

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on June 10, 2019 in the Hammond City Council Chambers.

Council President Robert A Markovich presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

Moment of Silence was observed.

ROLL CALL

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

ABSENT: None

TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Emerson, moved to accept the minutes of May 28, 2019 and place on file.

AYES: ALL

APPROVAL OF CLAIMS

Councilman Woerpel, supported by Councilman Spitale, moved to accept the claims from May 22, 2019 through June 05, 2019. Claim #3051 through claim #3288, inclusive.

ROLL CALL VOTE

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

NAYS: None

ABSENT: None

Motion carried

9/0/0

CLAIMS APPROVED

PUBLIC HEARINGS

19-14 An Ordinance Vacating a 9 Foot Portion North of Roselawn St. lying Between 6941 Stateline Ave. and 15 Roselawn St. in the City of Hammond, Lake County, Indiana

No one spoke

COMMUNICATIONS

None

COMMITTEE REPORTS

Council as a Whole Committee- Councilman Woerpel brought out 19-12 and 19-14.

Community & Crime Watch Committee - Councilwoman Venecz - Upcoming meetings:
Community Watch; Mt. Zion Pleasant View Plaza; Wed., Jun. 12 ; 2 p.m.
E. Ham'd Pullman C.W.; Tues., Jun. 18; Ophelia Steen Center; 6:30 p.m.
Hessville C.W.; Thur. Jun. 20; Jean Shepherd Center; 7 p.m.
Whiting-Robertsdale C.W.; Calumet College; Thur., Jun. 13; 6:30 p.m.

ORDINANCE 3RD READING - FINAL PASSAGE

19-12 An Ordinance to Amend Ordinance 7246 also known as Section 37.086 of the Hammond Municipal Code as it Pertains to Travel

Councilman Woerpel, supported by Councilwoman Venecz, moved for passage.

ROLL CALL VOTE (passage)

AYES: Spitale, Venecz, Woerpel, Rakos,
NAYS: Kalwinski, Torres, Higgs, Emerson, Markovich
ABSENT: None

Motion Failed 4/5/0 MOTION FAILED

19-14 An Ordinance Vacating a 9 Foot Portion North of Roselawn St. lying Between 6941 Stateline Ave. and 15 Roselawn St. in the City of Hammond, Lake County, Indiana

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

Councilman Emerson- It's on Roselawn, but it also connects to Stateline, on the corner house it's a half circle off the alley. It was originally designed to be a cul-de-sac and the owners would like it along the lot line that currently exists.

Councilman Kalwinski- Just a question, did any neighbors oppose this Ordinance or whether any utilities did?

Councilman Emerson- I spoke to two of the neighbors and they are happy about it.

ROLL CALL VOTE (passage)

AYES: Spitale, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Venecz, Markovich
NAYS: None
ABSENT: None

Motion carried 9/0/0 ORDINANCE NO. 9441 PASSED

INTRODUCTION OF ORDINANCE

None

RESOLUTIONS

None

NEW AND UNFINISHED BUSINESS

Councilmen Torres- First Financial Bank located at 2705 169th St. is giving out counterfeit \$100 bills to its customers. At least they gave one to me. On May 17th I went to First Financial Bank at 2705 169th St., Hammond, and withdrew \$900 from my checking account. They gave me eight \$100 bills, one \$50, two \$20's and a \$10. They put it in their bank marked envelope. In the car I took out two \$20's and a \$10, a total of \$50. Left \$850 in the envelope and sealed it.

The next day I gave the sealed envelope to Mr. Torres, my landlord, no relation. Without opening the envelope, he gave it to his wife.

On June 2nd, a Saturday, she took the envelope to her bank, Chase, for deposit. That is when Chase Bank determined that one of the \$100 bills was counterfeit. They took a report from the landlord and confiscated the bill.

The landlord called me and told me what had happened. It was over 12 p.m. on a Saturday, so I told her I would talk to First Financial Bank on Monday, since the bank was closed for the weekend.

