

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on February 27, 2017 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 Higgs.

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 Emerson, moved to accept the minutes of February 13, 2017 and place on file.

AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from February 8, 2017 through February 22, 2017. Claim #1186 through #1508, inclusive.

Councilman Markovich - Question was posed to me in caucus if I was pulling any claims and I reiterated that I don't pull any claims, I just recommend it. So, claim #1508, it's the last one on the claims list, for \$300 thousand to the Hammond Legal Aid Clinic. It's for \$300 thousand but it doesn't say what it's for. Whether it's for operating costs, whether it's for salaries, whether it's for benefits, whether it's for rent or whatever. So the letter says here to the City Controller, Ms. Garay, "Please allow this letter serve as the formal request for \$300 thousand from the Mayor's Discretionary Gaming Funds for the Legal Aid Clinic for 2016." 2016, that's over with already. "So, this figure is the same amount that we requested last year." So, I would imagine that was 2015. This request is dated November 21st, 2016. "Please contact me directly should you have any questions. Thank you for your attention, Kris Costa-Sakelaris." So, really it's an invalid claim because they're asking for money for 2016, \$300 thousand. So, I would make that recommendation that we pull it and we get some further investigation into it. I so move.

Councilman Higgs - Second.

Mayor McDermott - This is the Hammond Legal Aid Clinic, it's a not for profit. The Mayor's gaming money has funded the not for profit every year that I've been Mayor. Councilman Markovich, almost every single year, I'm not gonna say every single year, almost every single year has a problem with it and pulls the claim, almost every single year. It usually gets pulled for one meeting and then two weeks later they pay the claim. So, I'm used to this drill. I want the City Controller to come up and explain why this is on there, if you don't mind.

*Prepared by
Robert J. Golec
Hammond City Clerk*

APPROVAL OF CLAIMS cont.

City Controller Garay - This is essentially one of the gaming grants that we give. We give it to the Legal Aid Clinic every year. This has been included with your off the top line items for the gaming budget for the past two or three years now. So this came before you in October when we did the budgets. That amount was in there, it was approved by the council. This is the formal claim that we do for the actual transfer amount.

Council President Venecz - I did look into it and that was on our city budget and I did review the tape and there were no questions asked about this during the budget hearings.

Mayor McDermott - If we weren't to supply funding to the Legal Aid Clinic they would have to stop accepting new clients. I want to remind everybody, from all six districts there are literally hundreds and hundreds of clients from most districts. Quite frankly, most of the clients are from the 2nd and the 3rd District as it works out. This is a free service to people that need it, like single mothers, senior citizens, people that need legal help. It does not do criminal cases at all. It's been in effect for thirteen years and for some reason every single year Councilman Markovich wants to pull their claims. Maybe he doesn't like who runs it, I don't know, but this is not, for those of you that have been around awhile you know that what I'm saying right now is 100% true. I don't know why Councilman Markovich hates the Legal Aid Clinic but he does. So this is a drill that we go through every year. But if you did pull the claim and didn't pay the claim, for a couple weeks they would have to stop accepting new clients and I imagine two weeks from now we'd probably pass it because it's a legitimate claim. It's just a game we play. So, if you guys want to play the game then side with Councilman Markovich, if not let's just pay the claim.

Councilman Higgs - I guess my question would be, in regards to this particular claim, 1508, Councilman Markovich, what is your question in regards to not wanting to have this claim paid.

Councilman Woerpel - Point of Order. I would ask Councilman Higgs is he addressing Councilman Markovich or is he addressing the chair?

Councilman Higgs - I am addressing Councilman Markovich because he is wanting to pull the claim. So I'm trying to get some clarity as to why he's pulling this claim. The Mayor just stated to us that for a number of years this claim is being pulled. Heather has just explained as to what the claim is for. So, he's saying that it's a letter he received and it's from 2016. We are now in 2017. So if he can give us some clarity as to why he wants to pull this claim then it will give me a general idea of what's going on here.

Councilman Woerpel - And my Point of Order is all questions should be addressed to the chair.

