

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on December 10, 2018 in the Hammond City Council Chambers.

Council President Janet Venecz presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

Invocation by Councilwoman Venecz

ROLL CALL

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

ABSENT: None

TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Higgs, moved to accept the amended minutes of November 5, 2018 and place on file. AYES: ALL

Councilman Spitale, supported by Councilman Emerson, moved to accept the minutes of November 20, 2018 and place on file. AYES: ALL

APPROVAL OF CLAIMS

Councilman Markovich, supported by Councilman Higgs, moved to approve the claims from November 14, 2018 through December 5, 2018. Claim #6937 through claim #7299, inclusive.

ROLL CALL VOTE

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

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS APPROVED

PUBLIC HEARINGS

18-24            An Ordinance Creating Fund #254 and Appropriate Funds within the Hammond Police Dept. Grant Fund

No one spoke.

COMMUNICATIONS

Councilman Higgs read correspondence from Helping Hands asking for assistance with needy families of the NW Indiana area. Every kid should have a toy to open for Christmas. We are asking for donations of new or unopened toys or any monetary amount to the Helping Hands campaign. We are an all voluntary group. All contributions are tax deductible.

Councilman Higgs announced Prom Genie upcoming events. 2019 sponsor applications will be available January 29<sup>th</sup>. Must meet criteria.

COMMITTEE REPORTS

Finance Committee - Councilman Woerpel - Brought out 18-24.

Councilman Kalwinski, supported by Councilman Spitale, moved to leave the regular order of business to bring out 18R-42.

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

18R-42      A Resolution of the Hammond Common Council Approving the Development Agreement Among the City of Hammond, Indiana, Hammond Redevelopment Commission, and DX Hammond OPCO, LLC Regarding Development in the State Line Allocation Area

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

Councilman Kalwinski - I'd like to have Atty. Kevin Smith approach the podium to give us a summary on this, please.

Atty. Kevin Smith - Thank you Councilman Kalwinski for the sponsorship of this ordinance. As the Council is well aware this has to do with the development of the former State Line Energy Plant area up on the lakefront. It is currently an allocation area with the Redevelopment Commission and this is the passage of the Development Agreement that has to do with the development of about fifteen acres for phase one of the developers of the Data Centers project. It's a \$40 million investment in the city. It's about 105 thousand square foot facility. Mr. Dakich and Mr. Feldman are both here from Indianapolis and New York, respectively, and they believe that this facility will be up and operational if things go according to plan by next September, which is good news. The Development Agreement sets forth the city's obligations and the developer's obligations on the property. You will also have a bond ordinance in front of you in the upcoming weeks regarding this project. But, the Development Agreement, the importance of this is that it moves the project forward, it continues it on its current time line, I can also report to the Council that thanks to the Redevelopment Commission and its Atty. Westland,

*Prepared by  
Robert J. Golec  
Hammond City Clerk*

SUSPENSION OF RULES cont.

Atty. Smith cont. - the Redevelopment Commission is now owner of about 44 of those acres up on the lake, which is good news. There is a lease agreement that will be signed in short order between the Redevelopment Commission and Mr. Dakich and Mr. Feldman's group, that will further keep this project moving forward. We would request your passage of this just as the Redevelopment Commission and the Economic Development Commission have.

Councilman Higgs - Kevin, can you explain the fact that not only did they purchase the property but some of the property was also donated as well?

Atty. Kevin Smith - Thank you for reminding me. So, this property, after, as many of you may recall, this was owned by Dominion Energy was the last company that owned it as a power plant, after that the Beemsterboer's, which is a Hammond company, as you know, they have a LC called Sam Townline that purchased the property from Dominion and then proceeded to demolish it. You remember when those big smoke stacks came down and everything, right? They demolished it. They then are the owner of the property, the vacant land which is ready for development. You all know the story about how we applied for the Amazon thing and this got folks like Mr. Feldman all of a sudden interested in this parcel of property, even though New York City is a long way away from Hammond. As part of the agreement, Councilman Higgs, the Beemsterboers agreed, because they want to keep 23 acres for their own potential development on the eastern side of this, means there's about 44 acres on the other side of it. As part of the agreement, we only had to purchase five acres of it but Mr. Beemsterboer agreed to donate 39 acres to the city. So we bought five acres at the agreed upon average of the two appraisal price, that was closed today, and then along with that came 39 acres of donation.

