

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on November 17, 2014 in the Hammond City Council Chambers.

Council President Michael Opinker presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.
Moment of Silence was observed.

ROLL CALL

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

ABSENT: None

TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Kalwinski, moved to accept the minutes of October 27, 2014 and place on file. AYES:
ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from October 22, 2014 through November 17, 2014. Claim #5670 through claim #6037, inclusive.

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

#6038	Whiting-Robertsdale Chamber of Commerce	Mayor's Gaming	\$1,200.
#6039	Three Seasons Float Co.	Mayor's Gaming	500.

ROLL CALL VOTE (amendment)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS
AMENDED

ROLL CALL VOTE (as amended)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS APPROVED
(as amended)

PUBLIC HEARINGS

14-35 An Ordinance Appropriating the Proceeds of the Annual Action Plan and dealing with other matter pertaining to the Expenditure of Plan Proceeds for the Program Year 2015

14-39 Concerning the Issuance and Sale of Bonds of the Park and Recreation District of the City, the Appropriation of the Proceeds of the Bonds, and other matters connected therewith

Alvin Cheeks - Re: 14-39 - Are the attorneys in the red book? Are any of those attorneys minority bond counsel? The red book is a great tool to find minority counsel and minority law firms to do bond issuing.

Scott Rakos - Impressed with administration and council for coming up with a way to consolidate our debt into one payment rather than using casino money because it won't always be there. Commends council for making sure that Purdue Cal is a part of the city.

COMMUNICATIONS

Councilman Higgs read correspondence from Timothy Carnote regarding a complaint against the H.P.D.

Councilman Higgs read correspondence from Planning & Development regarding the Blight Elimination Program.

COMMITTEE REPORTS

Councilman Spitale - Council as a Whole Committee - Brought out 14-35, 14-36, 14-37, 14-38, 14-39 and 14-40.

ORDINANCE 3RD READING - FINAL PASSAGE

14-35 An Ordinance Appropriating the Proceeds of the Annual Action Plan and dealing with other matter pertaining to the Expenditure of Plan Proceeds for the Program Year 2015

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

Councilman Spitale - This comes before us every year. It needs to be completed by February, 2015. The City of Hammond is a recipient of the CDBG, ESG and the Home Funds, which need to be appropriated.

ROLL CALL VOTE (passage of 14-35)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

ORDINANCE NO. 9272 PASSED

ORDINANCE 3RD READING - FINAL PASSAGE cont.

14-36 An Ordinance of the Common Council of the City of Hammond, Indiana, Appropriating the Proceeds (Together with Investment Earnings Thereon) Derived from the Sale of Revenue Bonds heretofore authorized to be issued to Procure Funds to be used in the Exercise of the Powers of the city for the Payment of City Debts, together with Expenses Incidental thereto, including Expenses in connection with the Issuance of the Bonds

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

Councilwoman Venecz - This is the appropriating ordinance for the sale of the water bonds for the Chicago Heights water contract.

Councilman Markovich - In the caucus we received an explanation of everything and the mayor gave a good presentation on it. I think we should have the mayor come before the council and explain everything because I know everybody's afraid about bonds and everything and all of that but when he explains it, it's not gonna really cost us.

Mayor McDermott - I just want to point out that this is as a result of litigation that was filed between the city of Chicago Heights and the City of Hammond. The litigation was resolved and what happened was we, the administration, took a one million dollar revenue stream, which was what we used to receive from Chicago Heights for wholesale water sales and we increased that to \$5 million currently and we're expected to see a bigger increase to that beginning January 1, 2015 because our prices on our contracts with Chicago Heights automatically readjusts to 85% of what Chicago Water Co. charges its residents. Which means we'll go from \$2.20 per thousand gallons to \$3.24 per thousand gallons. Although it's \$1.04 per thousand gallons we sell ... excuse me, 18% of our water sales, 2.6 billion gallons annually will sell to Chicago Heights. So, it's 18% of our total water sales. This revenue stream that we're asking you to monetize is gonna be used to help pay down debt to get our budget back on track and it's using proceeds of revenue we get from the sale of water in Illinois. I pointed out in caucus earlier that this is very similar to how our casinos operate. We use our proximity to Illinois to draw residents across state line to gamble in our casinos, as a result the city of Hammond benefits greatly from that gambling revenue. This is a very similar type of deal. We are in a unique position here because of the actions this administration has taken with regards to our customers to the south, Munster and Dyer. No other entity in Northwest Indiana could sell water to Illinois except for us and we're doing a good job of it. Because of that monopoly that we have we are able to generate extra revenue to help fund our budget, help pay for police and fire, help pay for expenses, road construction, college bound scholarship program. I think it's been a real good endeavor. I want to point out that we sell water to Calumet City. It's about 10% of our total daily sales. That revenue stream will not be touched at all. It's currently sitting at \$2.20 per thousand gallons and that's gonna go up to \$3.24 per thousand gallons January 1, 2015. We also sell water to Lansing. I know they are on a flat rate. I think it's right around \$1.30 per thousand gallons. They have a flat rate and they have at least seven or eight more years left on that contract. That revenue stream is not touched by this either. So basically, what we're talking about is Chicago Heights water sales. The proposal is we're gonna monetize about \$1.70 of the \$2.20 revenue stream. That revenue stream is gonna be \$3.24 January 1st. So if you have any questions in particular I'm here and if I don't know the answer to your question I have people here that can. And I want to point

