

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on June 26, 2023 in the Hammond City Council Chambers and was available to be viewed at gohammond on Facebook, gohammond.tv live and per Zoom.

Council President Scott Rakos presided.

Council Coordinator Carmen Balboa facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

A Moment of Silence was observed for Councilman Woerpel's mother.

ROLL CALL

PHYSICALLY PRESENT: Alexander, Spitale, Venecz, Kalwinski, Torres, Emerson, Rakos

ELECTRONICALLY PRESENT PER ZOOM: Tyler

ABSENT: Woerpel

TOTAL: 8

MAYOR'S ADDRESS

Mayor McDermott - I wanted to start off, I'm sure you guys already mentioned it, but Councilman Woerpel lost his mother today. I know his family is going through a lot right now. So, I just wanted to let the Councilmen know. I know he's not here right now but I'm sure he's watching and we're all thinking about him. His mother was a wonderful person and we're really sorry about what his family is going through. I know Councilman Hamm is going through a similar situation with his family right now with his mother as well. So I just wanted Dave to know we're thinking about him as well. There's a lot of sickness in the world right now and a lot of our friends are suffering. So, I just wanted to start off by acknowledging there's a lot of people going through some tough times right now. To update you, I wanted to start off with something the Council's aware of and I wanted to mention it publicly because I have a feeling next Council Meeting this is gonna come up. I have a strong feeling that the next Council meeting this is gonna come up. So I wanted to talk about it publicly for the first time. It's something that we talked about in Executive Session a couple weeks ago. About a law suit that was filed against the city of Hammond by James Hill. The lawsuit was filed a few years back. We've been litigating this through Eichorn and Eichorn for the better part of the last three years. To give you an idea who James Hill is, James Hill was accused by the Hammond Police Department, in 1980, of rape, robbery and unlawful deviate conduct. This was shortly after Officer Pucalik was murdered and the Hammond Police Department was going out looking for people that were suspected in that crime. Mr. Hill got swept up in that. He was charged with a different crime, although I think the Hammond Police Department felt strongly that he was also a part of Officer Pucalik's murder. This was a long time ago, 1980. I was eleven years old at the time. Little did I know, in 1980, that this was gonna land on our desk. Mr. Hill was convicted by a Lake County jury in 1982 on all three counts of rape, robbery, and unlawful deviate conduct. He was sentenced to thirty five years in prison. Mr. Hill has served seventeen and a half years in prison. Split between Michigan City and Westville. He was ultimately released in 1998, after seventeen and a half years in prison once DNA evidence, which was available in 1990's cleared him of the rape. He went to jail for rape, robbery and unlawful deviate conduct. Obviously if DNA clears him on the rape, he probably shouldn't have done seventeen and a half years. He gets out of the federal

*Prepared by
Robert J. Golec
Hammond City Clerk*

MAYOR'S ADDRESS cont.

