

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on November 14, 2016 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 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 dispense with the formal reading of the previous minutes of October 24, 2016, since each Councilman already received a copy for study.

Minutes accepted and approved.

AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from October 19, 2016 through November 9, 2016. Claim #6638 through claim #7030, inclusive.

ROLL CALL VOTE (approval)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

CLAIMS APPROVED

PUBLIC HEARINGS

None

COMMUNICATIONS

Councilman Higgs read a press release from the Mayor's Office celebrating the 80th Anniversary of the Hammond Civic Center with renovations of the iconic building.

COMMUNICATIONS cont.

Councilman Torres - Last Council meeting we all received a letter from the Mayor, basically a personal attack on myself, and I need to respond to it. I'm sure that all of you got a copy of the slanderous letter that the Honorable Mayor sent to us. You know usually I would overlook such a correspondence as a typical political rhetoric but to this letter I have to respond. I am 68 years old and never in my life do I recall ever being called a liar. The Honorable Mayor has called me a liar in his letter. He suggested that either I go around talking to imaginary people or that I simply make things up. Why in the world would I make something like that, some city workers feel that they have no say in working conditions or salaries. If the Honorable Mayor thinks that there is nothing but joy in the city's workforce then he's the one imagining things. You know, page two of his letter he says that I insinuated that we retaliate or run, I guess he was referring to his administration, this city through fear and intimidation. I did not insinuate anything. I simply repeated what was told to me. And Honorable Mayor, I got something to say to you. You are nothing but a bully. Intimidating, intimidator, you are an abuser of our government power. You are rude, demeaning. You like to belittle and you just love insulting people. You're defaming letter proves it. I'm merely the messenger. Relaying what was told to me. If you are so lathered up with me for having relayed the message imagine what would happen to the workers that said it. They would be fired, demoted, transferred or whatever miserable thing you could do to them. No wonder they would rather keep quiet than say a peep. You believe that you are powerful and can do what you want and say what you want because of your title. You can hire people. You can fire people. You can appoint people to city boards now that they have pay. You can give free tickets to backers. You can treat people to a free lunch and other rewards. Well, I don't have a city job. I don't have any paid for position and I certainly can buy my own lunch. In other words, you can not control me. My only loyalty is to the citizens of Hammond, especially those of the 2nd District. I am going to do my job, which is to question the finances of the city, pass ordinances and so forth. I know you will continue to intimidate me but I know I can take it and the only weapon I have are the facts. My only power is my vote. To make it effective I know I have to at least get for of my candidates to support it. Since I have nothing to give my only power is my integrity and my honor. Which are not negotiable. I am more afraid of Casper the friendly ghost, Honorable Mayor, then I am of you. That is my response to his letter and I wish he was here to he could have heard personally. But, I'm sure he reads the minutes.

Councilman Higgs - The only thing you missed, we're not candidates we're your colleagues, Councilman.

Councilman Torres - I meant colleagues.

COMMITTEE REPORTS

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

Thur., Nov. 17; Hessville C.W.; 7 p.m.; Jean Shepherd Center

S. Hammond C.W.; 7 p.m.; Hammond Housing Authority

Wed., Nov. 16; Lafayette Neighborhood Watch; 6:30 p.m.; Lafayette School

Streets & Alleys Committee - Councilman Torres - The Engineer passed around a sheet he wants a projection for the year 2017 for streets that need to be overlaid or constructed, the street lighting, and so forth. So they would appreciate councilmen getting it to them as soon as they can.

*Prepared by
Robert J. Golec
Hammond City Clerk*

ORDINANCE 3RD READING - FINAL PASSAGE

None

INTRODUCTION OF ORDINANCES

16-32 2017 Elected City Officials Salary Ordinance

Councilman Spitale, supported by Councilman Rakos, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Finance Committee. AYES: ALL

16-33 Appropriation - Police Dept. - \$85,000 - From: Impaired Driving Grant Revenue Fund
To : Impaired Driving Grant Revenue Fund
\$10,400 - From: Pedestrians Safety Revenue Fund
To: Pedestrians Safety Revenue Fund

Councilman Spitale, supported by Councilman Woerpel, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Finance and Police & Fire Committees with a public hearing set for December 12, 2016. AYES: ALL

Councilman Higgs asked to be added as a sponsor.

16-34 Amending Various Ord.'s known as Sec. 36.005 of the Municipal Code as it pertains to Approved Uses of the 30% to be used for Neighborhoods

Councilman Emerson, supported by Councilman Emerson, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Finance Committee.

Councilman Higgs - Can I have my colleague, Councilman Emerson, explain to me what this purpose of this ordinance is?

Councilman Emerson - Absolutely, Councilman. This is the use of 30% of the gaming funds to actually offset any residents that may be affected by projects of the West Lake Corridor, in my specific case, the 4th District, the Linden Retention Pond Project. It is a Homestead Act, Homestead Act deal, by that I mean it can not be used for landlords and it can not be used for businesses or renters. In other words, if you own the home and you're being replaced and you buy a home in Hammond, that's key, then those funds will be used for that and that only.