*Prepared by
Robert J. Golec
Hammond City Clerk*

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott cont. - something out. It's been mentioned, I know Councilman Hinojosa had a question in caucus about why is gaming revenue even talked about if this is all about water sales. We had Carl Cender who addressed the council and pointed out that even though it's never gonna be used we pledge it to get a lower interest rate. So we talk about gaming and in our worst case scenario gaming would be used but the only way gaming would be used is if Chicago Heights stopped buying water altogether. Because Chicago's gonna always be more expensive than Hammond is and we are Chicago Heights source of water. So, call us lucky because of our location, and call us lucky because of hard work this administration did to make it so that we're the only player. But, you know, I said it last council meeting and I'll say it again gaming revenue is dropping and it's been dropping and it's only gonna get lower because of the competition in Illinois and because of the law changes and because of the economy. Water is headed in the opposite direction. Water is only gonna get more expensive and people need to use water, people don't have to gamble. So I would take water any day of the week over gambling.

Councilman Higgs - Currently what is the debt?

Mayor McDermott - This bond is gonna bring in \$32 million. That's the proposal. That money is gonna be put into, I know Riverpark debt is one of the things that is being targeted with this revenue, so is the day to day expenses that, you know, it's no secret that we've been using gaming revenue to shore up our budget and sometimes we fall a little short and we roll that operating balance, or that deficit, into the next year and if you do that a couple times you're looking at a big number. That is gonna be retired from this proceed also. When you talk about debt, this is not what I consider debt. I consider debt something that I have to pay back. If I take debt into my house and I have to pay it back, that's debt. This is not debt that the Hammond resident is gonna bear. This is debt that is being paid through the revenues that we get from selling water to Chicago Heights only.

Councilman Hinojosa - Assuming that we borrow the whole \$36.5 million. How much of that is going to be spent in 2015 and I know you had mentioned, you and the City Controller had mentioned, that when it was \$30 million there was gonna be \$4.5 to \$5 million left over surplus and now that we're borrowing another \$6.5 does that make it that we're gonna have \$11 million surplus and we're not spending the whole \$36 and we're gonna have \$10-\$11 million left over for surplus for a rainy day or can you explain that?

Mayor McDermott - The projection was, first off, when we do bond issues they put a higher number on the bond issue. So they say 36, it's basically up to 36. It's basically up to 36. The goal is for us to net 30. Alright, so, I know part of the 36 that's in front of you is like a security deposit, debt service reserve, and it's about \$3 million set aside just for debt service reserve. That's like when you move into an apartment and they require a security deposit. We will get that money back but it will be 18 years from now, Councilman Hinojosa. What was your other question?

Councilman Hinojosa - When this was first coming out, you and the City Controller were saying that there was gonna be an extra \$4.5 to \$5 million left over, but now if we

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott - Well, the projection is First off, we already passed our budget for 2015, voted 9 to 0, I signed it. So that budget's been set. As the councilmen are full aware, and I am, we all gave ourselves a strict diet on the use of gaming revenues next year. Each council person has \$500 thousand for capital projects in their district and the mayor has \$500 thousand for capital projects across the entire city. As you all know that's a million less than I was entitled to under city ordinance. I did it because I wanted to hold myself to the same standards as the councilmen. Because of what we did there and because of the monetization of this water revenue I have built into the budget, I know Heather was projecting that when we're doing our 2016 budget we'll be looking at possibly a couple bucks in the bank, Councilman Hinojosa. Instead of looking at red ink like we usually look at when we are doing our budgets. And as you know, when we do our budget it's usually red ink everywhere. We're saying because of what we did in the budget that was passed and what we're doing, hopefully, when you pass this measure right now, that when we're doing our budget a year from now it's gonna be a lot different story.

Councilman Hinojosa - One more question. Do you project that by what year, because as of for next year we're gonna get a half million, do you project what it's gonna be for 2016, 2017?

Mayor McDermott - I could do quick math. Most of our debt will be paid off because of this. But it really depends on what kind of gaming revenue we're gonna have, you know. When I took over, when you took over, Councilman, we would get \$34 million a year on gaming revenue from the old boat. From the little tiny boat that the Empress used. Then Caesar's Entertainment comes along and they build what we have now, which is the barge, and they expected revenues to be way higher than they are now. When they first opened that was in 2008, 2009 and 2010 we were getting around \$40 to \$42 million in gaming revenue, okay. Gaming revenue is down to about \$33 million in 2014, in 2015, if it hits \$30 I'd be happy. It's going in the wrong direction. Why? It's going in the wrong direction for a number of reasons. People don't gamble as much. There's more competition. Casinos, Des Plaines opened up a brand new casino and that hurt us. There's more competition in the supermarkets, and in the restaurants. People are gambling in Illinois in a restaurant, in a grocery store. So there's fewer and fewer reasons to come to Hammond to gamble then there was when we took over. So, let's say that we had \$30 million next year of revenue, Councilman. We're still gonna owe our \$3.5 million to the RDA. So that knocks us down to about \$26.5 million. Then you know, depending if we're short on our budget, which I imagine. We'll say we're 10 short on the budget, which has been typical. Take 10 off of that. That leaves about \$1.6 to \$1.7 million. I think that's where you're looking at. We're gonna be in that ballpark.

