

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, APRIL 5, 2011**

President Bud Crist called the April 5, 2011 Merrillville Stormwater Management Board meeting to order at 4:38 p.m. Members in attendance were Barbara Ghoston and Dorinda Gregor. Staff present included Attorney T. Edward Page, Councilwoman Chrissy Barron, Matt Lake from Christopher Burke Engineering, Jon Derwinski from Robinson Engineering, Karl Cender from Cender & Company, and Liz Bushemi. Guests present were Councilman Andrew Sylwestrowicz and resident Jay White.

Included in the agenda packet was a copy of the minutes of the March 1, 2011 meeting minutes. Upon motion by Barbara Ghoston and second by Dorinda Gregor, the minutes of the March 1, 2011 SWMB meeting were unanimously approved.

Also included in the agenda packet were the current accounts payable register and department appropriation report. Upon motion by Barbara Ghoston and second by Dorinda Gregor, the accounts payable register and appropriation report were unanimously approved. Mr. Crist reported that the street sweeper and back hoe are being used.

COMMENTS FROM THE PRESIDENT

Mr. Crist indicated that he met with the Town Council members in their executive session to discuss the executive director position. The SWMB has been operating from September, 2004, to the present without an executive director handling the day-to-day operations of Stormwater Utility. He said the Town Council was given notice of the hiring of an executive director on March 1, 2011, notice to town employees was given on March 14, 2011, and an ad was taken out in the Post-Tribune and The Times on March 27, 2011 announcing the position. Although some resumes/applications have been received after the April 1, 2011 deadline, 14 people have applied for the position. He said he hopes to start the interview process with Councilman Shawn Pettit for some applicants and present the Personnel Committee with a recommendation for a final candidate soon.

Councilwoman Chrissy Barron officially presented the Board with the March 22, 2011 World Water Day Proclamation. Mr. Crist said he hopes the Stormwater Utility will celebrate World Water Day on an annual basis.

Mr. Crist said the toolbox for the ATV and the outboard motor for the Argo vehicle have been received.

Mr. Crist indicated the project at 75th Avenue and Chase Street is completed. The Chapel Manor project is near completion, with contracts to be let for sidewalks and handicapped ramps.

He said Stormwater Utility has been completing complaint forms as residents call with stormwater, flooding, sediment or other issues. Maps are googled for the location to see the problem before they arrive, and then inspections are done. For example, Matt said when Dorinda called about a resident with a problem with trap for water and mosquitoes, a complaint form was prepared so he could be aware of the problem when they visited. Dorinda will direct other residents to contact us directly in the future, which will help us track Rule 13 permitting. For the Gough property, Mr. Crist said he met with Buzz Gough about their hauling of dirt, no silk fences and no Rule 5 permit. He advised Mr. Gough what had to be done; Mr. Lake said a formal inspection would be done, and a stop order was issued.

Mr. Crist met again with Ron McColly, Lake County Surveyor George Van Til, Matt Lake and other Christopher Burke staff, and Councilpersons Chrissy Barron and Tom Goralczyk, regarding the retention pond near the Taft Street project. Plans are to work with them for expansion of the pond.

He also said he, Matt Lake and Bruce Spires met with Gorden Doepping, age 91, and his nephew at the nursing home where Mr. Doepping resides regarding his property near the Dairy Queen on Taft Street. They are trying to establish the depth of the pond and working with the state about the property.

OLD BUSINESS

Matt Lake said they are holding off on the purchase of GPS camera with the hopes that a joint purchase can be made with Lake County due to the cost. The GPS camera will be helpful for inspections.

Regarding the 54th Court rain garden, Mr. Lake said cost estimates are \$36,000-\$46,000, with excavation being the biggest expense. Jon Derwinski said his cost for unclassified excavation is \$16,000. There will be sidewalk removal, and 8" concrete is recommended for the street. The total concrete appraisal is \$174,000-\$175,000, which amount does not include the Robinson Engineering fees. If the project is started as a pilot project, soil testing will cost \$3,420. Mr. Crist said with the price of oil, concrete is coming even. A 3" surface of concrete is \$80,000 or less, and the cost could go down. Jon talked to Brian Lutey from Ozinga Concrete, and Brian is willing to work with the SWMB on costs. If blacktop is used instead of concrete, the cost of the rain garden project could go down. Bruce Spires is interested in removing sidewalks but leaving as much green as possible. Discussion was held about if the project was let for bid, can it be rejected, and Bud said yes. Attorney Page said the SWMB is not obligated to put it up for bid, but if you accept a bid, there'd be a problem if you decided not to do the project. Jon said they can prepare it for bid, and he will meet with Karl Cender to review the budget and see if a bond can be let.

Matt Lake said the Taft Street project is at the land acquisition phase.

Mr. Lake said he intends to apply for a transportation enhancement grant in June, which funds could be used for the rain garden project.

A letter of support was sent for the 101st & Broadway \$4.5 million project since it will help the Broadway Corridor project.

Regarding easement permissions, Attorney Page said he is still working with Attorney Bower on this issue. He asked if maps can be printed showing trees, and Matt said he will prepare them for him.

Matt said they are still working on the LCD projector.

Mr. Lake said he went to the last MS4 meeting at Northwestern Indiana Regional Planning Commission (NIRPC), and he suggested and supports marketing, which they want to pursue. They also discussed outfall testing, and plans were submitted to NIRPC to review.

