

## **BOARD OF PUBLIC WORKS AND SAFETY MINUTES OF OCTOBER 18, 2023**

The special meeting of the Board of Public Works and Safety convened at 8:39 a.m. on Wednesday, October 18, 2023, in the Council Chambers of Hammond City Hall. A roll call was taken: Mr. Long – present; Ms. Greenwell – present; Mr. Kalina – present.

Under Business Exception Hearing – Citgo, 5228 Columbia Ave. Mr. Sunny Tiwana, owner's son and manager. Proper notification has been confirmed. Mr. Tiwana sworn in. Mr. Tiwana states they are requesting to close 12-3 and have an extra 2 hours open. He is concerned with break ins, will keep employee overnight, and this is a neighborhood store.

Mr. Smith states he is unable to locate a business license with the Secretary of State for this location. Corporate name is Sam's Gas and Mini Mart, Inc. also Citgo. Not under RaceCo Golo 102. Requests he notify city of new name.

Mr. Smith presents Exhibit 1 – call log from Hammond Police for the last 5 years.

Sgt. Christopher Gootee, sworn in. Sgt. Gootee states he is the FUSUS Administrator, he has met with Mr. Tiwana regarding glass protected for the employees, there is adequate lighting, and they have new security cameras which are attached to FUSUS. There has been no problems or issues and it is adequate for the police department.

Mr. Smith states there are consistent calls, a couple weapon offenses, robbery reported in 2023, rape in August. These are a bit concerning.

Thomas Novak, Sworn in. Mr. Novak prepared a report. Exhibit 2 – Report from Tom Novak with photos. Mr. Novak is concerned with temporary signs on fences which are prohibited, with signage concerns on the windows, ADA parking space, and parking striping for traffic control. Mr. Smith also states the importance of striping which makes it a traffic control and safety issue.

Exhibit 3 and 3A. Mr. Ferrell's report and controller's printout. Valid business licenses but improperly licensed as RaceCo Golo 102 and proper licensing should be under their corporate name.

Mr. Smith has some questions for Mr. Tiwana and he states he will meet with Mr. Novak to correct the issues. Mr. Tiwana also states the robbery was with a homeless customer, no weapons and it was a theft. He has no information regarding a rape, they are on FUSUS. Not too sure about the complaints because they have access to FUSUS. Incident reports 23H49134 and 23H50644. This is not close to the interstate but is a neighborhood store.

Mr. Tiwana is aware of the violations and is already working on, always willing to work with the city and would hope the Board takes into consideration everything he has said.

Mr. Smith summarizes the factors. 1) criminal acts and police calls within the last 5 years, two concerns with violent acts. 2) fueling station is part of the FUSUS program. 3) adequate security presence overnight, willing to close midnight to 3 and they will keep someone on duty during that time which will help. 4) hybrid location in business area with residents to the west and south. 5) not easily accessible by interstate travelers. 6) Ordinance violations- strongly request the Board to make as a condition of any exception, if granted, to require Mr. Tiwana to meet with Mr. Novak and amend the business license and register properly with the State at this location. 7) adequate lighting 8) licensing. No other factors. Being closed midnight – 3 is good. City's position is that because it is not near an interstate and no necessary reason to be open overnight, city weighs on the side that it should be closed, however, factor in the fact that Mr. Tiwana request to only be open 3-5 which is a big positive.

The Board will take this matter under advisement. (Ins. No. 23-932)

Citgo – 4450 Calumet Ave. – Mr. Tiwana. Proper notification has been established.

Mr. Tiwana, previously sworn in. Indicates he wants to stay open throughout the night, first station off the toll road, ½ mile, close to train station, people traveling, a lot of people going to work so he believes its important to stay open, brand new lighting at all locations, canopy, inside, LED lights and brand new camera systems at every location. He believes they have the best cameras in Hammond. They are on FUSUS.