Mayor McDermott cont. - prison system, files a lawsuit against the City of Hammond. Is when we take over. We've been litigating this case now for a number of years. We spent a lot of money litigating this case. The case went to trial about six months ago. I'm sure you're all aware, we talked about it at the time. There was a \$25 million verdict entered against the City of Hammond in that trial. That's a massive verdict, obviously, concerning. I do feel that the City has some liability. I think everybody was shocked at the amount of that verdict. Obviously, Mr. Hill went to prison for seventeen and a half years, obviously, that's worth a lot. The jury in that case felt it was worth \$25 million, we appealed. When you appeal, the \$25 million doesn't go away, it starts collecting interest. It collected close to a million in interest while we were on appeal. So the clock is ticking while we file our appeal. We felt strongly on our appeal. We thought it was a great appeal. It was similar to an appeal we filed in another case very similar to this. It went down in the same time frame a few years back called the Larry Mayes case. We felt strongly that we were going to be successful in our appeal to the Seventh Circuit, which is one step below the U.S. Supreme Court. They accepted, they agreed to hear our case. We were litigating the case when we were mandated to go through a mediation. We went through one mediation that was not mandatory, it was voluntary, and we got a little bit closer but not that close. The Seventh Circuit mandated that we go to mediation again. Obviously, the purpose of mediation is to try to resolve disputes so you don't have to forward with litigation or an appeal in this case. At that mediation we reached a verbal agreement for \$9 million. So, I want to talk to you a little bit about that. We reached a settlement in principle with Mr. James Hill and his attorneys in regard to both of his lawsuits against the City of Hammond and Detective Michael Solan. Michael Solan was also held liable individually and punitively. He had punitive damage award of over a half a million dollars. Mike Solan, himself, was personally responsible for that. This lawsuit, if it does become finalized, which I anticipate it will become finalized once signatures are attached to the settlement document, the case will be settled. Which means I'll be coming to you with bond paperwork for a \$9 million bond. It's a judgement bond, which is payed off the top, which is the only good news in this. But this is a liability that we're gonna have from the City of Hammond. I want to remind the Council that I was eleven years old when this happened, so you can do your own math on how old you were. This is nobody's fault that is currently a Hammond police officer. This is nobody's fault that's an elected official for the City of Hammond. This is liability that we had going back to 1980. So, we do have an agreement in principle, but as everybody knows, until we sign on the dotted line we don't have an agreement in writing. But I feel strongly that this is gonna settle. That it's gonna ultimately settle for \$9 million and then I'm gonna be coming to you at the next Council Meeting with that paperwork. So, before I get on with the rest of my report, I did talk to the Council. For the public that's watching this, we are allowed to meet in Executive Session and we did meet in Executive Session where I indicated to the Council I thought there was going to be a settlement. There is a settlement. I'm not sure if you all have any questions. I don't know the details on how much it's gonna cost us annually. We're trying to stretch the payments out as long as possible. We'll have more of those details in the coming weeks. This does put this case to rest once and for all. This takes care of all attorney fees, all interest, everything. It was a \$25 million verdict with interest and we got it settled for \$9 million. I think it was a good case. I think that was a really good number. It sucks, but I walked away not happy, and they definitely walked away not happy, the plaintiffs. They wanted more. They thought they were gonna get closer to \$25 million. I walked away not thrilled because last time I had a case like this it cost us four and a half. So this cost us more. Usually, when everybody walks away a little upset, those are the best deals. That's what I've learned in my years of experience as your Mayor. So, I don't know if you have any questions about this. I just thought it was the proper time to

*Prepared by
Robert J. Golec
Hammond City Clerk*

MAYOR'S ADDRESS cont.

Mayor McDermott cont. - talk about it publically. We've already talked about it privately. So I don't want anybody out there thinking if there's no questions asked that the Council doesn't have interest in this. We've already had this discussion privately in Executive Session. Nothing? Okay. I also wanted to just give you an update over the last couple weeks. I met with South Shore Convention and Visitor's Bureau Officials regarding the development of the possible fishing pier and walking tracks around the Optimist Lake, which is right by the Convention and Visitors Center. There's some interest from the Little Calumet River Basin Authority in helping us with that. There's also interest with the South Shore Convention and Visitor's Bureau. And I think it would be a good tourist attraction. It's right off the highway there. There's a lot of hotels down there and it's a lake that's a hundred feet deep, believe it or not, over a hundred feet deep. So, yeah it's funny. It's a man made lake, but it's deep. There's a crane in the middle of it, so, if you ever want to go diving. Summer Concert series at the Pav started last Friday, which is great. The band Together played a concert. This concert is being put on by the Hammond Port Authority. Jill Gajewski's in charge of this project with Milan Kruczynski and the Hammond Port Authority are putting it on. It's on Fridays. I believe it's every other Friday. Is it every other Friday, Councilman? It's about that. I don't know if it's always every other Friday but the next one we skipped last Friday, the next ones coming up this week when Sounds of Santana plays. Free of charge. No booze is served but you could bring booze with you. There is food offered through food trucks and stuff like that. We had HDC and the entrepreneurial cooks out there last week. So, you can't beat the price. No charge to park. No charge to come in. Sounds of Santana next week. I know we have really good bands throughout the whole summer. So, if you have any interest in that you can check out gohammond or you can check out the Port Authority website. We celebrated Juneteenth, which was nice. Obviously, it's a National Holiday now so the City had a day off. But we had a really nice celebration at MLK Park in the reflection area. I want to thank Councilwoman Katrina and Councilman Barry for participating in that function. I thought it was a really nice time. It was a really good turnout and a lot of participation in the affair out there, a lot of people out there. So, it was really nice. I also attended the Bishop Noll Institute groundbreaking for their new athletic fields along with the Bishop and a lot of BNI Alumni. It's a multi-million dollar project. They're turfing pretty much everywhere. Where the football, they're turfing there. Where the softball and baseball is getting turfed. They're putting in a track around the whole thing. It's a real big program that BNI is putting in together. I wanted to congratulate them, Paul Mullaney and everybody at Bishop Noll on their ground breaking, and the Bishop, and happy that City of Hammond could be part of that. We held Mayor's Night Out in the 3rd District. I want to thank Councilman Barry for hosting and the Hammond Sportsplex. It was well attended. Lots of questions. Always a good place. The Merge Building had a street arts festival that was real cool. The Merge Building is right across the street from Harrison Park. Right here in the 3rd. They had a street art festival on Saturday and they had famous street artists from all over the world come to that building and paint it with graffiti and it's gorgeous. So if you get a chance to go check it out, go check it out. Flex Maldonado, who's a famous region guy that does a lot of our murals, did a big part of it as well. But there's all kinds of famous artists that did that. It's all in support of the Hammond Arts Foundation, a new not for profit that's been put together. So I want to thank everybody for participating in that. We did have the free ticket giveaway for the Lil Wayne concert on June 24th. That was the day of the free ticket giveaway. We gave away 2600 tickets to Hammond residents, all in two's. So there was over 1300 people that showed up on Saturday morning. Some as early as four in the morning. Most people got

