MINUTES OF THE COMMON COUNCIL MARCH 27, 2017

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on March 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 Councilwoman Venecz

ROLL CALL
PRESENT: Markovich, Spitale, Kalwinski, Torres, Emerson, Woerpel, Rakos, Venecz
ABSENT: Higgs
TOTAL: 8

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Woerpel, moved to approve the minutes from March 13, 2017 and place on file. AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Woerpel, moved to accept the claims from March 8, 2017 through March 22, 2017. Claim #1794 through claim #2110, inclusive.

ROLL CALL VOTE
AYES: Markovich, Spitale, Kalwinski, Torres, Emerson, Woerpel, Rakos, Venecz
NAYS: None
ABSENT: Higgs
Motion carried 8/0/1 CLAIMS APPROVED

PUBLIC HEARINGS

17-06 An Ordinance to Appropriate Monies into the 2017 Gaming Fund

No one spoke.

COMMUNICATIONS

Councilman Markovich, supported by Councilman Woerpel, moved to place all Communications on file.
AYES: ALL

Prepared by
Robert J. Golec
Hammond City Clerk

COMMITTEE REPORTS

Finance Committee - Councilman Woerpel - Brought out 17-06.

Community & Crime Watch Committee - Councilwoman Venecz - Announced upcoming meetings:
Harrison Park; Tues., Apr. 4; 6:30 p.m.; VFW
Edison C.W.; Wed., Apr. 5; Edison School; 6:30 p.m.
S. Hohman Neighborhood Watch; Thur., Apr. 6; 6:30 p.m.; 1st Methodist Church
Irving C.W.; Fri., Apr. 7; 9:15 a.m.; Irving School
Pulaski Park Neighborhood Assoc.; Tues. March 28; American Legion; 6:30 p.m.

ORDINANCE 3RD READING - FINAL PASSAGE

17-06 An Ordinance to Appropriate Monies into the 2017 Gaming Fund

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

Councilman Spitale - These unspent monies remain from 2016 transferred over to 2017.

ROLL CALL VOTE
AYES: Markovich, Spitale, Kalwinski, Torres, Emerson, Woerpel, Rakos, Venecz
NAYS: None
ABSENT: Higgs
Motion carried 8/0/1 ORDINANCE NO. 9371 PASSED

INTRODUCTION OF ORDINANCES

17-08 An Ordinance to Appropriate Funds in the Hotel/Motel Innkeepers Tax Fund for Economic Development Purposes

Councilman Spitale, supported by Councilman Emerson, moved the proposed ordinance to 1st and 2nd reading by title, refereed it to the Finance Committee with a Public Hearing on April 10, 2017. AYES: ALL

17-09 Amending Ordinance No.'s 4793, 7516, 8553, 8576, also known as Section 99.26 of the Hammond Municipal Code, Pertaining to Park Permits for Events

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

Councilman Woerpel - What this ordinance is is as it stands right now in order to get a permit to serve alcohol in a city park that person would have to come before the council and basically make their case to the council and we should decide whether or not we were willing to issue that permit. What this ordinance does is basically hands that decision back to the Park Board and by that I mean, as an example, like the Lakers Semi-pro Baseball

INTRODUCTION OF ORDINANCES cont.

Councilman Woerpel cont. - Team that plays in Riverside Park. When I was on the Park Board, when they approached us they had asked us for future consideration on whether or not we would allow, you know, alcohol to be served at their games and this basically allows the Park Board to go ahead and grant that permission or whatever and to set conditions, more or less, for if they were gonna do it, whatever. It doesn't take any power away from us. We still have, as a Council, we still have the right to say yes or no on these things. But this is an ordinance that allows the Park Board to be part of the decision making process on it.

Councilman Markovich - So what you're saying is they got to go to the Park Board first for approval and then come before the City Council?

Councilman Woerpel - Yes, that's what.... no, not really. This is giving the option of, they can still come before us if they want to. Basically, if somebody came before me and said I want to use this, you know, we want the alcohol permit at such and such park, my first question would be, "Have you gone in front of the Park Board?" I think that they're in a better position as a board to set conditions more or less, you know, "Yes you can but..." You know, if they want to make any sort of conditions. I mean, it basically gives the Park Board that decision, just like it would give the Port Authority the decision to, you know, when the festival or whatever it is the Port Authority basically has, you know, the right to set the conditions for the alcohol sales and this basically is just giving the Park Board the same options that the Port Authority has. Does that answer your question?

Councilman Markovich - Yes and no. The thing I'm concerned about, right now if somebody wants a permit they got to come before the council. Is that correct?

Councilman Woerpel - I believe so, yes.

