Mayor McDermott - No. You can increase as long as it comes out of the \$499 thousand.

Councilman Markovich - Well, but see the other thing is too she would have to cut other things throughout the city in other budgets whether the gaming money or whatever to suffice that to fill our budget back.

Mayor McDermott - No. I don't think that's true. I think that you can do anything as long as at the end of the day it doesn't exceed \$499,592.

Councilman Markovich - I agree with you in that respect.

Mayor McDermott - Okay. I just wanted to make sure. If you guys do it then knock yourself out.

Councilman Markovich - Well, let's put it this way then. I would hope that we would vote in favor of that and if we can do it then, the Controller can do it without going through the publication, then I would request that. If we can't do it then I would acquiesce to your

Mayor McDermott - Yeah, I don't want to screw up our budget. If this is what you guys are going to do I have no problem, personally, as the Mayor. I don't think the Controller has a problem with it. I don't want you to think that we put it in and tried to cut your position. Because that's not the way we do business.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Markovich - I know that. But Like I said, she took it upon herself to do that without any of our input and that's why we're at this position right now.

Mayor McDermott - I'm gonna step back and let you guys do what you want to your own budget. I just don't want to screw up our budget.

Councilman Markovich - Like I said, if we can do it, vote in favor of it and do it. If we can't, then that's fine. Then I would go along. But I want to thank you for your input. Like you said, it's our budget and we work with it.

Councilman Higgs - I'd just like to hear Atty. Berger's side of this. Because we just need to make sure that there's clarity as to if Councilman is amending his motion so that it stays within the guidelines or is it something else that can be done at this point.

Council Atty. Berger - The statute says in some language that the council can only increase anything on the recommendation of the executive. However, the court decisions seem to modify that some. In particular they say since the police and fire department salaries are under the control of the council they can raise those without the recommendation of the Mayor. I would suspect that probably the council can increase its own budget without the executive recommendation too. But it's not 100% settled thing. In any event, I think the Mayor is right that we can not increase the budget so that it would require a rate higher than the rate that was advertised by the city. So that it would appear that there would have to be some reduction somewhere to keep within the same tax rate.

Councilman Higgs - So what I'm hearing is, within our budget we need to find a line item and adjust a particular area so that that could be funded.

Council Atty. Berger - Yes.

Councilman Higgs - I'm okay with that.

Councilman Torres - Mayor, did I hear you say that in the past you consult with the elected officials about the budget?

Mayor McDermott - No. You didn't hear that, Councilman. I leave it to the individual elected officials. Because, for instance, Clerk Golec, I'm not Clerk Golec's boss. I'm not Judge Kray's boss. I'm not your boss. If you want to give yourself a 20% raise then you deal with the taxpayers. That's my approach and it always has been. In this case, what you guys do with your budget is on you. If the taxpayers get mad, that's your boss, the taxpayers will take it out on you. That's my philosophy, always has been. Usually, I'll be honest with you, like Clerk Golec and I have a great relationship. We usually talk and Clerk Golec usually says, "Hey, what are you guys doing? I'm thinking about doing this", and we collaborate. Okay, but he knows that I don't tell him what to do. Just like he doesn't tell me what to do. We have respect for each other like that.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Torres - Okay, I don't want to continue the conversation at this time. I'll bring it up under New Business. But I just understand that the Council is responsible for the finances of the city and that's why I heard that, you know, nothing (unclear) I know I wasn't and I consider myself an elected official. But okay, we'll bring it up later.

Councilman Markovich - It's even though, Mayor, even though the budget has been published, if we elect to increase ours we're not gonna increase the tax rate. They'll just have to find that...well, roughly it comes out to \$30-35 thousand, they're gonna have to cut some other department to give it to

Mayor McDermott - No. That's where you're wrong, Councilman Markovich. If you guys... the number is \$499,592 that we published for your budget. You could do anything you want as long as it doesn't exceed \$499,592. You can take it from promotional for instance and create another position, no problem. But if it goes over \$499,592 that's where we violate.

