

MINUTES  
HAMMOND SANITARY DISTRICT  
BOARD OF COMMISSISONERS MEETING  
MAY 11, 2021  
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The Board of Sanitary Commissioners of the Sanitary District of Hammond, Lake County, Indiana held a regular meeting at 4:01 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 4:01 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, Dye, Garay, Hawkins, Miller

Commissioners Absent: N/A

District Personnel Present: Marty Wielgos, Chief Executive Officer  
Joseph Allegretti, HSD Attorney  
Jeffrey Massey, HSD  
Matthew Muta, Deputy District Manager  
Robert Szczudlo, HSD  
Dan Zander, HSD  
Jack Smith, Sewer Department  
Rebecca McKinley, GIS Department  
Kaleigh Boyle, HSD

Others Present: Mike Hickey, MJHY, LLC  
Natalie Cook, Donohue  
Ken Schoon, Town of Munster

President Dimopoulos stated that the first order of business is the approval of a Revised Agenda for the May 11, 2021 Board Meeting.

Dye **moved** and Miller **seconded** to approve the Revised Agenda for the May 11, 2021 Board Meeting.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

President Dimopoulos stated that the next order of business is the consideration of the April 27, 2021 Board Meeting Minutes.

Dye **moved** and Hawkins **seconded** to approve the April 27, 2021 Board Meeting Minutes.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

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Nays: None  
Motion **carried** 5-0.

**Chief Executive Officer's Report**

Chief Executive Officer, Marty Wielgos, stated that earlier this week or late last week he had a chance to meet with the Pastor from the First Baptist Church along with Eddie Lapina who he has dealt with for many, many years. That meeting was in regards to talking about Spohn School and the possible sale and acquisition of that by the Hammond Sanitary District. The meeting went really, really well. The Pastor is open to discussing the possibility of selling the school. He would like to sell the school because of the fact that they do not use the entire school. That school was built for a capacity of 1200 students and right now they are using about half of it for about 350-400 students (K-12). It would be a benefit for the District because as he has talked about in previous board meetings not for anything they need right now, but for the future of the District 20, 30, 40 years from now and the fact that it is right across the street from where the District's property ends on Calumet Avenue and it is right along the river and it goes all the way to the end of—he asked what the name of the street that it butts up to-- Sohl Avenue. And then, they have a pumping station just to the north side of that and the rest of the railroad property to be honest. It would be a big benefit to the District if in fact the price is right and that is the thing that he talked to the Pastor about. What they have agreed to do is that he asked the folks from Leopardo who actually took a tour with himself and some of his staff a couple weeks ago to be able to go back in and do a reassessment of all the major components (the roof, HVAC, plumbing, heating, water and sewer) and the structural and soundness of the building. They are going to line that up and Leopardo said since they are doing work in the City already with the City of Hammond and they are looking at doing some things for the District that there would be no charge for that full engineering report. That is a very big plus for the District and for Hammond Baptist. After that meeting, ironically enough, the Pastor asked him to be on his radio show, so he was on that show yesterday morning. It went really well. He was introduced to some of the Pastor's key staff so the relationship has really blossomed and he is really nice man and he thinks doing a lot of good work for the Church. He will keep the Board updated on where they go from there and he guesses that the next thing he will be reporting back to the Board is the results of the engineering study that Leopardo does for the District. Other than that, he does not have anything else to report.

President Dimopoulos commented that he thinks that would be a huge plus for the District if they could acquire that property for the future so hopefully everything will line up and they will be able to do that.

Marty added that the other thing that he forgot to mention was that they have a building on that property so if they were to be successful in purchasing it there would be the fact that First Baptist would like to lease back half of that building because they still want to continue the K-12 program. He also sits on the Board of HAST with Heather and there has been talk about expansion of HAST because they have run out of room. Maybe five years ago, some Board members from HAST and Owana was a part of it and they actually went and took a tour of Spohn and that was the first time he was in Spohn in decades and Dr. Egan thought it could work for their expansion. There could

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be if all of the cards fall into place and the price was right to purchase and that the repairs were within reason that they would be able to lease it to these two entities that would generate income to possibly pay a bond payment or possibly come close to paying the bond payment and would not only include the purchase of the building, but also the cost of the repairs to the building. To him and he is not an engineer, but when he walks through that building it is sound structurally. It really was built well and it has a beautiful courtyard to it. Really nice and unique. He thinks it will solve a lot of things for the District in the future and also solves some immediate needs of First Baptist and maybe HAST. If they can pull all of this together, he thinks it will be a win-win for them all.

**PERSONNEL REPORT**

There was no Personnel Report.

**FINANCIAL REPORT**

President Dimopoulos said that Rachel was out of town so they did not have a Financial Report this meeting.