Councilman Higgs - Councilwoman Venecz can not answer the question, only Councilman Markovich can because he's pulling the claim. He made the motion.

Council President Venecz - Councilman Markovich will you please explain why you are pulling this claim?

APPROVAL OF CLAIMS cont.

Councilman Markovich - It's an invalid claim. It's dated November 21st, 2016 and it says funding for 2017. Funding for the Hammond Legal Aid Clinic. "Please allow this letter serve as the formal request for \$300 thousand from the Mayor's Discretionary Gaming Funds for the Legal Aid Clinic for the 2016 calendar year. This figure is the same amount that we requested last year. Please contact me directly should you have any questions. Thank you for your attention." I have questions to ask, she's addressing them to the Controller. What's the \$300 thousand for? Is it for salaries? Is it for rent?

Mayor McDermott - It's for all of the above.

Council President Venecz - This is precisely why I asked in caucus if you were going to pull any claims. You handle the claims every council meeting. This is precisely why I asked if you were pulling any claims so we could have a discussion in caucus about this. But instead you chose not to be completely up front about that and now we're having a discussion on the floor about something that happens every year.

Mayor McDermott - Councilman Markovich, it's for the entire department. It covers the entire department budget, salaries for three attorneys, one staff member, plus filing fees, supplies, things of that nature, Councilman Markovich. It's been the same, literally, ten years, same exact number. They've run off the same amount of money. Currently they're housed at the Hammond Housing Authority and they pay rent to the Hammond Housing Authority. Eventually Hammond Housing Authority is going to move their location and Legal Aid is going to take over their building that's on Chestnut and 173rd. Literally across from Woodmar Towing. That \$300 thousand covers three people, three attorneys, one staff member, plus supplies and etc., rent, power, things of that nature. The entire budget. That's the entire budget.

Councilman Higgs - Usually what happens with claims, from what I've seen being on the council for a number of years that we move money from the previous year to the next year, so it's nothing unusual about 1508 being the money being allocated for this particular Legal Aid fund so I'm kind of confused what the issue is.

Mayor McDermott - We're doing the exact thing with another ordinance today, moving money from '16 to '17 so I totally echo what Councilman Higgs is saying. It happens.

ROLL CALL VOTE (pull claim #1508)

AYES: Markovich

NAYS: Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz

ABSENT: None

Motion failed 1/8/0 MOTION FAILED

ROLL CALL VOTE (approval)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS APPROVED (as amended)

PUBLIC HEARINGS

17-02 Appropriation - Park Department - \$57,000

17-03 Appropriation - Park Department - \$16,020

No one spoke.

COMMUNICATIONS

Councilman Higgs announced that the Disability Awards Breakfast will be held on Thur., March 23, 2017 at 8:00 a.m. at the Dynasty Banquet Hall.

Councilman Higgs announced that the Hammond Economic Development Commission meeting for Monday, March 6, 2017 is cancelled.

Councilman Torres announced that he received a petition from thirteen ladies stating that the community around Columbia Park was requesting a walking path inside the fence around the park, a new playground, and some outdoor gym equipment to motivate the children to want to spend time in the park and not involved with gangs.

Councilman Higgs announced a Red Cross Blood Drive at the Jean Shepherd Community Center on Wednesday, March from 1:00 p.m. until 6: 00 p.m. Call 1-800-REDCROSS for an appointment.

Councilman Higgs announced that the Hammond Sports Hall of Fame is having an induction dinner to induct eight individuals from the city's proud athletic past during the 31st Annual Induction Dinner on Tuesday, March 14th at the Hammond Civic Center at 5: 00 p.m., dinner at 6:30 p.m. and the inductees program will follow at 7:30 p.m.

COMMITTEE REPORTS

Finance Committee - Councilman Woerpel - Brought out 17-02 and 17-03

Building & Zoning Committee - Councilman Woerpel - Brought out 17-05

Community and Crime Watch Committee - Councilwoman Venecz - Announced upcoming meetings:

Wed., March 1; Edison Community Watch; Edison School; 6:30 p.m.

