

## AMENDED MINUTES OF THE COMMON COUNCIL

NOVEMBER 5, 2018

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on November 5, 2018 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 Council President Venecz. Moment of silence requested 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 October 15, 2018 and place on file. AYES: ALL

### APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from October 10, 2018 through October 31, 2018. Claim #6208 through claim #6651, inclusive.

Councilman Markovich, supported by Councilman Higgs, moved to pull claim:

#6543	Traveco Insurance Co.	Self Insurance	\$12,987.13
-------	-----------------------	----------------	-------------

### ROLL CALL VOTE (pull #6543)

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

NAYS: None

ABSENT: None

Motion carried	9/0/0	CLAIMS AMENDED
----------------	-------	----------------

### ROLL CALL VOTE (as amended)

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

NAYS: None

ABSENT: None

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

Council President Venecz closed Approval of Claims.

*Prepared by  
Robert J. Golec  
Hammond City Clerk*

## APPROVAL OF CLAIMS cont.

Councilman Markovich, supported by Councilman Higgs, moved to re-open Approval of Claims.

AYES: ALL

Councilman Markovich, supported by Councilman Higgs, moved to amend in claims:

#6652	St. Casimir School	Common Council	\$200.00
#6653	Hammond Mohawks	Common Council	\$200.00
#6654	Whiting Lions Club	Common Council	\$ 50.00

ROLL CALL VOTE (amend in claims #6652, 6653 &amp; 6654)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS AMENDED

ROLL CALL VOTE (as amended)

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

None

## COMMUNICATIONS

Councilman Higgs read Ordinance No. 8620.

Mayor McDermott - I love that ordinance. It's a great ordinance. I'm glad we passed it. We changed the way we did business in Hammond and we've followed it ever since it was passed. What we have is an exemption from that ordinance for one single employee and if it's passed and approved by this council, that single employee, who will be an employee of the City Council by the way, but if it's passed, the residency ordinance will still remain in full force and effect. But, in this one time exemption for this single employee. That's what's before you right now. I was asked by the Council President if this were possible and it's not possible under the residency ordinance. It would be possible if we did it this way. That's why we're doing it this way. It's completely up front, you know. The only thing we're not talking about is the employees name, but I'm fine with that. But, again, that's up to you if that employees name comes out. But I think we all know who we're talking about. Basically this employee is affected by the closing of the court. An employee of the Hammond City Clerk's Office and this is the type of employee that if this is not approved by the Council, this employee will probably lose their job at the end of 2019.

## COMMUNICATIONS cont

Councilman Higgs - For the record, I would just like to say again that I was against closing the court. So, I'm sorry that we've come down this road but unfortunately things happen. But, the reality of it is, is that in these situations things do occur and the reality of it is, is that I want everyone to be treated fairly across the board.

Mayor McDermott - I'm not pushing one way or another. You guys vote this up or down on your conscience. The only way I feel comfortable going for it is if we did it the way we are doing it right now. So, whether this is approved by the Council, as the Executive of the city we will allow this transfer to go forward based on the exemption that you guys approved. If it's not approved by the City Council we'll have to find another employee in the City of Hammond to take this position. That's where we're coming from. So, it's up to the Council. I'm gonna sit down now.

Councilman Woerpel - Point of Order. We're under Communications. We're not under debate of a pending ordinance coming up on the agenda.

Councilman Higgs - At any given time, as a councilman of my district I can speak to any issue affecting the city of Hammond.

Council President Venecz - Councilman, You are out of order.

Councilman Higgs - I am not out of order.

Council President Venecz - If you have a written communication that you care to read, then fine. If you want to discuss the merits of this resolution that's coming before us later in the agenda that would be the appropriate time to have the discussion. Any other communications?

Councilman Higgs - I would like to thank Smith Bezzell and Warner for our recent trip with our seniors to Potawatomi Casino. Also, I would like to announce that we'll be hosting a dinner for the seniors on November 16<sup>th</sup> at 5 p.m. at Mount Zion Pleasantview Plaza at 940 Kenwood Street. Something I do annually for our seniors. Thank you Smith Bezzell and Warner for helping our seniors. They renamed their conference room after Ms. Mary Burns in honor of her hard work to this great city.

## COMMITTEE REPORTS

Community & Crime Watch Committee - Council President Venecz - Upcoming meetings:

Fri., Nov. 16; Community Watch at Silver Birch; 2 p.m.

Tues.; Nov. 20; East Ham'd Pullman; Ophelia Steen Center; 6:30 p.m.

Wed. Nov. 7; Edison Community Watch; Edison School; 6:30 p.m.

Edison Community Watch on the Road; Fri., Nov. 9; Golden Manor Sr. Apt.; 1 p.m.

Harrison Park C. W.; Tues., Nov. 13; 6:30 p.m.; VFW on Hohman

Thur.; Nov. 15; Hessville C.W.; Jean Shepherd Center; 7 p.m.

Thur.; Nov. 15; S. Ham'd C.W.; Ham'd Housing Authority; 7 p.m.

Thur.; Nov. 8; Whiting/Robertsdale C.W.; Calumet College; 6:30 p.m.

## COMMITTEE REPORTS cont.

Community & Crime Watch Committee cont. - Council President Venecz - Thanked those that participated and the children that came out for the Trunk or Treat. We saw over 650 children in the rain and it was just a blast.

## Council President Venecz closed Committee Reports.

Councilman Markovich, supported by Councilman Higgs, moved to re-open Committee Reports.

AYES: ALL

Councilman Markovich - We had to make some changes to some of our Council meetings. So instead of the 19<sup>th</sup> of November , we're gonna have a Council meeting on the 20<sup>th</sup>. I'd like to have a committee meeting of the Council as a Whole, an Executive Session, to consider Personnel and Litigation, immediately following the Council meeting on the 20<sup>th</sup>. I so move.

Councilman Higgs second.

## ROLL CALL VOTE (Executive Session)

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

NAYS: Woerpel, Rakos, Venecz

**ABSENT:** None

## **MOTION CARRIED**

6/3/0

## MOTION CARRIED

## ORDINANCE 3<sup>RD</sup> READING - FINAL PASSAGE

None

## INTRODUCTION OF ORDINANCES

#### **18-24 Creating Fund #254 and Appropriate Funds within the Hammond Police Dept. Grant Fund**

Councilman Spittle, supported by Councilman Emerson, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee with a Public Hearing on 12-10-18.

Councilman Higgs asked to be added as a sponsor.

Council President Venecz - All in favor? All opposed?