Mr. Smith questions and Mr. Tiwana states they have not encountered any negative experience with FUSUS. Other concerns with FUSUS is with the credit card process. Mr. Tiwana has concerns but has not experienced it. Mr. Tiwana has been there overnight and has not experienced any people from the train, more people from train in the morning around 4:00 a.m. Has experienced some theft, car jackings as a result of leaving car running, but has not had any issues of violent activity at this location. Similar issues with the licensing, RaceGo 101.

Owner, Mr. Sarwan Tiwana sworn in. He has had this location more than 20 years, Sam's 101 and 102 was used as a dba. Sam's Mini Mart is the corporation, both RaceCo's are under Sam's. Now Citgo gas.

Ms. Greenwell asks if Mr. Tiwana is managing both stations. Mr. Tiwana states he is at all three stations every day.

Mr. Smith questions a mini mart. Mr. Tiwana states it is a convenience store, gas is busier.

Mr. Smith presents Exhibit 1 – call log. Calls do appear to be consistent, with 20 calls

per year, no violent incidents.

Sgt. Gootee has had opportunity to visit location and meet with Mr. Tiwana. This location is equipped with bullet proof glass, lighting is adequate indoors and outdoors, they are connected with FUSUS with 20 HD cameras both indoors and outdoors and functioning without any interruption. No negative experience with this location with technology and FUSUS.

Mr. Kalina questions if the 20 cameras inside and outside is abnormally more than others. Sgt. Gootee states it is not abnormal but is more than most gas stations.

Mr. Thomas Novak visited the station and presented a report with photos. Exhibit 2. Mr. Novak states signs on fences, signage is not blocking more than 25% of window panes, windows were pretty clear, some shelving and blacked out windows, will work on this. No striping of parking spaces, no ADA space, there is a ramp, chain link fence in alley, empty dumpster more often, overall pretty well-kempt property. Legible address at the front and rear need to be posted more visibly so, remove abandoned pay phone. Dumpster enclosure to be duplicated at the other stations.

Exhibit 3 & 4. Licensing. This highlights the issue regarding the name of the company. Will look into this. Has been licensed.

Mr. Long questions the address. Mr. Smith states GIS and parcel number is 4448, do not see a 4450 in city's address catalog, and would like station to resolve.

Mr. Tiwana presents that they working with Tom and will resolve the issues, not many police calls. Please take into consideration the cameras, the quality and how many they have, how much they work together the detectives and police.

Mr. Smith states 1) police calls which summarize not a considerable amount violet acts, 2 & 3) FUSUS and security are adequate. Sgt. Gootee's testimony is that it is part and cameras are good quality 4) residential area on commercial strip 5) first fueling station off the Calumet Ave. Toll Road exit, does service commuters 6) Mr. Novak has gone through in his report, adequate lighting is appropriate. Mr. Smith will leave it up to the Board with the conditions including those that relate to license and ordinance violations.

The Board will take this matter under advisement. (Ins. No. 23-933)

Citgo – 403 Gostlin – Proper notification was given. Mr. Tiwana states they just put a new building up this year and made an agreement with the city they would be closed 11:30 to 4:30 and wants to keep this.

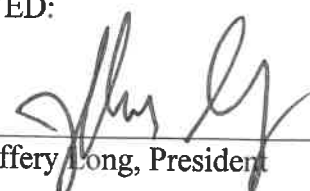
Mr. Smith states the City's position is that paragraph E of the Ordinance applies; which states an automobile fueling station granted a variance by common council must adhere to the

hours of operation condition in the variance or as set forth in any other agreement with the city. Mr. Smith presents to the Board this document April 12, 2022. Tiwana Petroleum, Inc., hours closed were 11:30 to 3:30 but agreement states 11:30 to 4:30. Exception does not apply. Mr. Tiwana withdraws his request for 403 Gostlin. Mr. Smith has no objection. (Ins. No. 23-933A)

There being no further business to come before the Board, motion by Ms. Greenwell to adjourn; seconded by Mr. Kalina. The regularly scheduled meeting adjourned at 9:29 a.m.

APPROVED:

BY:

  
Jeffery Long, President

ATTEST:

  
Linda Norville-Moles, Board Secretary