The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on April 26, 2021in the Hammond City Council Chambers.

Council President Dave Woerpel presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.
Invocation by Councilwoman Alexander.

ROLL CALL
PRESENT: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos, Woerpel
ABSENT: None
TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilwoman Venecz, moved to approve the minutes of April 12, 2021 and place on file. AYES: ALL

APPROVAL OF CLAIMS

Councilman Rakos, supported by Councilwoman Venecz, moved to approve the claims from April 19, 2021 through April 21, 2021. Claim #1722 through #1989, inclusive.

ROLL CALL VOTE (claims)
AYES: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos, Woerpel
NAYS: None
ABSENT: None
Motion carried 9/0/0 CLAIMS APPROVED

PUBLIC HEARINGS
None

COMMUNICATIONS

Councilman Tyler - Gave his condolences to the Lewis, Franks and Stokes families on the passing of Mr. Wayne Lewis, a longtime resident of the 3rd District. Also gave his condolences to the West and Jackson families on the passing of Mr. Jason Jackson, who was also longtime Hammond resident.

Council President Woerpel - We received communications from the Lake County Health Department pertaining to the Ophelia Steen Center Site.

Prepared by
Robert J. Golec
Hammond City Clerk

MAYOR'S ADDRESS

Mayor McDermott - First off, I'd like to wish a Happy Birthday to Kevin Smith, not sure if you're aware, he is working the Council meeting on his birthday. Law Department litigation, there's no update. Unfortunately, we hoped to have the wholesale ordinance to you by now. It's not ready, so it can't go before you. We don't want to take any action until a final version of the settlement agreement has been agreed upon by all parties, because it could weaken our case if we pass something and we have to change it. So it doesn't make sense to move forward until the lawyers are totally ready, and they're not totally ready. I don't know if you have any questions on that. It's frustrating but we are dealing with five different communities and five different sets of lawyers and each community has town boards where everybody wants to be involved. It's a complicated process but we're working through it. But, obviously, I hope two weeks from now we're talking about the wholesale ordinance but until then I continue to pay on behalf of the city, higher rates, for the water sales in Michigan. We pay the same rate as the Hammond residents do and it will be made up, "trued up" is what we call it, once if we pass the ordinance through the Hammond Council and it will be made retroactive to January 1st. So even though I'm paying more money on behalf of the city right now for our water sales in Illinois, once this is all rectified, assuming that we pass a wholesale ordinance, it would be all retroactive to January 1st, 2021. I don't know if you have any questions on that issue. I know it's been going on for a while. Special Events Committee is working on events for 2021. Obviously, the Festival of the Lakes has announced three acts already, Old Dominion, the Country act is playing on Tuesday, July 13. We're gonna have six days of the Fest this year, one day extra. So, on Tuesday we're going with Country, Old Dominion, they just won Country Group of the Year Award a couple weeks ago on the Country music awards, so they're a big deal. Limp Bizkit has played Hammond before. They played in a pouring rain storm. They're headlining Thursday, July 18. REO Speedwagon, who has played Hammond before is headlining Friday, July 16th. We still have to announce Wednesday's show, Saturday's show and Sunday's show. We're announcing the Latin Act tomorrow morning. We are cleared contractually to be able to announce it so you should hear something tomorrow morning on that. The Special Events Committee is also ... Oh, and one thing that's interesting is the number of ticket pre-sales that we've already made for Festival of the Lakes, about $75 thousand worth of concert pre-sale tickets already. Which is pretty incredible when you think about it. That's a revenue stream that we only tapped into about four years ago and it's becoming a bigger part of every festival, which is nice. It gives the fans that want to attend the show the ability to get up close to the bands if they pay $75, which is a good deal for them because they want to get close to acts like Old Dominion and it's good for us because it helps finance the cost of the event. So we're really happy about that. Special Events is also working on a citywide fireworks display for July 4th. Much like we did last year. We didn't feel like all the city was covered adequately last year, so we're trying to put one display in each district. We're trying to coordinate it with gohammond where we have like the 4th of July music playing. So if you're in your backyard, you can just put it on gohammond and you'll have a soundtrack and theoretically anywhere in the City of Hammond you should be able to see a fireworks display. So we're working on that right now. I thought that was really cool last year how we did it for Covid and we never really got a ton of people going to the pavilion anyway, so we were like why don't we take it to everybody's back yards and try to do multiple displays that go off at the exact same time. It's a little bit more challenging, obviously, on the Special Events Team, but it's pretty cool what we're trying to do. So, you'll be hearing more about that as July 4th gets closer. UNI had a walkthrough of 6020 Hohman Avenue in the 3rd District last week. They converted a former business, across the street from the old 7-11 on Hohman. They converted it to a single family home and sold it for $255 thousand. Which is good news for all involved. Just south of Downtown Hammond. I thought that was

MAYOR'S ADDRESS cont.