On Monday, early morning, I went to First Financial Bank and told them that their bank had given me a counterfeit \$100 bill on May 17th. The bank clerk told me there was nothing they could do since three weeks had elapsed. I asked to speak to the bank manager and she repeated the same thing as the clerk. That there had been too much time and too many transactions. I explained there had only been two transactions from me to the landlord and the money never left the envelope until it got to Chase Bank. The manager stuck to her position and basically told me it was my problem.

As a former Police officer, I know that counterfeit money is a big problem in this country. There are 100's of counterfeit bills floating across the country. I took several counterfeit reports during my career. There are people who have mastered the method. Some get caught, others don't. There are nations like North Korea and Russia, and drug cartels who have sophisticated machines and skilled counterfeit artists to duplicate dollar bills. They know how to put in the slivers, hidden lines, proper coloring, hidden faces, and other marks that the U.S. Treasury does to distinguish currency from manufactured bills. The special paper used is also copied.

First Financial Bank of 2705 169th St. told me that they have electronic equipment to detect counterfeit money. Guess what, so do some of the bad guys. That's how they test the counterfeit bills to make sure that they are ready for circulation.

Banks should be just as accountable as the common citizen when a bad bill falls into their hands.

I value \$100 just like First Financial Bank, but they have billions and I have very few. I will reimburse my

*Prepared by
Robert J. Golec
Hammond City Clerk*

NEW AND UNFINISHED BUSINESS cont

landlord since they are not responsible for what happened. They are respectable people and I do not doubt what they said.

I have been a customer of First Financial Bank for over 20 years and they have made more than \$100 from me. If you ever go to First Financial Bank be sure to take counterfeiting testing equipment with you to check the bills they give you.

First Financial Bank of 2705 169th St. was very callous and uncaring with their explanation. Their attitude was, "tough luck old man, it's your problem not ours".

I am sure there are other banks in Hammond who appreciate their long time customers. First Financial Bank at 2705 169th St., Hammond, is not one of them. They will give you counterfeit money and then deny it.

Council President Markovich- I commend you for bringing that out letter. The Chair will entertain a motion to send a letter to First Financial Bank to see if they have found any more counterfeit money? Do you want to make that motion?

Councilman Torres- Well, I asked them that and they said I was the only one that complained. I am 200 % sure if not 2000% that money came from that Bank. It's not about the money, it was the attitude of the employees that didn't care. So, yes, I will make a motion to send the letter.

Councilman Torres, supported by Councilman Emerson, moved to send a letter.

Council President Markovich- I would request that you Councilman Torres right up that letter how you want it stated and so forth and get it approved.

Councilwoman Venecz - Uh, Councilman, that happened to you?

Councilman Torres- Yes.

Councilman Woerpel- I don't have a problem with airing... what the Councilman said. My question would be what if a resident came up to us and spoke in front of us and said they wanted our help in sending a letter what would our answer be? I don't know about everyone else on this but I am just a guy who sits in this chair and to be on the Council. Being a Councilman doesn't make me special and give me the right to say how dare you do that to a Councilman. I will be voting no on this letter.

Councilwoman Venecz- That kinda was my thinking. Councilman Torres, I understand the frustration, \$100 is a lot of money. Rather than the letter coming from us as a body, I think it should come from the Law Dept, someone with a legal background. Because I certainly wouldn't want to say something that could get us in trouble.

Council President Markovich- That's a good point, we do have our own council attorney. If Pete wants to go

NEW AND UNFINISHED BUSINESS cont.

ahead and work with him. I can commend Councilman Torres, coming out and openly saying that. I don't think he's asking for anything special.

Councilwoman Venecz- Point of Order.

Council President Markovich- State your point of order.

Councilwoman Venecz- If you would like to engage in this discussion I think you should relinquish the Chair.

Council President Markovich- I'm not really getting into the debate, I'm just trying to guide everybody.

Councilwoman Venecz- Your call, Mr. President.

Councilman Torres- If I was to walk into the bank and given them counterfeit money they would have called the police. I just want them to be accountable as a bank and not just scuff the whole thing out like it's no big thing. Perhaps my understanding about counterfeit bills as some of them are definitely good enough to pass the screening. Maybe them being a lesser bank than Chase Bank, financially, Chase has probably got the better equipment. I'm not too concerned about losing a \$100, that's not gonna break me or cause me to go to a homeless shelter, I just didn't like the attitudes.