Marty clarified that she is actually out sick.

**DEPARTMENT REPORTS**

**Safety Report**

There were no comments or questions.

**GIS Report**

There were no comments or questions.

**Sewer Maintenance Report**

There were no comments or questions.

**CONSULTANT REPORTS**

**MJHY, LLC**

Mike Hickey stated that the Board should have a copy of his status report. He would be happy to take any questions they have. As far as the Long-Term Control Plan update, he is working with Donohue to incorporate the technical comments that EPA had and he is working with Karl Cender and sent him some information so he can update the Financial Capability Assessment so he is continuing to work on the projects. He would be happy to take any questions if they have them.

Commissioner Hawkins commented that he saw in Mike Hickey's report that he went out and looked at the force main on top of the railroad at Kennedy Avenue and he just wondered if he or Marty can let him know what the status of that is.

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Marty replied that they actually had an update on that today. He is going to defer to Dan or Jeff to give more details on that. They are still looking at getting estimates for the cost of repair which are actually not just an estimate for a repair, it is several different possibilities for repair and what could possibly be done and what the railroad may accept and what they may not accept, so he is going to let Dan and Jeff pick up from there because he does not want to dig too deep into the technical part.

Dan explained that they have just been looking at the different options that they have. The biggest obstacle is the railroad and getting with them and then the bypass pumping because they cannot have that force main down- it has to pump 24 hours a day so they are looking at different avenues of bypass pumping. They have it narrowed down to probably which way they are going to fix it, but they are waiting on pricing. Piping and supplies are starting to get scarce so there are certain backups, so they are dealing with a lot of problems with that, but they are working on them.

Commissioner Hawkins verified that the force main goes underneath the railroad tracks.

Dan answered yes. There are three sets of railroad tracks.

Commissioner Hawkins asked if they are replacing if they have to put in the casing.

Dan replied that is what they are going to try and actually put a host pipe inside the force main itself so they do not have to bore another casing underneath it because the embankment for that overpass was actually put in after that force main so it is underneath that whole slope of that embankment there so to do a bore it would have to be about a 1500 foot bore on Kennedy Avenue all the way up to Michigan past the whole embankment there. They cannot just put a casing underneath the three sets of railroad tracks because there is not room on the west side there for a bore pit and to set up the pipes. It is an obstacle they are working on.

Commissioner Hawkins commented that any experiences he has had and they can ask other officials and engineers in Munster dealing with the railroad it is anything, but easy and they are quite particular and they change their mind at will even after they originally say you can do this, but they are noted to change their minds. He asked if this is the force main- he remembers a problem around four or five years ago with the force main right by the pump station in the middle of Kennedy Avenue where they were replacing a good section. He asked if this is from there on or what.

Dan responded it would be to the west of there. It broke underneath the tracks or it is cracked and then further up about halfway between there and Indianapolis Boulevard it has a crack, so there are two spots west of where it cracked in what he thinks was 2018.

Marty added that one thing he added today and authorized Dan to do because of the cost of this piping and with it continuing to rise weekly, he told Dan to purchase all the piping because whether or not they use it all now, it will be put in eventually within the next several years. He does not

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want to take a chance with waiting any longer so he has authorized to him to go ahead and order all the piping so at least, that is done. Then, they will wait and see when the engineering perspectives come back and the costs to each one of the options and then they will take it to the railroad. He told them today he is only going to the railroad with one option and that is going underneath the tracks. He does not want any other option because if you give them another option, they will take another six or seven months to evaluate. So, he wants to go there and say this is the option they believe is really the only option they have that suits and best addresses the problem they have with that cracked pipe, so that is the plan.

**Donohue**

Natalie Cook stated that they should also have a status report from them. Along with what Mike Hickey mentioned they have been working on the updates to the Long-Term Control Plan and also planning the bypass pumping for the Kennedy force main repair and if there is anything else or they had any questions, she would be happy to answer them.

**The Board considered the Claims Approval Docket 05-11-21.**

Dye **moved** and Hawkins **seconded** for the approval of the Claims Approval Docket 05-11-21.

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 they have a few documents to go over. The first being a Limited Power of Attorney requested by Mr. Nau and Chris Fox represents Mr. Nau and he will let Joe explain briefly what this document entails.

Attorney Allegretti explained that they have been trying to accommodate the expansion of Hammond Machine Works- the adjoined property to the north of us on Columbia Avenue for several years apparently, they are getting to the end of the finish line. The process involves the District conveying the appropriate parcel to the Department of Redevelopment which in turn will convey it to the ultimate purchaser Hammond Machine. The Planning Department and the Plan Administrator requires that in order to accomplish this that property needs to be replatted meaning resubdivided under the subdivision control ordinance and since the District is still the nominal owners the Limited Power of Attorney will allow the attorney for the ultimate recipient/transferee of the property Hammond Machine to engage with the Plan Commission and accomplish the task necessary to complete the successful replat under the subdivision control ordinance and get the property conveyed to the Department of Redevelopment. It is a very limited power of attorney meaning they can only do things necessary to interact with the

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Department of Planning with the City. They are doing this as an accommodation to help get it across the finish line. He apologized for the long explanation.