Councilman Markovich - Okay, so we are the ones that are in charge of everything and responsibility for the city, now if we're gonna hand that over to a five member board who are not elected, are just appointed, and giving them all that responsibility, we're being left out of the thing because the ultimate concern is we're the one setting this and the liability for allowing alcohol in the park. The thing that I'm afraid of is somebody may go before the Park Board and get turned down and then they're gonna come here and ask for permission or they're gonna be granted and then somebody's gonna complain and come before the council and says well Park Board gave it to them and I applied but they never let me have it I just don't want ... we're taking away the responsibility and power of this council because we're the ones that ultimately, I hate to use the word being sued or whatever, but, you know, that's opening up a whole new can of worms and why we're changing that now at this point of the game that's beyond me and I don't know why this is even happening. You know it and I know it, if somebody wants to have a picnic out at the park they're gonna have liquor out there and if the cops come their gonna say, "Hey, be discreet. You know, you can't do this, you can't do that." You know it and I know it and it's the same thing, and when I played softball in parks and everything else, after the game guys have a cooler out there and they're gonna be drinking pop and beer and whatever and all of that. I don't even know why this is coming up and why we're even changing it to be honest with you. But to take the responsibility from the council, I'm not too crazy about that. All we doing, just like I says, and just like I'm repeating it, you're giving that responsibility to five people who are appointed and if something goes wrong there's no way that they could

INTRODUCTION OF ORDINANCES cont.

Councilman Markovich cont. - come back at them in that respect that, “Why did you give it to them?” “Well, that was my buddy, well that’s why I gave it to them.” “But so and so applied.” “Well, I didn’t give it to him because he’s not my buddy.” I mean, I don’t know what goes on at those meetings or anything. That’s the only thing that I’m afraid of.

Councilman Woerpel - I actually appreciate the honest dialogue and that’s why this will go in front of a committee and we could hash the details out there. My concern, as far as us as a council, I was on the Park Board and I don’t recall anybody ever coming and saying, “Hey, I’m having a family picnic and I want to have alcohol.” I mean, the way I think it works is that you get away with it if you get away with it. At least that’s how we did it when I was drinking. I think that the reason, the good points of letting the Park Board be part of the decision making process is I think it would be more along the lines of allowing them to set the conditions. If that makes.... I don’t know if I’m explaining... but I think it’s a good discussion for when we have the hearing on it and I hope we are all there and have an honest and sensible discussion about it because you do raise some good points.

Councilman Emerson - Just a thought, you know a lot goes on at the Board of Works and everything that goes on there doesn’t always have to be approved by the Council. I mean there’s new citizens that are buying homes, I’ve been to those and met them and that doesn’t have to be approved. Every bit of business that takes place at the Board of Works does not have to be approved by us. I’m just saying we would never.... we have a lot of paperwork now but I mean if we had to approve every single thing that happens in the city there wouldn’t be enough hours in the day.

Councilman Woerpel - This my no means .... It’s my understanding that it’s kind of a unique situation that you have a semi-pro baseball team that is now using a public park and as part of making it profitable for them to play there they’re saying this is in their plan and I’m willing to have an open discussion about it and hear all sides on it but I don’t know that all of us could sit here and say well, in this instance this happened and in that instance that happened and I think the Park Board can make the recommendation and grant the permit. It’s my understanding that there’s gonna be no permits, you know, it’s not like anybody can come without a liquor license and say, “Hey, I want to have beer in the park on this day.” I don’t think that’s the way it works now.

Council President Venecz - All in favor? All opposed? AYES: ALL

Prepared by
Robert J. Golec
Hammond City Clerk

RESOLUTIONS

17R-12 A Declaratory Resolution of the Hammond City Council Designating that a Certain Area the City of Hammond, Indiana be Established as the Korellis Economic Revitalization Area to which Deductions from Assessed Value may be requested by an Applicant to the Common Council of the City of Hammond Pursuant to Indiana Code 6-1.1-12.1

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

ROLL CALL VOTE
AYES: Markovich, Spitale, Kalwinski, Torres, Emerson, Woerpel, Rakos, Venecz
NAYS: None
ABSENT: Higgs
Motion carried 8/0/1 RESOLUTION NO. R12 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Woerpel - Real quick, I've seen on social media and heard on the radio station that I don't listen to all that much, that there's been some concern about the entrance and exit to the bridge on Kennedy Avenue and the shape that it's in. That is a project that is a County Commissioner's project and it is moving forward. I got a letter from Mr. Button the other day and basically what I've been told is as soon as the asphalt plants are up and running that would be taken care of. Is that correct? Okay, I just wanted everyone to know we are aware of that project. It is a County Commissioner's issue and our Commissioner is working with Mr. Button and we're gonna have it resolved real fast.

PUBLIC EXPRESSION

Laurie Czulno - Speaking to the amendment to park events and turning permission over to the Park Board, particularly for alcohol. I don't necessarily have a big objection for a one time big event. Somebody like a semi-pro team who's coming into a park in a neighborhood and is going to be asked to sell liquor on what I presume would be on a reoccurring basis. I have friends that live in Riverside and I don't think they're going to be happy and they're gonna come to see their councilmen and want to know why the city is allowing it.

George Stoya - I agree with everything Laurie said.

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

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Janet Venecz, President
Hammond Common Council

ATTEST:

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Robert J. Golec, City Clerk
Time: 6:20 pm
cb

Prepared by
Robert J. Golec
Hammond City Clerk