

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on May 8, 2017 in the Hammond City Council Chambers.

Council President Janet Venecz presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

The Star-Spangled Banner by Mr. Harold Hall followed by a moment of silence.

ROLL CALL

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

ABSENT: None

TOTAL: 9

PRESENTATION OF COUNCIL SCHOLARSHIP AWARDS

Drawing of Names for Council Scholarships

Presentation by Mrs. Terry Mayerik

Clark H.S.

Daisy Diaz	1 st Winner
Mercedes Salmeron	2 nd Winner
Eliee Guido	3 rd Winner
Eduardo Castillo Cardenas	1 st Alternate
Araceli Tirado	2 nd Alternate

Bishop Noll H.S.

Ashley Kubacki	1 st Winner
Christian Williams	1 st Alternate
Anissa Villagomez	2 nd Alternate

H.A.S.T.

Gerardo Munoz	1 st Winner
Gabriela Diaz	1 st Alternate
Tania Cuevas	2 nd Alternate

Gavit H.S.

Esmeralda Alvirde	1 st Winner
Claire McDaniel	2 nd Winner
Breona Keys	1 st Alternate
Kaylee Garcia	2 nd Alternate

Morton H.S.

Destiny Doby	1 st Winner
Leilah Hicks	2 nd Winner
Jeremy Starkey	3 rd Winner
Joseph Colvin	4 th Winner
Mariah Higgins	5 th Winner
Ieon Hedden-Harvey	1 st Alternate
Emilie Favela-Cardiel	2 nd Alternate
Carlos Madden	3 rd Alternate

Hammond H.S.

Annisa Saucedo	1 st Winner
Te'Aire Storm	2 nd Winner
Britany Comiskey	3 rd Winner
Elizabeth Alvarado	1 st Alternate
Ricardo Andrade	2 nd Alternate

PRESENTATION OF COUNCIL SCHOLARSHIP AWARDS cont.

Councilman Woerpel, supported by Councilman Kalwinski, moved to suspend the rules to consider 17R-21.

ROLL CALL VOTE (suspension of rules)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 RULES SUSPENDED

17R-21 Resolution Recognizing and Honoring the Bishop Noll Warriors Hockey Team, Indiana State High School Hockey Association Class 1A State Champions

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

City Clerk Golec read the proposed resolution in its entirety.

Councilman Woerpel - This is just the “Whereas” part of it, we’ll pass the resolution and get it signed by the Mayor and properly, and then we’ll get a plaque for you and bring it over to the school. But they were in the Mayor’s Office last Wednesday, very nice group of kids, very successful program. Coach Sobilo, nice meeting you but this is just the formal part of it.

Councilman Kalwinski - I also wanted to mention that Coach Sobilo is not here today but Kevin Smith, another one of the coaches is here today with some of the fellas who were on the ice that Saturday at the Icebox, by the way the coldest and best ice in Indiana. I found out it’s the coldest because the man who runs it keeps the temperature lower than any other facility so everybody’s cold. But it’s great ice. The guys came out Saturday morning, Mt. Carmel came out with a quick goal and you were working from behind and you stormed back the 2nd and 3rd period. You looked really good, really quick and it was a great game to watch. The whole day was really special, all the different levels were really fun to watch. You guys did remarkably well considering it’s been a short tenure. Rich Sobilo goes back with the team many years. He coached when my son was playing on the team who’s much older now. They had a hiatus for a while and came back strong again with a committed coaching staff and Rich, who’s always been interested in hockey who also played for Notre Dame when it was Club Hockey there. So they’re learning from some really good coaches and they picked it up really well. So congratulations to all of you. And to the parents, it’s a big commitment on their part to get you around and do that sort of thing as well.

ROLL CALL VOTE (adoption)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 RESOLUTION R21 ADOPTED

Councilman Markovich, supported by Councilman Woerpel, moved to add the entire council as sponsors.

AYES: ALL

*Prepared by
Robert J. Golec
Hammond City Clerk*

PRESENTATION OF COUNCIL SCHOLARSHIP AWARDS cont.

Coach Kevin Smith - I just want to say thank you. We have a great young group of guys here. A few of our departing seniors, unfortunately, and our returning captain who actually scored the game winning goal. So I just wanted to offer my congratulations again to them. Unfortunately I won't see these two back next year but I wish them all the well and hopefully continued success and hopefully we'll be back next year.