Councilman Markovich - I can agree with you on that. It's just that for some reason I believe that if we increase our budget that you can cut some other department to make up the difference and it will not increase the tax rate. By the same token, if we increase that line item, let's just say just to make \$40 thousand then we're gonna increase that \$499 by \$40 thousand then

Mayor McDermott - Can I ask a question? You guys want another person, it sounds like. Why don't we pass the budget and then we do an amendment to the budget after we pass the budget. So we don't screw up our budget. Because if we screw up our budget we got problems. So, if we all agree that you want another person I think we could all make a deal here where we come back in a separate ordinance after the budget's passed and amend this. Afterwards. I have no problem with that, councilman. I'm afraid, we're relying on your advise, my advise, I'm not a pro at this. If we mess up the budget and it gets rejected, we got problems as a city.

Councilman Markovich - I agree, but like I stated, if we can vote in favor of this and for some reason that we can't do it then it's null and void. But, I'm not looking for a new position.

Mayor McDermott - You want to take that chance. I don't.

Councilman Markovich - I think we're both we really don't know because the Controller's not here to answer the question.

Mayor McDermott - Right, and Heather is a pro, we all know that. She has strep throat. Okay. She's texted me like twenty texts right now trying to explain this to me and I trust her. But I don't want to mess up the budget, Councilman. If you guys feel you need a second person, I don't think that's an unreasonable request, personally. I can support that. Why can't we come back after we pass the budget and do that? I'm on the record right now.

Councilman Markovich - If you say that then we don't have money in our budget to have another person. That's why I'm saying it has to be increased.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott - We could do like a transfer like you're talking about after this.

Councilman Higgs - So there's clarity and so we're not spending hours and hours, I think you guys need to be clear with each other and be open and honest. If it's something that you feel that was not done correctly when the budget was presented why don't you just say it and say in the future we would like this a certain way. Otherwise we're gonna be here all night. If you guys feel as though you were shut out of the process, say it. You both have an opportunity to say it.

Mayor McDermott - First off, you heard our philosophy, Heather and my philosophy. We're not gonna tell the council, "You can't have a second position." It's not what we do. You're an elected official. You're all elected officials. You're responsible for your own budget. Okay. We got the number and inputted it and if there's a problem with it, why don't we come back and fix it after we do the budget. Because I think that would be the safest thing, Councilman Markovich. I understand what you're saying, if this is about a second position, I don't even think it's an unreasonable request.

Councilman Markovich - I'm not even talking about a second position. All I'm asking for is the General Services money for emergencies, just in case. That's all I'm asking.

Mayor McDermott - I'm afraid that we're relying on our wisdom here and I'm afraid we're gonna mess up the budget and we're gonna be in a big position. Because we all know we have deadlines on this.

Councilman Torres - You know, I don't see no surplus in our budget so I don't think you're going to be able to find it without a transfer. But, he's not asking for a position but I was. I felt that we're short a secretary. We got one and a half, meaning we have a part time secretary and I've been lobbying all year to get a second one. That's not in there.

Mayor McDermott - Councilman Torres, can we do it after the budget? If I assure you that I would support it. We could, like, figure out the right place to take the money and make it so that it happens by January 1st? After the budgets passed.

Councilman Torres - Mayor, you told me last time, in fact it was in January, before I was even a councilman, we're (unclear) and then I had mentioned it to you before that you would support it and you thought that we needed a second secretary and that's why I'm surprised that all of a sudden and I do believe that it was Heather's encouragement that we didn't need a second secretary. For some reason she took it upon herself to decide that we didn't need a secretary. But anyway.

Mayor McDermott - I don't think that was the case. Because we follow the same philosophy. We take the budget numbers that we're given and we input it.

Councilman Torres - Okay, but we're supposed to take the numbers...

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott - It's not some conspiracy from Heather Garay to deprive you of a second position. We take the numbers that we're given, Councilman, and input them.

Councilman Torres - I agree, but I believe that we have a say so in the budget. In fact, later on I'm (unclear) a state law that states that. That we are in charge of all the finances of the city and you as Mayor are just the administrator. To me a Controller is nothing more than a bookkeeper. She just puts in there whatever the legislative and the executive tell her to.

Councilman Woerpel - Call for the vote.

Councilman Torres - Councilman Woerpel, you interrupted me. I have the floor, please, and you interrupted me.