Edison on the Road; Fri., March 10; Golden Manor; 1 p.m.

Irving Community Watch; Fri., March 3; 9:15 a.m.; Irving School

Pulaski Park Neighborhood Assoc.; Tues., Feb. 28; 6:30 p.m.; American Legion

Whiting/Robertsdale Crime Watch; Thur., March 9; Calumet College; 6:30 p.m.

ORDINANCE 3rd READING - FINAL PASSAGE

17-02 An Ordinance to Appropriate Funds from the Operating Balance for the Hammond Park Department

Councilman Woerpel, supported by Councilman Spitale, 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. 9367 PASSED

17-03 An Ordinance to Appropriate Funds in the Hotel/Motel Innkeepers Tax Fund for the Hammond Park Department

Councilman Woerpel, 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. 9368 PASSED

17-05 An Ordinance Designating a Certain Area of the City of Hammond, Indiana as an Economic Development Target Area for the purpose of Qualifying and Considering Assessed Valuation Deductions in Economic Development Areas Pursuant to Indiana Code 6-1.1-12.1-3 (e)(10)and (11)

Councilman Woerpel, 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. 9369 PASSED

RESOLUTIONS cont.

Mayor McDermott cont. - afraid, Councilman Higgs, March 22nd is a month away. I mean, that's a month that we're gonna be unnecessarily wasting money. The bottom line is, right now we are spending money we don't need to spend and this company could help us with that savings and it's just another month, is another month, and then who knows what happens at that time, maybe somebody's got a problem and they're like I think we should start the whole thing over again. It sort of makes me regret that I came to the council. I'd rather hear you say no than just say let's push this thing off for another month. I'd rather hear you say no.

Councilman Higgs - The next two weeks is fine. I mean it could be as quickly as maybe March 9th at 5 p.m.

Mayor McDermott - Is that next council meeting, Councilman? I would personally hope that it would be done before the next council meeting.

Councilwoman Venecz - I would prefer not to hash this out on the council floor. I would rather that everybody give me their dates and times that will work for you and we'll work this out and I'll get with Heather.

Councilman Woerpel - I would like to ask the councilman if his motion is to delay action on this and wait for that meeting or if his motion is to go ahead and pass it tonight and have the informational meeting afterwards.

Mayor McDermott - Could I offer a resolution here? Why don't we have these guys, since they're here, they traveled from Ohio and Indianapolis, why don't we just do it right now? I talked to them, they said they could get it done in 10 to 15 minutes.

Councilman Woerpel - I was just asking the chair because if I understood it right it was his motion to just have a meeting and ... I just wanted clarification is all.

Mayor McDermott - These guys will drive back. There's no doubt they'll drive back.

Councilman Higgs - We had discussion in the caucus about them doing a presentation here, like the Mayor said they drove from Ohio or wherever. I mean, if they can give us some ideas and generalization of what they're planning on doing. Right now, why not having the meeting now. I don't have a problem with it.

Mayor McDermott - I think Councilman Higgs and Councilman Markovich are probably correct in this case as far as we have a lot of people that drove a long way and I went over and I asked them if would you guys come back on that day? He answered I'll do whatever you guys want, Mayor. But I imagine if I lived in Ohio or Indianapolis and I was sitting in the Council Chamber right now, I'd rather get it over with. It normally takes about an hour for the council people that have already sat through it, this one's gonna be abbreviated because we're in a council meeting. If that's fine with the council. I have to talk to the people from Leopardo and they think it's the best resolution.

Councilman Markovich - I'm kind of shocked, in a way, because the Mayor agreed with me.

RESOLUTIONS cont.

Mayor McDermott - It happens every once in a while. It's like Hailey's Comet, Councilman.

Councilman Markovich - You know, they're here, everybody's here. But see in the caucus she said, "no". But she didn't say no to you.