Councilman Higgs - So you're saying the people that are going to be displaced, in terms of if they have to relocate from where they currently live and they have to be homeowners.

Councilman Emerson - Basically, yes, but the only people that qualify would be homeowners that then buy a home in Hammond. Anything else does not apply.

Council President Venecz - On the motion, all those in favor? All opposed? AYES: ALL

*Prepared by
Robert J. Golec
Hammond City Clerk*

RESOLUTIONS

16R-28 Authorizing the Hammond Fire Dept. to Apply for Assistance to Firefighter (AFG) Grant

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

Councilman Rakos - This is used to buy 95 new self contained breathing apparatus for the firefighters. They need new one periodically. This is a grant from FEMA that covers 90% of the cost. We have to have a resolution in order to apply for the grant.

Councilman Higgs - The cost is \$694,236 which the savings to the city would have to pay is \$71,137.

Councilman Markovich - So we're buying 95 new ones, what's the unit cost per unit? We're replacing all the scott air-paks that we have here in the fire department with new ones, the other ones are no good any more? Or are firemen using scott air-paks now that are unsafe for them to use?

Councilman Rakos - We haven't used scott air-paks in years. They're replacing the SCBA'S. They needed replaced. I don't think it's every single one of them. A certain amount per year. They need to apply for this grant to pay for them.

Councilman Markovich - So, what's gonna happen with the old ones? Are we getting trade ins on them or are they gonna be re-sold. Are we gonna recoup anything back from the old ones?

Councilman Rakos - I would assume they're not gonna keep the old ones if they're no longer in use.

Councilman Higgs - The ordinance says 95 self contained breathing apparatus, so it's 95 of them that they are purchasing. Now how many of them they gonna destroy or give away, that's questionable but according to the ordinance it's 95.

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. R28 ADOPTED

16R-30 Authorizing the Hammond Fire Dept. to Apply for Assistance to Firefighter (AFG) Grant for MDTS

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

Councilman Rakos - This is so the Hammond Fire Department can modernize its ambulances and fire vehicles with the addition of mobile data terminals similar to those found in the Police Department. Whereas currently a regional 2016 Assistance to Firefighters regional grant is available from Federal Emergency Management

*Prepared by
Robert J. Golec
Hammond City Clerk*

RESOLUTIONS cont.

Councilman Rakos cont. - Agency (FEMA) which allows regional participation of Lake County fire agencies. The regional grant, if awarded to all Lake County fire departments, would cover \$30,000.00 of the cost of MDT's for Hammond vehicles, which would be Hammond's share of the grant.

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. R30 ADOPTED

16R-29 In Support of the Donation of Surplus Historic City Property for Purposes of Historic Preservation

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

Councilman Woerpel - This is the train that sits across the street from the Hammond Civic Center and it was given to the city of Hammond in 1955 from someone in New York. It sat out there. There's been several, talk of several attempts to restore the train, whatever, that have fallen through but we're doing some improvements at the Civic Center now and a company, the Fort Wayne Railroad Historical Society has offered to come get it and they will restore it in its entirety. This is a resolution that basically goes along with the resolution that the Park Board passed last week authorizing them to come get it. It would be at no cost to the city or the taxpayers.

Councilman Higgs asked to be added as a sponsor.

Councilman Higgs - I think it's really great that they are willing to come and get this train and do something with it. It has been sitting there for quite some time and it sits in my district and I know kids have been playing on it and it's a wonderful thing and I applaud their efforts, Fort Wayne Historical Society, for stepping up and taking a conscientious effort in renovating this train that has been sitting for so many years just there. So thank you so much for assisting with this endeavor.

Councilman Markovich - Is this to make room for the other train that's coming in?

Councilman Woerpel - I know there was some talk earlier, the plans as I understand it is eventually it will be added as a parking lot. The part that the train sits on will come with the parking lot improvements.

Councilman Torres - I know there were some local enthusiasts, train enthusiasts, in the past that tried to keep that train there. I just wonder if they knew about it.

Councilman Woerpel - Being on the Park Board before I got this appointment there's been a lot of discussion about this train and there have been offers to fix it in the past and restore it, whatever, I have a ... I call it a e-mail, but it's actually a communication from when we originally got it to Mayor Anderson and one of the

RESOLUTIONS cont.

Councilman Woerpel cont. - conditions of it is it would be kept up and in looking in working condition. To answer your question specifically, there has been efforts in the past. There has been talk that there was gonna be some historical work done on it and it just never materialized.

Council President Venecz - What was the date of that communication?

Councilman Woerpel - The e-mail?

Council President Venecz - Yes.

Councilman Woerpel - March 4th, 1955.

Council President Venecz - Alrighty, so since then there's not been much done on 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. R29 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Higgs announced the Dunkin Donuts ribbon cutting ceremony on Nov. 15, 2016 at 2:30 p.m. at 7014 Kennedy Avenue. For those that are interested in going to the grand opening of the new Dunkin Donuts.

Councilman Spitale, supported by Councilman Emerson, moved to have the Intent for Consideration for 16-23 on November 28, 2016.