Councilwoman Venecz - Excuse me, Councilman Torres, when he calls for the vote we have to take a vote to end the discussion.

ROLL CALL VOTE (call for vote)

AYES: Markovich, Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: None

ABSENT: None

Motion carried

9/0/0

MOTION CARRIED

Councilman Higgs - We just had a vote for whether or not we were going to allow the discussion to continue. Now, go back to regular original...

Council President Venecz - No, that is not correct. Councilman Woerpel called for the vote which means that all discussion stops and then we will vote. So, if Councilman Woerpel said call for the vote, we all voted yes, that means the discussion stops and we will vote on the amendment. Atty. Berger?

Council Atty. Berger - I believe you are right.

Council President Venecz - Okay, so we are voting on the amendment sponsored by Councilman Markovich, second by Councilman Higgs, to increase line item number 101 to \$41,810.

ROLL CALL VOTE (amendment to increase line item 101)

AYES: Kalwinski, Higgs,

NAYS: Markovich, Spitale, Torres, Emerson, Woerpel, Rakos, Venecz

ABSENT:

Motion failed

2/7/0

AMENDMENT FAILED

Councilman Markovich - There was for a new position in the Fire department. Under this budget thing, page 13, for \$32 thousand. So, there's a new position that's being asked for that was put in the budget and whether or not

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Markovich cont. - that was really needed, under discussion under the workshops. So, if they're putting in a new position I brought up in caucus that under Salary Ordinance it was not listed. So I'm just making that. If we're not gonna have it in the salary ordinance then there's no sense making a new position.

Councilwoman Venecz - I'm looking for clarification.

Councilman Higgs - Me too. I'm trying to find our exactly, one minute I'm hearing let's increase the budget. Then you vote against it. Then we go back and now we're like there's no position in the salary ordinance. So, what is it you're trying to accomplish? I'm kind of confused.

Councilman Markovich - My motion would be to remove the Payable/receivable Clerk for \$32 thousand because there's no such position in the Salary Ordinance. I so move.

Councilman Torres second the motion.

Mayor McDermott - Since we're about to hack one fourth of the personnel that work for the Fire Department, I think the Fire Chief should address this, one fourth. They'll have four employees if you pass this. They have three now for one hundred and fifty five firemen. To give you an idea of what we are talking about, in the Police Department they have two hundred and ten officers and they have over a hundred civilians. Well over a hundred. Fire Department has three full timers, they want to go to four. Okay, and you're gonna hack it. So, I think the Fire Chief should speak.

Council President Venecz - And the one that's going full time was a part time position.

Mayor McDermott - Working, literally, thirty hours a week. Doing a great job. Collecting revenue for our ambulances, stuff like that. But I think that, I'm not sure if Councilman Markovich has talked to the fire chief about this or you're just cutting, but I think we should talk to the Fire Chief.

Councilman Markovich - All I'm going by what's before us. There's nothing in the Salary Ordinance for this position.

Fire Chief Smith - I received an e-mail from Heather the Saturday before the budget hearing and the e-mail that I have that I looked at on my phone has the Payable/receivable Clerk for \$32 thousand. So the budget hearing that we had on Saturday it was in there.

Councilman Markovich - It's in the Budget but it's not in the Salary Ordinance.

Fire Chief Smith - Well, I didn't get that. I'm just saying in the Budget hearing it was in the budget for next year.

Council President Venecz - We are not on the Salary Ordinance.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Markovich - I understand that. But you're asking for a position in the budget and there's no position in the Salary Ordinance.

Fire Chief Smith - Before you guys cut it I do need to have the position. I mean. I mean she does all the Medicaid billing and the ambulance billing.

City Clerk Golec - The amendment is unclear. Page 13 is the Police Department. If the Clerk is to make the change I need to know which line item will be changed if the amendment were to pass. Initially it was stated page 13 and that's the Police Department.

Councilman Markovich - Point of order, correction, it's page 13 of this book, City Clerk Golec. I know it's confusing because this is what was handed to us. What page is it for the Fire Department on 16-25 then?

Mayor McDermott - If we are gonna cut this full time position, Heather informs me that we cut the part time that she used to make and increase the full time. So if you are gonna do this, unless you intend to cut 1/3 of the civilian population of the Fire Department, I suggest you rebuild back in the part time salary.

