

*Prepared by  
Robert J. Golec  
Hammond City Clerk*

MINUTES OF THE COMMON COUNCIL  
NOVEMBER 9, 2015

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on November 9, 2015 in the Hammond City Council Chambers.

Council President Michael Opinker presided.

City Clerk Robert J. Golec facilitated.

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

Councilman Markovich - I know you didn't have to whistle after the prayer, whoever was whistling.

Alvin Cheeks - I think that was somebody's phone.

Councilman Markovich - Well there's an ordinance that says that all electronic devices are suppose to be turned off completely, not in use here. In the Council Chambers. That was a disruption while we're praying the somebody's cell phone goes off. Tell the Police Officer to enforce the ordinance that, all electronic devices are suppose to be turned off, as per ordinance. And if anybody has theirs on, to please escort them out of the Council Chambers.

Alvin Cheeks - I have mine own because....

Councilman Markovich - Your out of order.

Council President Opinker - Order, order.

Councilman Markovich - Your out of order. I'm asking the Policeman to enforce the ordinance, that all electronic devices are to be turned off. And if not, escort them out of here. As per ordinance.

Council President Opinker - Order.

Alvin Cheeks - But you can take pictures though, Councilman.

Council President Opinker - Order.

Alvin Cheeks - But there's an ordinance that says you can too, under the freedom of information act. You can video tape.....

Council President Opinker - You are out of point.

ROLL CALL

PRESENT: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

ABSENT: Uylaki

TOTAL: 8

MINUTES OF THE COMMON COUNCIL cont.

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Councilman Markovich - Mr. Chairman, point of order.

Council President Opinker - Councilman Markovich.

Councilman Markovich - As per Ordinance 30.07. Use of cell phones, pagers, other electronic devices prohibited in Council Chambers. No person present in the Council Chambers while the Common Council is conducting a meeting, shall use any cell phones, pagers or other electronic devices at anytime during the meeting. All such devices shall be turned off or set not to make any audible sound. Shut them off. And I'm asking the Policeman to enforce it. And anybody that's got a cell phone, your being warned.

Councilman Higgs - Can you refer a letter to the Hammond Police Chief, so that these enforcements are emphasized in our Chambers in the future. Thank you.

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Kalwinski, moved to accept the minutes of October 26, 2015.  
AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from October 21, 2015 through November 4, 2015. Claim #5870 through claim #6099, inclusive.

Councilman Markovich, supported by Councilman Spitale, moved to amend in:

Claim #6100 University of Southern Indiana Human Relations/College Bound  
\$934.89

Claim #6101 United States Postal Service Mayor's Gaming  
\$240.00

Claim #6102 New Zion Temple Church City Clerk  
\$100.00

ROLL CALL VOTE (amendment)

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 CLAIMS AMENDED

ROLL CALL VOTE (as amended)

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 CLAIMS APPROVED

(as amended)

## PUBLIC HEARINGS

15-43            Appropriation - \$60,000 - Hammond City Court - From: Local Infraction Program  
To:    Part Time Salaries

15-47            2016 CDBG, ESG and HOME Budget

15-48            Appropriation - \$83,000 - Hammond Police Department - Safety Grant

15-51            To Appropriate New Funds to the Operating Balance for the Hammond Sanitary  
District's Sewer Maintenance Fund (608)

Alvin Cheeks - I have been living in the 3rd District, probably 45/50 years, economic development has occurred at Harrison Park at a high rate. My son plays at King Park, my son is only eleven (11), he can't cross over Calumet Avenue and go over to Harrison Park. So I was wondering how much this Park Board funds are gonna be used to revitalize Dr. King Park. So how many of those dollars are going to be used for that? That would be my question.

Scott Rakos - I would like to speak on 15-48. This is the grant that takes care of jaywalking, I highly encourage to use as much of the funds as necessary for the Morton High School area. It got better when the last time you used it and then since school got back in, parents routinely stop their cars on Grand Avenue, let their kids out in the middle of the street, so they can go across three (3) lanes of traffic. I highly encourage to use that money in the Morton High School area. Thank you.

Alvin Cheeks - Mr. President I'm gonna do item C now, 15-48. I disagree with that, because it's creating problem in African American communities, in regards to African American and Hispanics students being a high number of arrested in regards to that grant. So I think the Council should differently monitor the Hammond Police Department, in regards to the treatment and the overzealousness of all the tickets that has been wrote to Hispanic and African American kids.

Alvin Cheeks - Number A 15-43, Mr. Chairman. I think that is a great idea Mr. Chairman. And then under D 15-51, I agree with that one too sir.