Councilman Hinojosa - How about the media rumor of the gazette that the Horseshoe or I'd imagine Caesar's Entertainment is gonna file bankruptcy? How's that gonna affect us? Anybody talk to the people from the casino's as far as is that really gonna happen in 2015 and how is that gonna effect us?

Mayor McDermott - I talked to Dan Nita today about this very issue. He and I spoke and he pointed out that Horseshoe is a subsidiary of Caesar's and if Caesar's does file bankruptcy it's not gonna affect the conditions that Horseshoe has with the state of Indiana to be able to gamble in Indiana. It may happen, it may not happen, but I did talk to Dan and he said, "Mayor, if it does happen, you won't notice a difference." He said United Airlines went through a bankruptcy and the planes kept flying and people still got their reward miles and he says

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott cont. - Majestic Star Casino went through a bankruptcy also and people still went there and gambled and they still recognized the Honors points that they earned. So, if that does happen, Councilman Hinojosa, it's nothing we can control. But I don't think the customers of the Horseshoe would notice a difference and I don't think we would notice a difference either. I trust Dan Nita very much. He and I have a very good relationship. I know that if he thought there was something to worry about he would tell me, I do know that about him. But I appreciate you bringing that up. I was concerned also about that.

ROLL CALL VOTE (passage of 14-36)

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

NAYS: Hinojosa

ABSENT: Absent

Motion carried

8/1/0

ORDINANCE NO. 9273 PASSED

14-37 An Ordinance Amending Ord. 8547, also known as Sec. 72.016 of the Hammond Municipal Code as it pertains to Administrative Towing Fees

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

Councilman Higgs - Could I have that ordinance read in its entirety please?

Council President Opinker - Have you read that ordinance?

Councilman Higgs - I have but I would like it read for the general public as well. Clerk can you please read that?

City Clerk Golec - The Clerk, by the statute is only supposed to read it if there's been a second.

Councilman Higgs, supported by Councilman Hinojosa, moved that City Clerk Golec read the proposed ordinance in its entirety.

City Clerk Golec read the proposed ordinance in its entirety.

Councilman Markovich - I have a couple questions. You know, it's a police ordered tow. But last year when we had all of the snow when they wanted to plow the streets they went out and they towed peoples cars just to get them off the streets just so we could plow the street. I don't believe we were charging people for that. Most of the time, I believe, like Strack's they put them in Strack's parking lot until they could claim them. But just so that we know for sure that this is not gonna impact that that all of a sudden that just because it's a police ordered tow they're not paying this fee now. That's a question I'm asking and I'm sure that's not the intent in this ordinance.

Mayor McDermott - I agree with Councilman Markovich, I mean in a situation like that that's an emergency, you don't take advantage of the resident. This is more, typically you get pulled over, you're drinking and

*Prepared by
Robert J. Golec
Hammond City Clerk*

driving

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott cont. - and you get arrested and your car gets impounded, you know, this is typically the type situation or they leave a car abandoned and it's towed. I agree with you and we have situation where we waive the towing fees in a situation like that where it's an emergency and we need to clear out the street. We're not gonna tow their car and then charge them.

Councilman Markovich - The other thing is this environmental fee. Why would there be an environmental fee? That's what I don't understand.

Mayor McDermott - I'll have Corporate Counsel address that.

Corporate Counsel Kantar - Currently there is no USEPA or Indiana Dept. Environmental Mgt. Regulation of towing. As you know, with towed cars there are a lot of fluids leaked, everything, antifreeze, transmission fluid, radiator fluid, oil, and we just need to make sure that it's properly disposed of. It's not just being drained into our sewer system because as you know we are paying to clean all of the storm water now. So it hasn't come to fruition yet, but it's just authorizing. If it should be determined that there is an additional inspection needed by HDEM, this would cover their cost.

Councilman Markovich - I understand all of that, like when they call out a towing company for a wreck or tow there's the antifreeze and everything on the ground and that towing company is responsible for the clean up.

Corporate Counsel Kantar - Correct, but when it gets back to the yard it keeps dripping.

Councilman Markovich - Well, but see that's his property. So now they're gonna be able to collect an environmental fee, the towing outfit?

Corporate Counsel Kantar - His property, however, it's our storm drains that this fluid's going to if they are not properly contained.

Councilman Markovich - Well, I'd be willing to bet that a lot of these junk yards with towing fees don't have sewers in their lots.

