

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, JULY 2, 2013**

President Barbara Ghoston called the July 2, 2013 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:33 p.m. The other members in attendance were Dorinda Gregor and Leonard White. Staff present was Executive Director Matt Lake, Compliance Officer Joe Fish, Attorney James Meyer, financial advisor Karl Cender from Cender & Company and Secretary Liz Bushemi. Others present were Mark Kaiser from Christopher Burke Engineering, Robert Csanyi from Robinson Engineering, Chas Reilly from *The Times* and Karen Caffarini from the *Post-Tribune*.

Included in the agenda packet was a copy of the minutes from the June 4, 2013 monthly SWMB meeting. Dorinda Gregor made a motion to approve the minutes from the June 4 meeting, and it was seconded by Leonard White; there were no questions or corrections, and the motion was approved and unanimously carried.

Also included in the agenda packet were the accounts payable registers from June 11, 2013 and June 25, 2013 and appropriation reports for funds 626 and 627. Dorinda Gregor made a motion to approve the accounts payable registers from June 11, 2013 and June 25, 2013, and it was seconded by Leonard White. There were no questions, and the motion was approved and unanimously carried.

OLD BUSINESS

Mrs. Ghoston said when she was not present at the June 4 meeting due to a family emergency, it was the first time since being a board member that she was unable to attend, and she was happy to be back. She wished everyone a safe July 4 holiday and encouraged everyone to keep children safe and attend town-sponsored events.

In new business, she also said that Merrillville Stormwater Utility received the May, 2013, installment of stormwater fees from tax payments from the Lake County Treasurer in the amount of \$623,181.45 on June 24, 2013.

Matt said everything is on scheduled regarding the 54th Avenue/Meadowdale project. He said Gough, Inc. submitted their pay request #1 in the amount of \$40,345.15, a copy of which all members received. Dorinda Gregor made a motion to pay Gough, Inc. the amount of \$40,345.15 for their pay request #1, and it was seconded by Leonard White. A voice vote was taken, and all three members voted yes, and the motion was approved and unanimously carried.

For the Taft Street Drainage Improvement Project, Matt asked Mark Kaiser to address the Board. Mr. Kaiser indicated that all utilities have been located, and storm sewers south of 73rd Avenue are being installed; this should be completed in the next couple of weeks. Matt said when the culverts are installed under Taft Street, the road will be closed except for emergency vehicles and local traffic since the Indiana Department of Transportation (INDOT) has said Dyer Construction can do the work at night so not to interrupt day-time traffic. Mark Kaiser said Dyer Construction has submitted its first 2013 pay request (Pay Request #5) in the amount of \$125,231.40 and having reviewed it, recommends that the Board approve payment. Dorinda Gregor made a motion to approve Dyer Construction's Pay Request #5 in the amount of \$125,231.40, and it was seconded by Leonard White. A voice vote was taken, and all three members voted yes, and the motion was approved and unanimously carried.

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Attorney James Meyer made note that the agenda identified this as Dyer Construction Phase II – pay request #1, but it is however pay request #5 in connection with the Taft Street project.

Matt said notice to bidders for construction of the new Stormwater Resource Center was published on June 21, 2013 and June 28, 2013, and a pre-construction meeting was held on June 26, 2013 where 12 contractors attended. A special SWMB meeting will be held on July 9, 2013, at 4:30 p.m. to provisionally award the bid. He said anyone can track those companies who have received bid packages through the Skillman site, skillmanplanroom.com.

Matt attended an inspectors' workshop in Michigan City on June 7 and said it was very informative. A floodplain management workshop was held in Dyer on June 18, and he said it was very interesting. He encouraged Board members to attend floodplain workshops because it will count towards credit on the Community Rating System application.

The 54th Court rain garden was planted on June 21 and June 22, 2013, and Dorinda Gregor and her daughter, Beth, helped plant it. He is working with B & H Technical Services of Merrillville on signage for the rain garden. The native plants and the sign will be included as part of the grant reimbursement, as well as other rain garden invoices. He said this rain garden will be included in the *Green Streets Guidebook*. Councilman Richard Hardaway issued a challenge to town residents to help collect 800 pounds of plastic caps in order to qualify for two benches from the Lake County Solid Waste Management District, and he encouraged everyone's participation. Matt said three companies submitted proposals for planting of the rain garden, and the lowest proposal was from Blade Cutters; he presented their invoice in the amount of \$25,730.00. Dorinda Gregor made a motion to approve payment in the amount of \$25,730.00 to Blade Cutters, and it was seconded by Leonard White. Dorinda asked if part of this would be reimbursed by grant proceeds, and Matt said yes, approximately \$17,000. A voice vote was taken, and all three members voted yes, and the motion to approve payment in the amount of \$25,730 was approved and unanimously carried. Mrs. Ghoston drove past the rain garden a few days ago, and said it has transformed the neighborhood. She thinks residents are sprucing up their homes now and congratulated everyone on a job well done. Matt is looking at sites for future rain gardens with Town Manager Bruce Spires.

Matt updated the Board on the CDM Smith invoice in the amount of \$8,000 for alleged updated work on the Stormwater Resource Center and said he is challenging the invoice for lack of services.