AYES: ALL

18-25 Creating Fund #275 for Hammond Fire Dept. Grant Funds

Councilman Woerpel, supported by Councilman Higgs, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee.

Councilman Higgs - Is this the first time this fund has been established in the Fire Department?

INTRODUCTION OF ORDINANCES cont.

Councilman Woerpel - It will be discussed in committee, but yes, we wouldn't be creating the fund if it already existed.

Councilman Higgs - So exactly what is this ordinance supposed to do?

Councilman Woerpel - This is a Finance Committee hearing set up for November 20<sup>th</sup> at 5 p.m. These questions can be asked and answered. All this does is set up a line item, #275, on the budget for the Hammond Fire Department to be able to put their grant funds in. It doesn't give them any money right now or anything. It creates the account for the grant funds.

Councilman Higgs - As I stated previously, when you ask questions it seems to be a problem. I thought it was all our legislative duties to ask questions and find out information as it relates to any functions in the city of Hammond so I don't know why my colleagues are being so offended by me asking questions. Just answer the question and move on.

Council President Venecz - All those in favor? All opposed?

AYES: ALL

18-26        Creating Fund #258 for Hammond Fire Dept. Donations

Councilman Woerpel, supported by Councilman Rakos, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee.

Councilman Woerpel - In case the question is asked, no, there is no fund that allows Fire Department donations to be donated into. That's why we are creating this fund. Again, it's just creating the line item, line #258 in the budget, for the Hammond Fire Department to put their donations into their line item.

Councilman Higgs - I want to thank Councilman Woerpel for being so polite and letting us know exactly what it pertains.

Councilman Woerpel - Madame President, could you tell Councilman Higgs I said thank you, your welcome.

Council President Venecz - All in favor? All opposed?

AYES: ALL

18-27        Creating a New Section of Chapter 93 (Fire Prevention) regarding Maintenance of Privately Owned Fire Hydrants

Councilman Rakos, supported by Councilman Higgs, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Police & Fire Committee.

Councilman Higgs - This particular ordinance pertains to fire hydrants by property owners in regards so the Fire Department will have easy access in terms of addressing fires and if there is an issue with the fire hydrant they can utilize that hydrant in making sure that it's inspected so the general public is safe and our city is safe.

INTRODUCTION OF ORDINANCES cont.

Council President Venecz - All in favor? All opposed?

AYES: ALL

RESOLUTIONS

18R-38      Resolution Requesting the Indiana Gaming Commission and Indiana General Assembly allow Transfer to Hammond, Indiana of a Gaming License

Councilman Woerpel, supported by Councilman Higgs, moved for adoption.

Councilman Markovich - Could you have the Clerk read this resolution in its entirety?

City Clerk Golec read 18R-38 in its entirety.

Councilman Woerpel - As it states in what Clerk Golec read, I just want to state for the record that this isn't taking anything away from Gary. This isn't like, "Hey, give us that." It's my understanding that Buffington Harbor is gonna be made a intermodal ...

Mayor McDermott - Could I back up. Councilman Woerpel is right, there is two licenses at Buffington Harbor for two separate boats. But really it's sort of silly that there are two licenses there. Gary has been shopping, the idea is the General Assembly needs to get involved to change the law, the Gaming Commission needs to get involved to change the law, that allows the casino to move away from Buffington Harbor. Right now the law in Indiana is, even Horseshoe could build a land based casino right now. It has to be on their current footprint of land that they own. So if Horseshoe wanted to build a land based casino right now, they could do it legally. They just have to do it in the Hammond Marina on real property at the Hammond Marina. Okay. The same with Ameristar, they could build on land at their location. Same with Michigan city or any other boat in Indiana. IN fact, French Lick is straight up on the land. It was always, but anyways. So what Gary wants Indiana to do is change the law that says you don't have to build it on the footprint, you could move it. Now that changes everything. That changes Hammond's competitive advantage. That changes the way we do business. There's been billions of dollars invested in the gaming industry based on the premise that this is where you operate and they can't move. So Gary's asking for a real big deal. Going back to Councilman Woerpel's point, their rational is, "we have an opportunity to make Buffington Harbor an intermodal facility. Okay. They're not talking about how much investment needs to be made at Buffington Harbor to create an intermodal facility. I imagine that's nine figures. Okay, they have to do break walls, they have to do all kinds of stuff. We're not talking about that. What they're talking about is, "We want to create intermodal facility here and we want to move our casino licenses, both of them, we want to create one land based casino in Gary." The other one, they're saying, "Indiana, you could shop it around." Because Gary doesn't need two licenses is what they're saying. And this has gone far. This started in 2012 and it's developed since then. Communities that are interested in this license, Terre Haute has expressed interest, Fort Wayne has expressed interest, Indianapolis has expressed interest. If we pass this resolution, Hammond has expressed interest. By the way, there's another community in Northwest Indiana, Portage, that's considering a resolution very much like this. I imagine that Hammond and Portage aren't going to be the only two cities in Indiana that are putting in for the extra gaming license. So I agree with

## RESOLUTIONS cont.

Mayor McDermott cont. - Councilman Woerpel, Gary is not losing anything. Gary is going to get, if it works out right for Gary, if this is allowed, Indiana General Assembly has to pass it, Gary will get a new casino and possibly an intermodal facility at Buffington Harbor. And if it works out for Hammond, Hammond would get a new casino. I imagine our new casino would probably build a hotel. I imagine it'd be a good location in our city and it could be anywhere. It could be anywhere, it's land based, it doesn't have to be on the water. So, I'm willing to answer questions about this resolution.

Councilman Higgs - First of all, thanks Mayor for explaining and being here at our Council meeting. Being informed is very positive.

Mayor McDermott - This is important, Councilman Higgs.

Councilman Higgs - The reality of it is, is that additional casino would generate additional revenue for our city. With the caps coming in the near future it's gonna affect not just Hammond, Gary, East Chicago and the surrounding cities. So the ability to generate additional businesses in our city is a profit, is a win. Although Gary is in a financial situation where they also need some stability, in terms of getting new businesses there. I would hope that in the near future something of this nature, if it's nothing but horse track betting or something of that nature, comes to Hammond for additional revenue. Because Hammond's gonna be hurting in the near future with the tax caps. So, I don't think it's a bad idea and I don't want the impression to think that someone's trying to snatch anything from Gary. But I do understand their plight and I understand what they are dealing with, in terms of revenue resources.