Councilman Kalwinski - Again, what was the average price per acre?

Atty. Smith - The average of the per acre price, and that was by two appraisals through the Redevelopment Commission, was \$170 thousand per acre. So I believe the purchase today was \$862,500 if I'm not mistaken.

Councilman Markovich - I'd like to be put on as a sponsor being that it's my district and I live in that area and been involved with the Port Authority ever since everything's been going on in development over there. Growing up as a kid fishing there. Hanging out and looking for trouble, finding trouble. I mean, it's a nice change of scenery.

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. R42 ADOPTED

Councilman Kalwinski, supported by Councilman Spitale, moved to return to the regular order of business.

AYES: ALL

ORDINANCE 3<sup>RD</sup> READING - FINAL PASSAGE

18-24 An Ordinance Creating Fund #254 and Appropriate Funds within the Hammond Police Dept. Grant Fund

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

Councilman Spitale - This ordinance for this police department grant from the Operation Pullover, which if awarded to the City of Hammond will be for \$108,625. This is also pullover, they'll be checking out for seatbelts, drunken driving, and aggressive driving also.

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. 9425 PASSED

INTRODUCTION OF ORDINANCES

18-29 2019 Elected Officials Salary Ordinance

Councilman Spitale, supported by Councilman Woerpel, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee. AYES: ALL

18-30 Authorizing the City Controller to Transfer Funds from One Line Item to Another within Various City Budgets

Councilman Spitale, supported by Councilman Emerson, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee. AYES: ALL

18-31 To Create Fund 241 and to Appropriate Funds within the Hammond Police Department Grant Fund for 2019

Councilman Spitale, supported by Councilman Emerson, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee with a public hearing on January 14, 2019. AYES: ALL

18-32 Reclassifying Certain Lands in the City of Hammond for Zoning Purposes and Amending Ordinance No. 8514 for Property Commonly Known as 3702, 3704, 3710, 3716, 3724, and 3772 Orchard Drive

Councilman Rakos, supported by Councilman Higgs, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and scheduled the Intent to Consider for December 17, 2018. AYES: ALL

INTRODUCTION OF ORDINANCES cont.

18-33            Concerning Removal of the City of Hammond Water Works Department from the Jurisdiction of the Indiana Utility Regulatory Commission

Councilman Woerpel, supported by Councilman Higgs, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading by title and referred it to the Council as a Whole Committee with two public hearings. The first will be on Thur., February 21, 2019 at 5:30 p.m. at the Hammond Water Works Department at 6505 Columbia Avenue. The second meeting will be Wed., March 6, 2019 at 10:00 a.m. at the Sportsplex at 6630 Indianapolis Blvd.

Councilman Woerpel - This is an ordinance that gets us out of the Indiana Utilities Regulatory Commission. Basically what it does is it gets us away from their regulations and guidelines. For instance, has imposed, I think it was a \$700 thousand some odd dollar cost to us because while we waited on the Commission to approve the bond for the electrical work done at the power plant, the rates went up and stuff like that. We would be joining 93% of all other cities by getting the Water Department out of the IURC.

Councilman Higgs - Could you tell them about the savings?

Councilman Woerpel - Like I just stated, we passed a bond, I think it was last year, to redo the electrical work at the power plant, and while we were waiting for the IURC to approve the bond, our rates changed on us. As a stipulation of getting the bond we now have to set aside roughly \$700 thousand a year as collateral against the payment of the bond that basically we are gonna get through water sales anyway.

Council President Venecz - All those in favor? Opposed?

AYES: ALL

18-34            Amending Ordinance Numbers 6049, 7472, 8620,8638, 8669, 9181, and 9242 also known as Section 37.020 of the Hammond Municipal Code, Pertaining to Required Updates to the Hammond Personnel Policy Manual

Councilman Rakos, supported by Councilman Higgs, moved the proposed ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading by title to the Council as a Whole Committee.