Councilman Markovich - Right, we'd have to do that. That would be my next motion. I'm just trying to find the positions in the budget here.

Councilman Higgs - I think the question that Councilman Markovich is stating is that it's not in the Salary Ordinance and so in order for it to be done right it has to be re-presented for clarity so everyone understands.

Council President Venecz - So, Councilman Markovich, what page in the budget are you looking at in 16-25? That's what we're looking at.

Councilman Markovich - So we're looking on page 9 under Fire Department, I see a Bookkeeper for \$34,194; Maintenance Supervisor for \$37,866; Secretary for \$35,992 and I see nothing for a Payable/Receivable Clerk in the Budget.

Council President Venecz - Payable/Receivable is right under Maintenance Supervisor.

Councilman Markovich - I stand corrected.

Councilman Markovich rescind his motion.

Councilman Torres - I guess Controller Heather text you or something and she found the answer right away for the Fire Chief. She could easily find the answer for our position in the Council.

Councilman Torres rescind his second.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Higgs - Call for the vote.

ROLL CALL VOTE (passage)

AYES: Markovich, Spitale, Kalwinski, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: Torres

ABSENT: None

Motion carried 8/1/0 ORDINANCE NO. 9352 PASSED

16-26 2017 Redevelopment Budget Proposal

Councilman Spitale, supported by Councilman Woerpel, moved for passage.

ROLL CALL VOTE (passage)

AYES: Markovich, Spitale, Kalwinski, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: Torres

ABSENT: None

Motion carried 8/1/0 ORDINANCE NO. 9353 PASSED

16-27 2017 Sanitary District Budget Proposal

Councilman Markovich, supported by Councilman Higgs, moved for passage.

ROLL CALL VOTE (passage)

AYES: Markovich, Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9354 PASSED

16-28 2017 Civil City Salary Ordinance

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

Councilman Torres - Other than I didn't haven't no input in this so I just want it for the record that I'm voting no. Because I don't know what's in it.

ROLL CALL VOTE (passage)

AYES: Markovich, Spitale, Kalwinski, Higgs, Emerson, Woerpel, Rakos, Venecz

NAYS: Torres

ABSENT: None

Motion carried 8/1/0 ORDINANCE NO. 9355 PASSED

RESOLUTIONS cont.

Councilman Woerpel - Apparently you heard my head rattle because all I did was shake it yes. On this resolution, it is this councilman's opinion that resolutions for street names should be kept to local residents of the City of Hammond that we should recognize. On another note, it's no secret that I delivered mail for 37 years and some confusion comes in with honorary streets as far as if the person puts the wrong address down, if they happen to be looking at the wrong sign. I don't know what the Council's done in the past but I've always assumed that when streets are designed and named that they get the addresses and the names through the post office. I don't know how it is with the honorary streets but I have seen problems arise with people's mails over the years over the wrong addresses being put on it and it's all done through computerization so I just want to state on the record for those two reasons I will not be supporting this.

Councilman Torres - Just wanted to let him know we're not changing the name of the street, Hoffman Street. It will remain Hoffman Street. We have several other streets in the city that are honorary. I hate to cause a hardship for the post office, the mailman, but if they look at the green sign instead of the blue and yellow sign they will see the difference. It's a slap to the Hispanic community. I was asked by Hispanic constituents to do this and that's why I have this resolution. I just feel that it's a slap to the community if it's denied. I'm only one vote.

Councilman Woerpel - Like everything else, the post office is now automated and it's not as simple as looking at a sign to decide what street a letter goes to. What happens is they have these machines called multiple letter character readers that spray bar codes on the mail and when it's all done by the zip code and the nine digit zip code. You put the wrong street name on the letter, it's not a human, it's a computer that's screwing up I stand by what I said earlier.

Councilman Higgs - Just so all minds and hearts are clear, if you recently watched the news there are some postal carriers that are just dumping the mail. So let's just be realistic, if you're going to do your job just do your job.

Councilman Torres - Again, I hate to put a hardship on the post office and I'm sorry to hear that delivering letters is so complicated but I call for the vote.

Council President Venecz - I see that there's some more discussion that ...