Mayor McDermott - I think Councilman Higgs brings up a couple of really good points. And I want to say something that's hard for us to wrap our head around but I'm gonna say it, Hammond is the biggest gaming city in Indiana. The biggest by far. We have the best boat. We create the best money. We have the best agreement with our boat. Quite frankly, we have the best relationship. Horseshoe casino and the city are tight. We work together on almost every issue. We don't necessarily see eye to eye on this issue, I'll acknowledge, but our job is to watch out for the city of Hammond. That's what we're doing with this resolution. Hammond is the biggest gaming city in Indiana. So if Indiana is looking to shop this second license around, wouldn't they want to put it in a location that creates the most revenue for the state of Indiana. I would. That's why I think this is a good resolution and I'm urging and begging and hoping the council could show solidarity on this. I think a 9-0 vote, hopefully, sends a signal to Indianapolis that this is an important issue and we're all marching together. Because I agree Councilman Higgs, next years budget, as tough as this years budget was, next years budget, when the full force of the tax caps kick in, it's gonna be even tighter than this years budget was. I can imagine if there's another Horseshoe Casino creating another \$25-30 million in Hammond, that would go along way in helping us with our infrastructure issues and our budget issues. I think this would be an amazing windfall for our city and I hope we're all behind it. And I promise you, if this is passed, I will send it to everybody. I'll send it to the General Assembly. I'll send it to the Gaming Commission. I'll send it to the Governor. I'll send it to everybody, so they know where we all stand on this issue and we will be the first community in Indiana that is vying for this second license.

RESOLUTIONS cont.

Councilman Torres - This will attract other businesses, like hotels, maybe other restaurants, stores. So, if we are lucky enough ...

Mayor McDermott - Could I respond? Do you mind, Councilman? Interesting, because one of the frustrations with the current situation of Hammond, not that we're not the most blessed city in Indiana, but the Horseshoe, for financial reasons, they don't want to build a hotel. They don't need to build a hotel. They're killin' it. If there was a second location in Hammond and they were competing with Horseshoe for the same dollars, I have a feeling we may not only get a new casino and a hotel, I have a feeling Horseshoe revisits that issue and maybe they build a hotel as well. I mean this could be a major windfall, echoing your point, Councilman.

Councilman Higgs - If I could, Heather, you could probably answer this question, what was the total amount of revenue that Horseshoe...

Mayor McDermott - I could answer that, around \$35 million a year.

Councilman Higgs - \$36 (unclear). I watch numbers.

Councilman Woerpel - Being the sponsor, I think I'll have the last word on this. First of all I knew it was intermodal, that was the word I was looking for. I was on a roll until I fumbled there. But I think it would be irresponsible knowing that there is a second license out there that they're gonna basically be saying... like the Amazon bid, more or less, and I think it would be irresponsible to be sitting right next to them and not say, "Hey, we want that."

ROLL CALL VOTE (adoption)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

RESOLUTION NO. R38 ADOPTED

18R-39      A Resolution Authorizing the Exception from Application of Ord. 8620

Councilman Rakos, supported by Councilman Woerpel, moved for adoption.

Councilman Higgs - Clerk Golec, can you read that in its entirety.

City Clerk Golec read Res. R39 in its entirety.

Councilman Higgs - I'm just so in disbelief, now all of a sudden it seems as though a new secretary is needed so badly but in reality when I initially brought it up it was just overlooked. It was like I was talking a foreign language. However, certainly we do need another secretary in our office and if you want to know the truth, a raise should be given to the secretary for the outstanding work they do. To go a little further, our former

## RESOLUTIONS cont.

Councilman Higgs cont. - secretary, Debbie Jimenez, who did a excellent job as a secretary here in the council office, has been hospitalized. She had a couple of strokes. Her mother told me none of the colleagues had been to see her. But, needless to say, she did a wonderful job and I feel that it's important that we have two secretaries here in the office, two effective secretaries that's gonna do the job and hopefully the job will be done properly and efficiently to serve all of us.

Mayor McDermott - I'm not trying to disrespect the council. There's some executives here from the data center that have business after this very contentious issue. I was wondering if possibly we could relocate their debate before this very contentious issue so that these gentlemen that are getting paid a lot of money could possibly do other business I'm sure that they have. Then we could have this very contentious issue afterwards.

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

## ROLL CALL VOTE (go to New and Unfinished Business)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

MOTION CARRIED

## NEW AND UNFINISHED BUSINESS

18R-41      Determining and Approving Plan Commission Resolution 2018-02 as the Written Order Approving Redevelopment Commission Resolution No. 12-2018 as an Amending Declaratory Resolution That Amended the Declaratory Resolution and Subsequent Amended Declaratory Resolutions, More Specifically Resolution No. 07-2017 in Order to Amend Further the Allocation Provision of the State Line Allocation Area to Include and Designate the Depreciable Personal Property of a Designated Taxpayer for the Purpose of Utilizing Tax Increment Financing to Implement the Redevelopment Plan for the Marina Development Area as a Redevelopment Project Area in the Hammond Redevelopment District

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

Councilman Higgs - If I could have the pleasure of having Councilman Kalwinski enlighten us on exactly on what that particular ordinance is going to do in your lovely district.

Councilman Kalwinski - 18R-41, the resolution, this is another step in the process for the issuance of the bond for a TIF Allocation Area for the data center in my district. In the Marina Development Area within the Hammond Redevelopment District.

Councilman Markovich asked to be added as a sponsor.

## NEW AND UNFINISHED BUSINESS cont.

Mayor McDermott - This is procedural. This is a preliminary step that we need to do before the incentive package when it's finally approved by the administration and the developer. We're bringing the incentive package before you all for a final approval. So this is ... if we're gonna have an incentive package that includes TIF Districts, this is a step we must take in order to go that direction. So, without this we can't put the incentive package together. If you have any questions I have Mr. Dakich here on behalf of the data center. He came up from Carmel for this meeting, that's why I wanted to let him get out of here before we had a long debate. So, I appreciate you guys doing that.