Mayor McDermott - On caucus I said no too, in all due respect. But, I've driven back and forth to Indianapolis numerous times, that's no joke. Driving to Ohio, that's no joke. These people from Leopardo will do whatever we ask them but it would be more convenient if we just allowed them to get it over with now. We've got the entire council present and then, you know, we can debate it tonight or we could do it two weeks from now but at least we got that step out of the way.

Councilwoman Venecz - I would just like to comment that we have had two meetings on this. We have had two lengthy meetings on this and the individuals who chose not to attend those meetings for whatever reason are now asking for all of us to spend a little more time so I would entertain a motion to suspend the rules.

Councilman Markovich, supported by Councilman Higgs, moved to suspend the rules to allow a presentation by Leopardo.

ROLL CALL VOTE (suspension of rules)

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

NAYS: Torres, Woerpel, Venecz

ABSENT: None

Motion carried

6/3/0

RULES SUSPENDED

Presentation was given by Rob Vollrath, Director of Development; Drake Wahlers, Energy Engineering Manager and Development Manager; and John Albrecht , Director of Engineering of Leopardo in regards to an energy savings performance contract.

Councilman Woerpel asked to be added as a sponsor of Proposed Resolution No. 17-R09.

Councilman Woerpel, supported by Councilman Higgs, moved to return to the regular order of business.

AYES: ALL

ROLL CALL VOTE (adoption)

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

NAYS: None

ABSENT: Rakos

Motion carried

8/0/1

RESOLUTION NO. R09 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Higgs, supported by Councilman Torres, moved to send a letter to the Police Chief about there's been some shootings on the 1100 block of Moss to beef up the patrols in that area. AYES: ALL

LETTER SENT: February 28, 2017

Councilman Torres - On the petition that I read before on Communications, last year I appeared in front of the Park Board and inquired about such possibility of building a walk path not only in Columbia Park but Irving Park and of course there is a lack of money. So, I saved up my pennies that we get for our district and I think it is doable this year for Columbia Park, maybe possibly Irving Park. The Mayor has committed to partnering up with me on this so today I met with the Engineer, Mr. Buttons, and the Park Director, Mr. Heintz, we discussed that along with some engineers and within three weeks to a month we will have the sign on them and able to see what the cost is and so forth, maybe we can do it then. But, for right now it looks like it's doable this year. I want to let the ladies that signed this petition know that I've been working on this and it's probably gonna happen this year.

Councilman Higgs - I received a phone call from the Mount Zion Pleasant View Plaza, the director, a couple of years, I guess, their funding's been cut and since the Mayor is here we have a casino committee that makes a decision on what organization receive money. So I'm requesting that a letter go to the Mayor's Office as well as that committee in regards to getting them some additional funding for Mt. Zion Pleasant View Plaza. I so move.

Councilman Torres second.

Mayor McDermott - You guys can send a letter but I don't get involved in negotiations. I let the committee decide. Maybe a letter from the Councilman will help. But I want you to know that personally I don't get involved, I get the final product and if I have a problem with it then I discuss it with the committee but I never get involved with deliberations. I put that committee together on purpose and I let them do the due diligence and then they kick the final project to me.

Councilman Higgs - Mayor, can you give me a list of all the people that are physically on that committee. You can call Sharon Szany tomorrow, she's the coordinator of the committee is that's alright.

ROLL CALL VOTE (letter)

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

NAYS: None

ABSENT: Spitale, Rakos

Motion carried

7/0/2

_____ MOTION CARRIED

LETTERS SENT: February 28, 2017

Mayor McDermott - Last comment of the meeting, I wanted to apologize to Councilman Markovich for some unflattering comments that I made about him as we walked into the Council Chamber. In the spirit of cooperation that Councilman Torres showed in the last meeting, I'm trying to say I'm sorry and we all worked it out. What we were arguing about was eventually worked but I wanted to apologize.

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont.

Councilman Markovich - Thank you.