Councilman Torres - Last time Councilman Woerpel called for the vote you said discussion was over and you called for the vote.

Council President Venecz - So we are going to vote right now to see if discussion is over.

ROLL CALL VOTE (call for the vote)

AYES: Spitale, Higgs, Rakos

NAYS: Markovich, Kalwinski, Torres, Emerson, Woerpel, Venecz

ABSENT: None

Motion failed

3/6/0

MOTION FAILED

*Prepared by
Robert J. Golec
Hammond City Clerk*

RESOLUTIONS cont.

Councilman Emerson - Regarding the resolution, well, first off, you know, I've been an admirer of Cesar Chavez for a long time. I still have a United Farm Worker's bumper sticker in my basement from the 70's. You're all welcome to come over and see it. But no more than three at a time or that would be a quorum and I don't want that happening. So I have no doubt that he has done great things, perhaps inadvertently for the people of Hammond. I believe former Councilman Hinojosa several years ago sponsored a resolution honoring him and I believe, I know I voted for it, and I think it was unanimous. So we have not slapped anybody in the face. But you know I'm also an admirer of Bernadette Devlin. Bernadette Devlin, for those of you that don't know, was an Irish political activist back in the day and she was the youngest member from Ireland to be elected to the parliament and she represented Mid Ulster at the time and she worked tirelessly for Catholics, Human Rights and Civil Rights in Ireland. By the way she was shot fourteen times in the 1980's in an attempted assassination but she is still with us and I have no doubt there are Irish Catholics in Hammond and I have no doubt that there is a connection to Ireland, family, friends and even ancestors. But I don't believe that Ms. Devlin or Mr. Chavez should have a street named after them for some of the things that Councilman Woerpel said and some of the things that our president said earlier. In Ireland, Bernadette Devlin should have... I'm sure she does have a street already and of course in California and in the home town of Mr. Chavez as well. The criteria I use for signs in Hammond, honorary signs, the first criteria is anyone in the military, fire department, police department, or even city employees who have made the supreme sacrifice serving the city, in my view, automatically would have a memorial sign. Then, secondly, elected officials, citizens of Hammond, who have made outstanding contributions to the city on a consistent basis and there is where we get in the weeds a little bit. But in regards to the first criteria, two streets come to mind, the 800 and 900 block of Carroll, from May to Carroll to Calumet and crossing Rhode, named in honor of Army Staff Sergeant Rojas who was killed in the line of duty and a Hammond resident. The 800 to 1100 block of River Drive, right by Riverside Park, named in the honor of Corporal Joe Hernandez killed in the line of duty. So, the litmus test, the water level line for me, is those two gentlemen. The second criteria that I use, already exists. I didn't vote for this one or I didn't vote for the other two, actually, the veteran's. The 27 to 2800 blocks of Vine named in honor of the late Councilwoman Joann Matonovich, and the 73 to 7500 block of Oakdale named in honor of Councilwoman Pucalik, whose pictures are behind us. There may be more examples in the city but these are the criteria I used saying nothing against Mr. Chavez but I will not be supporting it.

Mayor McDermott - Councilman Emerson forgot one very important street that was named honorary street. There are no houses on this street. It's Thomas McDermott, Sr. Drive or Blvd., whatever it is. But, I also agree with Councilman Emerson. I think, I know, that every honorary street that's been named since I've been Mayor has been after a local person. Councilwoman Pucalik, Councilwoman Matonovich, a father, (unclear), I think that happened before I got here though, Sgt. Rojas, right? I mean, if we're gonna get into naming after famous people we have General Pulaski that served in Chicago in the Revolutionary War, we have a huge Polish population in Hammond, you know. Pulaski Blvd. sounds pretty nice also, so.

Councilman Markovich - All those names except one are still alive, Mayor McDermott's father. The problem I have from naming it Hoffman Street, from White Oak, East Chicago all the way to Hohman, we're probably talking, probably, a mile. Which in itself can be a headache and a nightmare for the postal system. If they probably wanted to do something maybe later on or in the future for a block then maybe yeah, but I can concur

RESOLUTIONS cont.

Councilman Markovich cont. - with the expertise of my colleague, Councilman Woerpel, so. Sometimes there's council persons that bring a lot to the table and a lot of smarts and intelligence and everything so I have to agree with him in this respect.