Councilman Higgs- I guess perception is everything, and in this instance I guess Councilman Torres is trying to acknowledge the fact that he received poor customer service. But sometimes perception can be misconstrued and I know, certainly, sitting on this Council, I have experienced it on a number of occasions. Comments have been made about me that are not true. So I wasn't there, I don't know what happened. Why not send a letter to the President of the bank and address your concerns as it relates to the customer service, and if you want to sit down with the president of the bank do so as well.

Councilman Woerpel- This is the exact reason I've said for the last 2 years that we shouldn't be voting on letters. If you want to send a letter, send a letter. Now we have a motion in front of us that's saying we, as in entire council are making an accusation against a business that does business in our city. And I've said it for over a year or two now, why do we make motions to send letters? I don't get it. I don't want to be part of a letter that accuses a bank of ripping off a customer.

Councilman Higgs- Councilman Woerpel, you are entitled to your own opinion and certainly if that's how you feel you cannot say yes to the letter. I think what Councilman Torres is trying to convey to the bank that they're were not being professional as it relates to the counterfeit bill.

Councilman Kalwinski- Councilman Torres was very eloquent in his description of customer service and what he felt about it. He was also very clear about being cautious about counterfeit monies. I believe that he has served the purpose that he brought it out to serve. I believe that that's how far we need to go with this. I don't think a letter from us serves in purpose regarding the Council, or City, matters.

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs- I don't have a dog in this fight. How do you resolve the issue as it relates to the customer service?

Council President Markovich- I can commend Councilman Torres, when you take your coins that you have left over from your coffee pot, and they throw it into the machine and count it for you. I know some people that roll up their coins.

Councilman Rakos- Point of order, are you supposed to speaking from the Chair?

Council President Markovich- You want to take the Chair?

Councilman Rakos- I am asking you, are you supposed to be speaking from the chair? You've been on this Council 32 years.

Council President Markovich - Councilman Rakos, do you want to take the Chair?

Councilman Rakos- No, I guess we just do what ever you want.

Councilman Higgs- I would hope in the next 6 months of my tenure being on this Council. I've always treated everyone with the utmost respect although I don't feel like I was respected in several areas. I would hope in the next 6 months that you all would conduct yourselves in a professional manner and let's get the job done for the residents of this great city. And of course we all have disagreements and we can disagree to agree. Please, it's not needed, stop.

Council President Markovich- Councilman Torres, you made the Motion, do you want to take back your Motion, and Councilman Emerson, take back Second?

Councilman Torres- I'll handle it personally, I will withdraw the Motion

Councilman Emerson- I will withdraw the Second.

PUBLIC EXPRESSION

Chuck Erhart- The residents of Marble, Hanover, and Brunswick streets are feeling betrayed, confused, and scared. NICTD'S agents are pressuring owners to sell their homes ASAP for the Westlake Expansion.

Mayor McDermott- This project is moving forward. Not because Hammond. Is on the train. Not because of any decision made locally. This decision was made in Washington D.C. by our Congressman Pete Visclosky. Lets be honest, we decided... probably one of the last communities in NWI decided, the Council and the Mayor go together, and decided to jump on the train, being selfish quite frankly, because A.) It was going forward anyway and B.) If we are putting our \$20 million dollars in the mix over 30 years, we will probably get a 10 to 1 return on our money. We realized this train project is gonna take homes, and we were clear about it. I also questioned why NICTD'S in the process of acquiring homes now. As well, I know this project hasn't been green flagged in

Washington D.C. at this moment and they are speaking with people and in the process of securing the foot print for the train station, for the line that goes through the city, for the maintenance facility, that will be located in our city all the way down to our southern boarder going over into Munster.

PUBLIC EXPRESSION cont.