Regarding the stormwater master plan, Matt said that Darren Olson and representatives from Christopher Burke Engineering will be present at the August meeting to give an update. The Board will be given an opportunity to look at maps on a PowerPoint presentation to review the work done by Christopher Burke Engineering thus far.

Dorinda questioned the date of the next Stormwater Management Board meeting, which is August 6th at 4:30 p.m. She said the National Night Out event at Town Hall begins at 6:00 pm.

NEW BUSINESS

Matt said that at the May, 2013, SWMB meeting, Southmoor Park Subdivision was discussed, and the Board approved the topographic survey for \$11,630. He said the design phase is the next step, and Robinson Engineering needs to move forward. Bob Csanyi from Robinson Engineering said the work will be done in October, and \$22,470.00 is needed for preparation of the plans, and \$720.00 for additional right-of-way work, for a total contract amount of \$34,820.00 (including what was previously approved for the topographic survey). Matt said the Board needs to vote on the rest of the project. Discussion was held. Mrs. Ghoston recalled that only a few homes are affected by this and asked if Stormwater was ever presented anything in writing, and Matt said no. Matt said the Board was invited to go there separately. He said there is not proper drainage at that location, and it is affecting the roadway. Leonard asked about the roadway, and Matt said it is the town's right-of-way, and people have manipulated the roadside drainage over the year, which pre-dates all Stormwater rules and regulations that are in effect now. Matt said this work will minimize roadway maintenance, and it is up to the Board to decide if they wish to re-do all the drainage. Dorinda asked about those residents having sanitary sewers, and Matt said the work still needs to be done since our primary focus is on the roads and roadside drainage, especially in the winter. Matt recommends that the Board proceed. Dorinda Gregor made a motion to proceed with the work on Southmoor Park for construction of design plans in the amount of \$22,470.00 and right-of-way work in the amount of \$720.00, and it was seconded by Leonard White. A voice vote was taken, and all three members voted yes, and the motion was approved and unanimously carried. Mrs. Ghoston asked for a copy of the contract, and Matt said he will get members a copy. He said the Stormwater office is waiting on the itemization of the \$11,630 topographic invoice, and that will also be presented to the Board.

Matt said something that he and Darren Olson from Christopher Burke Engineering are investigating the pond at 53rd Court and Pierce Street. He said currently it is only served with a few small pipes, and they are hoping to re-route the detention pond, rather than have the water going to a Stormwater lift station.

He also said Robinson Engineering is looking at flooding problems on 59th and Jefferson Street near the Cloisters Apartments, whose parking lot floods every time it rains. Dorinda asked if that includes the duplexes to the east, and asked if they ever fulfilled their stormwater requirements. Matt said Stormwater is investigating the possibility of utilizing the pond at that location.

Matt said a Notice of Claim was received by farmer Gary Dunlap for a small claim of destruction of soybeans at the Taft Street detention pond on East 73rd Avenue. The hearing in this matter has been reset, and the claim has been sent to the insurance company. Leonard White asked about a contractor's bond to pay the claim, and Attorney Jim Meyer said the matter is in litigation, has been sent to the insurance company, and there is no further discussion.

Matt will serve as one of three speakers at a construction site stormwater runoff workshop on July 17th sponsored by Northwestern Indiana Regional Planning Commission (NIRPC).

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All members received a copy of the new brochure, "Stormwater & Residential Lawns", which addresses what residents should do with mowing their lawns and keeping grass off the roadways, ditches and stormwater drains. A section on rain barrels is included, and Matt is in the process of finalizing arrangements with UpCycle Products for a rain barrel program for residents. The brochure has recommendations for fertilization application.

Matt said he will be driving the Stormwater truck in the July 3 parade and welcomed anyone to ride with him. Barbara asked if Stormwater has any interns to pass out items in the parade, and Matt said Stormwater does not have any interns this year. Matt said the seasonal summer crew has been working on the ditch behind the Legion near the new building, and they are clearing and snagging other areas that impact drainage. He said that he and Joe are working with McShane's regarding promotional Stormwater items including rain gauges, stress balls and funnels with the Merrillville logo.

OTHER BUSINESS

Dorinda Gregor said the Town Council has been talking about individuals who have approached them regarding open spaces and the tax sales. Matt distributed information to the Board regarding The Preserves and indicated that nothing will happen to current residents' properties and said he has been working with the auditor's office to remove detention pond properties from tax sales. Discussion was held about the town ordinance, easements and homeowner association vs. town responsibilities. Matt said the town cannot be responsible for all open spaces in the town, but the town council attorney can discuss options with the property owners. Jim Meyer said it all depends on what responsibilities the town wants to take on. Matt said the Stormwater master plan will show what is available as open space

PUBLIC COMMENT

None.

Mrs. Ghoston said the special meeting for the bid opening for the Stormwater Resource Center is Tuesday, July 9, 2013, at 4:30 p.m., and the next monthly meeting is set for Tuesday, August 6, 2013, at 4:30 pm.

Dorinda Gregor made a motion to adjourn, and it was seconded by Leonard White. The meeting was adjourned at 5:26 pm.

Respectfully submitted,

Liz Bushemi
Staff Secretary