Councilman Woerpel - Are you saying I deliver?

Councilman Higgs - All I can say is let freedom ring.

ROLL CALL VOTE (adoption)

AYES: Torres, Higgs

NAYS: Markovich, Spitale, Kalwinski, Emerson, Woerpel, Rakos, Venecz

ABSENT: None

Motion failed

2/7/0

RESOLUTION FAILED

NEW AND UNFINISHED BUSINESS

Councilman Emerson - I imagine this should have been in the invocation but I'll do it as sort of a biography because there is a Hammond connection as well as a region. This weekend a famous DJ that I remember from the younger days, before I had any grey hair at all. Herb Kent passed away, known to many as, "The Cool Gent". So I will make this little biographical real quick. He could be heard on WGLY in Gary as well as radio dramas in Chicago. From 55 to 60 he worked at WBEE and other gigs included WJOB in Hammond and a station in Chicago HFC. He was on BON for eight years and that's where I remember listening to him a lot. He was inducted into the radio hall of fame in 1995 and he was on the air for 66 years, on the air waves in Chicago and the Calumet Region and that put him in the Guinness Book of World Records and I think he will be missed. Incidentally, I guess he worked Saturday morning on the radio and I guess that was his last show. So, thank you.

Councilman Higgs - That was 106.3. That was his last radio station.

Councilman Torres - I just got a copy of the Burns Indiana Code and the 36-4-6-18. It just describes the powers of the city councils in here, and just one quick sentence, the legislative body may pass ordinances, orders, resolutions and motions for the government of the city. The control of the city's property and finances and appropriation of money. I just feel that we as a council have not been taken that seriously and the Mayor has not included us, nor did not include us in that process. I feel deprived and that's what I was elected for. One of the things I was elected for other than sitting up here and looking important. That's all I got to say. I voted no for the ordinance because I had no input in it.

Mayor McDermott - Each council person individually, they're vote doesn't mean anything until you get five people to vote with you, or four of your colleagues to vote with you. The council is five or more votes, Councilman. So your job as a council person is to get four of your colleagues to go along with you. If you can't do that, it's too bad. You have to get five votes.

NEW AND UNFINISHED BUSINESS cont.

Councilman Torres - I understand that. But if I'm not given the chance to ... that's why if I can't get four other councilmen to agree with me then shame on me. I accept that. I'm not suggesting that. I'm just suggesting that I wasn't given the opportunity to go over the budget. You mention in your letter that I'm a rookie here, eight months, and things have changed since the last time I was here but, yeah, I'm a rookie and I don't know this budget process. I wish I had known. I'll know a little bit more next year. But I hope to be included in the process. (Unclear) That's all I got to say.

Mayor McDermott - I know that we had budget hearings. I imagine the councilman was here during budget hearings.

Councilman Torres - We got the budget two days, well on Thursday, the council meeting was on the 11th, and I didn't have nobody to ask about this.

Mayor McDermott - During budget hearings you didn't ask questions?

Councilman Torres - Not really because the department heads here before when I was here we used to talk with the department head at least an hour. They would sit at the table right there and we would ask them questions almost item by item and they would answer it. Now, it's just automatic, they're given a thing and say you got to work with this. So, they really don't have a say. So why bother asking them questions when their answer is gonna be the same, this is what we were given. That's what (unclear), maybe it's not.

Mayor McDermott - I can assure you that every single department head appeared before the Hammond City Council before today in the budget hearing and was available for questions and that's usually when changes take place. Then you come back here on the day we're supposed to pass it and you have all these changes that you could have easily brought up before but you didn't.

Councilman Torres - It's a given that everything's gonna remain the same. By the way, if I may ask some question, this is a law. Who enforces this? Maybe Atty. Berger can answer. Who makes sure this is done other than the Council?

Councilman Higgs - The Department of Local Finance is where the budget is presented and the State Board of Accounts reviews the books so if the records are not correct I'm sure they address the Mayor and the Controller. That's by law.

Mayor McDermott - In fact, we have an exit interview that I know the Council is invited to in another week, I believe, or a few days. It's another week where we're closing out two years worth of books as audited by the State Board of Accounts. The budget has to be presented to the DLGF like Councilman Higgs indicates. If there is something wrong, they would find out about it.