Mayor McDermott- I've expressed my concern to the Congressman, and to everybody that's in charge of the RDA, which we don't have a single person on the RDA they're appointed by the Governor. Expressed my concern to NICTD we don't have a single person, they're all appointed by the Governor. This is moving forward whether we are concerned or not concerned and if I was in the process of getting my property acquired. I would be concerned. I want him to know that we expect it to be a fair process for our residents. In fact, the Council and the Mayor's Office passed an Ordinance called "Hammond is our home" which allows for homeowners in Hammond that are getting their properties acquired by Eminent Domain, they will get a \$5000 bump above and beyond what they get from the federal government to relocate their homestead from Hammond to Hammond. I totally agree with the gentleman that came up and spoke. We don't even know if this train project is going forward I assume because our Congressman has 32 years, of seniority. I assume he realizes they're buying properties now and if this thing falls apart in D.C. it's nobodies fault in this room. However the gentleman and his home have been acquired in the meantime. I think the best thing we can do for them is make sure there getting a fair deal.

Council President Markovich- Mayor, I have a question NICTD' can't take our homes without the federal funding secured?

Mayor McDermott- Funding has not been secured.

Council President Markovich- Do they have the funding to take the homes?

Mayor McDermott- They must, they have hired a firm and they have had 2 community meetings, one in Hammond the other in Munster. They are in the process of evaluating homes as we speak. Everyone I talked to from RDA, to NITCD says this thing is going forward Why don't they just make it official and say this project is going forward, it's very concerning what the gentleman brought up. I think we owe it to that gentleman and all the other residents to make sure they're getting a fair deal. And if this thing falls apart and the federal funding falls apart and this gentleman property is acquired by eminent domain, that's a damn travesty .

Councilman Higgs- Are they getting fair market value ?

Mayor McDermott- Yes.

Council President Markovich- The chair will entertain a motion that we go back to New And Unfinished Business?

Councilman Torres, supported by Councilman Emerson, moved to return to new and unfinished business.

AYES: ALL

NEW AND UNFINISHED BUSINESS cont

Mayor McDermott- Councilman Higgs what's the question again?

Councilman Higgs- Are they getting fair market value ?

Mayor McDermott- Yes, the federal government usually is very fair when they acquire properties. This isn't the first time properties have been acquired through eminent domain. We've did it for the flood zone, and sound wall, and usually the homeowners are very well taken care of.

Council President Markovich- I know some people want to try and sell their house, older people. No one wants to buy them no mone knows what's going to happen.

Mayor McDermott- A very good friend of mine and a very dear employee of the City of Hammond, she loves her home and lives in the 2nd District, and her home is being acquired as we speak. She put something on facebook, " this is our last summer in our backyard". That sucks to hear that cause I know she loved her home. But we are banking on the fact that our \$20 million dollar investment over 30 years, it's gonna yield 10 times that and that's a good deal for Hammond.

Councilman Torres- I was told by Chris Beck, he's the new project manager of NICTD they're not going to approve this until next April, of 2020.

Mayor McDermott- It's pretty close to election time for federal candidates so, I wouldn't doubt it if it came out in April. I'm a fan of this project but the process that they're doing is a joke, we buy your property and the deal falls apart and what do we tell the home owners? Sorry, I hope you stay in Hammond.

Councilman Emerson- We are involved based on what we passed for Chicago Ave, at that time right. People that would get displaced if they relocate in Hammond, for the \$5000 so whether we have any say wether the train is coming or not, we are involved.

Mayor McDermott- So if this gentlemen's home is acquired by eminent domain, he gets the fair market value from the federal government, and if he stays in our city, the City of Hammond, we'll kick in an extra \$5000, to help him stay here regardless if the train is approved or not. No one wants to pack up their house.

Councilman Kalwinski; supported by Councilman Spitale, moved to return to Public Expression.

AYES: ALL

PUBLIC EXPRESSION

Nathan Reeder- We had the Hammond Realtor's breakfast last Thursday, and had a lengthy discussion with the Code Enforcement Dept. about a new policy that they've started to enforce about bedrooms in the basement.

Council President Markovich - I know at the Realtor's breakfast the Mayor took questions and so forth.

PUBLIC EXPRESSION cont.

Councilman Higgs- Point of Order, Bob, for future references, so that you won't be called out, just relinquish the seat and allow the Vice President to sit.

