

MINUTES
HAMMOND SANITARY DISTRICT
BOARD OF COMMISSISONERS MEETING
APRIL 27, 2021
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The Board of Sanitary Commissioners of the Sanitary District of Hammond, Lake County, Indiana held a regular meeting at 4:16 p.m. in the Conference Room of the Administration Building located at 5143 Columbia Avenue, Hammond, Indiana.

President Dimopoulos called the meeting to order at 4:16 p.m. He stated that the Board held an Executive Session prior to the meeting to discuss personnel and litigation matters in accordance with Indiana Codes.

Commissioners Present:	Dimopoulos
Commissioners Present Remotely:	Dye, Garay, Hawkins, Miller
Commissioners Absent:	N/A
District Personnel Present:	Marty Wielgos, Chief Executive Officer Joseph Allegretti, HSD Attorney Rachel Montes, Business Manager Jeffrey Massey, HSD Kaleigh Boyle, HSD
District Personnel Present Remotely:	Matthew Muta, Deputy District Manager Robert Szczudlo, HSD Dan Zander, HSD Jack Smith, Sewer Department Rebecca McKinley, GIS Department
Others Present:	Mike Hickey, MJHY, LLC
Others Present Remotely:	N/A

The same rules and guidelines will apply as previous meetings. Before somebody makes a statement/motion, they need to state their name so they know who is talking. There will be roll call votes on everything.

President Dimopoulos stated that he would entertain a motion that he as Board President has the authority to sign all documents today on behalf of the Board.

Dye **moved** and Miller **seconded** to give Board President, Sam Dimopoulos, authority to sign all documents on behalf of the Board.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller
Nays: None
Motion **carried** 5-0.

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President Dimopoulos stated that the next order of business is the consideration of the April 13, 2021 Board Meeting Minutes.

Miller **moved** and Dye **seconded** to approve the April 13, 2021 Board Meeting Minutes.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

Chief Executive Officer's Report

Chief Executive Officer, Marty Wielgos, stated that the only thing he has for today's board meeting and he is going to bring it up under new business because he just received this from the Hammond Water Department late this past Friday. It is something that they had talked about. It is an intergovernmental agreement between the City of Hammond, the Board of Public Works, the Hammond Sanitary District and the Hammond Water Department. Basically, he will get into the mechanics of what this agreement is about. He thinks it is good for all of them, but most importantly good for the residents of the City of Hammond. He will bring that up under new business. Other than that, he does not have anything.

PERSONNEL REPORT

There was no Personnel Report.

CONSULTANT REPORTS

MJHY, LLC

Mike Hickey stated that he will talk about the Long-Term Control Plan. At the last meeting, he told the Board that EPA had sent them comments on March 17th and also told the Board that they would be responding to the comments on April 15th which they did. He sent a copy of both EPA's original letter and HSD's response. If there are any questions, he would be happy to answer them.

Commissioner Hawkins commented that he did have some questions for Mike Hickey, but quite frankly they are quite technical maybe between engineer to engineer so he would like to give Mike Hickey a call when he is available so they could discuss them. Thank you.

Mike Hickey responded that is fine.

President Dimopoulos repeated that Mike Hickey said that is fine, so for Commissioner Hawkins give him a call.

Marty wanted to add one thing. He said Mike is doing a great job. He is retired, but he thinks he is working more hours now than what he was when he was with Donohue. Not to say the least about Natalie and Steve who are his support at Donohue that kind of buffer the things that he

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doesn't have the expertise on and they do. The working environment between the two is working out even better then he thought. Usually when an employee retires from a company, they kind of want to sever and get their people into the District and that has not been the case at all. They have allowed Mike to do the things that he has and the working relationship has been very, very good. He just wanted to say that.

The Board considered the Claims Approval Docket 04-27-21.

Dye **moved** and Hawkins **seconded** for the approval of the Claims Approval Docket 04-27-21.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

President Dimopoulos called for Old Business

There was not any old business to discuss.