Commissioner Hawkins asked who is going to sign off on this document and if they had copies of this.

Attorney Allegretti replied that President Dimopoulos will on behalf of the Board. He told Commissioner Hawkins there is a copy on the table for him to look at.

Commissioner Hawkins recommended that President Dimopoulos read it before signing.

President Dimopoulos responded that he did look at the document earlier.

Attorney Allegretti joked that he scratched out the part where he has the right to make life and death decisions in the event of his incapacity. It is not that kind of power of attorney.

Commissioner Hawkins asked if there was a Notary Public within the District.

Marty said yes. Kaleigh is. The last item—

Dye **moved** and Garay **seconded** for approval of the Limited Power of Attorney document presented to the Board.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

Marty stated that the last item is a Resolution to terminate some easement rights where the new school is going. Where the new football field is going to be. He will let Attorney Allegretti explain the details of that.

Attorney Allegretti explained that two east-west streets in Hammond in the footprint of the new Hammond High School were previously late last year vacated which is a legislative process by the Hammond Common Council- the District was not actually notified. The District has easements in both of those vacated streets. The District is releasing the easement in the street where they do not have a structure- there is no sewer. The other street that was vacated was Eaton Street west of Calumet Avenue which is also in the footprint of the future football field- that easement and Jeff can talk about what sewers are over there, but there are two structures (two sewers) in the vacated Eaton Street which will remain easements. They are not being asked to release those. This simply releases the easement in the vacated street in which the District does not operate and maintain a sewer so it is a reasonable request and a reasonable accommodation. The District does not need the easement and they are doing this to move the project along. This is kind of a last housekeeping detail which is occurring. There is also a draft

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encroachment agreement which he thinks they discussed earlier which concerns the easement on the vacated Eaton Street- they have not seen a final draft. The suggestion is that there may be some kind of request for a minor encroachment on that easement within which they do have sewers and they will cross that bridge when they get to it. The District, must of course have access at all times, there cannot be any kind of build over or any obstruction over their easement which would impede their ability to repair a sewer in the event of a failure or break. As far as the matter in front of the Board now, there is no reason not to accommodate the request of the Hammond School City and release an easement they no longer need.

Commissioner Hawkins asked if the two streets one is to the east and one to the south of Civic Center.

Attorney Allegretti responded yes and commented that Jack knows the geography of the area better than he does, but he knows where Eaton Street is.

Marty stated that he had a question for Attorney Allegretti because he said he senses that if they are going to build this Astroturf football field over these two sewer lines if it would be to the advantage of the District to encase them so they can be easily accessed if there were a break without having to tear up the football field because there is not heavy traffic over there.

Attorney Allegretti answered that is an expensive item and he would not guess how much that would cost, but that would be an expense that they would like to be paid by the School City and he knows the other utility involved in this process is the Hammond Department of Water Works. They have a similar structure in the vacated street within their easement and they are asking the School City to move their water main which is an expensive proposition and his understanding is that the School City is resisting that request. He is just glad that it is a controversy that does not include the District and he does not know how that is going to turn out and why they want it moved rather than maintain their easement and their access to it, but they must have some engineering underlying reason for the request. In the District's view the risk of damage to school to an improved school property (football field or artificial turf) the risk of damage lies with the School City not the District and if there is a repair needed during the life of this sewer, the risk lies with the School City and not the Sanitary District.

Marty responded that what he is thinking because this is all unimproved land and could be dug up easily now before they start putting in a football field. He asked if it is that hard to encase these or if they would be better off looking at replacing the line.

Jack stated that the large line that runs down Eaton, he can walk through and it is very deep.

Marty laughed and said that he didn't think it was that big of a line.

Attorney Allegretti asked if it was a 60- or 72-inch line.

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Jack repeated he could walk through it.

Marty clarified that this is going to be the one underneath the football field they are thinking.

Attorney Allegretti said that is his understanding of the layout. This is a vacated street and the District has its easement and he thinks it has plenty of useful life left in it and he is hoping that even for the youngest people in the room the useful life will be longer than the lifetimes of anybody in the room so they will not have to deal with it. Maybe their descendants at some time.

President Dimopoulos stated that as long as the language in the document clearly states that they are responsible for anything related to the school and if there is a damaged line, the District will take care of the damage, but they have to replace what is on top of it. He thinks they are good to go.