## ROLL CALL VOTE (adoption)

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

NAYS: None

ABSENT: Absent

Motion carried

9/0/0

RESOLUTION NO. R41 ADOPTED

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

## RESOLUTIONS cont.

18R-39      A Resolution Authorizing the Exception from Application of Ord. 8620

Councilman Woerpel - 18R-39, it has been read in its entirety and the motion has been made and seconded. Heard the arguments of my colleague here and all I'll say is I remember when we closed this court and I remember almost each and every one of these members of this council looked at the mayor and said, "Hey, when a job opportunity opens up, we are gonna open up a position for people that are losing their jobs because of the closure of the court. We wanted to hold the Mayor to a standard and it appears to me, maybe I'm reading this wrong, I mean, it sounds to me like we want to hold the Mayor to a certain standard of hiring people the people that are losing their job but we don't want to be held in that same standard. Actually, if you read this resolution all it does is take an obstacle out of the way, when it comes time to discuss, this is just my opinion, but the secretary's position, to me in my opinion, is a presidential decision. I don't think it should be discussed on the floor. I think we're having a special meeting to discuss the issues that this council voted, agreed to have an Executive Session about it and if we want to take up further the discussion on whether or not, who should or shouldn't get it. I think it should be discussed that night. All this resolution says is we're willing to make the exception should we choose one that is losing their job. I don't know why there has to be a big argument on that. We're just saying, "Are we willing to make this exception if we give one?" If we do for one what we were willing to make the Mayor promise us he'd do, and that is give the people losing their job preference first. I think it'd be hypocritical if we have the opportunity to do it and we don't even leave the door open for us to do it. That's the decision aside. All this does is allows us to choose one, if we so choose.

Councilman Torres - You know, my problem with this is that we're making an exception for one person. There are other city employees that applied for same position and we're not giving them the chance. Nobody gave this Council, Councilman Woerpel thinks it's a presidential decision, that's not in writing anywhere that I know of.

## RESOLUTIONS cont.

Councilman Torres cont. - All the Council President does is preside over meetings and make sure the meetings are run in an orderly process. I haven't read anything, and I looked, where it says that gives her the power to hire and fire people. She has the power to hire, she also has the power to fire, but this does open a can of worms. One exception, other people are going to apply for the same thing and we're gonna be bombarded with making exceptions. There's a meeting coming on the 20<sup>th</sup> to properly, I believe, discuss this. As far as somebody being qualified, we have a secretary that has been doing an awesome job. As a part time secretary she had to fill in for the Administrative Secretary. The president here understands interview certain people but others were cast aside. We were not given, the rest of the Council, was not given the opportunity to do that. I believe me, I campaign just as hard for this position and I represent a district, I should have a say so to who works in this Council Office. Now, if I can get four other Councilmen to agree with me, then let it be. Whoever gets the five votes. But it should be the entire Council.

Councilman Woerpel - I'm gonna go back to my original comment and the question is, a lot of what you're talking about, I think we're gonna be talking about in Executive Session, personnel issues. All this is saying is, "are we willing to make that exception?" It's a simple question. If we pass it, it says, "Okay, we're willing to make that exception." If we deny it then we saying, "Okay, we're not gonna hold ourselves to the standard we wanted to hold the Mayor to a year ago. It's that simple.

Mayor McDermott - You know, going back, I want to address a couple points I've heard so far. Councilman Torres and Councilman Woerpel, both. As the Executive, we hire. This is a Council position. So, for me to hire a Council Secretary doesn't seem right. So, the only way I know how to do business when it's one of the two spots in the city that work for the Hammond City Council is to go to the Council President. Who is the person you all elected to make these types of decisions, and they don't become vacant very often. Now, the Council President told me who she wanted for this position and this is the course we went through, okay. So, there were other people that put in.

Councilman Torres - I had a person too.

Mayor McDermott - But you're not the Council President. I'm looking for advise here. How do I deal with this situation? Because I don't think it's right for the Mayor to hire the Council Secretary. Because we hire people in the city, 99% of them. But this is one of your employees. So, the way I look at this resolution may be a little different than how Councilman Woerpel looks at it. I thought this was for a certain employee that we all talked about beforehand. I'm pretty sure that's why this resolution was floated. Was for that employee. The way I look at it, that employee is being discussed right now. The one I was approached with. I'm sure we all know who we're talking about. We're leaving the employees name out of it. It's an employee that lives in Highland. She's worked in the city for over 20 years. If this is shot down, the way I look at it, that employee can't take this position. That's the way I look at this resolution. I don't know if that's different from the way you all are looking at this. If you say no, that's out of the question in this case as far as I'm concerned and I'll wait until I hear further orders from the Hammond City Council on who that employee is going to be. It's a tough situation for me because I respect the Council. This is your employee.

## RESOLUTIONS cont.

Councilman Higgs - Since I've been on the Council I've seen all kinds of things take place and it bothers me. I believe in treating people fairly across the board. It doesn't matter what color you are, where you live, none of that is important. It's about treating people fairly across the board. The ordinance simply says that you must live in Hammond. Why would we defer from what the law says to make a exception for one particular person. And we have other people that are interested in this position. Not only that, I think it's disrespectful that a person has served in this capacity as secretary and she be overlooked. It's not fair and I'm about what's right and I have to live with myself. So, if you are comfortable with saying it's okay with you when I know, and I don't have nothing against nobody on this Council, but some of the things that have occurred and happened to me being the only African American on this Council, it's absurd. But I have to live with it because I took the torch to lead. But it's about being fair, that's it, being fair.

Councilman Markovich - Back in 2003 we had an election for City Offices and there was this young (?) person wanting to be Mayor of the city of Hammond and his name was Tom McDermott. One of the things he campaigned on is that there was seven to ten department heads that did not live in the city of Hammond. Obviously, that's what got him elected. Because he was sticking up for Hammond people. He approached me in November, and earlier we discussed it. That's how we came up with Ord. 8620, which I am the sponsor, along with Kathleen Pucalik, and we put that in there. You have to live here to be an employee. 80 thousand people, you know how many calls we get people asking for a job for the city? Could you please do something? You know, get me a job, we're hurting, this and that. We just had a building commissioner retire. Sold his house in less than a week and moved out to Crown Point. We had a Police Chief who retired, moved out of Hammond, moved to Valparaiso, and he's still receiving money from the city of Hammond as a consultant, or investigator, or whatever. I mean, it has to stop. When we talked about this two to four weeks ago, it was brought up in caucus and Councilman Kalwinski brought up 'cause Councilwoman Venecz said, "Well, how are we gonna handle this?" Councilman Kalwinski said, "We'll handle it just like we did the other one." We take applications. We're gonna do interviews. Then we'll vote by secret ballot. That's what we did to replace and hire the second secretary. The girl that's in there now. Which she applied for this position which is called and Administrative Assistant, with a difference of almost \$9 to \$10 thousand dollars. Now I don't know how you'd feel but if you were in there learning the job and know the job and they brought somebody in that you had to train to teach them to do your job for \$10 thousand more than you, you wouldn't like that. I don't think anybody here would like that. That's why we got all this uproar now in the United States over about fair and equal wages for women compared to men. Because the women aren't getting it. And I'm not even going there, but we all know that's what this election is all about and what's coming about. That's why you don't have all of these ... a lot of male now, guys on the radio doing the news and everything else and all of that. You got ladies doing interviews at the sports, the football games and everything. So, you know, and Councilman Spitale, he's not here right now, but he works in the mills. When they have lay offs you're either qualified to go to another department and take that or you're laid off no matter how much seniority you have. We had decided that we would interview for this position. We haven't had any interviews yet. That's why I brought up, under Committee Reports, to have a Committee meeting, and Executive meeting, after the next Council meeting, about personnel and litigation. Why three members of this Council voted no is beyond me. Because we're supposed to be fair and open minded and collect any and all information. Why they voted no, you're gonna have to ask them yourself, because I don't, I don't know why. Now, it's being said that we shouldn't discuss this now because we're having this