Corporate Counsel Kantar - Well, they're storm drains.

Councilman Markovich - I don't believe so. I don't believe the junk yards have storm sewers. It's just going on the ground or whatever. That's probably something we need to check into.

Corporate Counsel Kantar - Right, well that's why HDEM's gonna go out and do it.

Councilman Markovich - They're gonna do it?

Corporate Counsel Kantar - Yes.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Markovich - So, how an environmental fee gonna apply?

Corporate Counsel Kantar - We haven't gotten that far, but this is just to authorize it when it comes to pass.

Councilman Markovich - Will we be notified if and when the Board of Works determines that?

Corporate Counsel Kantar - Their minutes are always available and their meetings are always online.

Councilman Markovich - We're okaying it by this ordinance authorizing the creation of an environmental fee which shall be determined by the Hammond Board of Public Works and Safety, maybe we should take that out until you guys determine it and then come back and then we'll add it to the ordinance as an addendum then.

Corporate Counsel Kantar - I mean it's up to you but right now it's not harming anything. The Board of Works hasn't done anything. However, we just want to have something in place so that we can protect all of this expensive combined sewer overflow and storm water that we are experiencing with the Sanitary District.

Councilman Markovich - I don't have a problem with that but I would request that the Law Department send out letters to all the towing companies wherever they have storage and ask if they do have storm drains and so forth and all of that to verify this.

Corporate Counsel Kantar - Well, I'm sure that's easy enough to check with Engineering. I don't think we need to ask them. I'm sure Stan's got the big maps of everything. So Engineering could verify it probably this week.

Councilman Markovich - Whatever, whatever has to be done. That's all I'm asking though. If we're imposing this, like Pick and Pull, I don't think they have storm sewers over there.

Corporate Counsel Kantar - They'd have to with the size of them, they'd absolutely have to.

Councilman Markovich - Well, that's something we'd have to ask about.

Corporate Counsel Kantar - If not then their lots flooding.

Councilman Higgs - Councilman Markovich, you're posing questions but are you gon put that in the form of a motion? The dialogue and conversation is fine but in order for you to see it executed you must...

Councilman Markovich - Well, I asked her if the Law Department would send letters out and she says that she's forwarding it or the Engineering Department should know.

Councilman Higgs - I didn't hear that.

Councilman Markovich - We could probably do that under New and Unfinished Business then.

ORDINANCE 3RD READING - FINAL PASSAGE cont.

ROLL CALL VOTE (passage of 14-37)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9274 PASSED

14-38 An Ordinance Creating a New Fund (Fund #018) for purposes of Acquiring and Demolishing Blighted Residential Structures in accordance with the Indiana Housing and Community Development Authority Blight Elimination Program

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

Councilman Higgs - This is for the grant for the Blight Elimination Program throughout the city of Hammond but it's only gonna affect two particular districts, that's the 2nd and 3rd.

ROLL CALL VOTE (passage of 14-38)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9275 PASSED

14-39 An Ordinance of the City of Hammond, Lake County, Indiana, Concerning the Issuance and Sale of Bonds of the Park and Recreation District of the City, the Appropriation of the Proceeds of the Bonds, and other matters connected therewith

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

Councilman Spitale - I'd like to thank the Mayor and his administration for getting this partnership with Purdue Calumet College in helping expand Purdue Calumet's Athletic Program. Total bond is \$7.3 million needed for construction and equipping of the multipurpose outdoor sports complex located at Dowling Park. Also replacing a roof on the Civic Center.

Mayor McDermott - I'm here to answer any questions. I've got people that can answer the detailed questions that I couldn't answer. But I do know, big picture-wise that this bond, for a \$90 thousand house will result in a \$9 increase, for a \$90 thousand home, that's the max we'll pay. What this project is, \$7.3 million bond as Councilman Spitale indicated it also helps re-roof the Hammond Civic Center whose roof is not adequate for high winds. Maybe twenty years ago when the roof was built 70 miles an hour, which it was rated for, was acceptable but now we're going to 80. I know right now we have roof issues at the Civic Center so this is kind of an emergency repair. It was included into this bond. This bond will get the Dowling Complex, which is located in the heart of Hessville. It will get it to where the baseball field, the softball field, the tennis courts, the

*Prepared by
Robert J. Golec
Hammond City Clerk*

soccer field, where men's and women's soccer will be played, men's softball, women's baseball, men's and

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Mayor McDermott cont. - women's tennis, will all be out of the Dowling complex. There will also be a walking path around the entire complex for neighborhood use. These facilities, when they're not being used by Purdue Cal will be for use by the neighbors. I think it's great. I am an assistant coach for the baseball team at Purdue Cal and I want to point out that I make zero dollars and zero cents doing this. But I do know a lot about Purdue and the athletic program and the young men and women that are now coming to Hammond, Indiana for their education because of this program. I'd like to point out the athletic director for Purdue Cal, Rick Costello, is also here. Thank you very much Rick for coming out. If you have any questions, but Purdue is one of Hammond's top employers and when I took over as mayor in 2004 there was a fear in Hammond that Purdue Cal was stepping away from our city and I could tell you that here we are 11 years later and Purdue Cal is not stepping away, they are stepping in and investing and they are part of our community and it's a great part of our community. I think that these athletic facilities are going to cement that relationship for fifty years, maybe even longer. Purdue Cal and Hammond are gonna be arm in arm and I think that's good for Hammond. So, I appreciate the council for considering this.