MAYOR'S ADDRESS cont.

Mayor McDermott cont. - there around 6 or 7 a.m. We didn't give out tickets 'til 9:00 a.m. But the people that got there at 9:00 a.m. still got tickets. So, hey, I appreciate people getting there early. That was really cool. Last but not least, I met with Pastor Polk today to talk about Memorial Park Housing Development. I'm real excited about that project. We got a boost with Secretary Buttigieg and the Department of Transportation. Giving us extra money for Governor's Parkway project. They freed up money that we could use to help build infrastructure at Memorial Park. So we're talking with confidence when we talk about Memorial Park now because we have the money to get the infrastructure done. I know Pastor Polk's excited about it as well as the city and we're gonna be going to Ophelia Steen probably within the next couple months, by the end of August, I'd imagine, we'll have a public meeting at Ophelia Steen where we'll gauge the communities input on what the project's gonna look like. Festival of the Lakes line up is set. But that's been set and if the Council doesn't have any other questions, I apologize about the long report.

Councilman Kalwinski - Is there any update on the housing project at Clark Field?

Mayor McDermott - I don't have a specific date, Councilman Mark, but I know yours is real close as far as we're getting close to the bid date. I wish Kevin was here. I want to say it's in July. When we're doing the public bidding for the lots. I'm pretty sure it's in July, Councilman Mark. I think it's after the fest, like late July. Going off the top of my head. But I'm pretty sure I heard Kevin say that a couple times. And that's gonna be just like when we did the Lost Marsh Estates, Councilman. Where you just put up a lot and just bid on it. Some of the lots go cheap and some of the lots have multiple bidders.

Councilman Kalwinski - And anything about the Data Center?

Mayor McDermott - I haven't heard much to be honest with you. I talked to Mr. Dachich, I'll reach out to him again, I haven't talked to him in a while. But Mr. Dachich and I usually talk once a month. I owe him a phone call, actually. But I haven't heard much lately Councilman. But, everything with this whole AI boom and the fact that all the tech companies are doing really well, I don't think that's hurt not a bit with the data center. If I had to picture what I think the data center will look like twenty years from now when we're all done. I think the data center is going to be owned by Facebook or something like that, Google, some big company will buy it and probably build a campus there. I don't think it's gonna be one data center either. I think, honestly, that's what's gonna happen. I don't know when it will happen but some big company will come along and buy that whole area and probably build a couple data centers there. If I were gonna make a prediction. Any other questions? Thank you guys, again. Sorry about everybody's families going through so much sickness. It seems like a really tough time for a lot of people right now. Thank you, nice to see you all.