## RESOLUTIONS cont.

Councilman Markovich cont. - meeting, but yet those three people voted no to have that meeting. So I guess maybe they want to have that meeting here now, I don't know. But we're gonna present the information here now. I asked for a job, city of Hammond job description, or not job description, but an application for employment. I asked the Personnel Director, hey give me the thing. She delivered the job applications to our Council Secretary and she says, "What are you supposed to do with them?" I says, "Well we got them here." I says, "No, you give it back to Sharon Daniels, all the people that applied for this position, I want it filled out." I want to know what their background is. I want to know what their education is. I want to know what their work experience is. We get a file and it's just a big thing, I want to be Council Administrative Secretary but there's no information, no resume, no nothing. You know, I work in this other department, I'm a Clerk someplace else, I want your job now. I'm in Inspections, I want to be in the Council Office because it pays more money. You know. Somebody's in Customer Service, they talk to people that coming to pay their bills in the Water Department. But they want to be an Administrative Assistant for \$10 to \$15 thousand more. Same thing, Police Department Records Clerk. You know, if I was building a garage or house don't you think I would ahead and talk to several builders. What's your background, your education, show me the houses you built. But, now we're finding out that it's already been selected and this is the first I'm being told about it that they've already picked somebody. Without the interviews, without no background, no education, nothing to tell us or anything in that respect. How do we know what we're getting? We don't. I don't know where it comes up where the president has this authority. That's just one person, one vote. But yet she did not do that when we did this other girl. But now all of a sudden it's her right that she says she doesn't have to talk to all of us and get our opinion like we did for interviews for the other one. But takes it upon herself just to do it by herself and that's it. That's why I set it up to have this committee on the 20<sup>th</sup>, we didn't go through the interviewing process. Because I'm already being told, even though this is a resolution it carries no weight. You still have a City Ordinance that says you must live in the city. Now it's being brought up that this girl that they want to give this job to doesn't live in the city. I'd like to know how in the hell she's still working here if she doesn't live in the city. She may have been grandfathered in her position now that she has. But it also says in the ordinance when they change positions to another thing they're not protected anymore.

Mayor McDermott - She is grandfathered in. She's been working for the city longer than I've been the Mayor. When we passed the residency ordinance if we would have fired everybody that didn't live in the city we would have been sued and we would have been in trouble. So we decided the best course of action, which I thought was very smart at the time, was to grandfather everybody in place and say you can't move. You're stuck, basically. If you're in the Clerk's Office, you're in the Clerk's Office. Wherever, if you're in the Council Office, you're in the Council Office forever. If you're in the Law Office, you're in the Law Office forever, until you move back to Hammond.

Councilman Markovich - That's what you're saying, right?

Mayor McDermott - Yes, sir. That's the decision we made at the time. So this employee, if this resolution is not passed will be part of the employees that are cut at the end of the year. That's a fact. I'm not trying to persuade you one way or another. I'm just telling you fact.

RESOLUTIONS cont.

Councilman Markovich - Mayor, you already gave your explanation and everything. You said you didn't want to get involved. You keep coming up.

Mayor McDermott - I'm clarifying. When you say, "Why is she still working for us?" I have to respond to that. I don't want it to seem like.... we follow this ordinance religiously, Councilman.

Councilman Markovich - I asked for the employment thing from Sharon Daniels to be filled out. Now when these employees fill this out it will be interesting to see what address they put down. And if we request your driver's license, your car registration, your NIPSCO bill. You know, your 1099 or W-2 form that's sent out from the city. We can request all of that. We'll see what addresses are given on these people.

Mayor McDermott - That's right, you can do whatever you want.

Councilman Markovich - Like you said, as long as that person stays in that position. But once they're moving out, they don't have that grandfather no more.

Mayor McDermott - She can not move out, by the way, can we change ordinances? Can we amend ordinances and do one time exemptions? We do it almost every year with our budget. This is almost the same thing we do with our budget. Like we split the gaming revenues different than our original ordinance said this year. Shared 10% only got 5%, it was supposed to get 10%. The Mayor only got 22%, instead of getting 30%. The Council people with districts got a little bit more this year. How did we do that? We did it because in our budget we did a one time exemption. So this isn't very much different then we do with our budget, being honest with you. We're saying, "If this is passed, the residency ordinance stays in place except for this one time employee transfer." If you guys don't pass it I'm gonna go to sleep fine tonight, if you do pass it I'm gonna sleep fine tonight. This is not the Executives issue, this is a Council issue and I don't know who to deal with. I can't deal with nine of you when we have open spots. And I don't care if it gets filled or not, I'll be honest with you. It doesn't matter to me. I'm still gonna be able to work tomorrow and I'm still gonna be able to take phone calls and send out correspondence. This is on you guys.

Councilman Markovich - Mayor, and no respect to you, this is ours.

Mayor McDermott - This is the Council's position, I agree totally. I instruct my staff when it comes to Council business, like positions, like board appointments, like employees. We stay the heck out of it. But I have to fill the spot, you can't fill the spot because I am the Executor. So how do I handle that position. Do I come in and say, "This is your employee." No, I'm not gonna do that, because I have a relationship with you all. The only thing, and I've made the decision, I'm not trying to put the Councilwoman on the spot, I approached her. She's the designated leader of this Hammond City Council. She is the Council President. When she says, "This is what we're doing." I say, "No problem, Councilwoman, this is what we have to do."

Councilman Higgs - Just for clarification, I just want to say this, sometimes people can be in a position of power and abuse their authority. Again, I just don't think it's fair that you don't allow the different people that applied within our city for the position and not give them a opportunity just like everyone else.

RESOLUTIONS cont.

Mayor McDermott - Are you talking to me?