Councilman Higgs - My question would be is Purdue donating anything to this project?

Mayor McDermott - Yes, sir. We're working through the details of that right now. But right now the city fronted the cost and we're working through details on... either Purdue's gonna buy the fields themselves from the city of Hammond or we're gonna come up with some type of use agreement where Purdue basically pays rent. I would rather see them buy and we're working on that issue as we speak. If Purdue did buy the fields it would be literally the fields themselves, you know, the park would still be owned by the city of Hammond. The parking lots would still be owned by the city of Hammond. The walking path would still... it would literally be the fields that Purdue bought. The reason Purdue might want to buy it down the road, may, nothing set in stone at this point is if Purdue wants to build a big scoreboard on the baseball field for instance, or on the softball field or on the soccer field, why would they build a brand new scoreboard on fields that were owned by the city of Hammond. These types of issues are being brought up and we're working through these details as we speak. The cost of the project will get us to what I consider a completed state. Meaning the frills aren't there, and I know that Athletic Director Costello has big plans, he wants to install these really nice press boxes and he wants the fields to be lit, and he wants them to be top quality. And I want them to be too and I think one day they will be there. But this gets us to the base point where we could turn the fields over and say here you go Purdue. You know, if it's gonna come with extra frills and all these extras that want to be added by the Purdue administration that's gonna be done at Purdue's cost.

ROLL CALL VOTE (passage of 14-39)

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

NAYS: Hinojosa

ABSENT: None

Motion carried

8/1/0

ORDINANCE NO. 9276 PASSED

*Prepared by
Robert J. Golec
Hammond City Clerk*

ORDINANCE 3RD READING - FINAL PASSAGE cont.

14-40 An Ordinance of the Common Council of the City of Hammond, Indiana, Authorizing the Issuance and Sale of Revenue Bonds of the City of Hammond, Indiana, in an Aggregate Principal Amount Not to Exceed Thirty-six Million Five Hundred Thousand Dollars (\$36,500,000), to Procure Funds to be used in the Exercise of the Powers of the City or for the Payment of City Debts, together with Expenses in Connection with the Issuance of the Bonds

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

Councilwoman Venecz - This is the authorizing ordinance for the issuance of the revenue bonds from the Chicago Heights water contract.

ROLL CALL VOTE (passage of 14-40)

AYES: Markovich, Spitale, Venecz, Kalwinski, Uylaki, Emerson, Opinker

NAYS: Higgs, Hinojosa

ABSENT: None

Motion carried

7/2/0

ORDINANCE NO. 9277 PASSED

Councilman Markovich - Just for point of clarification on Exhibit A that we received for this bond, it shows that there's a profit or a coverage of \$1,621,589 that we're gonna be ? From the sale of these bonds.

INTRODUCTION OF ORDINANCES

14-41 An Ordinance Authorizing the City Controller to Transfer Funds from One Line Item to Another within the Hammond City Court 2014 Budget

Councilwoman Venecz, supported by Councilman Kalwinski, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Council as a Whole Committee. AYES: ALL

Councilwoman Venecz - As we discussed in caucus back in March, we established a non-reverting fund for dollars that were generated by a local infraction deferral program. At that time Judge Harkin said that his intention was to use the funding for part time salaries and he is now looking to transfer from one line item to another to, \$10,000, for part time salaries.

14-42 Amending Title VII of the Hammond Municipal Code Traffic Schedule III and Setting a School Speed Zone Limit at 165th and Hohman Avenue for 25 MPH

Councilman Emerson, 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. AYES: ALL

Councilman Emerson - This is basically, you know, Kenwood School is right there, 165th and Hohman and the safety of the elementary school children are a top concern and people tend to speed up a little bit there for gas and various things coming in and out of our city.

RESOLUTIONS

14R-31 A Resolution Authorizing the City Clerk to Enter into an Agreement for the Receipt of Bail Bonds

Councilwoman Venecz, supported by Councilman Spitale, moved for adoption.

Councilwoman Venecz read the resolution in its entirety.

Councilwoman Venecz - This is a contract that the City Clerk is going to enter into with a company called GPS which will allow prisoners when released perhaps over the weekend and when cash is not so readily available that they will be able to use credit cards/debit cards. They will be charged... Clerk Golec will you help me out with that?