Councilman Emerson - I would like just for the public to know, F.Y.I., there is a Liquor Board hearing regarding the Fast Lane Foods, 6829 Hohman, they are applying for a liquor license. It has been moved one time and it is going to be this Thursday, March 2nd at 9: 00 a.m. in Building A, Crown Point Government Complex. There are a number of three liquor stores within one and a half miles of the current establishment. I'm against it and many people, I was handed this by Laurie who has left, but it's amazing how many people are opposed to this. But we're encouraging people to remonstrate either way this Thursday in Crown Point.

PUBLIC EXPRESSION

Mary Ellen Slazyk - Two subjects, first regarding the tragedy where the young girl got killed on Columbia and Gostlin. That was horrible and I don't think the police are getting a fair shake on this. I think that chase was justified when they tried to run over an East Chicago Police Officer. It wasn't the officers fault, it was the guy driving the car. Second, regarding the domestic assault on my daughter, they keep continuing the case and I'm probably gonna end up having to go to Crown Point for this and it is going to be a very big burden. I'm hoping any domestic violence cases that occur in Hammond will be heard at the court on Russell Street

Antonio Daggett - Recently we had a Water Department crew come out in front of 33 Condit with no notice. I couldn't get an answer as to why. A few months prior we had rodded out the line. After the crew left the main of the line was completely closed so that no sewage or water could leave the home into the sewage line in the street. Also, the lead level is up in our water quite a bit since then.

Heather Garay - Speaking today as a board member of the Hammond Education Foundation, the Director Josh Long couldn't be here today. Wanted to bring something to the Council's attention before next meeting. There will be an awards dinner every March, the Celebrating Extraordinary Educators Dinner at the Dynasty Hall on March 16. If you are interested in tickets or sponsoring this great event please see me afterward. There will be a couple new awards this year. One, to honor the contributions of the late Dee Jones who passed away this summer and has done so much for the children of Hammond. The other will be the Impact Award for businesses that have reached out to the schools and have made an contribution to their community. Gavit School will be recognized for an award, the National Title I Distinguished School for Growth and Closing the Achievement Gap which is a pretty big deal. I wanted to bring attention to a positive thing that's happening within our neighborhood.

Councilman Higgs, supported by Councilman Markovich, moved to return to New and Unfinished Business.

ROLL CALL VOTE

AYES: Markovich, Spitale, Torres, Higgs, Woerpel, Venecz

NAYS: Kalwinski, Emerson

ABSENT: Rakos

Motion carried

6/2/1

MOTION CARRIED

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs, supported by Councilman Markovich, moved to send a letter to the Sanitary District and the Water Department in regards to opening the man hole at 33 Condit Street.

Councilman Torres - I think the Environmental people, Ron Novak should be included

Councilman Higgs - Point of Order, there is a motion on the floor so we need a second.

Councilman Markovich - I think the Board of Public Works and Safety should be notified because if it's a lead issue, it's a sanitary issue. What Mr. Daggett has talked about is he had his sewer was working but then the Water Department came out there and now the sewer's not working. I know up in Robertsdale there have been issues of collapsed sewer lines. People getting water back up in their basements and seepage and people spending \$2 thousand to fix the problem and it wasn't their problem and it was somebody else's problem three doors down and stuff like that always happens during the winter time with the thaw and freeze. That's what usually happens with the lines and so forth and all that. I would think that Thursday you come to the Board of Works meeting and then state your case there also, 9:00 a.m. on Thursday.

Councilman Woerpel - The department head texted me and he'll send the t.v. truck tomorrow. As far as the lead in the water, I know full well there is a report that goes out once a year. I know that because I used to have to deliver them. They test it every year. This issue has come up several times on whether or not we need to get the EPA out to check our water. Every year, I think it's about the middle of summer a report comes out by the Water Department.

Council President Venecz - On the motion, all in favor, all opposed? AYES: ALL

LETTERS SENT: February 28, 2017

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

Councilman Higgs, supported by Councilman Spitale, moved to adjourn. AYES: ALL

Janet Venecz, President
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk

Time: 7:40 pm
cb

*Prepared by
Robert J. Golec
Hammond City Clerk*