

**MERRILLVILLE STORMWATER MANAGEMENT BOARD**  
**MEETING MINUTES**  
**TUESDAY, SEPTEMBER 7, 2021**  
**3:30 P.M.**

**CALL MEETING TO ORDER**

President L.J. “Bud” Crist called the September 7, 2021, Merrillville Stormwater Management Board (SWMB) meeting to order at 3:32 p.m.

**PLEDGE OF ALLEGIANCE**

President Crist led the pledge of allegiance.

**ROLL CALL**

Members in attendance were President Bud Crist, Vice President Ralph Simek, Secretary Barbara Ghoston. A roll call was taken, and a quorum was established. Staff members present were Executive Director Matt Lake, Attorney James Meyer, and Secretary Adra Breclaw-Csanyi.

**COMMENTS FROM THE PRESIDENT**

None

**MINUTES**

Stormwater Management Board Minutes (SWMB) from August 3<sup>rd</sup>, 2021 – Approved. Barbara Ghoston made a motion to approve the minutes from the SWMB meeting held August 3, 2021, and it was seconded by Ralph Simek. There were no questions. A voice vote was taken, and the motion passed with a 3/0 vote.

**ACCOUNTS PAYABLE REGISTERS APPROVAL**

Accounts payable registers from August 10 and August 24, 2021 were approved as shown. Ralph Simek made a motion to accept the accounts payable registers from August 10 and August 24, 2021, it was seconded by Barbara Ghoston stating funds 626 and 627. A voice vote was taken, and the motion passed with a 3/0 vote.

**OLD BUSINESS**

Matt stated as part of packet a letter received from Matt Rosa, Christopher Burke Engineering recommending that Pay Request #5 from Dyer Construction Company, Inc. in the amount of \$182,921.24 be paid is up for voice vote. Barbara Ghoston made a motion to approve payment to Dyer Construction Company, Inc. for pay request #5 in the amount of \$182,921.24, seconded by Ralph Simek. A voice vote was taken, and the motion passed with a 3/0 vote. Comment by Matt Lake, a walk-through was taken with Daren Olson from Christopher Burke and Matt Rosa on the Meadowdale Storage Basin project after the three and a half inches of rain, everything looked good, the basin was holding some water but it would need doubling to get to the level that it was designed for. Ralph Simek asked if the basin was to be a dry basin, Matt responded yes, water has drained down within a matter of 24 hours to normal level after the previous heavy rains. Ralph asked if a berm was built around it, Matt explained no, that the detention is dug out and the outlets are located at the bottom, ground level of the basin. There is a duckbill valve installed that does not allow water to come in preventing backflow. When water drops from the creek it will then allow it out. There are two large basins, one along 57<sup>th</sup> Avenue and on the back side, divided by an equalizer pipe appearing as if there are three basins but there are only two separate large basins.

## **NEW BUSINESS**

Bud Crist said Budget Transfer Memo to Clerk –Treasurer from Cender & Company. Bud Crist asked if the increases and decreases can just be given. Attorney Meyer said it is all covered in Resolution 21-4, stating that you have to vote on the Resolution but not on the Transfer and can read it as a point of information. Matt said there was two items where we moved money from the Stormwater Crew because we were going to budget money for a part-time crew; this actually moves each over to the office manager line in order to cover the compensation from Liz along with Adra’s salary for the rest of the year. Next year we will be able to adjust accordingly, there is no change in amount. A motion for both transfers of moving money are included on the Resolution for vote, each are noted in the Budget Transfer Memo regarding budget appropriation changes for Merrillville Stormwater Management Operating fund 626 totaling \$23,000 in August 17, 2021 be transferred in to the “additional/adjustments” section, increasing Fund 626. Budget Transfer Memo to Clerk –Treasurer from Cender & Company regarding budget appropriation changes for Merrillville Stormwater Management Operating fund 626 totaling \$25,000 on September 2, 2021 be transferred in to the “additional/adjustments” section, increasing the Fund 626. These funds will allow for adjustments in appropriations.

Resolutions No. 21-4 of the Merrillville Stormwater Utility determining amendment to the Utility’s 2021 operation fund 626 budget to increase office manager account no. 626010112 and to increase office manager’s annual salary to be retroactive to August 13, 2021 This resolution reflects the budget transfer memos sent by Cender & Company August 2021 and September 2021. The increase and decrease of appropriations are reflected and equal. Attorney Jim Meyer confirmed this. Ralph Simek made a motion to approve Stormwater Utility Resolution 21-4, and seconded by Barbara Ghoston. There was no further discussion. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Matt Lake comments as part of the packet is a quote from Lindco Equipment Sales, it is a company that does lift gate, stating we wanted it installed on one of the trucks. Instead of a tailgate it is called a Tommygate that comes down and up so that if you have something on the ground it will lift it into the truck saving health of crew and use of other equipment. Easy and safety of use is kept in mind, Public Work trucks already have these installed on some of their trucks. The pickup bed top would have to be taken off and possibly considered for auction. Lindco is a local company that does this type of specific work for Public Works. The quote is in the amount of \$4,149.00 for a Tommygate G2 and accessory parts for the Stormwater pickup truck. Bud Crist asked if this is for the pickup truck, Matt responded yes. Ralph Simek made a motion to approve quote from Lindo Equipment Sales in the amount of \$4,149.00 for a Tommygate G2 and accessory parts. Barbara Ghoston seconded. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Another invoice included in the members’ packets was from Dyer Construction, Inc. for an emergency repair at 6325 Harrison Street in the amount of \$26,710.11 from Dyer Construction, Inc. Matt Lake commented that this was a dangerous location at a blind corner with heavy traffic and that a traffic control company had to be hired in order to keep a lane open. The town did not want an entire lane closed down; therefore a company called TMC was hired to direct traffic and makes it safe for them to work around. Barbara Ghoston made a motion to approve payment of the invoice for this project in the amount of \$26,710.11, and it was seconded by Ralph Simek. A voice vote was taken, and the motion unanimously passed with a 3/0 vote. Bud Crist asked if there was a tile that came across, Matt said yes, there was an old drain tile that was deep down so