AYES: ALL

RESOLUTIONS

18R-43            Approving the Transfer of the Ability to Re- Designate Enterprise Zone from the Board of the Indiana Economic Development Corporation to the Common Council of the City of Hammond and Re-Designating the Hammond Enterprise Zone for a Period of Five -Years from the Current Sunset Date of December 31, 2019

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

Councilman Spitale - The Urban Enterprise Association of Hammond is a 501C Tax Exempt Non-Profit entity. The Hammond Enterprise was first designated in 1985 to stimulate Economic Development in private

RESOLUTIONS cont.

Councilman Spitale cont. - investment within the EZ. EZ last renewed in 2014 by the Hammond Common Council action for a five year period, which is December 31<sup>st</sup>, 2019. The EZ Program for the final five year period is through December 31<sup>st</sup>, 2024.

Councilman Higgs - I only have one request and that is we have asked Africa and Dan Botich for a list of all the appointees on the Board currently, and who makes the appointments as well, and the designated areas, and if you can give us a geographical map of the updated area that would be greatly appreciated for me and my colleagues.

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. R43 ADOPTED

18R-44 2018 Appropriation Reduction Resolution

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

Councilman Woerpel - This resolution reduces the budget appropriation in the General Fund for 2018 to allow for an increased budget in the General Fund in 2019. This was already reflected in our 2019 budget and Line 2 Worksheet Reductions. Basically what this is is a \$750 thousand savings we had in the Personal Services line item mostly related to insurance savings and it's also a \$250 thousand in Services and Charges line item due mostly to the recycling service expenses through the Recycling Grant Fund. It allowed us to not have to go find another \$1 million for the 2019 budget.

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. R44 ADOPTED

18R-45 Authorizing the Hammond Police Department to Apply for a 2019 Pedestrian/Bicycle Safety Grant

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

Councilman Spitale - This resolution is just to authorize the Hammond Police Department to apply for 2019 Indiana Traffic Safety Grant which is for \$12,500.

Councilman Higgs asked to be added as a sponsor.

RESOLUTIONS cont.

Councilman Torres - Do we have anybody from the Police Department here? I just want to know, apparently this is an important grant and we just don't hear about pedestrian bicycle accidents that there are in the city but I imagine there are a few otherwise we wouldn't be asking for this grant.

Councilman Woerpel - I think it was explained in caucus, I could be wrong, but this is a bicycle safety grant, right, for \$12,500?

Councilman Spitale - Correct, for Safety Village.

Council President Venecz - And the Safety Village is right by the Civic Center and they offer children the opportunity to ride streets with traffic signals and railroad crossings and to teach them how to ride their bikes safely.

Councilman Torres - Yeah, I had to leave the caucus during that time but I am very aware of the Safety Village and they do offer quite a few good programs. I can understand it now.

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. R45 ADOPTED

18R-46 Reappoint Miriam Soto Pressley to the Hammond Redevelopment Commission

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

Councilman Kalwinski - Ms. Pressley has served on the Redevelopment Commission for a number of years and has done a very good job and also serves as translator as needed on the Redevelopment Commission.

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. R46 ADOPTED

RESOLUTIONS cont.

18R-47 Reappoint Gregory Myricks to the Hammond Redevelopment Commission

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

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. R47 ADOPTED

NEW AND UNFINISHED BUSINESS

Councilman Torres, supported by Councilman Higgs, moved that the Council hire for the Hammond Council Administrative Secretary, Susan Stafford, the present secretary. Effective November 30<sup>th</sup> of 2018.

Councilman Torres - That just makes it effective through December of this year.

Councilman Higgs - I want to know what her salary is going to be exactly, if Councilman Torres can tell me what her salary is?

Councilman Torres - Salary will be \$40 thousand.

Councilman Torres - Susan has been with us as a part timer for three years and a full timer for a year at the end of December. She took on full time responsibilities when our former secretary, Debbie Jimenez, took sick and unfortunately had to retire on disability. She's done a yeoman's job and still learning the job but I think she will make a adequate secretary and will learn the job and what it entails.