Attorney Allegretti agreed with the Board President.

Commissioner Hawkins said that he understands where Marty is coming from. That the District is going to allow them to build a football field on top of a sewer that Jack can walk in. There are some issues there and there needs to be some discussions between the School City and HSD because things tend to be forgotten over time and agreements dumped to the side and ten years from now when Joe is still the attorney for the Sanitary District that they are going to come and say hey we have water under the football field or it is coming up from the artificial turf and it doesn't smell good- fix it. It is not very good policy to build a football field on top of a sanitary sewer and –

President Dimopoulos commented that it is not up to them what the School City of Hammond and their engineers do with their design. What they do with their design is their business and what they need to do is make sure they are covered in the agreement that the District will take care of the line and they (School City) will take care of everything above the line. End of story. They can put whatever they want.

Commissioner Hawkins asked how you are supposed to take care of the line when it is under the football field.

President Dimopoulos said go and dig a hole and get to the line and then fill it back and up and they will have to replace the turf that is on top of it.

Commissioner Hawkins stated that this needs to be carefully discussed and acknowledged and understood.

Attorney Allegretti replied that the City in its unlimited wisdom decided to vacate the streets. If the line failed or needed repair two years ago, they would have had to dig up the street. Sewer repairs by their nature are destructive as is excavation and needs to be that after you fix the sewer



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you have to fix the ground above it, but the risk of damage to an expensive AstroTurf football field lies with the School City and not the Sanitary District.

Marty asked that since they are signing this document today that when would they be able to see the other one that he is talking about.

Attorney Allegretti answered that this is something being negotiated by Corporation Counsel Mr. Smith and the School City. They have an outside lawyer he thinks from Chicago. The first time he saw the draft was last week so they have not been to the table, but they have been promised and they are not relinquishing any property rights that they have in this easement without being fully informed of the consequences and full understanding of the situation.

Commissioner Garay wanted to note the weight of the equipment that is going to be needed to install the turf. She is trying to remember the process when they did Dowling Park, but she does know that turf is expensive. The Board understands that there is not a structure being built on top of that, but she is not sure what the equipment is like to install it.

Marty responded that he remembers when the Administration participated in along with a Councilman with putting in the artificial turf at Morton High School. That was over \$300,000 over 15 years ago.

Commissioner Garay commented that it has gone up since then. She can tell him that.

Marty said that is just for the artificial turf. That is not for any excavating or anything else, so he just wants to make sure the District since they have talked about it, he is curious to see this document that they are putting together to make sure they are protecting the District along those lines.

President Dimopoulos added that if that document is not to their liking or to their Attorney's liking, they will counter them with different language that will accommodate the District.

Attorney Allegretti stated that the District's goal is to protect their interests and their property rights in the easement and their access to their subterranean structures.

Dan said that he thinks they should do an investigation and televise it to see what kind of condition they are in before so they know. If it is deteriorated already, it might be something they want to go a different direction on than if it looks like it is in really good condition.

Marty asked if they have an approximate age on that line.

Jack replied no clue. It has been there longer than he has.

Attorney Allegretti said that is an old part of time, so he is sure it is pretty old.

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Marty stated that he agrees with Dan and that it does not behoove them and asked if Jack could take care of that and asked how far he will have to go.

Jack answered that he would go from Calumet Avenue and go west to Sohl Avenue and see what is going on. At least up until the Civic Center.

Marty asked Jack to do that and let them know at the next board meeting.

Attorney Allegretti said that investigation does not prevent the Board from acting on this release of the easement in the right-of-way that they have no sewer.

**The Board considered Resolution No. 16-2021: RE: A Resolution Authorizing Execution of a Release and Termination of Easement to Accommodate the Development and Construction of the New Hammond High School/ Middle School.**

Miller **moved** and Garay **seconded** to approve Resolution No. 16-2021.

Ayes: Dimopoulos, Dye, Garay, Hawkins, Miller

Nays: None

Motion **carried** 5-0.

**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

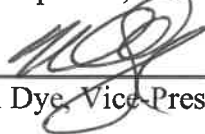
Nays: None

Motion **carried** 5-0. The meeting was adjourned at 4:31 p.m.

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Sam Dimopoulos, President



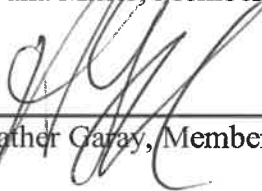
Michael Dye, Vice-President



Michael Hawkins, Sr., Member



Owana Miller, Member



Heather Garay, Member

ATTEST: 

Rachel Montes, Secretary

Kaleigh Boyle, Assistant Secretary

Board Minutes Prepared By: Kaleigh Boyle