City Clerk Golec - The Government Payment Services Company will charge 7% of the bonds using the credit cards. For example, if the bond is \$1,000 then 7% of that is \$21 is what the fee would be for the person using the credit card. Out of that \$21 the city of Hammond would receive 15% of that and the credit card holder would still have to pay his fees or any other charges he incurs by using the credit card. In the past the Clerk's Office has only accepted cash bond payments all these years so that we would make sure that we didn't receive a bad check from somebody getting out on bond. Now, the person that's in jail visiting our accommodations at our resort, if they would like to leave sooner than later they have the option of using their credit card and paying these additional services. In addition, there is absolutely no obligation or responsibility on the city of Hammond or its taxpayers if the credit card is bad or if it's bogus this GPS Company assumes all the responsibility for any extra service charges that may be incurred as a result of the transactions.

ROLL CALL VOTE (adoption of 14R-31)

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

RESOLUTION NO. 14R31 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Higgs, supported by Councilman Hinojosa, moved to send a letter to Neighborhood, Inc. thanking them for sponsoring a program throughout my district in honor of the late Rev. Parrish for the best decorated house on the block. Throughout the district there were a number of participants, one happens to be in the audience who is also honored for the contest and that is Ms. King. AYES: ALL

LETTER SENT: NOVEMBER 18, 2014

Councilman Higgs read correspondence from Neighborhood, Inc.

*Prepared by
Robert J. Golec
Hammond City Clerk*

Councilman Higgs - Received a correspondence unfortunately I had been doing some other things within the community but Ms. King I received your correspondence as it relates to the board of directors and the Youth Promise Act and I am currently working with our attorney to draft up a resolution in regards to addressing this.

NEW AND UNFINISHED BUSINESS cont.

Councilman Emerson - I would like to wish you and your family and all of my colleagues on the council a very happy Thanksgiving. I don't think we meet again, or we may, if we do I am wishing you an early one. And everyone in the audience we have a lot to be thankful for. I know we have issues but we still have a lot to be thankful for.

Council President Opinker - I'd like to let everybody know our next council meeting will be Monday, December 15th.

Councilman Higgs, supported by Councilman Hinojosa, moved to send a letter to Code enforcement about the KFC property at 5851 Calumet Avenue. There are t.v.'s as well as carpet and all kinds of debris sitting back where the dumpster was formerly located and it needs to be cleaned up so whoever owns the property needs to be cited as well as we've addressed the lot on the corner of Bauer and Calumet where all these abandoned vehicles are just sitting there and it's not a car lot and none of the cars are being moved. So I'm trying to figure out what's the purpose of them just sitting there. So if we could have a letter to the Police Chief in regards to addressing that and one to Code Enforcement in getting that property at 5851 Calumet Avenue cleaned up where the t.v. is sitting back there where the dumpster is and the carpet and all that other debris. AYES:
ALL

LETTERS SENT: NOVEMBER 18, 2014

Councilman Hinojosa - Yeah, I got three motions here I'll put them all in one shot here. Clerk Golec's got a copy of it.

First motion is to have a letter sent to the City Controller, Water Department, Sanitary District, and Port Authority for the names of consultants with amounts paid to all lawyers and consultants for 2013 to present day 2014.

Motion number two. Motion to the City of Hammond and the Port Authority for a copy of the lease of the Lost Marsh Pavilion Bar/Restaurant contract for 2012, 2013, and 2014.

Third one. Motion to City Controller and Water Department for copy of contract with city of Chicago Heights and all other cities. I so move.

Council President Opinker - Okay, Councilman Hinojosa, they're in your claims every two weeks. The individuals that are getting paid. There's no need for a motion for that, alls you got to do is read your claims.

Councilman Hinojosa - I still made a motion.

Council President Opinker - Okay, as far as your first motion.

Councilman Higgs - Point of Order.

NEW AND UNFINISHED BUSINESS cont.

Council President Opinker - We're gonna take one motion at a time.

Councilman Higgs - Point of Order.

Council President Opinker - Do we have a second on Councilman Hinojosa's motions?

Councilman Higgs - Point of Order.

Council President Opinker - What's your point of order?

Councilman Higgs - The point of order is if you're gonna make a comment as it relates to my colleague you need to step and relinquish your seat. Allow your vice president to take your seat and voice your opinion. That's Robert's Rules of Order.

Council President Opinker - We have Councilman Hinojosa made a motion on three different letters to be sent, do I have a second on that?

Councilman Higgs - What was the first motion?

That was in regards to a letter being sent to the Clerk, as far as ...

Councilman Hinojosa reread the motion.

Council President Opinker - Okay, do I have a second?

Councilman Higgs second the motion.

Council President Opinker - Clerk Golec, roll call vote on the 1st motion.

ROLL CALL VOTE (letters re: consultants and lawyers)

AYES: Markovich, Spitale, Kalwinski, Uylaki, Higgs, Emerson, Hinojosa

NAYS: Venecz, Opinker

ABSENT: None

Motion carried

7/2/0

MOTION CARRIED

LETTERS SENT: NOVEMBER 18, 2014

Councilman Hinojosa - Motion to the City of Hammond and the Port Authority for a copy of the lease of the Lost Marsh Pavilion Bar/Restaurant contract for 2012, 2013, and 2014.

Councilman Higgs second the motion.

NEW AND UNFINISHED BUSINESS cont.