Mayor McDermott cont. - a good price on a home that's been vacant for quite a while, actually. So, I want to thank LaVetta Sparks-Wade and United Neighborhoods Inc. on behalf of the City of Hammond for doing that. I had a meeting with IDEM's Commissioner last week in regards to the lead remediation project in Robertsdale-Whiting. Obviously we're speaking on behalf of the City of Hammond with the Commissioner of INDOT about the fact that we want to, through the Capital Improvements Board, start to proceed on cleaning up a hundred or so properties that have up to 250-400 parts per million in their front or back yards. It's a program that is similar to what the USEPA did, on literally just a dozen or couple dozen properties. We're using the same specks that the EPA used when they clean the property and we want to do it ourselves to avoid a superfund designation. I think it's worth it. We expect, even using the EPA's numbers, this project couldn't cost more than $5 million at the end of the day, if we did all properties and everybody participated. I know that's a lot of money but in the overall scheme of things I think it's way worse for the City of Hammond to have a designation as a superfund site in that neighborhood than it is to spend $5 million over the next couple of years and clean it up ourselves. So, we had a meeting with IDEM in regards to this project. We're trying to work through the details. But we have a great firm from Indianapolis that is fully aware of what the USEPA does and they're experts in this line of work and they're working real close with HDEM and Ron Novak, and we want to move on this project. I think it's the right thing to do. It's a hundred homeowners in the 1st District that without our help are gonna have serious trouble selling their houses because, unfortunately, the USEPA cleaned up just a couple of the properties and it's a problem actually. If they only cleaned a couple properties so everybody in this neighborhood knows that their property has potential lead issues and it hasn't been cleaned up yet. And I want to point out that I know our neighbors, East Chicago, had a serious problem with lead at two former lead plants. They're still dealing with that issue. But it came out a few years ago. Of course everybody is very sensitive to lead. Obviously with what happened in Flint, Michigan and what happened with our neighbors in East Chicago, I want to point out what we're talking about here, East Chicago had like 75 thousand parts per million, that people were living in, which is disgraceful, and obviously they are cleaning it up with the help of the Federal Government. We're talking about 250 parts per million. So it's not even comparable to what happened in East Chicago, but we're still taking it seriously. 250 parts per million is 250 parts per million too much. But what we were dealing with in East Chicago is basically radioactive compared to what we're dealing with right now. So we're trying to work with IDEM to get them to help us move forward so that we could take the repairs into our own hands. Mayor's Night Out was in the 1st District last week. That was the 1st Mayor's Night Out in a long time, and it was challenging. It was two hours long. Lots of questions about he humming and buzzing that's coming from Cargill. Lots of concern in that part of the city. I know Councilman Mark is well versed as I'm sure the At Large people are. There's a mysterious sound that's coming from Cargill. It's intermittent. So, it's frustrating because usually when you are dealing with sound issues, everybody hears the same thing. In this case, that is not the case at all. Some people don't hear anything and some people want to rip their hair out because it's driving them insane. It's a weird, tough issue to deal with. I've been in contact with Cargill a couple times myself, as has my Chief of Staff. I know Councilman Kalwinski has made contact with them. It's not that we are ignoring this company, but the company has been there for a century and they were there before the neighborhood was there. So we're trying to be respectful of a company that employs hundreds of our residents but at the same time is driving some of our residents insane and it's not an easy deal. I just want you to know we are dealing with it. I'm sure you guys are getting calls and complaints. We're on this. Obviously, if you want to know more about what is going on, feel free to give me a call and I'll include you and loop you in. So we had that issue that was

MAYOR'S ADDRESS cont.