APPROVAL OF MINUTES

Councilman Spitale, supported by Councilman Emerson, moved to approve the minutes of April 12, 2023 and place on file. AYES: ALL

APPROVAL OF CLAIMS

Councilwoman venez, supported by Councilman Spitale, moved to approve the claims from June 14, 2023 through June 21, 2023. Claim #3771 through claim# 4259, inclusive. In the amount of \$15,576,476.33.

ROLL CALL VOTE (claims)

AYES: Alexander, Spitale, Venez, Kalwinski, Torres, Tyler, Emerson, Rakos

NAYS: None

ABSENT: Woerpel

Motion carried

8/0/1

CLAIMS APPROVED

PUBLIC HEARINGS

None

COMMUNICATIONS

Councilman Kalwinski - Pulaski Park Neighborhood Association is holding its monthly meeting at the Hammond Mohawks at Calumet and 141st, Tues., tomorrow, at 6:30.

Councilwoman Alexander - Hammers for Hearts is back. I'm glad to see this back. So if we have any of our elderly that would like to get an application, they can apply between August 1st and August 31st. I just want to put it out there ahead of time. The work camp will begin July 21st through July 27th. So glad to see Hammers for Hearts back. I know that it was something great for the community when it was here before. It allows the elderly to get some painting and things done like that for their homes.

Councilman Tyler - I just want to thank everyone who contributed to the community celebration for the Hammond Central Boys Basketball Team. We had a great time last week. We had a barbeque, bounce house, there were some games out there, DJ. So really just wanted to celebrate those young men on their big accomplishment this season. It was really the teams that are gonna go play college basketball or at least gonna go into their field of studies. So excited to see what they have to offer the City as they return back home. I want to thank Councilwoman Alexander, I want to thank Myra Alvarez, Brandon Dorsey with Jump for Fun, and there were a couple others. Sorry, I'm blanking. Oh, Kevin Smith of Smith and Sersic, for your support. The Hammond Fire Department was there. The police department showed support. So I want to thank everybody for coming out and showing up and contributing to that. Also (unclear) Hammond Urban Enterprise Association too for their support. So, thank you everybody. The kids had a great time. The community had a great time. It was also the 50th reunion for the classes of 1973 from Hammond High and Hammond Tech. So they were out there and enjoyed spending time with the young men as well. So, thank you.

Councilwoman Alexander - I want to also give kudos to Owana Miller and her team for the Juneteenth celebration. It was, the Mayor mentioned it, it was awesome. But, during that celebration we were able to honor the boys basketball team for their regional championship. So that was something to see them get those awards from the City as well.

COMMITTEE REPORTS

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

C.W. at Mount Zion Pleasantview Plaza- Wed., July 12; 1 p.m.

East Hammond Pullman C.W.; Ophelia Steen; July 18; 6 p.m.

Edison C.W. will not meet until September

Harrison Park C.W.; Aug. 8 with a block party at Harrison Park on July 22

Hessville C.W. will not meet in July

Irving C.W. will not meet until September

S. Hohman Neighborhood Watch will not meet until October

Whiting-Robertsdale C.W.; Thur., July 13; 6:30 p.m.; Calumet College

Streets & Alleys Committee - Councilman Torres - I'd like to happily report that the work is being started, it started last week on Summer Street between Columbia and Indianapolis. It's total construction of sewers and curbs and sidewalks. The sidewalks are from Columbia, all the way to Indianapolis. The residents on the 12-1500 block of Summer and Sherman Street have been awaiting that for many, many, years. So it's finally getting started. They already know it's a two year project, over two year project. So brace yourself for additional construction in the City.

Capital Improvements Board- Councilman Spitale - Met on 20th of June. Under New Business, Allocation and funding for Stateline Road Closure, Change Order #1, Rieth-Riley Construction, in the amount of \$50,942.42. Next item was a funding allocation for Hohman Avenue Reconstruction Phase 1, Change Order No. 10 was approved, \$5,907.50. A third item came up for the allocation of 200 block of Ogden Street Alley, for \$31,276, with a Milestone Contractor's North. This was with Councilman Torres requested that the Capital Board Improvement would split the cost of \$62,552 with the 2nd District Gaming. So we came up with that, with the other half was #31,276.

Councilman Torres - Well that's with the alley and 200 block of Ogden, the north alley, which is in drastic need of repair and again the people have been waiting for a long time and it's finally getting done. Total construction is \$62 thousand.