## COMMUNICATIONS

Councilman Higgs read correspondence from Fountain of Living Water International House of God.

Councilman Higgs read correspondence from NICTD, Northern Indiana Commuter Transportation District on workshops.

Councilman Markovich - Councilman Kalwinski and myself, they had a meeting on this at Munster Town Hall, between 2-4pm. That information that I placed on your desk is what was going on. Stan Dostatni was there along with Mark Gordish and Brian Poland. They had information on what's going on. Anybody that's concerned and it's gonna concern the City of Hammond, because we are gonna be giving \$900,000 a year for

the next 30 years, 27 million dollars. So now your chance to go there at Irving School tomorrow, Chicago

#### COMMUNICATIONS cont.

Councilman Markovich cont.

Avenue and Hoffman and Pine, from 6-8pm and hear what they got to give. Because it's gonna be your money and that's what their talking about. And we can all say it's gonna benefit people in Munster that live in St. John so they can save 10 minutes off of their trip downtown Chicago. But the way they are talking about doing that Southshore train, their gonna use that as a shuttle, about three (3) cars and go from Main Street in Dyer and drop them off in North Hammond and get back on the train going west toward Chicago. So, it's your money, it's your chance tomorrow, so 6-8pm at Irving School. Thank you.

Councilman Higgs - I just got the correspondence, so unfortunately I wasn't able to attend today. But I do plan to attend tomorrow to hear what they have to say. I'm interested on learning how it's gonna help Hammond.

#### COMMITTEE REPORTS

Council as a Whole Committee - Councilman Hinojosa - Brought out 15-47, 15-48, 15-49A, 15-50 and 15-51.

Community and Crime Watch Committee - Councilwoman Venecz - Upcoming meetings:

Mon., Nov 16; Columbia Crime Watch; Columbia School; 6:00 p.m.

Tues., Nov 17; East Hammond Pullman Crime Watch; Ophelia Steen Center; 6:30 p.m.

Thurs., Nov 12; Whiting/Robertsdale Crime Watch; Calumet College; 6:30 p.m.

Councilman Hinojosa - The ones I gave, I believe we need to not come out with 15-50, I believe that's not going to come out til next meeting. So it's just gonna be 15-47, 15-48, 15-49A and 15-51.

Council President Opinker - No actually, 15-50 is a Notice of Intent and it will come out under New and Unfinished Business.

#### ORDINANCE 3RD READING - FINAL PASSAGE

15-47                    An Ordinance appropriating the proceeds of the Annual Action Plan and dealing with other matters pertaining to the expenditure of Plan Proceeds for Program Year 2016

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

Councilman Spitale - The City of Hammond is the recipient of the CDBG, ESG and the HOME Funds, which are needed to be appropriated. Also, being subject to approval of the State Board of Tax Commissioners.

#### ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried

8/0/1

ORDINANCE NO. 9319 PASSED

#### ORDINANCE 3RD READING - FINAL PASSAGE cont.

15-48                    An Ordinance to appropriate funds within The Hammond Police

Department Grant Fund

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

Councilman Higgs - This is an ordinance in reference to appropriation for the Hammond Police Department Grant Fund. One is identified as an Impaired Driving Grant Revenue \$75,000.00, Impaired Driving Grant Operating Fund \$75,000.00, Pedestrian Safety Revenue Fund \$8,000.00, Pedestrian Safety Operating Fund \$8,000.00.

ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 ORDINANCE NO. 9320 PASSED

15-49A An Ordinance Authorizing The City Controller to transfer from one line item to another

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

ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 ORDINANCE NO. 9321 PASSED

15-51 An Ordinance to Appropriate New Funds to the Operating Balance for The Hammond Sanitary District's Sewer Maintenance Fund (608)

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

Councilman Spitale - What this Ordinance is about is their trying to do an additional appropriation for their Sewer Maintenance Fund.

ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 ORDINANCE NO. 9322 PASSED

INTRODUCTION OF ORDINANCES

15-52 Appropriating the Proceeds of a Section 108 Guarantee Loan and dealing with other matters pertaining to the Expenditure of Loan Proceeds for Program Year 2015

Councilman Spitale, supported by Councilwoman Venecz, moved the proposed ordinance to 1st and 2nd reading by title, referred it to Council as a Whole Committee with a Public Hearing on 12-14-15.

AYES: ALL

## RESOLUTIONS

15R-21 Resolution of the City Council of The City of Hammond authorizing the filing a Section 108 Loan Guarantee Application and Designating Signatories for Payment Voucher on Letters of Credit for a Section 108 Guarantee Loan Project

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

Councilman Spitale - Section 108 is the Loan Guarantee component of the Community Block Grant. Section 108 provides communities with a source of financial economic development for large-scale physical and development projects.

### ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 RESOLUTION R21 ADOPTED

15R-22 A Resolution confirming the Reappointment of Carrie Hutton as a Commissioner of The Hammond Human Relations Commission of the City of Hammond, Indiana

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

### ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 RESOLUTION R22 ADOPTED

## NEW AND UNFINISHED BUSINESS

15-50 NOTICE OF INTENT - Petition of the Hammond Housing Authority Amending PUD Ord. 9297 for the Columbia Center Planned Unit Development District located in the 1200-1300 block of 173rd Street

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

NEW AND UNFINISHED BUSINESS cont.

Councilman Emerson - This a technical correction of the set backs on the Flagstone Village which is included in this ordinance on page 2, which we had discussed and needs to be done.

### ROLL CALL VOTE

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried 8/0/1 ORDINANCE NO. 9323 PASSED

15-53 BZA; Z-15-06; Variance of Use to allow for a Private Parking Lot for Vehicle/Trucks

related to the Operation of Van's Industrial, Inc. located at 253 Condit Street

Councilman Kalwinski, supported by Councilman Spitale, moved to schedule a Notice of Intent to Consider on 11-17-15 at 5 p.m.

Councilman Hinojosa - Just a refresher everybody's memory last meeting we cancelled the second meeting in November and the second meeting in December. But we found it necessary that we are going to need a second for this month of November, therefore I would like to make a motion to suspend the five (5) day rule and have a regular Council Meeting on Tuesday, November 17th at 5 p.m.

Councilman Hinojosa, supported by Councilman Higgs, moved to suspend the five (5) day rule and have a regular Council Meeting on November 17, 2015 at 5 p.m.

AYES: ALL

Council President Opinker - Okay for that Intent to Consider on 15-53 we are going to have to have a roll call vote on that, for the 1st and 2nd with the Notice of Intent on the 17th.

ROLL CALL VOTE (notice of intent 15-53)

AYES: Markovich, Spitale, Venecz, Kalwinski, Higgs, Emerson, Hinojosa, Opinker

NAYS: None

ABSENT: Uylaki

Motion carried

8/0/1

NOTICE OF INTENT PASSED

Councilwoman Venecz, supported by Councilman Emerson, moved to have a letter sent to the Clerk's Office requesting to give 48 hour notice to all the appropriate people for every Council Meeting.

AYES: ALL

LETTER SENT: NOVEMBER 10, 2015

Councilwoman Venecz - I would like to announce that Wednesday is Veterans Day. First of all, please take the time to honor those who have served, so we can all enjoy the freedoms that we do. Second with regard to that, City Hall will be closed in Observance of Veterans Day on Wednesday. Which means that trash pickup for Wednesday, Thursday and Friday will be delayed by one (1) day. The guys will be working on Saturday, November 14th. Thank you.

NEW AND UNFINISHED BUSINESS cont.

Councilman Emerson - Real briefly I would like to thank everyone that came out to the Veterans Appreciation Day Parade in Hammond. Second Annual, very good turn out. The weather was great, thank you. Didn't want to get away tonight without thanking everyone that supported the Veterans. Thanks.

Councilman Higgs - I had requested over three (3) years ago for 838 Carroll Street to be demoed and I would like to know the status on that property. So I would like to submit a letter to Code Enforcement to see what the status was. It was also placed on the hardest hit fund, which is a funding for those properties in the 2nd and 3rd District that needed to be demoed. And it was on the list, but it still hasn't been demoed. Second by Councilman Hinojosa.

LETTER SENT: NOVEMBER 10, 2015

PUBLIC EXPRESSION

Laurie Czulno - There was much discussion in the caucus tonight about detailed agenda information being made available to the public for the purpose of public notice. Might I again suggest that we publish the agenda in a timely fashion on your website. Thank you.

Alvin Cheeks - You know I've been a photographer for more than 35 years. Electronic devices is one that omits a signal, camera omits a signal, a camera phone omits a signal. There's nothing different than Mr. Jake taking film then editing it for this personal use. I've been coming here, that's really unfair, if Mr. Jacobs can bring a camera in here, what's the difference then someone using their cell phone as a camera to record a meeting? We know we have arbitrarily rights, you know. The only reasons why I didn't challenge the Officer he was right, it's not his law. The thing that we have to remember is that we arbitrarily have a right and I'm gonna bring it forth.

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

AYES: ALL

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Michael Opinker, President  
Hammond Common Council  
ATTEST:

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Robert J. Golec, City Clerk

Minutes approved by the Hammond Common Council on November 17, 2015.

Time: 6:45pm

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