Mayor McDermott cont. - being discussed a lot at Mayor's Night Out. A lot of questions about dead ducks. Whenever a duck dies I get tagged on Facebook and it gets sent to me. I sent out my cell phone address to everybody in the audience that day and I've been getting a lot of phone calls lately. So I woke up this morning and I had dead ducks on my phone. Which, you know, obviously it's concerning. However, I'd like to point out again to the Council that we were concerned with the dead water fowl when it first happened, that's why I ordered the Hammond Sanitary District to begin testing Wolf Lake. They tested multiple locations in Wolf Lake and found absolutely nothing. We took the same water samples and sent it to a lab in Michigan. Completely independent, they came back with the exact same readings, nothing is wrong with the water in Wolf Lake. We then sent Ron and HDEM out there with the XRF, it's an x-ray device that shoots x-rays into the ground and it reads how much lead, and all the different elements are in the ground, any contaminants, and we found moderate traces of lead. Nothing in excess at all. There's nothing environmentally going on there. I don't know why ducks die. I just don't. I'm not an expert on duck deaths. But I can tell you that the water and the land at Wolf Lake is clean. We have Leon's Triathlon there at the beginning of June. I'm swimming in that lake. If there was something wrong with that Lake I wouldn't get my happy butt in that lake and go swimming myself. So, there are a lot of people that do not want to hear that. They want me to come out and say it's dirty. We shouldn't have people swimming in there. I won't do it. Because it's not dirty. I don't know why the ducks are dying. We sent a bunch of dead duck carcasses to Indiana DNR and they haven't given us the results back yet. I don't know why ducks die, but they are. There's ducks dying up there. But, I don't want anybody to think we're not taking this seriously. It's just I'm limited in what I can do. I'm not an expert on doing a duck autopsy. Last, another thing that added to the fun of Mayor's Night in the 1st District was Poly-John apparently, allegedly, I'm using these words carefully, caused a discharge into one of the tributaries that feeds Wolf Lake. It was taken picture of it and posted on Facebook. Obviously concerning, it looked like something that would come from Poly-John. We immediately notified the EPA and HDEM, in accordance with Indiana Law and they're following it up. I have no idea what the status of it is but I everybody to know that we did follow that up. The mask mandate is extended in City Hall until May 31st. We talked about that last meeting. Majestic Star Casino is closed so we only have two boats in our immediate vicinity operating right now. Hard Rock Casino opens in Gary May 14th. Last but not least, I know Councilman Emerson, I saved this for last, because I sort of want to see where you guys are on this. Councilman Emerson and I have been getting lots of complaints about a house .... do me a favor, if kids are watching right now, can you please, like, have them leave the room. Because we have to have a conversation and we're having a conversation about something that's actually up and I don't want to feel like I should make it PG 13 because if people think this is cool to fly then let's fly it. There's a flag across the street from Riverside Park in the 4th District. It's a political flag. It says, "Fuck Joe Biden and fuck you if you voted for him." Now, I never said that before at a City Council meeting. And we're dealing with this issue and there's a lot of people that think we're making a mistake in the City of Hammond by asking this gentleman to take it down. So, there was another incident that occurred sometime back, in another part of the City. This person had a flag flying that was political and a complaint came to City Hall that said, "This sign is in violation of City Ordinance, you guys do something about it." That's how it comes to our office. I'm in charge of executing ordinances in the City of Hammond, enforcing them. So we have the Law Department draft a nice letter to this lady and say, "Hey, your neighbors are complaining about your sign. Can you please voluntarily comply with our City Ordinance and take it down." She said, "Oh my goodness. I'm so embarrassed . I just totally forgot about it. I didn't even think about it." She takes it down. And we were happy. Life goes on. Okay. Now we have

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Mayor McDermott cont. - another gentleman with the sign I mentioned a couple seconds ago across the street from Riverside Park. Councilman Emerson can you back me up on this?

Councilman Emerson - Yes, Mayor. And as a Vietnam Vet, and that's what I am, I'm appalled by it. You know, everybody has a right to their opinion. If he just had , you know, the person ran against him support the flag, that would be one thing, but it's the inappropriate language. And I went by and saw the flag. He's got a number of flags up there. I think they're all appropriate except that one. It's just sad, you know, I got some calls and I just know that I have seen people die and I've seen people get shot and everybody that served and we did that for free and fair elections. As far as I know, that was a free and fair election last year. And a sign as inappropriate as that, there's just .... we got to be better than that.

Mayor McDermott - Thank you, Councilman. So a number of complaints to the Councilman and to myself and we approached this in a similar manner to the one we approached the other place. Maybe I made a mistake here. I knew about this going on and maybe I should have interceded. We had the Captain of Patrol, who's part of our administration, by the way, and he's a great guy. Captain of Patrol and Police knocked on the gentleman's door and said, "Hey". Much in the same way we did up in another part of the City. "Hey, we're getting complaints from the neighbors about that sign." Not all of them. That one, that basically says, "F-you, basically, if you voted for Biden." There's a park across the street from your house and there's little kids there right now. They're playing baseball, their little brothers and sisters are running around. This is the first thing they see when they pull into the City of Hammond Riverside Park. People from all over the Chicagoland area. Welcome to Riverside Park, F-you. So, we knock on the door, he says, basically, "I am a Vietnam Vet. I can put whatever I want in my yard. I'm not gonna do it." So we're like, okay. Then that night the sign comes down. And we're like, "Whew!" We're done with this issue, right? So we had a little mental high five, we avoided another catastrophe in City Hall, much like the one in the other part of the city. Except for this weekend, the first huge baseball tournament we have in the City. There's hundreds of kids in that park. Hundreds of families. It's packed with people. That's the day he flies the flag. Proudly, across the street from Riverside Park. Little kids, everything, grandma, grandpa, welcome to Hammond, F you, if you voted for him F you. So, obviously, we approached him again. I made a Facebook post today. Maybe it was dumb. Like as far as, I was talking about, maybe we should take a close look at this persons property. Because they're parking illegally and stuff like that. I didn't even have to go there. I made a mistake as your Mayor. I apologize, okay. What I should have just said was, "We're going to court, buddy. You can't do this in our city." That's the only issue we need to talk about. I don't need to worry about you RV parking and all that. The only issue we need to talk about is we have an ordinance, passed in 1973 by the Hammond Council and the Mayor that outlaws this type of speech. It's vulgar, it's obscene and here we are. So I'm asking you, I don't think we should back off on this. If we back off on this... so some people said, "Mayor, people said that about Donald Trump. They said F Trump and you didn't do anything then." I could guarantee you if I got a complaint to City Hall that somebody is flying a flag that said F the President of the United States, I don't care who the President was, I'm a Veteran. I spent six years in the Navy, four of it on an active duty submarine. I respect the President, even if I don't like them. There's no way in hell I would have stand idly by if somebody said F-you Donald Trump. I would have done exactly the same thing. I think we're doing the right thing. I talked to Corporate Council about it. He feels we could win or lose on the flag issue. But let's go to court and find out. I think it should come down. If this guy wants to go to court