ROLL CALL VOTE (letters re: contract)

AYES: Markovich, Spitale, Kalwinski, Higgs, Hinojosa

NAYS: Venecz, Uylacki, Emerson, Opinker

ABSENT: None

Motion carried

5/4/0

MOTION CARRIED

LETTERS SENT: NOVEMBER 18, 2014

Councilman Hinojosa - Yeah, the third one, motion to City Controller and Water Department for copy of contract with city of Chicago Heights and all other cities for the water usage.

Motion died for lack of second.

Councilman Hinojosa - I have one more. Recently on Thursday, November 13, there's a opinion in there that Hammond must work on police diversity. I'm not gonna read the whole thing but the last paragraph says, "Offering the plan Higgs sought should take City Council action. The Police Chief and Mayor should work together on this policy and in the process find additional ways to focus efforts on recruiting minorities to join the police force. If other cities can do so should Hammond." Therefore I'd like to make a motion on one of the motions from last meetings. Motion to receive in writing the plan to increase hiring of additional African Americans to the Hammond Police Department and all findings made public within 60 days. I so move.

Council President Opinker - Councilman Hinojosa has a motion on the floor, do I have a second?

Councilman Higgs second the motion.

Councilman Higgs - I would like to include Hispanics as well as African Americans.

Councilman Markovich - Two weeks ago we had a meeting at the Civic Center and I believe the Mayor addressed that and maybe he would want to address that now.

Councilwoman Venecz - Excuse me, what is the request again?

Councilman Hinojosa repeats motion including Hispanics.

ROLL CALL VOTE (letter re: hiring)

AYES: Markovich, Higgs, Hinojosa

NAYS: Spitale, Venecz, Kalwinski, Uylacki, Emerson, Opinker

ABSENT: None

Motion carried

6/3/0

MOTION FAILED

NEW AND UNFINISHED BUSINESS cont.

Mayor McDermott - I wanted to address the first three motions Councilman Hinojosa brought up. First motion about ... I think the Council President was correct when he pointed out that Councilman Hinojosa does have access to claim forms that go through the City Council but I think Councilman Hinojosa was asking for Port Authority, Water, Sanitary District and I could assure you on behalf of the Water Department, Sanitary District and Port Authority, we will comply as best as we can with the councilman's request. So, first things first, okay. Second, Councilman Hinojosa also brought up in the second motion a copy of the lease agreement with the owners of Meyer's Castle who run the restaurant at the Lost Marsh Golf Course. I was listening to Councilman Hinojosa's radio show that he had last week and I can only imagine I know why he's asking this question now. But I just wanted to point out to the council what's going on here is Councilman Hinojosa took a civilian, Mr. Urquiza and his father in this case, and said disparaging remarks about these civilians on his radio show which is, I imagine, gonna be followed up legally because you can't do that unless it's the truth and in this case it's not the truth. He said something to the fact that Mr. Urquiza, who runs the Lost Marsh Golf Course, pays a dollar a year in rent. Which is absolutely ludicrous. Not a shred of truth to it. How Councilman Hinojosa gets this information and says it about private citizens is beyond me and I think he's gonna have legal issues in the future because of these damaging remarks made against the Urquiza family. I think what you'll see when you ask for the lease and it comes back to you is that it's wholly not the case. That Mr. Urquiza pays a market rate. So I have no problem providing you with that lease. In fact, I think it's a good thing so we can clear this up once and for all and maybe Councilman Hinojosa could explain why he's making disparaging remarks about civilians. Secondly, in his last motion Councilman Hinojosa asked for the copy of the contract between Chicago Heights and the city of Hammond. This was another disparaging remark that Councilman Hinojosa made on his radio show last week about the Urquiza family, Kevin Smith, an attorney for the city of Hammond that everybody knows quite well, Councilman Hinojosa on the radio show intimated that there is some improper like holding company that I was a part of and we had it in Chicago Heights so that all water that passed through this holding company kicked back a portion of the profits to me, and Kevin Smith, and the Urquiza's, and I'm trying to think, he threw somebody else in there also, my dad. I mean it is absolutely beyond me how he could come up with these reckless theories and throw defamatory statements about civilians. You know, you could say that stuff about me, I'm an elected official and I can't sue Chico even though though it's completely false and ridiculous what he's saying. I could but I would lose. Because you have the 1st amendment right to say damaging things about elected officials. I could say it about you guys as well. But to pull my father, and the Urquiza's, and Kevin Smith into your theories and lies, Councilman Hinojosa, it's beyond me how you could come up with this stuff. So, you want to get the contract, that's a great idea. You want to get a contract between Danny and the Lost Marsh, that's a great idea. Then get ready, Councilman Hinojosa, you're gonna learn a lesson here because you can not lie about the members of the public like you did on your radio show last week and you're continuing it today. So I'm glad that you passed those two motions so that we can clear this up once and for all and then you can clear it up with the Urquiza family, your damaging defamatory statements.