President Dimopoulos called for New Business

Marty stated that he had one thing he had to bring to the Board's attention and graciously ask for their approval. This is something that they talked about a couple of months ago. They finally hammered out an agreement per the Mayor's request- the Intergovernmental Agreement between the City of Hammond, The Board of Public Works, the Sanitary District and the Hammond Water Works. What this agreement is designed to do is that everyone knows the Hammond Water Department bills for the Hammond Water Department, the Hammond Sanitary District and they bill for the City of Hammond. What the problem is and what has been brought to the Mayor's attention by the Hammond City Council several months ago was that there were some fees being charged for customers who went online to pay their bill or if they went and did the phone call to pay the bill over the phone, there were fees attached to that above and beyond the bill itself and there was some pushback from that. The Mayor asked for them to come up with some menial solution to not put that burden on the taxpayers. What they have come up with is that the Water Department renegotiated the fee that was currently being charged from what he was told today \$2.30 to half that amount at \$1.15 or whatever that may be. Instead of the Water Department charging that fee to anyone calling in and paying these remotely, they will absorb them and pass it on percentage wise to the Sanitary District, the City, and to the Water Department. they are all hopefully in agreement with that. He thinks it is good for everyone especially for the ratepayers and residents of the City. He would ask that the Board approve this intergovernmental agreement.

Commissioner Hawkins asked if Marty is going to share with the Board the Intergovernmental Agreement so they know what they are talking about.

Marty answered he can. Like he said, he just received it late Friday and he wanted it to be reviewed before he sent it out to anybody and that was just done. The agreement was put

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together by the Attorneys for both the City and the Water Works. Mr. Allegretti signed off on it remotely. So, yes, Commissioner Hawkins he has no problem getting that to him. He just could not get it to everybody in a timely fashion prior to this meeting. They want to start this program May 1st so that is the reason why he could not hold it off until the next board meeting. He knows he is asking a little bit out of the Board, but this is an agreement, a document created by the City, by the Public Works and Water Works and now would be accepted by the Hammond Sanitary District. for those reasons, he feels comfortable and the Mayor is very well aware of this. He knows it is a little unusual, but he would be more than happy to get the agreement out. He just needs to get approval for it today.

President Dimopoulos read the Intergovernmental Agreement in entirety to the Board.

The Board considered Intergovernmental Agreement Between the City of Hammond, Indiana By and Through Its Board of Public Works and Safety, The Sanitary District of Hammond Indiana, By and Through Its Board of Sanitary Commissioners and the Hammond Water Works Department By and Through Its Board of Directors.

This Agreement made and entered in to the 27th day of April, 2021 by and between the City of Hammond, Indiana By and Through Its Hammond Board of Public Works and Safety (Hereinafter "BOPW"), the Sanitary District of Hammond, Indiana (Hereinafter "HSD") and the Hammond Water Works Department (Hereinafter "HWWD").

Whereas, the BOPW is a body corporate and politic organized pursuant to Indiana Law that controls the functions of the Hammond Street Department, including Garbage Pickup.

Whereas, the HSD is a municipal UTILITY organized and existing under and by virtue of the laws of the State of Indiana and under the control of the Board of Sanitary Commissioners; and

Whereas, the HWWD is a municipal UTILITY organized and existing under and by the virtue of the laws of the State of Indiana and under the control of the Board of Directors of the HWWD; and

Whereas, the HWWD distributes the invoices to customers for Potable Water, Sanitary services, and Garbage fees; the HWWD also collects payments from the customers of all three entities for the cost of these services.

Whereas, customers of the three entities are presently charged a fee for using a credit card to pay their bill for the three entities; however, the HWWD, the BOPW and the HSD have determined it in the best interest of all three entities to encourage prompt and full payment of each monthly bill by absorbing the customer's share of fees charged by the credit card company.

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Whereas, the credit card fees and the e-check fees assessed each month for bill payment should be calculated by the billing department of the HWWD and billed to the respective entity to cover their proportional share.