MAYOR'S ADDRESS cont.

Mayor McDermott cont. - with the City of Hammond over the flag issue, let's test it. We have an ordinance, let's see if it's legal. Judge says it comes down, it comes down. Judge says it stays up, it stays up. And then I was like, do we have to worry about violating this person's civil right? Like in 1983, those were ugly, and we talked about it. I don't even know this guy. He said on WJOB today that he's always been a supporter of mine. I never violated this guys rights. He put a flag that said F-you across the street from a park. I think you got to take a stand on this or else we're gonna have hundreds of the flying in our city. I am not trying to get us into a fight but it's going on right now and I want to know where you guys stand. You got my back? If you think I should back off, I'll back off. I want to know. I think I'm doing the right thing, but I could see we could be heading towards a fight here.

Council President Woerpel - I went by there today and it stuck out like a sore thumb. I'm on your side on this one.

Councilman Rakos - I happen to drive by there today, not knowing that I was driving ... I didn't know where it was but the path I was going I went right by it. I go, "Holy cow, that's the picture from your thing." It's disgusting across the street from the park. I back you 100%.

Councilwoman Venecz - Absolutely, I back you.

Council President Woerpel - Just all I'll add is I was going there to actually find the place I used to deliver in that neighborhood. It wasn't specific. When I saw the post, I didn't know where it was. It was just like, I went over the bridge and it stuck out like a sore thumb. It's not just the people in Riverside Park.

Mayor McDermott - There's no limit to this. If they're allowed to fly that flag and we give up on this, somebody could put a flag across the street from a church. It says, "F-you Christians" or "F-you Baptists" or "F-you whoever, Mayor Tom, Dave Woerpel. F the police". A lot of people are pissed. What if I put, like, Tupac Shakur lyrics out in front of my house and he was saying stuff that was vulgar about cops? Is that cool? I mean, I understand right now the Trump supporters are upset with me about this. This has nothing to do with the former president. This has to do with the F-word on a flag. I think we got to stay strong here. I really do or we're gonna have these flags all over our city and all over our country. I think it's sort of a big story though, so, I didn't think it was gonna be a big story. So, anyway, that's my report. I'm not sure where you guys want to go with that.

Council President Woerpel - I just had the one question, you were asked a meeting ago about the Ophelia Steen Center for vaccinations and we all received a letter ....

Mayor McDermott - Yeah, I forwarded that to you. I appreciate Councilman Barry and Councilwoman Katrina last meeting asked me if I would send a letter to the Lake County Health Department asking if they could make a mass vaccination clinic. That was a great idea. We are the biggest city in Lake County. I sent a letter, copied you all, got a letter back, they said no. They said it's too small. Maybe, upon further reflection we should have offered up the Civic Center. I thought Shepherd Center was great, personally, because it's right in the

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Mayor McDermott cont. - community. People could get there easily. I thought it was great. But looking back, they said it was too small. It is sort of small when you think about it. I wish we had offered up the Civic Center. I think that would have been a better play. But I went along because I thought Shepherd Center was perfect right there in the community to help with vaccinations. I just wanted to copy you guys on it and I followed up on your behalf and that's the response I got.

Councilwoman Venecz - Give the direction of the Mayor's conversation, I'd like to make a motion.

Councilwoman Venecz, supported by Councilman Rakos, moved to support the Mayor in litigation against this individual with the foul language on the flag.