Councilman Higgs - That goes for my colleagues and anyone that's listening. It's about being done fairly and I think the best suggestion that came about last time was how we interviewed. The interviewing process that Councilman Kalwinski came up with and we interviewed each individual and had an opportunity to ask them questions and get answers from them that were interested in the position. To me, I can't speak for all of my colleagues, I can only speak for me, but a secretary is very important because I address a lot of concerns throughout my district all the time. I work constantly for the betterment of my district and the city. So different department heads receive correspondence from me on a regular basis but, again, one of the things that was brought up is the fact that we have someone there that's been working in that capacity and to not allow her to continue in that capacity and give the job to someone else, I just feel is unfair.

Mayor McDermott - One last thing, I don't think Councilwoman Venecz is abusing her power at all. I think Councilwoman Venecz is trying to move forward and take care of business. That's my impression. I'm not a Councilperson, okay. I just want to point that out. I think it's natural, if you have a Council President, that person is the one to deal with the Executive when it comes to filling a Council position. I imagine, maybe ask Councilman Hamm who was the president of the Lake County Council how they conduct business there, as a guide. I just, I don't know who to do business .... I can't do business with nine of you so I call the Council President. That's what I do.

Councilman Markovich, supported by Councilman Higgs, moved to table 18R-39.

ROLL CALL VOTE (table)

AYES: Markovich, Kalwinski, Torres, Higgs, Emerson

NAYS: Spitale, Woerpel, Rakos, Venecz

ABSENT: None.

Motion carried

5/4/0

RESOLUTION NO. 18R-39 TABLED

18R-40        Authorizing the Hammond Police Dept. to apply for a 2019 Indiana Criminal Justice Grant

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

Councilman Spitale - This resolution is to authorize the Police Department to receive the Pullover Grant of \$108,625. That consists of seatbelts, drunk driving and aggressive driving.

Councilman Higgs asked to be added as a sponsor.

ROLL CALL VOTE (adoption)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

RESOLUTION NO. R40 ADOPTED

**NEW AND UNFINISHED BUSINESS**

Mayor McDermott - Could I ask a question real quick? For future dealings, when it comes to issues like this with the Council, what if in this case it had been a Hammond resident? The Council President approached the Mayor's Office and said, "This is who I want." Am I not supposed to fill it?

Councilman Markovich - No. Because you know what, we set a precedence when we filled the other one. We all talked together. We all did the interviews and we all voted on it.

Mayor McDermott - So now when we fill spots you're gonna give me like a resolution or something? In the future when this kind of stuff comes up, I'm asking, because I don't want to overstep my bounds with the Legislative Branch. If there's open board spots, if there's open anything, then the Council President, whoever that person is, if it's Councilwoman Venecz, or any of the other people sitting before me doesn't have any power, right?

Councilman Woerpel - I will answer Councilman Markovich's question, why one of us voted not to have an Executive Session. Explain themselves why they didn't have to, because everybody at this Council knows we can't vote on anything in an Executive Session. So, we didn't vote on nothing last year. Yet, my colleague wants to say, "Oh yeah, we all had a discussion and we voted." It's not legal to vote in an Executive Session on anything is it? So there's no way we could have voted. We all know that, right?

Councilman Torres - In that Caucus, Executive Session, we had an agreement though, which way we were gonna go. That way it wasn't discussed on the floor. So, it was, kind of, an agreement. Again, I looked it up, maybe you know something I don't know, but where the Council President has that kind of authority without the consensus of at least five councilmen, I'd like to see that in writing somewhere. Not just your assumption.

Mayor McDermott - Okay, I won't fill anything, I don't care. Just don't even fill the spot. I don't care. This doesn't bother me a bit. I just want to point that out. This thing could never get .... You guys, as Council people, can't hire anybody. You can't. You can tell me to hire them. I don't have to hire them. I'm the Executive. We do the hiring. So, you vote for Council President, I do business with that person and you tell me I can't do that. Okay. I Mean, what do I do? Am I supposed to call you, Councilman Torres?

Councilman Torres - You gave us a note that you did not hire for the Legislative.

Mayor McDermott - I don't, that's why I'm here.

Councilman Torres - So, why are you ...

Mayor McDermott - Asking who to do business with?

Councilman Torres - Yes.

Mayor McDermott - Asking what am I supposed to do in the future when stuff like this comes up. Yes. It's an honest question. I thought doing business with the Council President was ...

## NEW AND UNFINISHED BUSINESS cont.

Councilman Torres - You're the Executive and we're the Legislative. So, we should have power over our own employees. We only have two.

Councilman Woerpel - The last I checked, we were the Fiscal body. I don't think we can get into who we hire and who we fire when any department head job comes open. The Mayor doesn't come to us and go, "Hey, can I hire these guys, guys or can I hire this person, guys?" We elected you as our Council president. The decision is yours.

Mayor McDermott - If there is a vacancy in the City Clerk's Office do you think I call Bob Golec up and I say, "Clerk Golec, I want you to hire this person." I don't. He is an elected official. He makes his own decisions. Then it goes through the Personnel Office. When I go with the Judges's Office, if there's a vacancy in the Judge's Office, I don't call Judge Amy and say, "Judge Amy, I've go the perfect person for you." Judge Amy makes the decision, she sends them to Personnel, we process it. There's nine of you. Nine of you. Okay, I need to hear from all nine of you.

Councilman Higgs - The reality of it is, I think when the Assistant Secretary that was hired, I was not even informed she was gonna be hired and we were getting another secretary in the office. So, no one even contacted me in regards to that. And on a number of occasions there are things that have taken place within the office that I've haven't been notified of or circumvented from being brought to the forefront. Some of the stuff is ridiculous. For one example, is the reality of the promotional accounts. It seems as though because me wanting to be trained, additional training, and be more effective in learning in my capacity as a councilman, that money was taken away. Those are the things that are important and should be important to all of us to be informed and know what's available and what resources can be utilized in your capacity as a Councilman. That's what's important to me. I can't speak for everyone. But those are the things that I look at, in terms of addressing. We have a budget that could be very well decided amongst us if we work together but somehow or another it's being dictated as though this is what's gonna be done and this is how we should do it. And I don't think it's right. But, again, I'm only one of nine, so. But, again, as I stated before and I'll state it again, is that I feel as though an individual that has been working in that capacity, that has learnt the job, should be, have an opportunity to apply for it. Not just select someone just because they are losing their job.