Councilman Higgs - If our City Controller can step up, we need to actually verify what her actual title will be.

City Controller Garay - I just wanted to point out that the salary that was indicated by Councilman Torres was \$40 thousand. That does not currently exist within the salary ordinance. So in order to pay her that amount we would require an Executive Order to amend the salary to that, which is something that the Mayor would have to sign off on. So, either she would have to be hired in at a position that currently exists within the Salary Ordinance within your budget or we need some sort of permission, authority, from the Mayor to issue that Executive Order in order to change that pay and potentially change that title. I'm not sure of the top of my head what the title is in your Salary Ordinance currently.

Councilman Higgs - Also in order for that to take effect it should be actually effective January 1. So that means if we give her a salary adjustments would have to be made within the Controller's Office to supplement what she's currently making now to make it so it's adjustable to what her salary should be.



NEW AND UNFINISHED BUSINESS cont.

City Controller Garay - And again, Councilman, the Salary Ordinance for the Civil City has already been passed for 2019. That amount does not currently exist within the Salary Ordinance underneath the Council's budget. So any changes to that, whether it be increased or reduced, would require the issuance of an Executive Order.

Councilman Torres - We didn't approve that on the Salary Ordinance for the Council Budget?

City Controller Garay - No sir, the Salary ordinance reflected the current kind of status quo in order to give you guys time to make up your mind. You weren't ready to make your decision on the position at the time of the budgets and when the Civil City Salary Ordinance was due. The Elected Officials is due at the end of the year but the Civil City is due November 1<sup>st</sup>. Any changes to what's already in there just requires that Executive Order by the Mayor.

Councilman Higgs - So in essence what you're saying is that the current position that's already in the Salary Ordinance, that would be her position, but it would only take effect in January 1.

City Controller Garay - Well, Councilman, it actually is not at that salary. There are positions within your budget but it's not at the \$40 thousand rate.

Councilman Higgs - I know, and I don't have it in front of me but I know it's not \$40 thousand.

Councilman Torres - The reason I recommended November 30<sup>th</sup> of this year is she's been doing this job since May, been short changed, hasn't been getting paid as a full time Administrative Secretary and I know it can be retroactive to a back date. So it's only fair that she gets compensated for that time she did work, has been working all that time as a full time secretary.

City Controller Garay - Councilman, the Executive Order has the ability to make it retroactive, however the Council does not have the authority to change the salary within a year.

Council Atty. Berger - What authority do you have for that composition?

City Controller Garay - It is state statute that states that the Executive is the only one that can reduce or increase salaries during a current year by an Executive Order. We've asked our City Attorney, Kris Kantar, to look into whether or not we could do it for the Council...

Council Atty. Berger - Whether it's true, that does not say that the Council can not (unclear) itself for an employee.

City Controller Garay - The Council is not allowed to increase or decrease salaries after the Salary Ordinance has been passed.

Council Atty. Berger - Will you give me some authority for that?

NEW AND UNFINISHED BUSINESS cont.

City Controller Garay - I'm not the City Attorney, she's clearly not here today, but we have looked into it. We've looked to see whether or not the Mayor can even do so for the Council. It is silent on that factor. It is not intended to do so for the Judge. It has the allowance, we believe, to do it for the Clerk. However, the City Council may only decrease those budget items during the budget process. Once the Salary Ordinance has been approved by the Council they cannot do so within the year, only the Executive has that authority.

Council Atty. Berger - Well, I agree for people that are under the Executive but the employees of the Council, I think, are subject to the will of the Council and I think the Salary Ordinance is only the maximum that can be paid. I think the department head can always pay less.

City Controller Garay - The statute is silent as to the Council. It states that if any salaries throughout the year, after the Salary Ordinance has been passed by the Council, it can be reduced or increased by the Executive through an Executive Order.

Council Atty. Berger - Well, that's what you say.

City Controller Garay - Well, that's what the state statute says.

Council Atty. Berger - I'm not seeing a statute or a court opinion.