Mayor McDermott - I want you to know, I'll keep it limited to the flag. The one with the F-word on it. That's the only issue we are going to talk about. We're not gonna talk about RV's, anything else. I'm gonna keep it limited. Corporate Council, could you come up here real quick? We had this conversation before we got here, and I was dumb for even mentioning Code Enforcement. That was dumb. I'd like to point out it was a dumb statement by me. I acknowledge it was a dumb statement by me. I was mad and nothing has happened. So even though I mentioned it, there hasn't been any Code Enforcement Officer going there, nor will there be, because we don't need it. We don't need Code Enforcement. We got this guy on a City Ordinance Violation. He's digging in.

Corporate Council Kevin Smith - I would just mention that of course Code Enforcement responds to complaints and if there are violations of code that are visible, then they have to deal with that because they don't ignore situations that are in violation of ordinance. But, as the Mayor and I discussed, there was a complaint regarding.... several complaint, many complaints, I should say, regarding the flag, and they're looking into a citation under the City's obscenity law. So, that's what we're looking at and if there are any other violations that are plain and visible, they have to look into that as well when they're there. But, that's the plan.

Mayor McDermott - Councilwoman I think that your motion helps a lot. I think it shows that we are united in this and I promise to keep it focused on that one flag.

Councilwoman Venecz - This last election, the past four years, five years, have been very contentious. There are strong feelings on both sides. I never, when my guy didn't win, you know, I kind of went home and said, "Okay, we'll be okay. Our Country is in good hands." But the hatred and vitriol that has stemmed from this election is bringing out the absolute worst in people and I'm no prude, but, you know, we don't need our children to see that kind of language flying. I mean a flag generally is a sign of pride and our kids look at that and think it's okay to do something like that. We as the adults need to set the example in spite of our differences. We just need to reach some level of decorum and respect amongst us.

Councilman Kalwinski - I'm just trying to get clear. So, we have an ordinance. He is in violation of the ordinance and so was there enforcement? Was there a citation? I wasn't clear on steps the City took to let him know it's illegal by ordinance.

Prepared by
Robert J. Golec
Hammond City Clerk

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Mayor McDermott - Thank you, Councilman Mark. Do you mind if I have Corporate Council answer that?

Councilman Kalwinski - Sure.

Atty. Smith - Councilman Mark, to my knowledge there has not been a citation written yet. But I know that I talked to Mr. Kearney from Inspection Department and they're looking into the writing of that citation.

Councilman Kalwinski - Okay, so before we do a lawsuit or any such thing there will be a citation to give him time to go locally to court or take the sign down.

Atty. Smith - That's right, there'd be a citation that would be heard in Ordinance Court just like any other ordinance would be heard and then the judge, locally, goes over in Division 4, on Russell Street, would hear it. There'd be a decision there and then if somebody wants to appeal the decision that judge makes it goes up from there.

Councilman Kalwinski - What is the range of fine that could be administered for this infraction?

Atty. Smith - It'd be the regular ordinance violation fine, which I think, if I'm not mistaken, is up to $2,500 a day but, you know, that's just the max. I think the court has wide discretion and uses that discretion.

Councilman Kalwinski - I gotcha. And is the flag on a pole?

Atty. Smith - There are seven different flags on a pole in this gentleman's front yard.

Councilman Kalwinski - I see, and it's on his property?

Atty. Smith - They are attached to the fence in his front yard. You can look on Facebook, Mayor put a post up.

Councilman Kalwinski - And the flagpole on his fence, the way he did it, is there a separate code violation for something like that?

Atty. Smith - Actually our City Planner, Mr. Poland, is checking that as well.

Councilman Kalwinski - How large is the flag, roughly?

Atty. Smith - 4x6, something like that. Again, if you look at the Mayor's Facebook page there's a picture on there. I can actually send you a picture as well. I'll be happy to text it to you right now.

Councilman Kalwinski - I appreciate that, thanks a lot.

MAYOR'S ADDRESS cont.

Councilman Torres- My Concern is if he just limited to F-word. I mean they're just as many other vulgar words, just as offensive. So...

Mayor McDermott- I agree, Councilman. It could be the C word, the B word. It could be a lot of words I don't know. I mean, I think this is a big test, not for just Hammond. This is a big test. You gotta be able to draw the line. It's a City Park where kids play.

Councilman Torres- Well, if the Ordinance has never been tested, this would be a good time to test it then.

Mayor McDermott- I agree, sir, and we would just cite the gentlemen and he may follow suit with the lawsuit against us and but he may comply. Listen we never even got close to this with the other situation and another part of the City. And they were gentlemen, so to speak, it was a woman. But she was totally embarrassed, like, "Oh my goodness, I'm so sorry" and we're like no problem. We're getting complaints. It's our job when we get complaints to take care of them. I don't have to tell you guys you get a few people calling and bugging you about something and it's your job to take care of it. What am I going to say can't do it? Sorry? It's a Trump flag and then somebody puts another flag across the street from a church. Sorry, we don't enforce flags in Hammond. You can put whatever you want in your yard. There's no limit on this if you can't stop this, then this is going to be a flag City.