Councilman Markovich - You know, I know the Mayor's in a dilemma and he wants to stay out of it and respect him, but he sent us the file of everybody that applied and on the front he says, "Please give copies to all the Councilmen." This position isn't a job filled by the Executive. It is NOT a position filled by the Executive. Okay, so he's saying that. He said he talked to her but what we're finding out with her, she's nor relaying any and all information to us as individuals to us as individuals. Maybe a certain few might be getting the information but all of us are not getting the information. I mean, it just behooves you to figure out that if you're gonna hire somebody, everybody's got to be consensus. We have a democratic society. We have a democratic administration here. Everybody's invited to vote. Everybody has a say so. Nobody's not left out, but that's what happened in this situation. Several of us were being left out. Now, it's a matter of semantics because we're gonna have an Executive Session about Personnel and Litigation. Whether we can or can't discuss that there or gonna vote on somebody, well maybe we need another meeting for interviews. I plan to take carte of that under

## NEW AND UNFINISHED BUSINESS cont.

Councilman Markovich cont. - New and Unfinished Business. Well, we'll take care, but we'll still have our Executive and Personnel and Litigation because we're gonna be looking at problems here. You know. Yes, it should have been brought out here, But it's being brought out here because a resolution was put forth without any of us knowing about it except for a few. You don't want to bring out your dirty laundry out here. Now that it got opened up, the dirty laundry is being brought up because a resolution was put out there. She is one vote, one vote equally times nine. Nine different votes. Nobody has all that power. She does not have the power to say who's gonna build my house or my garage or whatever. I want to see who's qualified to do it. I guess what you can say, it's called politics.

Councilman Kalwinski - So, this should have been done behind closed doors, first off. Second, the Mayor did what he was supposed to do and go to our President. That's correct. Then, if you follow precedent, nine of us who will be working with the Administrative Assistant would be in the process for interviewing, questioning and coming to some consensus on our pick. That's how this should have went. Now here we are bickering because we didn't do this behind the doors, to iron this thing out or because we all weren't approached ahead of time about the selection. So, now we'll have back behind closed doors, figure this out, and figure out what went wrong. And Mayor, continue to go to the President, that's what you do. President goes to the Council, I thought. That's what they do. That didn't happen. Consequently, we're going back and we're gonna talk.

Mayor McDermott - That sounds perfect. I'll wait to hear further instruction on what to do with this vacancy from the Council President. Sound good?

Council President Venecz - Sounds good. We couldn't even agree on committee meeting dates.

Mayor McDermott - Councilwoman Venecz, I know you're gonna fill the spot. We'll continue just to monitor.

Council President Venecz - New and Unfinished Business is now closed.

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

Councilman Higgs, supported by Councilman Spitale, moved to send a letter to Dean Button. I have recently had a meeting with the residents of Tanglewood in regards to building a sidewalk from Tanglewood all the way to Indianapolis Blvd. There's currently no sidewalk there and they are interested in the safety of the children. In having that meeting, that was one of the topics that was brought out. I discussed it with the Mayor and so Dean is here and I would also a letter being sent to Dean Button, our City Engineer, so that he can work on that and if you need funding, I'm available to give you the resources that is needed. Thank you so much. AYES: ALL

LETTER SENT: NOVEMBER 6, 2018

Councilman Higgs - Just for clarity, it's not on private property. We want to make sure that it's surveyed and the surveyor looks at what's owned by the city and it's on legal property. We don't want anything to be posted as

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs cont. - though we are interested in building a sidewalk on private land. We want it on the public land. Dean is here, so we wanted to be clear that, that's what we're interested in so that it's easy access to our wonderful sports complex that me and the Mayor had the good opportunity of recently cutting the ribbon and allowing the great citizens of Hammond to enjoy.

Councilman Markovich, supported by Councilman Torres, moved to send a letter to Sharon Daniels, HR/Personnel Director, whatever her title is. Having her have everybody that had applied for the job in the City Council Office for Administrative Assistant or Secretary fill out a job application and the following people; Susan Alexander, Liza Cardenas....

Council President Venecz - Councilman, do you want to give people's names over the...

Councilman Markovich - It's public record.

Councilman Higgs - Point of Order.

Council President Venecz - Go right ahead.

Councilman Higgs - Point of Order.

Councilman Markovich - Liza J. Cardenas.

Councilman Higgs - Point of Order.

Council President Venecz - It's not public record, so no ...

Councilman Higgs - Point of Order.

Council President Venecz - Yes, Councilman.

Councilman Higgs - Thank you, Madame President. Initially, when a Council or your colleague requests a Point of Order you should acknowledge them and not go around them.

Council President Venecz - I understand the procedure.

Councilman Higgs - I'm not done, Councilwoman Venecz. Councilwoman Venecz, I'm not done. So in respect to that, if you would please understand and be respectful like I'm respecting you, it would be greatly appreciated. Thank you so much. Again, as I stated previously, that's the process. If a Point of Order is called you answer to the Point of Order.

Councilman Rakos - (unclear)

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs - Yes, it is, Councilman Rakos.

Council President Venecz - Thank you.

Councilwoman Venecz - So, Councilman Higgs, what is your Point of Order?

Councilman Higgs - My Point of Order is that Councilman Markovich had made a point and you continued to talk. As the President of the Hammond City Council, according to Robert's Rules of Order, you're supposed to actually step down when you have any discussion as it relates to any matters of the Council. That's the Robert's Rules of Order.

Council President Venecz - Councilman Markovich, I was just saying I don't think ...

Councilman Woerpel - Point of Order, Councilman Markovich has a motion on the floor so I think we need a second, correct?

Council President Venecz - Yes, because he was requesting a letter and that's when I interrupted him about the names that he was giving. Is there a second?

Councilman Torres second the motion.

Second by Councilman Torres for a letter to be sent to Sharon Daniels to ask all of the applicants for the job to come in and fill out an application.

Councilman Markovich - I think there's ten of them.

Councilwoman Venecz - There were eleven.

Councilman Markovich - Whatever.

Councilwoman Venecz - There were eleven.

Councilman Markovich - So if it's a matter of semantics whether it's public record or not, I don't know who's gonna make that decision.

Councilwoman Venecz - Okay, we're not gonna announce everyone's names.

Councilman Markovich That's fine, as long as we get the copies.

Councilwoman Venecz - So we'll send a letter to Sharon Daniels asking the eleven applicants for the Administrative Assistant position ...

NEW AND UNFINISHED BUSINESS cont.

Councilman Markovich - Or Secretary.

Councilwoman Venecz - ... to come into the office and complete an application. That was motioned by Councilman Markovich, second by Councilman Torres, all those in favor? All those opposed?