City Controller Garay - I understand that Atty. Berger, I'm not the City Attorney, as I pointed out. Mr. Torres has brought this up on the floor so I wasn't prepared to speak to Indiana Code.

Councilman Kalwinski - Given there's some confusion, I would make a suggestion that our Atty. Berger looks further into the matter. We hold an Executive Session to determine what action to proceed with and perhaps table this for now until we get clear legal advise from our attorney.

Councilman Higgs - I need clarity as whether there was a motion to table, because there's no discussion if there is a motion to table. So, if we're going to table it...

Council President Venecz - Councilman Kalwinski has indicated he has not made a motion.

Councilman Kalwinski - I believe that Councilman Torres brought this out and if he wants to pull it back for now, that would be a way to manage it or not.

Councilman Higgs rescind his second.

Councilman Torres - Atty. Berger can research that on the salary issue. But I will stay with my motion that she be hired effectively from November 30<sup>th</sup> be promoted to Administrative Secretary.

NEW AND UNFINISHED BUSINESS cont.

Council President Venecz - So there is a motion on the floor by Councilman Torres to hire Susan Stafford effective November 30<sup>th</sup> at a salary of \$40 thousand. Is there a second?

Councilman Higgs second.

Council President Venecz - You just rescinded your second so what are you doing?

Councilman Higgs - I have the ability to also second. You made a motion again after I rescinded.

Council President Venecz - Councilman Torres made a motion. Councilman Higgs second it. Then Councilman Higgs rescinded his second. Then Councilman Torres reiterated his motion. And now Councilman Higgs you want to second it again?

Councilman Markovich - Point of Order. He had a motion to table, that's what was taken away.

Council President Venecz - There was no motion to table.

Councilman Markovich - There was no motion to table.

Council President Venecz - No. There was no motion to table.

Councilman Markovich - There was no second... well, he suggested that they make a motion to table.]

Council President Venecz - There was no motion.

Councilman Markovich - Okay. Point of discussion.

Councilman Kalwinski - I'm just trying to add to maybe clarify a little bit here. I believe that legally we can promote her to the position but I'm asking that we don't designate a salary until our attorney research what we can do about that. That is what I'm trying to get through here. I'd like Council Atty. Berger to weigh in. Does that make sense at all to go that far right now?

Council Atty. Berger - I think so.

Councilman Torres - I can withdraw my motion and restate it in another way that we hire Susan Stafford as Administrative Secretary and the wages can be researched and be appropriated later at another date.

Council President Venecz - Is there a second?

Councilman Higgs - I guess I should say Point of Order because we already have a motion on the floor and in order to go to another motion we have to rescind that motion...

NEW AND UNFINISHED BUSINESS cont.

Council President Venecz - He did rescind it.

Councilman Higgs - So he rescinded the first...

Council President Venecz - Yes, he did, and restated.

Councilman Torres - Yes, I rescinded and (unclear).

Councilman Higgs - So, now what is the motion again? Can you clarify?

Councilman Torres - That we hire Susan Stafford as Administrative Secretary and the wages will be determined at a future date.

Councilman Higgs - Okay, second!

Councilman Higgs - I know if I was taking a job, I would certainly want to know how much I'm getting paid. So, if our City Controller could please step to the podium and tell me what the salary is currently for the Administrative Assistant Secretary to the Council of nine people.

City Controller Garay - Again, this was kind of dropped in my lap today so I'm gonna try to pull this for you.

Councilman Woerpel - If I understand all of this, there's a motion on the table that says we're gonna hire somebody as an Administrative, what is it?

Council President Venecz - Secretary.

Councilman Woerpel - And it's my understanding the position doesn't exist by title.

City Controller Garay - The position exists by title. I do not have the 2018 salaries in front of me, as I stated I was not prepared for this discussion today.

Councilman Woerpel - I believe it was 42 in the budget.