Councilman Woerpel, supported by Councilman Kalwinski, moved to return to the regular order of business.
AYES: ALL

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Emerson, moved to accept the minutes from April 24, 2017 and place on file.
AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Rakos, moved to approve the claims from April 19, 2017 through May 3, 2017. Claim #2656 through claim #2892, inclusive.

Councilman Markovich, supported by Councilman Rakos, moved to amend in claim:
#2893 Kraus & Sons Remodeling & Rehab CDBG \$1,383.00

ROLL CALL VOTE (amendment)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS AMENDED

ROLL CALL VOTE (as amended)

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

NAYS: None

ABSENT: None

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

PUBLIC HEARINGS

None

COMMUNICATIONS

None

COMMITTEE REPORTS

Building & Zoning Committee - Councilman Woerpel - Brought out 17-10.

Community & Crime Watch Committee - Councilwoman Venecz - Announced upcoming meetings:

Tues., May 16; East Ham'd Pullman C.W.; 6:30 p.m.; Ophelia Steen Center

Fri., May 12; Edison C. W. on the Road; Golden Manor; 1:00 p.m.

Thur., May 18; Hessville C.W.; 7:00 p.m.; Jean Shepherd Center

Wed., May 17; Lafayette N.W.; 6:00 p.m.; Lafayette School

S. Ham'd C.W.; Thur., May 18; Ham'd Housing Authority; 7:00 p.m.

Whiting/Robertsdale C.W.; Thur., May 11; Calumet College; 6:30 p.m.

Columbia C.W.; Wed., May 10; 6:00 p.m.; Columbia School

ORDINANCE 3RD READING - FINAL PASSAGE

17-10 An Ordinance Reclassifying Certain Lands in the City of Hammond for Zoning Purposes and Amending Ordinance No. 8514 (An Ordinance Establishing a Zoning Plan for the City of Hammond Including the Regulations and Maps to Administer the Zoning Plan in Order to Provide for Orderly Growth and Development Within the City, All in Accordance with the Comprehensive/Land Use Plan, as Amended) for Property Commonly Known as 1837 Calumet Avenue

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

ROLL CALL VOTE (passage)

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9374 PASSED

INTRODUCTION OF ORDINANCES

17-11 Amending Various Ord.'s known as Section 36.005 (B)(1) of the Hammond Municipal Code as it pertains to Approved Uses for Public Safety

Councilman Spitale, supported by Councilman Kalwinski, moved the proposed ordinance to 1st and 2nd reading by title and referred it to the Police & Fire Committee.

ROLL CALL VOTE

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 MOTION CARRIED

*Prepared by
Robert J. Golec
Hammond City Clerk*

INTRODUCTION OF ORDINANCES cont.

17-12 Amending Ord. 7431, know as Section 91.036 of the Hammond Municipal Code, as it pertains to Bees

Councilman Rakos, supported by Councilman Emerson, moved the proposed ordinance to 1st and 2nd reading, referred it to the Council as a Whole Committee, with a public hearing on May 22, 2017.

Councilman Torres - Well, it's good that the subject like this is regulated because like Councilman Woerpel stated there are a lot of people that have bees as a hobby, not only for the manufacture of honey, which is expensive these days, but for other reasons. On this ordinance, I think it is a little bit vague because it doesn't state like if there's gonna be certain distance from a fence or property line. I know I wouldn't like to have a bee hive next door to me unless it's certain distance away. Bees are known not to sting unless they are provoked but some people are allergic to them, some people are easily frightened by them. Usually in the fall they come out more and we can see them on our picnic tables and trying to get our syrupy pop and all of that, juices, and also they follow people with cologne. They can also be provoked by, let's say, a kid hits one of these hives by throwing a ball or an object or any kind of a vibration. It's not a bad ordinance but I think that in the public hearing or committee meeting that we have we ought to get some experts, entomologists, on the subject to explain to us a little bit more of the behavior of bees. There are a lot of species of bees and some of them, like the honey bee, I know there's some of them that resemble the African bee which is very aggressive and can be deadly. So, I think we need more discussion on this.