Council President Woerpel- I'll just say this, as far as entering the discussion. The last three years, I've gotten a taste of travel ball. I'm assuming there was a tournament in that park and I'm telling you as an outsider, when you're driving into these areas that you don't know and never been to, that's embarrassing what I saw.

Mayor McDermott- Yes, sir, welcome to Hammond, F-off. I mean we can't stop that, we can't stop anything. This is across the street from a park. I saw little kids looking at this flag. If you can't stop this, there ain't no limit on what we can stop, and if this said "F Donald Trump", I'd be doing the exact same thing, I promise you. Because that word should never be on a flag, and I use that word way too much. I was in the Navy for six years. You don't put a flag like that in front of your house, that's called graffiti where I come from. It's like what people paint on bridges. So I just think it's important, Councilwoman, that we're all united on this issue and if we're not then just tell me and I'll back off. That's all I'm saying. Thank you.

Councilman Emerson- The first call I got, I think, was two weeks ago. The lady was on her way to church, so you could imagine going to church and she questioned it, the closeness of the park and that, you know, people will be out as the weather improves, and I agree with the point earlier mentioned by the Mayor that if the Little Calumet River floods, it primarily affects the 4th and 5th Districts. This kind of thing could spread citywide. I mean if you're in the 1st District. In the 2nd District, I saw the opposite sign, but it was not inappropriate. It just supported the other person running, and that's fine. I mean, you can have any sign you want in your yard except if you're using inappropriate language. So that does affect the whole City, so thank you.

Mayor McDermott- Councilman Emerson, there is a Trump house on Fayette. We don't get complaints about it. I've never said two words to him because we don't get complaints about it and none of them have the F word on

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Mayor McDermott cont. - it. There's a Trump house on Lyman, same thing, never got any complaints about it. Doesn't say F you on it. Okay, then there's one that we took care of in another part of the City. I don't want to embarrass that house anymore and we've already talked about it, totally complied. "Sorry about that. I didn't mean to do this.", and then this one.

Councilman Tyler- I know we've kind of talked about this for awhile now and we have other business to get to. I do just want to say that I completely understand and agree with the issue of vulgarity. I know that it's a balance of the first amendment right , freedom of speech, of course, and so I do want to call that out. I do support us moving forward with citing this gentlemen if we do have that vulgarity Ordinance, I will say that I am not familiar with this, so I'll do my own research to better understand what's within our right as a municipality to enforce that. But I also want to state that there is a difference between, of course, like someone of a protected class based off race or religion versus political class, which is not a protected class. I do understand that, like I said, it is vulgar, it does not belong across the street from a park. It doesn't belong on a flag anywhere. So I do want to move forward with that, but I do want to call out that there is a difference between political affiliation and being part of a different demographic.

Councilman Kalwinski- Would it make sense at all for all of us to maybe get a copy of the Ordinance to review it and vote on this after the review? So that we know what we ... usually have it in writing what we're defending or going up against.

Mayor McDermott- I have no problem with that. I'll be honest. Because I've taken the stand I do, I feel like you guys basically support me. If Councilman Mark wants to look at it a little further, I, personally, have no problem with that. This is going to take longer than a couple weeks. Quite frankly, two weeks from now I come back and tell you he pulled the sign down and we all moved on with our life. Two weeks from now, if I tell you that, that's a victory. If we have to go to court, it's not. So, I have no problem. You know, I know Councilwoman Venecz just brought it up. I appreciate her bringing it up. Maybe we wait. Kevin can you get a copy of the Ordinance to the City Council not right now?

Corporation Counsel, Kevin Smith- Yes.

Council President Woerpel- The motion has been made to support the Mayor. I don't think that it needs to go any further than that's what we're going to vote on.

Councilman Rakos- Call for the vote.

Councilwoman Alexander- Wait a second, Mr. President, I've been waiting.

Council President Woerpel- Motion has been made to call for the Vote, that ends discussion.

Councilwoman Alexander- I'm sorry, once again, you're ending, discussion, but I was trying to speak a second ago, Mayor jumped back in and I had already ... Councilman Kalwinski went before me.

Prepared by
Robert J. Golec
Hammond City Clerk

MAYOR'S ADDRESS cont.

Council President Woerpel- Councilman Rakos, do you want to remove your motion to call for the vote?

Councilman Rakos- No.

Councilman Tyler- Point of Order. I just have a question on what we're actually voting on?