City Controller Garay - So for 2019 the Administrative Secretary position is listed at \$42,866. The Secretary position is at \$32,640. The Indiana Code Section that references the Executives ability to change the salaries within a budget year is in 36-4-7-3. It states that subject to the approval of a City Legislative Body, which would be the Council, the City Executive shall fix the compensation of each appointed officer, deputy and other employee of the city. The Legislative body may reduce but may not increase any compensation fixed by the Executive. Compensation must be fixed under the section not later than November 1<sup>st</sup> of each year for the ensuing budget year. Compensation fixed under this section may be increased or decreased by the Executive during the budget year for which it is fixed and than it speaks to the Clerk's Office.

NEW AND UNFINISHED BUSINESS cont.

Councilman Woerpel - I understand this correctly, we're filling the position but for some reason we don't want to pay her what we budgeted for it in September, correct?

City Controller Garay - There has been lots of discussion about how you would like to fill this vacancy.

Councilman Woerpel - There's a vacancy that existed at the Administrative position, now there's a motion on the floor that we put somebody there but we reduce the salary that we just approved in September.

Councilman Kalwinski - I think we have a motion and a second on the floor.

Council President Venecz - That is correct.

Councilman Kalwinski - I think we mostly have agreed that we want to take this back, let our attorney research it, and come back with it. So, lets do that instead of doing this in front of the public. Lets get our legal answers and lets look at what to do. The motion is to hire Susan Stafford as the Administrative Secretary and we have to figure out through our attorney and others what she can get paid. That's what's in front of us. Let's do it.

Councilman Higgs - The reality of it is is that the salary was set at 42 and it will be reduced for the following year. She read the state statute but of course we have our own attorney that is giving us direction as well. But whether it be 40 or 42, I'm fine with it. The reality of it is we want to follow what the state statute says and if the state statute says that we have the ability to reduce within a current year but November 1<sup>st</sup> is the deadline, then we have to follow the law. If that's what I'm hearing, that's correct. But we also need to be careful as to we're just a few weeks before the new year starts, so I don't think it's gonna make a difference, it's probably one more check before the end of the year. So, why not just put her in the position effective January 1 and be done with it. It's simple.

Councilman Emerson - You know, what I think we should be worried about is that we interviewed four or five people with that stated salary and now we're saying we're going to sanction paying less. That's just a comment. But I do think we should move on. But I also think those people sat there thinking if they were getting the nod that they would be paid that.

Councilman Markovich - Right now there's a position open at the Port Authority and it's listing, I believe, \$63 thousand to \$72 thousand as a range. That's all we're saying here. We're talking about a range. If we want to hire for \$40 thousand, 42 or 36 or whatever. So, what she just said there whatever it says, I mean, the Port Authority has a position there, I think somebody's retiring, Financial something or other, and it lists a salary range. So, that's basically what we're doing. We can decide what we want to pay as long as it's not more than what was approved in the budget.

Councilman Woerpel - We approved the position we're giving her at a set salary. Now there is a motion, like Councilman Kalwinski said, that we fill that position, on the floor. If I'm understanding this correctly, but we're not gonna talk about the salary, right. That's what we're gonna vote on. So basically what the motion is is that we fill the position that we funded in the budget, correct?

NEW AND UNFINISHED BUSINESS cont.

Councilman Kalwinski - Councilman Torres is the sponsor of this idea and that is correct, let our legal staff person research the dollars and if we have to do what the Controller says, well we'll decide what to do then. But let's just get this behind us that she is the one we've chosen. Let's vote on it. Then we'll figure out the salary perhaps by the next meeting.

Council President Venecz - So, these premature actions that we have...

Councilman Higgs - Point of Order.

Council President Venecz - Councilman, I'm just trying to get clarification here. The premature actions that have no paperwork behind us and no research behind us, there is a motion and a second, to hire somebody. Do you want to do it? Do you want to move forward with this or are we going to sit here and have this endless discussion? So, just my question for clarification.

Councilman Higgs - I was just gonna say... my point of order was just that the Vice President, in terms if you wanted to address something to the Fiscal body of the Council and my colleagues, that you actually relinquish the chair and allow the Vice President to step in.

Council President Venecz - I understand the procedure, Councilman Higgs. I was not elaborating. I was just trying to get clarification on where we are on this premature action.