Council President Markovich- Any other public expression?

Mayor McDermott- I was in my first year as Mayor, an entire family perished in a basement fire. I know Councilman Higgs remembers, it was right after we both got elected. I went over to the scene, it was still smoldering, and the only escape for the family that lived in that basement was a stairwell that burned away they were trapped. I swore on that day we were going to do everything that we could to rid ourselves of that problem. Our Code Enforcement is aggressive, especially when it comes to issues like that and sometimes they are a little too aggressive, we have to reign them back a little bit and G.N.I.A.R. Who's good neighbors with Hammond they have always been with us trained to sell our city, I think it's important to be on the same page with G.N.I.A.R. expressed concern to us. Through Councilman Spitale who is also part of G.N.I.A.R. And a realtor, I know we are putting together a task force who represented us from G.N.I.A.R. And Councilman Spitale will represent us from the City of Hammond, and we are going to come up with some type of language to express Mr. Reeder's concern cause I think it's a legitimate one. It's about an old Ordinance, that was made in 1964, and it defines basements as cellers, and if it's a celler you can't have certain types of things. Within a few months the Hammond Council will have before them an Ordinance that deals with this issue.

George Stoya- That's a weird situation. I just heard someone didn't do their job, maybe the architect, or the general contractor didn't look up what the law was.

Beverly Valente- I am a 19 year homeowner and taxpayer, for 87 years, Boy Scout Road has existed. Can we get it fixed and re-opened?

Mayor McDermott- I highly doubt we can get federal funding for this small semi residential strip. It's been heavily used since the Cline Ave. bridge shut down cause the traffic that used the Cline Ave. bridge still has to get to Chicago, and a lot of times they want to do it without paying tolls, a lot of 18 wheelers on Boys Scout Rd. We did a measurement from the LPR Camera from a couple of weeks ago and there were 6-10,000 cars per day that used Boys Scout Rd. As a comparison, my street, I think it's pretty busy, I maybe get 500 cars per day. I can tell you one thing about Boys Scout Rd, it was never meant to be a short cut. It's a neighborhood. A few businesses there, but a heck of a lot more homes. I am sending out a survey it's going out this week, and we will have them back by the end of the month. Once I read the survey, it's North Hammond residents only, I think that's a good group to choose from. It was never intended to be a replacement for Cline Ave. Bridge, it's being over used by cars, semis, bad guys. When our bank got robbed over in North Hammond, guess how they left our city? they tool Boyscout Rd. And torched the car right on Boyscout Rd. So we put up LPR cameras. I'm a brave person and I don't care what people say about me if I think it's the right thing to do for the neighborhood I'm going to do it. That's what Mayors do. Let me remind you when I built a curb from 65th all the way down to the river, I got called a racist, I got sued in federal court. Now go to that neighborhood and ask them how they feel about that curb. Since that curb went up traffic went down 90% and crime followed it. When you take away traffic you watch what the crime stats do.

PUBLIC EXPRESSION cont.

Council President Markovich - Are the surveys being sent to voters or property owners?

Mayor McDermott- Voters, I will tell you the boundaries right now Statline to the West, Gostlin to the South, and Calumet to the East and Boys Scout Rd. to the North. If they think I've made a mistake I will back off and fix it up I promise.

Jackie Castillo- I am a new business owner in Hammond, since Boys Scout Rd. has been closed we are not making any money. So can you please, Mr. Mayor, open the road back up.

Councilman Higgs- Where is your business? Is it buy the car wash?

Jackie Castillo- 3816 Hohman, we are about a block away from the car wash.

Councilman Higgs- That's not my district, that's 1st district.

Mayor McDermott- What's your business?


Jackie Castillo- I'm a resale shop.

Mayor McDermott- Is that one by the park?

Jackie Castillo- Yes, that's all I have to say.

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

AYES: ALL



Robert A. Markovich, President
Hammond Common Council

ATTEST:



Robert J. Golec, City Clerk

Time: 7:00 p.m.
DW

Minutes approved at the Common Council meeting of June 24, 2019.

Prepared by
Robert J. Golec
Hammond City Clerk