Council President Woerpel- The Motion was made by Councilwoman Venecz to support the Mayor on any action. The Motion was to call for the question to end debate. Then we will take action on Councilwoman's Venecz' motion. This motion is to end the debate or not.

ROLL CALL VOTE (call for the vote)
AYES: Spitale, Venecz, Torres, Rakos, Woerpel
NAYS: Alexander, Kalwinski, Tyler, Emerson,
ABSENT: None
Motion carried 5/4/0 MOTION PASSED

Council President Woerpel- On the motion to support the Mayor.

ROLL CALL VOTE (support the mayor)
AYES: Spitale, Venecz, Torres, Emerson, Rakos, Woerpel
NAYS: Alexander, Kalwinski, Tyler
ABSENT: None
Motion carried 6/3/0 MOTION PASSED

Councilman Tyler- I just have one thing to add to the Mayors report on us requesting from the Lake County Health Department to have the Ophelia Steen Center as a mass vaccination site. I know we all got the letter, but it seems like the bigger issue with their response was not that we didn't have a venue that has significant parking, the issue is that they're opening up these other sites in other areas of Lake County that they feel like our residents won't have a problem to get to. I have got several calls about people not being able to get to the current sites already. I'm not sure if we want to follow up with the Lake County Health Department to ask if we have another site, what's the feasability of getting it somewhere else in Hammond, especially in the 3rd District or maybe even somewhere in the 2nd District that our residents can have access to. But I just wasn't satisfied with the response that we received from the Lake County Health Department, given that we have other options that could prove beneficial for our residents who are trying to receive the vaccine, but maybe can't find a way to get to one of these mass vaccination sites. Thank you.

COMMITTEE REPORTS

Council as a Whole Committee - Councilwoman Venecz - Brought out 21-12 and 21-14.

Capital Improvement Board - Councilwoman Venecz- We met on April 19th. We approved $12,000 for phase 2 of environmental survey for the turn lane at the corner of Indianapolis Blvd and Michigan . That was the extent of our business and our next meeting is May 3rd.

Prepared by
Robert J. Golec
Hammond City Clerk

COMMITTEE REPORTS cont.

Community and Crime Watch Committee - Councilwoman Venecz- - Now that many of the residents have been vaccinated and we're kind of inching back towards getting some of our meetings lined up and we look forward to some in person meetings again, but in the mean time:

Thur., May 20th; Hessville C.W; Jean Shepherd Center; 6 p.m.
Wed., June 9th; Community Watch at Mt. Zion Pleasant View Plaza; 1:00p.m.
South Hohman Neighborhood Watch; Thur., June 17th; Trinity Lutheran Church; 6:30 p.m.

Harrison Park is looking to start back up sometime in June. Edison Community Watch will resume in September as will, Irving Community Watch. And I will certainly pass along information as it becomes available. Meanwhile, if anyone sees anything that is suspicious or something that just not seem right please call 911.

ORDINANCES 3RD READING- FINAL PASSAGE

21-12 An Ordinance Creating a New Fund (Fund #176) for the Funds Distributed to the City of Hammond from the American Rescue Plan

Councilwoman Venecz, supported by Councilman Spitale, moved for final passage.

Councilwoman Venecz- Yes, this Ordinance establishes some new line items, as dictated by the State Board of Accounts for the money that will be coming to the City from the American Rescue Plan.

ROLL CALL VOTE (passage)
AYES: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos, Woerpel
NAYS: None
ABSENT: None
Motion carried 9/0/0 ORDINANCE NO. 9505 PASSED

21-14 An Ordinance to Amend Ordinances 3305, Am. Ord. 3387, Am. Ord. 4301, Am. Ord 5004, Am. Ord.8592, Am. Ord.8595, Am. Ord.8961, Am. Ord. 8962, Am. Ord. 9098, also known as Chapter 117 of Title XI of the Hammond Municipal Code Relating to Food and Drink Sales and Establishment Licensing in the City

Councilman Spitale, Supported by Councilman Emerson, moved for final passage.

Councilwoman Venecz, supported by Councilman Rakos, moved to amend in 21-14A in its entirety, replacing 21-14.

Councilwoman Venecz- The changes that will be made are on page 3, letter F we're changing " Temporary Itinerant Restaurant" to "Temporary Food Vendor". And on page 3, as well, forgive me, it is 117.002 we're

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilwoman Venecz cont. - changing "Temporary Itinerant Restaurant" to "Temporary Food Vendor". On page 4, 117.004, letter B, we're changing "Temporary Itinerant Restaurant" to "Temporary Food Vendor". On page 5, 117.005, this would be under (B), number (2)(V), we will be inserting, "except those mobile food vendors permitted to operate on private property". Then there is number 117.015, under "License required", we're adding " Temporary Food Vendor" to the list of sellers of food. Then 117.017, letters B and C, we are changing " Temporary Itinerant Restaurant" to "Temporary Food Vendor" and also on C we are changing the amount from $50 to $25 dollars. Then 117.019, we are changing " Temporary Itinerant Restaurant" to "Temporary Food Vendor" and that is the extent of the changes.