Mayor McDermott - This whole issue came up from Mayor's Night Out, I know you were there. There was a gentleman in the audience that asked that we reconsider this, that's how it was generated. I'm not lobbying for it. I'm not pushing against it. But I do know that people currently have apiaries in the city of Hammond. Some very well known people in our city. I didn't even realize it was against City Ordinance. When I was informed I said, "That's funny because I know a couple of people off the top of my head that have these types of facilities." I was in Highland, a gentleman who lives on Ridge Road that my wife knows, this gentleman has a bee hive and I'm afraid of bees. He took me right up to it, I was standing two inches from it and the bees didn't bother you at all. You know, if a ball hit it or something like that I wouldn't want to be around it but they were very tame. If you guys shoot it down or if you guys pass it, I'm just following up on a constituents recommendation and I appreciate the sponsors of the ordinance that picked this up and they were there also and they heard the gentleman that was talking about it. So, that's where this all came from. I was really hoping we would get a bird ordinance so we would have birds and bees in the same session but we couldn't come up with it.

Councilman Woerpel - I bee having a lot of experience in this stuff. When you talk about the apiaries, the ones I've seen are not bee hives, they're boxes. Like I said in caucus it's kind of funny that this is in front of us but I can guarantee you there's two or three hundred people in the city of Hammond that do this as a hobby. It's not something that we need them to get a business license to do because it took a year and a half for the guy to make enough honey to give me for a Christmas present one year. So, this is basically a retired persons hobby and I make the recommendation that we move this into committee. The only question I would have is to what Councilman Torres said. I don't know who you would call as a bee expert. They have literally escaped from the boxes into my truck in the past and they never bothered me, and I'm sweet.

*Prepared by
Robert J. Golec
Hammond City Clerk*

INTRODUCTION OF ORDINANCES cont.

Councilman Torres - Well, there are bee experts, entomologists. I know the pesticide people get their license from Purdue so I'm sure they have some experts in them.

Councilman Woerpel - Well, I guess my question is who do we contact? I mean who is he suggesting we contact to be at this committee hearing?

Councilman Torres - Well, we can try to get an entomologist here. We can try people from the Animal Control, they have had calls on bees before. I'm not opposed to the ordinance because I think it should be regulated and there are some people that are more careless than others. The experts know how to maintain an apiary but there are some people that just don't care. So, I think it should be controlled. Whether subject to inspection to make sure their boxes are correct and it's done appropriately. Because there are people, like our Mayor, that are frightened of them, little kids included, big kids too.

Mayor McDermott - I have an apiary in my garage right now. It's an unintended apiary. They just moved in.

Councilman Rakos - I will make some contacts. I will try to contact Purdue Northwest and I know a couple people that actually do this. One that requested that I sponsor this over a year ago and I'll make sure that they are at the council meeting.

Mayor McDermott - Judge McDermott knows a gentleman that lives on Ridge Road who is very knowledgeable on this so we can help you with that.

Councilman Emerson - I think No. 6 on the 2nd page of the ordinance covers somewhat what Councilman Torres was mentioning. All colonies must be registered with the Indiana Department of Natural Resources Division of Entomology and Plant Pathology annually and the beekeeper shall complete the Indiana State Beekeepers Association classes.

Council President Venecz - Any other discussion? All those in favor? All opposed?

AYES: ALL

RESOLUTIONS

17R-20 Resolution to Support the Renovation and Repair of Hammond City Hall

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

Mayor McDermott - As a reminder to everybody what's going on, this is in regards to the City Hall issue. Whether we are gonna attempt to move downtown and renovate an old building in downtown Hammond; another option was to attempt to move downtown and build a new building downtown; option three was stay put at 5925 Calumet Avenue, renovate this building; option four, which was do nothing. That's the option that we've been following for a long time. Councilman Higgs is bringing out the resolution that said we want to stay put at 5925 Calumet Avenue and renovate this building and make it livable for 80 years, that's the resolution

RESOLUTIONS cont.