Whereas, the BOPW and the HSD shall make timely payments to the HWWD for their respective portions of the credit card fees and the e-check fees.

Whereas, pursuant to Indiana law, HRC and HWWD have the statutory authority to enter contracts;

Now, Therefore, the parties agree as follows:

1. That the recitals are incorporated herein as if set forth at length.
2. That the fees charged for customer payments by credit cards and e-checks shall be absorbed by the municipal entities, beginning May 1, 2021.
3. That each entity herein shall be responsible for covering their proportional share of the fees incurred.
4. That the HWWD shall provide to HSD and the BOPW an accounting of credit card and e-check fees for each respective entity billing cycle and prompt payment shall be made to reimburse the HWWD for the same.

In Witness Whereof, Hammond Board of Public Works, the Sanitary District of Hammond and the Hammond Water Works Department have entered into the above and foregoing Inter-Governmental Agreement as of the day and year signed below.

President Dimopoulos said this it is very clear- they are all going to share in the costs. The burden will come off of the customer or the citizen of Hammond and they will pay their proportional share of that credit card fee or the e-check fee according to their portion of the bill.

Attorney Allegretti clarified that this is all City of Hammond departments and does not affect the Town of Munster.

Commissioner Garay wanted to mention that with the community that she works with in her professional life, these conversations are coming up again and again. She wanted to compliment the Mayor and the Council for coming to a resolution on the matter. She thinks they certainly want to encourage remote payments especially in the COVID world that we are living in and help people who are not comfortable going into offices to pay.

President Dimopoulos agreed. He thinks that this is a good thing for the citizens of Hammond and he thinks they should move forward.

Commissioner Hawkins commented that this sounds like a very nice program for the City of Hammond. As they are all aware, the Town of Munster bills for the Hammond Sanitary District

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also. He does not believe that the Town of Munster is subsidizing credit card charges right now, but he knows they recently had a change of vendor. He just looked at his water bills for that information, but he cannot. While the Hammond Water Works bills for the City of Hammond, the Town of Munster bills also for Munster residents so he is questioning how they can reconcile this.

President Dimopoulos responded that he thinks if the Town of Munster has a program in place similar to what they are discussing right now, then they would talk about it then. If there is no program in place for the Town of Munster and since the Town of Munster is billing its residents, he does not know what they can do if they have no program in place.

Commissioner Hawkins replied that his concern is and since he does not know exactly how the Town of Munster's program currently works in regards to credit card and e-check fees, he knows you can pay by credit card or do an ACH pull or by check. For the Munster water bill which is also the bill for the Hammond Sanitary District, how do they reconcile that if they have this program for the City of Hammond and HSD funds are used to pay for it or here is an alternate question how will this be funded for the City of Hammond for the HSD part.

President Dimopoulos replied that he does not have any other information other than what he read to them all today, but they are going to relieve the burden (the fee) from the citizen and their portion of that fee- they are basically going to discount whatever that portion is. They are not talking hundreds of dollars per resident here they are talking a couple dollars for each resident paying online.

Marty said that he thinks Commissioner Hawkins brings up a good point. He thinks that what he would ask is that they have some discussion on is that they include the Town of Munster in the program because of the fact that the Hammond Water Department is going to absorb the charge, but they are absorbing it on their end of the collection and then passing our share on to the Hammond Sanitary District and being reimbursed along with the reimbursement from the City to the Water Department. They are just the entity that should be doing the absorption of the fee, but passing it on to each of the three entities. He as the District Manager and CEO, would have no problem including the Town of Munster in the same program. They would have to meet with the Town Manager (Dustin Anderson) and to work out how the plan works, but since they are already doing the billing on the District's behalf and the collections and sending the District the remittance on a monthly basis, he thinks that it could work. Because the reimbursement funds that they are sending back to Hammond Water Works are basically coming from the General Fund, so he would have no problem recommending to the Board that they amend the agreement to include the Town of Munster or a separate agreement probably to do the exact same thing. He would strongly support that.