Councilman Torres - I have another point here. This ordinance, (unclear) Indiana Code 36-4-7-6, and there's a point and number four, after the executive reviews and revision, the fiscal officer, I understand we are the fiscal officer of the council, right?

NEW AND UNFINISHED BUSINESS cont.

Mayor McDermott - Fiscal Body.

Councilman Torres - Well, they call it officer here. The Fiscal Officer shall prepare for the Executive (unclear) for the estimated department...

Mayor McDermott - That's Heather, that's the Fiscal Officer, the Controller. You're the Fiscal Body.

Councilman Torres - Miscellaneous expenses and revenues necessary or available to finance the estimates. In other words, after what she did, prepared the budget, then you see the Executive, which is us, I mean we're the Legislative, and it's up to us to say. I know you're the experts on it.

Mayor McDermott - No, I'm not. I have an expert and her name is Heather Garay. She's an attorney. Licensed to practice law. She's been doing this for two years. The State Board of Accounts loves her. DLGF loves her. She's incredibly smart, young, Hispanic woman that is charge of our budget, doing an excellent job. I know you've been critical of her. You've been critical about the amount of money she makes. It's embarrassing.

Councilman Torres - Now you got me wrong. I'm not critical of her. I respect her as a person. She is doing a good job. Other than this time of the year when we got to the budget. I felt I was slighted and not respected as a councilman. She said she saw the president in here, well, her job is to preside over the meetings and make sure their orderly and not to make decisions for me, anyways.

Mayor McDermott - So if we don't go to the president who should we go to then, Councilman?

Councilman Torres - I should have gotten a letter saying ...

Mayor McDermott - So we should go to all nine council people or should we go to the leader of the council?

Councilman Torres - As far as I'm concerned, go to all council members. If they refuse or don't want to make that choice it's up to them. If I would have gotten a letter I would have gone and probably would have reached the same conclusion, I'm not saying (unclear) make the change, but at least I would have been informed and I can make an honest opinion. Because I take my job seriously. I got elected here to look over my district and make sure, and the rest of the citizens of Hammond, make sure that things are done in an orderly fashion. I just felt left out, that's all.

Mayor McDermott - I apologize.

Councilman Torres - That's just me, the others apparently don't feel that way.

Mayor McDermott - I apologize if you feel disrespected. I apologize. But, I think Heather did the right thing and I'm gonna back her up.

NEW AND UNFINISHED BUSINESS cont.

Councilman Torres - And I know during the year I'll be asking her a lot of questions on the budget...

Mayor McDermott - You have that right.

Councilman Torres - (unclear) I can't understand.

Mayor McDermott - You have that right, and she'll answer them because that's her job.

Councilman Higgs - We got a letter from IDEM and I won't read the entire letter but it was addressed to the Council President, Janet Venecz, so I just want to make it a part of the record so Clerk Golec has it. It's about the testing.

Councilman Torres - On the letter that the Mayor wrote to the Council members basically criticizing me and calling me a rookie and all that which I accept. I am a rookie at this and I don't know my way around too much and I depend on others for advise. The last sentence of the letter, it I'm just going to read it, "And to the police brass copied to this letter, I just want you to know how Councilman Torres views your leadership styles, of which he obviously disapproves." I just want to tell you, Mayor, that's entirely wrong. I know John Doughty, he's an excellent officer, excellent Police Chief, along with the rest of your brass, Jeff Long and Small, Assistant Chief, and they're excellent officers. My problem is with the rank and file. I think they should at least pushed up over the... most of them are, I'll give you that, and I know you've been good to them, they've gotten 2 or 3% every year since you've been here. But I was just talking for them. Some of them do feel left out. In the past, at meetings like this, this Council Chamber would be filled with wage and benefit, police officers, firemen, street department personnel, everything, trying to see what the outcome would be. Trying to get some additional crumbs and so forth, another percentage added. Now I don't see none of that. Yeah, I'm just not used to this. Maybe they don't want to deal with the council. I know Police and Fire we can increase. After they're done with you with the vacation, longevity, and over time and all of this, they can always come to the Council to see if we can find additional increase and they used to. They don't know more. Maybe that's good because it takes the burden off our shoulders. One time there was a strike over that. Where the City Employees thought we could give them a raise. We gave the Police and Fire an excess raise of what the mayor of that time gave the city employees and the city employees were upset over it, they went on strike for almost two weeks because they couldn't understand that we could not give them an increase, only the mayor could. So the reason I blurted out at the last Council Meeting to give everybody an increase was I wanted that on record so if they ask me I can show them now. Hey, we can not give you an increase, only the mayor can. So, I think this is totally wrong and you might be trying to put a wedge between me and the brass and if so, I'm sure they'll make their own decision and have their own opinion. But that bothers me that you would put that (unclear).