Councilman Torres - Call for the vote on hiring Susan Stafford as Administrative Secretary, salary to be determined at a future date.

ROLL CALL VOTE (motion to hire Administrative Secretary)

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

NAYS: Venecz

ABSENT: None

Motion carried

8/1/0

MOTION CARRIED

Councilman Markovich - All that information that our Controller was quoting with the I.C. statutes, please forward all that to our attorney.

Councilman Torres - Toys for Tots, which is a program that, of course, accepts donations to get toys for children during the holidays, Christmas here, is in need of donations. I have Judy Wahl, which is working in conjunction with Toys for Tots and Haven House, wants to ask the Council if we can donate any amount of money to the program. I'm sure she'll speak on it. The program is asking for donations and they're kind of behind on them.

NEW AND UNFINISHED BUSINESS cont.

Councilman Higgs, supported by Councilman Torres, moved to send a letter to Gary Gleason in regards to the recent snow we had on Forrest and State Line. They're still pushing the snow against the residents garages and causing a conflict. So I'm just requesting that Gary would have his staff that block, 6300 block, I guess 6400 block of State Line and Forrest, to push the snow another direction so that the residents could be able to get out of their garage when weather permits or if snow is to the point where they can't get out, so that they push it another direction so they're not blocked in.

LETTER SENT: December 12, 2018

Councilman Higgs - During caucus we had an opportunity to have a couple of the teachers come before us, speaking in terms of Eggers Middle School about a trip for female students to go to Washington, D.C. on a field trip and I would hope, we're coming to the end of the year and we have additional funding that we can provide some funding for these individuals so they can actually take these students on a trip to Washington, D.C.

Councilwoman Venecz - Community and Crime Watch upcoming meetings:

Community Watch at Mt. Zion; Wed., Dec. 12; 2 p.m.; Mt. Zion Pleasantview Plaza

Tues., Dec. 18; East Hammond Pullman C.W.; 6:30 p.m.; Ophelia Steen Center

Edison on the Road; Fri., Dec. 14; 4:00 p.m.; Golden Manor Senior Apartments

Thurs., Dec. 20; Hessville C.W.; Jean Shepherd Center; 7 ;00 p.m.

Wed., Dec. 19; Lafayette Neighborhood Watch; Lafayette School; 6:30 p.m.

Thur., Dec. 20; 7:00 p.m.; S. Hammond C.W.; Hammond Housing Authority

Thur., Dec. 13; Whiting-Robertsdale Crime Watch; Calumet College;6:30 p.m.; Rm 200

Announced the East Side Community Council is partnering with the Hammond Police Department for their 9<sup>th</sup> Annual Holiday Treats Giveaway. This is on Wed., Dec. 19 at Hammond High School. This is the season of giving so please give from the heart. The ESCC is sponsoring a toy giveaway for Hammond children age 0 to 17. They are still collecting toys through December 17<sup>th</sup>. Any new or unwrapped toys can be dropped off at the East Side Community Council Office which is at the Hub on Hohman Avenue in Downtown Hammond and also the Boys and Girls Club. As I said, the event is Wed., December 19 at 6:00 p.m. at Hammond High School for children of all ages and it is a very heart warming event and I recommend that everyone attend.

PUBLIC EXPRESSION

Judy Wahl - Retired employee of the City of Hammond. Has never come before the council to ask for money for Haven House even though it was started 38 years ago. Has always relied on fund-raising. Has a toy drive with her family every year. A gentleman from the area, the president of Toys for Tots, Tom Diaz, wanted to do something local and is working with Haven House. They did not get the donations they usually get this year but still brought a bag of toys for the kids. This is the time of year we need to think of the kids, especially the ones in the shelter because they are uprooted from their homes. They are in fragile situations. There is a gentleman at the Haven House with his daughter that really needs help. Please help me help them.

PUBLIC EXPRESSION cont.

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

AYES: ALL

ATTEST:

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Janet Venecz, President  
Hammond Common Council

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Robert J. Golec, City Clerk

Time: 7:50 p.m.

cb

Minutes approved at the Common Council meeting of December 17, 2018.