ROLL CALL VOTE (Intent for Consideration)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 MOTION CARRIED

Councilman Emerson - I'd just like to take a minute to thank everyone that worked on the Veteran's Day Parade Saturday here in Hammond. It's our 3rd Annual. It was a great day, the weather was great. Councilman Spitale was there, actually Councilman Kalwinski was there, a lot of the colleagues were there. Councilman Spitale is a veteran, the Mayor is a veteran, and I am. So, thanks to Donna Muta from Parks and the Street Department, Police Officers, and everyone. The key note speaker was Mr. Wellman and he's a World War II vet and is probably in better shape than I am and I'm not a World War II vet. But he was great. And just thanks to everybody that worked hard on it.

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont.

Council President Venecz - At this time I would like to wish everyone in the city of Hammond a Happy Thanksgiving from all of us to all of you.

PUBLIC EXPRESSION

Mary Ellen Slazyk - At the last council meeting I saw someone I've known for forty years and respect belittled by the Mayor. I didn't see anyone stick up for him. That's uncalled for and yes the Mayor is a bully. To do this to a sitting Councilman in public is absolutely disgusting.

Carlotta Blake King - Being retired I can now sit out on my sun porch and look out on the beautiful trees in Maywood Park, now Martin Luther Park. We all remember the big storm we had that ripped up half of the trees. I am glad to report I see the trees being replaced. I don't know who to thank for that if any of you had anything to do with that, Councilman Higgs being the 3rd District Councilman, I truly thank you and the Park Department and anybody else that was involved. Secondly, regarding 16-33, the appropriation for the police department, I hope we're not going back to 2014 and use these funds to cite our middle and high school students for jaywalking.

George Stoya - Mayor Tom does not need me to defend him. I'm concerned and disturbed by this conflict between Councilman Torres and the Mayor. From what I understand a couple people came to the Councilman with claims and allegations and from what I understand he just accepted them as true. I find that disturbing. I was hoping he would get some facts to support these claims because without that all we have is mud slinging. I'm not privy to the whole situation but I did not get the sense that you investigated these claims. You simply accepted them. Secondly, I don't know if it was intentional. I'm hoping it was an oversight. Regarding 16-34, no offense, but what the heck does that mean. This isn't the first time that we've gotten things that are so generic. This has been a perennial practice with these agendas.

Councilman Higgs, supported by Councilman Torres, moved to return to New and Unfinished Business.

ROLL CALL VOTE (Return to New and Unfinished Business)

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

NAYS: Rakos

ABSENT: None

Motion carried

8/1/0

MOTION CARRIED

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs - Just to elaborate on something you said George, in regards to ordinances, that's why I find it very important that when the audience is here as well as it being televised that it be explained as clearly as possible. Usually when I, when I say I, I mean Councilman Higgs, sponsor an ordinance I try to make it as clear as possible and explain it as well to the audience as well as whoever is watching televised. Certainly I understand your thoughts but I don't think it's intentional it's just that those other ordinances are being effected by it and it's already in the books so they add that with it to clear it if it helps you. But anyway, I understand your thoughts. All I can say is that I hope the Councilmen will take the time to explain their ordinance.

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont.

Councilman Torres - In response to you, George, you know I became an officer in '77 and then I retired in 2000 and even before I came on there was always lack of moral, is the way I was calling it, in the department between the rank and file and usually the brass. There's always somebody that's not satisfied with the raises, working conditions, or something. So, the officers that talked to me were lower ranking officers and they're not satisfied with the way the conditions are. There was before that, before I came on, it was during that I was both rank and file, probationary officer, then 1st Patrolman, then Corporal, then Sergeant, then Captain, and you used to hear it all the time especially when I was captain. How I'm not getting promotions because this guy is doing more campaigning or politicking than I am and so forth. So, that has always been the case at least in the Police Department. I understand nothing has changed. So. People, officers, where just expressing their views and I'm just translating on what I heard. I didn't say I had an opinion. I'll discuss it with you after the meeting.

Councilman Higgs - I'll just say this so that all minds and hearts are clear, we are all grown adults and every one of us should treat each other with the utmost respect. We may not always agree but you can agree to disagree. We were all elected to represent the taxpayers of this great city so let's treat each other with the utmost respect.

Councilman Torres - One more point. In the letter, what got me upset was not the political rhetoric, but the Mayor did write that, let me just say, "If it's true that Councilman Torres was approached by employees that said such things, which I doubt, they were clearly trying to dupe a rookie councilman into floating an ill-advised that would cause us an extra \$3 million a year." In other words, he's saying I'm lying or that I'm making this up. That's my point. I'm 68 years old the only thing I have to offer is my honor and integrity. I don't make things up like an imaginary kid.

Council President Venecz - I would like to say that people come before us with their opinions and concerns and a lot of times don't have the facts behind it and try to make our city look bad. We did have discussions in caucus tonight. Now we've had a discussion about this and I think it's best that these conversations continue after the council meeting.

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

AYES: ALL

Janet Venecz, President
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk

Minutes approved at the Common Council Meeting on November 28, 2016.

Time: 6:50 pm
cb

*Prepared by
Robert J. Golec
Hammond City Clerk*