Mayor McDermott cont. - Councilman Higgs is bringing out. If passed by the Hammond Council I would act accordingly as your Mayor and we would begin studies on the current building about consolidating department heads and departments into this building. Making it busier, coming up with some type of plan. The police garage to the North and the strip mall to the south would be incorporated, hopefully, into that vision. Maybe even going all the way to MLK Pool. It's sort of a grand vision for this area and make City Hall, 5925 Calumet Avenue, useful for the next 80 years. I could tell you that this administration has done a ton of thinking on the subject and while I respect my friends from Downtown Hammond that want us to move down there. I think it's the right idea to move to Downtown Hammond but I could never come to grips with what am I gonna do with 5925 Calumet Avenue if we move to Downtown Hammond. I don't think it's right for us to leave 5925 Calumet Avenue with no plan in place. I didn't think it was fair to the neighborhood. Quite frankly, I like this building. I like working here. I love my office. I think Council feels the same way. It was just, the decision was made a long time ago to move City Hall to 5925 Calumet Avenue. It probably should have been built downtown at that point in time, it wasn't, here we are. Now I just could never come to grips with if we did move to Downtown Hammond what we're gonna do with this neighborhood. It's a beautiful neighborhood. It's a strong neighborhood. I don't want to make it weaker. I could never come to grips with that. Going back six or seven years, I just don't know what we would do with this piece of land if we moved and as long as there's no plan in place to redevelop this building, I can't leave an empty building. I couldn't. Basically, what we're talking about with the county, with the county threatening to shut down the county courthouse, you know, it's the same thing, if we would have left this neighborhood and left an empty building standing, it wasn't the right thing to do. So, I decided to talk to Councilman Higgs, we approached Councilman Higgs and asked him if he'd bring this resolution out and I appreciate him doing so. If it passes the Council I will act accordingly. Of course, I will keep you in the loop as to the status. There will be many other issues coming to the council if we are gonna build in place that you'll have to approve along the way.

Councilman Kalwinski - Just a question, the funding source for any of the ideas regarding City Hall, what is gonna be the funding source for that?

Mayor McDermott - Well, we'd have to get a price first. Downtown, we had a funding source in place which was the TIF District Downtown. We don't have that option where we are currently. So we'd have to talk about that down the road, once we found out what the price tag is and what it would look like, and if it was approved by you all, then we would have to approach you again with the funding mechanism. There's still a long ways to go. But the biggest issue that we've been grappling with is where are we gonna be and we floated multiple ideas to the Hammond Council at that time and it's been pending and I appreciate the councilman for bringing this resolution forward. But, quite frankly, Councilman, at this point we don't even know how much it would cost to stay put. I imagine one of the cheaper options is to stay put. We're already here. But once we identify how much it's gonna cost then we're gonna have to figure out how to pay for it, Councilman. Then you're still gonna have issues that come before you. Do you want to pay for it? Because we still have the option to do nothing. We have that option. I don't really think it's a wise option but we do have that option. This just tells me which direction you guys are comfortable with. This is our house. You work here just like I do. So, you guys are giving me direction and I appreciate it. Because this is a tough issue. This an issue that is going to affect Hammond for 80 years so let's make the right decision.

RESOLUTIONS cont.

Councilman Spitale - When will the study start?

Mayor McDermott - Tomorrow. I'll get on it ASAP. I mean tomorrow figuratively, we'll get on it ASAP. We've been doing a lot of research Downtown, I mean, the new building, the renovation of the old building, I mean, I'm sure some study has been looked at here but we have to get on it and then we have to talk about who's here. Like, I think the Fire Department should be here. I'll be honest with you. I think Police leadership should be in this building. I realize they have another building but there should be a presence of every department in this building. We just don't have room for it right now. Planning and Development is scattered all about the building. They should have one place where their boss can supervise their employees. Right now they're in the basement, the 1st, 2nd, and 3rd floors. It's not the right way to run a department. We do have space opening up in 2019. Once the Court closes we will have a huge additional space. That's something when we first talked about this issue we didn't have that. We obviously voted to eliminate the Hammond City Court, in 2020 that space is going to be totally vacant and there's options there. Maybe we open up the Planning & Development wing over there. I don't know. But, we have to look at all these issues, Councilman. We do have more space opening up in City Hall now because of the move.

Mayor McDermott - Downtown Hammond still needs help and I'm sure there's people, supporters of Downtown Hammond that probably feel like we let them down, me personally, I let them down. I understand that. But I remember there was one gentleman, I don't remember who he is, Councilman Higgs, you may know. He came in here and gave a really good speech about how much he loves having City hall down the street from his house. That one hit me. You know, I listen. I don't always agree with what's said about me in here or what's said about the city, but I listen and that guy hit me. He was like, "Mayor, what are you gonna do with this building if you leave?" He was talking to me after. I didn't want to say, "I have no idea." Because that doesn't sound very mayoral if you tell him, "I have no idea what we're gonna do with this building if we move." It's not the right answer. We have no plan if we move from this building. That's not right. Nobody wants to see an empty former City Hall in their neighborhood.