Commissioner Hawkins stated that is exactly what he was getting at and he will support the Hammond one if they make a motion to negotiate an agreement with the Town of Munster likewise.

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Marty explained to Attorney Allegretti that the Hammond Water Works and Town of Munster both do billings for the Hammond Sanitary District. The Hammond Water Works says if you pay by credit card or electronic check there are sometimes fees, they are no longer going to pass those on to the resident or the customer, they are going to absorb those internally and pass the portion to the three departments. The Town of Munster is going to do the same thing. They are the District's collection agent for them in the Town of Munster who is passing the funds back to us. If their customers pay by credit card or any other thing, there is no reason why they should be treated any different because the repayment is coming from the General Fund. It is not coming from Storm Water money now that would be different because Munster would have to use their Storm Water money. The funds are coming out of the General Fund. They are not talking about a lot of money- maybe \$10,000 a month if that from what he is hearing. He thinks it should be even and thinks that this is a cause to recognize Munster and initiate the same program under a separate agreement with the Town of Munster.

President Dimopoulos wanted to add that they do not know how Munster does their billing for the residents so in the motion they should just address the portion of the bill that resident gets that relates directly to the Hammond Sanitary District.

Commissioner Garay added that it will be a percentage of the fee based off their amount or per individual bill because it will be up to Munster if they are willing to do that because they may not want to cover the costs of the other items on bill.

Marty said it is going to be designed exactly how it is on the Hammond side. They will only cover expenses directly related to those costs and bills related to what is being reimbursed back to the District.

Commissioner Hawkins agrees to what they just discussed and wonders if Marty or Rachel can send him a copy of that agreement with the City of Hammond and Hammond Water Works and HSD, etc.

Marty replied they will do that right after the meeting. He will have Rachel send it to all of the Commissioners.

The Board considered the Intergovernmental Agreement Between the City of Hammond, Indiana by and through Its Board of Public Works and Safety, the Sanitary District of Hammond, Indiana by and through Its Board of Commissioners and the Hammond Water Works Department by and through Its Board of Directors.

Garay **moved** and Dye **seconded** for the approval of the Intergovernmental Agreement Between the City of Hammond, Indiana by and through Its Board of Public Works and Safety, the Sanitary District of Hammond, Indiana by and through Its Board of Commissioners and the Hammond Water Works Department by and through Its Board of Directors.

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Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

Hawkins **moved** and Dye **seconded** to look into and extend the agreement that the City of Hammond, Hammond Water Works and HSD recently negotiated and approved and extend that agreement and negotiate with the Town of Munster for credit card fees.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

Commissioner Garay commented that as they discussed in Executive session the last time the Water Department had looked at their fee schedules for what was being charged. During discussion with Munster, if they can do something similar and have their Director inquire the last time, they reviewed their fees.

Marty replied that he will definitely have that discussion with the Town Manager. It will probably be the first thing he asks him to do or the question will be when were those reviewed last. He will go through whole process with the Town. At the end of the day, he thinks this was a very good move by the Board and although they have had a little bit of a tumultuous relationship, he thinks this is a good start to a new beginning. He thinks it is fair and it makes sense and it is the District sending out that olive branch across the border to the Town of Munster.

President Dimopoulos called for Reports from Commissioners

There were no reports from Commissioners.

President Dimopoulos called for Public Expression

There was no Public Expression.

President Dimopoulos called for a motion to adjourn the meeting

Dye **moved** and Miller **seconded** for adjournment.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

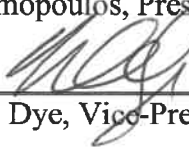
Nays: None

Motion **carried** 5-0. The meeting was adjourned at 4:45 p.m.

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Sam Dimopoulos, President



Michael Dye, Vice-President



Michael Hawkins, Sr., Member



Owana Miller, Member



Heather Garay, Member

ATTEST:



Rachel Montes, Secretary

Kaleigh Boyle, Assistant Secretary

Board Minutes Prepared By: Kaleigh Boyle