ROLL CALL VOTE (passage)
AYES: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos, Woerpel
NAYS: None
ABSENT: None
Motion carried 9/0/0 ORDINANCE NO. 9506 PASSED

ROLL CALL VOTE (amendment)
AYES: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos, Woerpel
NAYS: None
ABSENT: None
Motion carried 9/0/0 AMENDMENT ADOPTED

INTRODUCTION OF ORDINANCES

21-17 An Ordinance Appropriating the Proceeds of the Home Investment Partnerships Program and Dealing with other Matters Pertaining to the Expenditures for -American Rescue Plan (HOME-ARP)

Councilman Spitale, supported by Councilwoman Venecz, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Council as a Whole Committee with a Committee Meeting on May 10, 2021 at 5:15p.m., with a Public Hearing on May 10, 2021. AYES: ALL

RESOLUTIONS

21R-17 A Resolution of the City Council of the City of Hammond Authorizing and Designating Signatories For Payment Voucher on Letters of Credit for the Home Investment Partnerships Program and Dealing with other Matters Pertaining to the Expenditures for -American Rescue Plan (HOME-ARP)

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

Prepared by
Robert J. Golec
Hammond City Clerk

RESOLUTIONS cont.

Councilman Spitale- The City of Hammond is one of only 14 Cities in Indiana to have this Help Assistance Homeless Prevention Program.

ROLL CALL (adoption)
AYES: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos, Woerpel
NAYS: None
ABSENT: None
Motion carried 9/0/0 RESOLUTION NO. R17 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilwoman Venecz- Yes, I would like to announce that on Thursday, May 6th, the City of Hammond will be celebrating the National Day of Prayer beginning at 11am. And that will be at the Sportsplex. Tickets are required and you can call the department of, what is it? I can't remember now, but at any rate, tickets are required. You either can attend in person or on Facebook. Also the following day Friday, May 7th , from 10 am to 3 pm is the annual Flower giveaway here in Hammond and that will be at the Hammond Civic Center. You can bring your Indiana Driver's License or State ID showing that you are a Hammond Resident and of course that is while supplies last.

Councilwoman Alexander-I have the Covid numbers for today. For 46320, we have an additional 70 cases; for 46327, we have an additional 37 cases; for 46323, we have 122 cases; for 46324, 118 cases; 46394, 43 cases. That's 390 new cases from our last meeting 2 weeks ago, where we were at an additional 62 cases. As I've always stated, it's continue to mask up there are vaccine clinics out here if you choose to get vaccinated of course, that is your choice research your vaccine, there are 3 out there. We understand that they had recalled Johnson & Johnson, but the did bring it back and once again, it is your choice as we continue to fight through this pandemic. I truly hope that we are planning the Festival of the Lakes that we are putting some type of parameters in order to make sure that we're continuing to keep people safe even though we are outdoors, I know that is a popular event. I know that we have plenty of popular events around our City, but as we're fighting through this, it's not over yet and we need to continue to be vigilant and mindful of what's going on. Thank you.

Councilman Tyler- I just wanted to go on record and address a couple of issues that I've been getting a lot of questions about, whether via telephone or even through council meetings in the past, there are two properties in my district that are currently being discussed whether demolition or salvage is going to take place. I know one on Hohman Ave. next to the Fire Station, that one is currently being demolished, so we're in the process of that. The other one is on Morris Street, and that one is currently... we're talking with the family about trying to raise money to save that church or figure out how we're going to handle that situation moving forward. A lot of people have been asking about it. We just want to go on record and share that the City is doing their part in that. We're also working with the families connected to both having conversations with them as well as insurance companies and contractors to figure this all out, but things are moving in the right direction. You have any questions feel free to reach out to me directly, but just want to go on record and address those. Thank you.

Prepared by
Robert J. Golec
Hammond City Clerk

PUBLIC EXPRESSION

George Stoya- With respect to our discussions about vibrations and noise that was referred to earlier during the Mayor's Night Out and I hope this sound is investigated, I believe the term mysterious is inappropriate because there is a very strong history and a very clear consensus among the residents here that origin of the phenomena is Cargill. What has yet to be determined is the specific causation. That's a different ball game. The City must first investigate and clear Cargill before utilizing the term mysterious. There is no mystery about where that noise is coming from.

Councilwoman Alexander, supported by Councilwoman Venecz, moved to adjourn. AYES: ALL

Dave Woerpel, President
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk

Time: 7:00
dw/cb

Prepared by
Robert J. Golec
Hammond City Clerk