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. R20 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Higgs read correspondence from Gary Gleason regarding the guard rail on Wildwood and State Line recommending that the request for removal of the guard rail be made to the Engineering Department due to it being installed in concrete.

Councilman Higgs, supported by Councilman Torres, moved to have a letter sent to Public Works and the Park Department in regards to the vacant lots in the 2nd and 3rd Districts where the trees have been sitting for quite some time, as well as Code Enforcement. If they can go ahead and inspect those properties and put a lien on them and have those trees removed.

Mayor McDermott - We can not remove trees from private property. We had a situation with a Hammond Councilperson that removed trees from private property. I'm sure everybody remembers what we're talking about.

Councilman Higgs - Mayor, what I'm saying is that these particular trees are sitting on property. We have an ordinance in place. If those trees are removed they can put a lien on that property. Otherwise we just have a bunch of eyesores throughout the entire city. Something needs to be done in that regards. That's what I'm saying.

Mayor McDermott - I sympathize with the councilman. I agree. It's frustrating when the situation happens. We are very aggressive about obtaining properties as quickly as possible. If we own properties that these trees are on then we'll knock them down, because we own them. But if they're privately owned, which in many cases they are and the tree is a nuisance, we could cite them, we can bring them through code, but we can't chop their tree down. We can go to jail. I would be a bad prisoner.

Councilman Higgs - Mayor, I'm not saying violate the law. What I'm saying is they need to be inspected. No one's given me a list of those properties. I can identify them and then request that they be looked at. For some reason or another I do not have a list of those properties whether they be privately owned or city owned. But they are trees that are sitting. One is just adjacent to the Post Office. Just horrible every time you ride by there. I'm sure the police officers see it, the residents, and the community sees it just sitting there and it's been sitting there for at least two years. It's an eye sore to the whole entire city. So, I'm requesting that someone inspect those properties and if they are city owned, remove the trees or whatever is necessary.

Council President Venecz - Do you have a list of those properties?

Councilman Higgs - I do. Not in front of me but I do have a list.

Mayor McDermott - If you could include that it would be helpful because 2nd and 3rd Districts are both very large districts. I mean if you have a list of specific properties, Councilman Higgs, maybe there's a way we can look at them. If we own them, obviously, we can knock them down. But if they're privately owned we'll respond. I have no problem with this but a list would be greatly appreciated.

Councilman Higgs - I'll compile a list and submit it to the Mayor's Office as well as to those departments.

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont.

Council President Venecz - Councilman, you will get that list to Clerk Golec?

Councilman Higgs - I will.

Council President Venecz - On the motion to send a letter, all in favor? All Opposed? AYES: ALL

LETTERS SENT: _____

Councilman Kalwinski, supported by Councilman Emerson, moved to send a letter to IDEM, Office of Air Quality, Hanna Bays, for two reasons. One is to request for a public hearing on Whiting Metals LLC and their proposed air Permit No. M089-38168-00262. The second reason is to also let them know that the Hammond Common Council offers its Council Chambers for a public hearing provided a time and date can be agreed upon. The reason for this is there is a significant local public interest in this air permit and a public hearing would afford local residents the opportunity to voice their opinion and concerns, prior to issuance.

LETTER SENT: MAY 9, 2017

Councilman Higgs - I am just trying to make it clear that my Aunt will be funeralized on Friday. The funeral will be at Mt. Zion Baptist Church on Kenwood at 11:00 o'clock.

Councilman Markovich - This Saturday, May 13th, 10 o'clock til noon, Kenwood Elementary School. NICTD, the South Shore Line open house for Hammond residents, business, and organizations for the West Lake Corridor Railroad Project. There's still talk about the train, whether it's coming or not so the meeting is this Saturday from 10 to 12 noon at Kenwood Elementary School, 6416 Hohman Avenue.

PUBLIC EXPRESSION

George Stoya - Thanked the Mayor and Council for voting to stay here and renovate City Hall. With respect to the bee ordinance, questioned whether homeowner's insurance would cover any mishaps with the bees.

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

Janet Venecz, President
Hammond Common Council

ATTEST:

Robert J. Golec, City Clerk

Time: 6:45 pm
cb

Minutes approved at the Common Council Meeting on May 22, 2017.

*Prepared by
Robert J. Golec
Hammond City Clerk*