ORDINANCE 3RD READING - FINAL PASSAGE

None

INTRODUCTION OF ORDINANCES

23-13 An Ordinance Vacating an 145' foot portion of the 5900 Block of Jackson Avenue in the City of Hammond, Lake County, Indiana

Councilman Tyler, supported by Councilwoman Alexander, moved the proposed ordinance to 1st and 2nd reading with an Intent to Consider and Public Hearing set for July 10, 2023.

Councilman Tyler - This ordinance is just to vacate a portion of land actually given back to the owners of the property next to it so they can establish their side yard and (unclear) to do with that property as they would like.

*Prepared by
Robert J. Golec
Hammond City Clerk*

ORDINANCE 3RD READING - FINAL PASSAGE cont.

Councilman Tyler cont. - Nothing to intensive here. It was approached by Mr. Novak to get this passed, so I know that he's there in attendance. I would also offer him the chance to share any additional information if he would like.

ROLL CALL VOTE (1st & 2nd)

AYES: Alexander, Spitale, Venecz, Kalwinski, Torres, Tyler, Emerson, Rakos

NAYS: None

ABSENT: Woerpel

Motion carried

8/0/1

MOTION CARRIED

RESOLUTIONS

None

NEW AND UNFINISHED BUSINESS

Councilman Emerson - There will be a ribbon cutting this Thursday, 6-29-23, 3:30 p.m. at Calumet and River Drive regarding the new bike bridge.

Councilwoman Venecz - I did want to reiterate our fireworks ordinance. Fireworks are permissible from 5 p.m. until 2 hours after dusk. Which is generally about 8:30-8:45, so do the math on that. Beginning June 29th going through June 30th, July 1st, July 2nd, July 3rd, July 5th, 6th, 7th, 8th, and 9th. Fireworks are also permissible on the 4th of July from 10 a.m. until 12 midnight. After that, please respect your neighbors and please be very careful so you don't start any fires. For those of you thinking ahead, New Years Eve, fireworks are permissible from 10 a.m. until 1 a.m.

Councilwoman Alexander - Just like Councilwoman Venecz mentioned about 4th of July, I just ask the residents do not shoot fire arms up in the air during the 4th of July to make them seem as if they are fireworks. Because we know what goes up must come down and we don't want anyone in our city to get hurt because of a stray bullet.

PUBLIC EXPRESSION

George Stoya - I just wanted to add a clarification. Sarah Reese did a good story on that Solan case. That's some dastardly stuff. That guy cost us some money. In addition to that there's \$25 million that we were hit with and them \$500 thousand in punitive damages, in addition to about \$400 thousand cost, attorneys fees and costs.

Councilwoman Alexander, supported by Councilman Spitale, moved to adjourn.

AYES: ALL

2023 HAMMOND COMMON COUNCIL ATTENDANCE RECORD OF
ELECTRONIC AND PHYSICAL PRESENCE

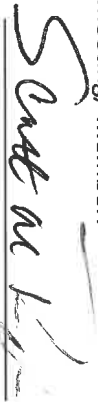
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec											
Katrina Alexander	9	23	13	27	13	27	10	24	8	22	12	26	10	24	14	28	11	25	23	13	27	4	
Dan Spitale	E	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Janet Venezz	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mark Kalwinski	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pete Torres	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Barry Tyler	E	P	P	E	P	P	E	E	P	P	E	E	P	P	P	P	P	P	P	P	P	P	P
Bill Emerson	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dave Woerpel	P	P	P	P	P	P	P	P	P	P	P	A	P	P	P	P	P	P	P	P	P	P	P
Scott Rakos	P	P	P	P	P	P	P	P	P	E	P	P	P	P	P	P	P	P	P	P	P	P	P
Initials	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG	RJG

E=ELECTRONIC
P=PHYSICALLY
PRESENT
A=ABSENT

If the member qualifies for an exemption from the "Consecutive - 50" requirements, draw a circle around the E for that meeting/ member.

ATTEST:


Robert J. Golec, City Clerk


Scott Rakos, President
Hammond Common Council

Time: 6:35
cb

Prepared by
Robert J. Golec
Hammond City Clerk