AYES: 1  
NAYS: 1

Councilwoman Venecz - Is that an “Aye” as you’re opposed or an “Aye” that .... you’re opposed, okay. Clerk Golec roll call, please, on the letter to ....

Councilman Markovich - Point of Clarification. They have to go to the Personnel Office and fill out the job description. Application, I’m sorry. If they do not submit an application for employment for this position they will not be considered.

Councilman Woerpel - Then why are we sending a letter asking for who filled out the applications? I’m not arguing with my colleague. Could you please ask my colleague why we are sending a letter for something he says they’ve already done?

Councilwoman Venecz - Councilmen, can I just ask or a roll call vote, please.

Councilman Markovich - No, because he has ... Madame President, Mr. Woerpel does not seem to understand. We do not have all the information of people that applied. All they sent us was a bid, I want to be your Administrative Assistant. No employment application was submitted. No resume was submitted. It’s just like I said earlier, if you’re gonna build a house or garage you’re gonna want to know who in the hell is building it, what their qualifications are.

Councilman Woerpel - Let’s take the roll call.

Councilwoman Venecz - Okay, Clerk Golec, roll call vote please on a letter to Sharon Daniels to send a letter to all the applicants to have them come in and fill out an application with a resume, name, rank and serial number. Alrighty.

Councilman Markovich - Address too.

ROLL CALL VOTE (letter to Ms. Daniels)

AYES: Markovich, Spitale

NAYS:

ABSENT:

Motion carried

0/0/0

NEW AND UNFINISHED BUSINESS cont.

Councilwoman Venecz - Are you voting yes on this or no? A letter that he wants sent to Sharon Daniels to have all the applicants come in to fill out an application...I'm just reiterating.

Councilman Torres - It seems like you're trying to change his mind.

Councilwoman Venecz - I'm just reiterating ... okay. Clerk Golec roll call vote, please, on the letter that Councilman Markovich requested to Sharon Daniels to ask all of the eleven applicants for the Administrative Assistant position to come in and complete an application, along with a copy of their resume. Clerk Golec, roll call please.

Councilman Markovich - City of Hammond Employment Application.

Councilwoman Venecz - I'm sure Sharon has that, thank you.

ROLL CALL VOTE (letter to Personnel)

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

NAYS: Woerpel

ABSENT: None

Motion carried

8/1/0

MOTION CARRIED

LETTER SENT: NOVEMBER 6, 2018

Mayor McDermott - Madame chair, I want to thank the Council again for moving the data center before this. Thank you, I appreciate it very much.

Councilman Markovich - That was a good idea, Mayor.

Councilman Higgs - Mayor, again I want to thank you for sitting through this meeting in regards to addressing some of the concerns of the city and one of them that you brought to my colleagues attention is the fact that you are the Executor over the city and certainly we can't hire anyone in any department without going through you. I do believe in chain of command and I don't have a problem with people approaching the Council President bringing them ideas and suggestions but I feel it's only fair that she shares them with me and my colleagues. That's the problem I have with that.

Mayor McDermott - Got it, Councilman. You understand when I'm in a predicament when it comes to dealing with the Council, I go to the Council Chair. Whether that's wrong or right, that's what I thought I supposed to do. So I apologize if I caused a big fight. I didn't mean to.

Councilman Woerpel - Again, earlier I was one of them that voted no on this and I was asked to explain why. Basically, because of the last hour. And guess what, we get to do it again because we can't vote in Executive Session. I just want to remind people that.

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs - Since Atty. Berger is here I will request that we get his opinion in regards to not allowing those other individuals to go through the hiring process, in terms of interviewing them and whether we are setting ourselves up for future litigation in concern of being sued if they're not given an opportunity to apply and at least interview for this position.

Mayor McDermott - Just like every job that's available in the city, we already went through the process as far as we have a process where every job that's open, we post it citywide for a period of five days and all employees have an option to put in first and that's where we stopped, because quite frankly there was four or five that put in for this job.

Council President Venecz - Eleven.

Mayor McDermott - Eleven, thank you. I didn't want to guess. I don't think we need to go outside of the city to fill this job. So we've already complied with the internal requirements we need to do. You have the option right

Mayor McDermott cont. - now as a Council to hire any of those eleven right now and you also have the option, because we satisfied all prerequisites to go out externally and hire a Hammond resident. That's your options right now, as a Council. You've already satisfied everything internally that needs to be done. We posted it. It was posted for the right amount of time. Employees got had a chance to bid on it first, which is what our ordinance calls for. So the next thing I know, we'll fill it once I get Councilwoman Venecz to come forward and say this is who we're filling it with.

Councilman Markovich - What is we feel that none of them are qualified? We can go outside and get better people. Better qualified. Know how to do Microsoft.

Mayor McDermott - You have that right, Councilman. You have the right to go outside of the city. We've already satisfied all requirements. You have to give employees the first bid, first chance. We did that. You have those eleven apps from the employees. You have the right to hire any of those eleven or any of the other 81 thousand Hammond residents.

Councilman Higgs - Being that you're the President of the Council, what does that salary pay?

Council President Venecz - (Unclear) thousand dollars, Councilman. (Unclear) the budget.

**PUBLIC EXPRESSION**

Mary Ellen Slazyk - The guidelines are for a purpose. I sympathize with somebody losing their job of 20 years. This employee should have looked to the future and planned for it. This ordinance is a good idea. I think people that live in Hammond should get Hammond jobs.

Rita Jackson - Thanked the Mayor for his economic genius. There's a lot of things I don't like about his personality, but he really gets the job done. Two concerns, regarding the claims, would it take up too much time to explain what the claims are for and how much or how can a person obtain that information? Also, you have college students that Hammond is paying to educate. They deserve an opportunity to apply. She had twenty years to move to Hammond. You've either got to change the ordinance or follow the ordinance.

Camellia Ridgell Robinson - Mayor, you done the damn thing. He is a businessman and thank him that we have him to be the Executor of the city of Hammond. My daughters have masters and can't get a job in the city of Hammond, and they have applied. But you want to hire somebody behind everybody's backs and say it's okay. There are kids here going to school through Upper Bound and they can't even get a job here. They leave. They need to be groomed here to take over when you're gone.

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

AYES: ALL

---

Janet Venecz, President  
Hammond Common Council

ATTEST:

---

Robert J. Golec, City Clerk

Time: 7:55 p.m.  
cb

Minutes amended and approved at the Common Council Meeting on November 20, 2018.

*Prepared by  
Robert J. Golec  
Hammond City Clerk*