Mr. Crist said sediment bags for the pumps have been ordered and received and are in the public works facility garage.

Mr. Lake said a free Chain Saw & Chipper Safety Training is scheduled for April 19, 2011 at the Lake County Fairgrounds, and Bud Crist and some public works employees will attend. This will be helpful for tree snagging and removal.

Regarding ongoing projects, Mr. Lake said that he and Jon Derwinski met with Loretta from Torrenge Engineering regarding questions they have about the Acura Dealership. A future meeting will be set. Regarding the Deerpath Road project, Matt told the engineer that they must apply for a stormwater permit. He is coordinating with A&R Pipeline in order to have them sweep every hour for debris. The International Brotherhood of Electrical Workers (IBEW) site is ready for final seeding.

He has met with Greg White at Lake County regarding the GIS. The SWMB is looking to hire summer help to train on the GIS and do some field testing on ponds.

Matt said we need to update the Stormwater Master Plan of 1987 since it needs update and revision.

He said he has received several calls regarding stormwater pollution, and he is discussing possible workshops with NIRPC regarding Rule 13 permits.

Matt also said Merrillville is a Tree City USA now, and being discussed is trees being replaced and purchased.

Attorney Page questioned the rain gardens and if they can handle snow, and Matt said yes. He indicated that in front of the Lake County Government Center, plants were planted to survive in the winter. It was a pilot project for rain gardens. Dorinda asked about the rain garden behind the bank next door to the Public Works building, and Matt said work will be done in the spring.

Bud said he asked for \$1 million (\$996,000) from INDOT for the Taft Street Project. Jon Derwinski said he can order the soil borings if necessary for 54th Court. Dorinda Gregor made a motion to allow Robinson Engineering to proceed with soil samples, and the motion was seconded by Barbara Ghoston and unanimously approved. Attorney Page questioned if the easements are in the transition phase for him to see, and Matt said he will show him. Discussion was held about what the right option for the town is as far as buying easements.

Dorinda said in The Preserves, one buyer purchased 17 acres of wetlands and open space from the tax sale, and he wants to make a racetrack. Attorney Page questioned why these parcels on tax sale, or should they be tax-exempt. He said if The Preserves has a homeowners association (HOA), it should be in their covenants. Dorinda says most HOAs are good for 20 years, and the town would also impose restrictions. She also said a woman used her retirement and purchased a retention pond in Barclay Village. Matt asked Attorney Page to contact County Attorney John Dull about having some of these parcels removed from tax sale. Since there are 175 ponds in Merrillville, she asked if the town could purchase and maintain them, or if the POA could be charged an assessment for not maintaining them. Attorney Page cited the Lakes of the Four Seasons incident where the child drowned, and he said he believes each pond needs to be reviewed on an individual basis. Dorinda asked Attorney Page if a liability clause could be inserted, and Attorney Page will look into the issue, but also said residents need to take responsibility for their actions. Matt said right now, legal ads for tax sale properties do not indicate what is a pond.

NEW BUSINESS

Mr. Crist said he has been working with Bruce Spires on the purchase of a 2012 single axle dump truck to be purchased from Truck City of Gary for pick up in the fall. The total price of the truck is \$152,732, and Public Works will pay \$20,120 for the snow equipment hydraulics, a stainless steel salt box and a stainless steel drop box, and Stormwater Utility will pay the \$132,611 balance. A single axle vehicle is better for use in subdivisions. Dorinda Gregor made a motion to purchase the dump truck for fall delivery, with Stormwater Utility paying \$132,611 and Public Works paying \$20,120. The motion was seconded by Barbara Ghoston and unanimously approved.

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Mr. Crist said Broadmoor Country Club has gone into receivership, and there are substantial pipes and manhole covers on the property that the town could use. Councilman Tom Goralczyk is working with the bank on it.

Mr. Crist said Karen Wilson's daughter, Paige, will be hired for college summer help. She can assist Stormwater Utility for taking out the ATV and use maps verifying outfalls and storm drains. We will also be utilizing the Public Works summer help for additional work jobs.

He passed out a copy of the listing showing 2010/2011 budgets using stormwater funds for public works and town administration costs. To date, \$781,600 has been paid to the town, and the new dump truck will be ordered and paid for with stormwater funds later this year.

PUBLIC COMMENT

Jay White from Bridgewood Subdivision discussed a pond issue in his subdivision. Since algae is in the pond, he believes the value of homes would be affected. He said he wanted to follow up with MS4, which encompasses homeowners' associations and sediment on ponds, and wanted to ask if grant money is available to treat the pond and asked what is the Stormwater Utility's opinion on how to treat it. The Bridgewood lake is a 15-acre lake, but the POA only owns eight acres of it; Phase II of the subdivision owns the other seven acres. He said he is on the board there and is trying to get more involved in his POA and wanted guidance. Mr. Crist said if the Phase II homeowners don't want to join the HOA, they can be assessed a fee for treatment of the lake. Mr. Lake said Stormwater Utility is trying to educate the public on what can and cannot be used to treat ponds.

ANNOUNCEMENT

Mr. Crist said the next meeting will be held on Wednesday, May 4, 2011, at 4:30 p.m. at the Town Hall.

ADJOURNMENT

Upon motion by Bud Crist and second by Barbara Ghoston, the meeting was adjourned at 5:56 p.m.

Respectfully submitted,
Liz Bushemi
Secretary