Councilman Higgs - We can sit here and go back and forth about the ongoing discussion as it relates to what they may say and what they may not say but the fact of it is that we're all elected officials, people are gonna say what they want to say but you know what, the dirty politics I don't agree with. That's my point.

Mayor McDermott - Does dirty politics include stealing campaign yard signs?

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs - Since you opened that up, I'm so glad you did mayor because I wasn't even gonna go there but since you asked the question.

Mayor McDermott - I wouldn't go there if I was you either.

Councilman Higgs - It's illegal to put signs on church property. It's illegal to put signs in people yards and aks or even get a yes or no as to when and when. And it's also illegal to have people stalking you, And on top of that to sit down the street from my home when I get off work and sit in the parking lot, of course. Quite naturally I have a close relationship with all my constituents and anytime you put a sign up in the 3rd District, guess what, they call Councilman Higgs. That's how close my relationships are with my constituents.

Mayor McDermott - Thou shalt not steal.

Councilman Higgs - So, Michael Swagert or whoever that guy is in relations to this particular incident, I filed a police report for that particular reason and the editing of all the film needs to stop. If you're gonna put it out there put it out correctly. Don't half step. You pay Jake Jacobs, the guy works for Jake Jacobs. What's that all about? Are you all connected. Are we missing something here?

Mayor McDermott - Thou shalt not steal. You quote the bible a lot, Councilman. Thou shalt not steal.

Councilman Higgs - Take me to court, I'm waiting. Take me to court.

Councilwoman Venecz - I would like to announce that the Hammond Education Foundation is partnering with the Towle Theatre with their presentation of a Fabulous Fifties Christmas on December 11th, which is a Thursday. The Towle Theatre is at 5205 Hohman Avenue. There is a reception with horderves and a silent auction and a cash bar at 5:30 p.m. and the show begins at 7:00 p.m. The admission is \$40 per person and all proceeds go to the Hammond Education Foundation and before I'm interrupted I would like to read a list of the Community and Crime Watch meetings that are coming up.

Tues. Nov. 18	East Ham'd Pullman C.W.	Ophelia Steen Center	6:30 pm
Wed. Dec. 3	Edison C.W.	Edison School	6:30 pm
Fri. Dec. 5	Edison on the Road	Golden Manor	1:00 pm
Thurs. Nov. 20	Hessville C.W.	Jean Shepherd Center	7:00 pm
Fri. Dec 5	Irving C.W.	Irving School	9:15 am
Wed. Nov. 19	Lafayette C.W.	Lafayette School	6:30 pm
Tues. Nov. 25	Pulaski Park Assoc.	American Legion	6:30 pm
Thur. Nov. 20	South Ham'd C.W.	Ham'd Housing Authority	7:00 pm
Thur. Dec. 11	Whiting Robertsdale C.W.	Calumet College	6:30 pm

That is how change happens, one gesture, one person, one moment at a time.

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs - As it relates to some of the dialogue and conversation also since I'm so biblical and I have a relationship with God, it says, "Vengeance is mine" said the Lord.

PUBLIC EXPRESSION

William J. O'Connor - Learned race relations on the floor of the Hammond Civic Center. Then with the Edison Little League Pirates. We were too young to consider or accept to accept discrimination. Instead we had team purpose, goals, and team commitment. Unfortunately, ethnically, Hammond has none until now. This is Hammond, Indiana where no one is a minority.

Carlotta Blake-King - Had the pleasure of attending the My Brother's Keeper Initiative in Gary. It was created to address persistent opportunity gaps faced by boys and young men of color and ensure that all young people can reach their full potential. It also provides a process framework for the development of an effective plan of action.

Alvin Cheeks - Thanked Magic Johnson for giving him a game ball to give to Sweetwater's family. Thanked the White House staff for acknowledging Willie T. It was great opportunity today to work with Magic and a gentleman gave over \$700 million of investment capital that's gonna be purged into the city of Gary. Thanked a Special Operations Group from Langley for inviting him to join the team from the White House. Thanked the President and Biddu Bones from the NBA for doing something nice for Sweetwater's family. Thanked Bally Casinos for having a tribute day for Sweetwater in Las Vegas. Thanked Steve Wynn and the Clayton Potter family. Councilman Higgs, the turkey truck will arrive at 12 o'clock as usual for the community. Thank you for making sure those people eat for Thanksgiving.

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

AYES: ALL

Councilman Higgs - The initial letter that I had requested, one is for KFC, I got that correct address but that's Becker and Calumet where the cars are placed. Just so point of clarity as it relates to that. Also, as it relates to all my constituents, I wish you all a happy Thanksgiving and certainty if there's anything I can do for you, certainly, if I have to spend every dime I have to make sure that you eat, you will eat on Thanksgiving. God bless you all.

Councilman Spitale, supported by Councilman Emerson, moved to adjourn.

ATTEST:

Michael Opinker, President /s/
Hammond Common Council

Robert J. Golec, City Clerk /s/

Minutes approved at the Common Council Meeting of December 15, 2015.

Time: 7:30 pm
cb

*Prepared by
Robert J. Golec
Hammond City Clerk*