Mayor McDermott - It bothers me that you insinuate that we bully the police officers. That bothered me a lot. You said it three different times and you said they're afraid to speak up and they're underpaid. Since I've been mayor they've received raises of 4%, 4%, 3%, 3%, 4%, 4%, 3%, 3%, 2%, 2%, 2%, 2%, that's 36% since I've been mayor. And you come in and, oh, the police officers are afraid to speak up. I've been endorsed by the police department every single time I've run for mayor. Every single election. Every single time. Firemen and

NEW AND UNFINISHED BUSINESS cont.

Mayor McDermott cont. - the Teamsters. If I was intimidating them I have a feeling that the police officers and the firemen are strong enough to stick up for themselves and endorse the other person.

Councilman Torres - Okay, let me say that is just the way I feel and what I heard. Rank and file are not too happy with this increase so I'll stand by that. Okay, maybe we're talking to different officers. Upper echelon or upper tier, they're not (unclear), it's the bottom who are.

Mayor McDermott - Do you know how much the average Hammond Police Officer makes? The average salary?

Councilman Torres - 60

Mayor McDermott - 65, which is a lot more than most of the employees you have before you, a lot more. By the way, some of them are making \$110 and \$120 and they're not the top people. They're the ones that take overtime everyday. I'm not saying that's wrong. They take overtime, God bless them. And they make our streets safe, God Bless them. But for you to come in, you've been on the council eight months and you're saying, "Oh, these poor police officers they're all coming to talk to me and they're all underpaid", that's ridiculous. It's not true.

Councilman Torres - That is what was told to me, that's why I say it. I don't make these things up. Somebody tells me and I address it on the floor. You're upset with it, I'm sorry. But, if things are brought to my attention, I'm gonna bring it up. There's a lot of that's another topic. We have a lot of city employees on the other departments that we can not do anything about. Making \$38 and under \$40 thousand. The poverty level for a family of four is around \$50 thousand. We should at least try to bring them above that.

Mayor McDermott - Every employee?

Councilman Torres - Yes, city employees. There's some making \$38, \$32, they're in the line item. Whether they're full time, part time, I don't know. Controller's Office, the (unclear) you got there, about seven, most of them are making under \$40. I brought that to your attention.

Councilman Markovich - I would just like to say that Heather we missed you here tonight. You were here in mind and soul but not in body. Hopefully you'll recover real quick and get rid of your laryngitis and everything so we'll all be praying for you.

PUBLIC EXPRESSION

Alvin Cheeks - Last meeting someone took exception to my taking the poster off the thing. I've been friends with the Golec's for a long time. The Golec's take care of the community. I took offense to people saying that he would not publish the agenda. I took it off. I've been taking those off the board ever since Raskosky. It was an inside joke. To the young guys on my block selling drugs. I reported them to the police. If somebody has a problem come see me. If you're selling drugs on my block that is a deep problem for me. We'll give you to the police. It's not snitchin, I'm telling on you, not snitchin.

Ola Smith - There's no civility amongst the Council. I think anyone from another city watching this Council would be appalled at how they're conducted. I've seen rudeness from the president all night.

Roy Harris - Can the city put in some type of speed bumps at Tapper & Field. There are school kids there all the time and I've seen multiple cars always speeding through that way and it only takes one car to kill a kid.

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

AYES: ALL

Janet Venecz, President
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk

Time: 7:45 pm
cb

Minutes approved at the Hammond Common Council meeting on November 14, 2016.