they had to dig a big area and disconnect, reroute and put flowable fill, then restore the road, and it was a larger project than anticipated. Ralph Simek asked if it was by the golf course. Matt said yes, this was like a blind corner, it should not reappear again.

### **OTHER BUSINESS**

Matt wanted to mention that the Town approved the American Rescue Plan Phase I as part of this he submitted some requested on behalf of the Stormwater Utility to consider infrastructure improvement projects with the funding. They Town has a little over seven million that they are receiving and so Stormwater investments are in there for smaller scale infrastructure upgrades in each ward, appropriate grant matches for larger qualified projects as well, and requested to have at risk trees in the Right of Ways (ROW) removed as well, up to 500. Matt said he would anticipate a budget to be associated with Phase I, and then we should know an accurate dollar amount. Once finalized we can solicit quotes or sealed bids based depending on the on the projected cost of each project. We will move forward as soon as we have additional details regarding the process.

Still waiting to hear back on the SWIFF grants that were applied for, totaling over five million dollars' worth of projects. The dates have been pushed back to somewhere around September 10<sup>th</sup>, 2021. They keep bumping it due to the number of submissions; they are trying to review everything diligently. Matt is unaware if there may be an option for partial funding or how they will work it.

The MS4 Annual Meeting is set to be October 26<sup>th</sup>, 2021 with all Board Members attending. The meeting will be held at the Marriott East Hotel in Indianapolis, it is the same location as last year. Matt commented that he will be speaking in the afternoon on Illicit Discharge Detection and Elimination at 1:00 p.m. Ralph Simek wondered if this was the same location as the previous years, he stated he didn't understand why the handicap accessible amenities were not on the first floor as was previous years.

Barbara Ghoston asked about the American Rescue Plan if it was Phase I and how much would be allocated. Matt said he does not know how much will be allocated, this is one of his questions to Trista who works for Karl Cenders' office as she is doing all the financials and drafting of this plan that was approved already. He is waiting to see how this is going to be broken down and itemized for each one of the categories but they accepted the plan which is a requirement that you have to do to set up the fund, then come up with a plan, and said he thinks a supplement to this plan should be a budget. Attorney Jim Meyer said you have to adopt an ordinance for that fund then you can start spending out of it. Matt has several projects in mind that are smaller he would like to do and talk to each council person about. He tried to think of a fair way to do it possibly coming up with a dollar amount and dividing it between the seven wards. Barbara Ghoston was wondering how it would be allocated, Matt responded that he would probably meet with the council and identify stormwater infrastructure improvement projects in each respective ward then prioritize them based on need. Attorney Jim Meyer said that in the long run it is the Council that approves it. It does say per ward and that is the way Matt said he presented it to them. Comment made regarding trees in ROWs, Matt said the town has not typically removed risk trees in the past, Attorney Jim Meyer said, the town owns the trees in the right-of-way and Matt agreed that the town should take maintenance responsibilities through Public Works. Matt would look at having the oldest/densely populated sections of town rights-of-ways evaluated to assess the condition of trees that pose a significant risk. Matt has done at risk tree assessments

professionally as the previous IDNR Statewide Urban Forester so he can assist with the evaluation and will also seek a proposal from a consultant for an inventory. Matt said by prioritizing and mitigating the trees the town is demonstrating responsibility. Attorney Jim Meyer said it is called Discretionary Act Immunity, addressing it to the best you can.

Ralph Simek asked who is responsible for maintaining the shore line of creeks. Matt responded that there are property owners who own to the shore line, if it's a regulated drain then it is the Lake County Drainage Board through the Lake County Surveyors Office who has drainage crew where there is money to contract bigger ditch maintenance and that's within 75' of the top of the bank including the ditch itself. Ralph Simek mentioned that vegetation along Turkey Creek along 68<sup>th</sup> by the south side of the bridge is getting thick, Matt responded that he was not sure if that segment is regulated or not. There have been disputes with the Lake County Surveyors Department on that, they have old records, sometimes they will go through archived records and find that yes it is regulated and other times they are claiming that it is not regulated until it gets to the main stem of Turkey Creek off of 68<sup>th</sup> right by the bridge. Owners of the properties should be taking care of their property itself. If there is a blockage causing a dam Stormwater will typically step in and help remove the dam to prevent flooding. Excessive growth is not an impingement of the flow of the water. Ultimately it is the responsibility of the homeowners who need to maintain their property which is stated in our stormwater ordinance under private property maintenance responsibilities. Parcel boundaries can be identified through the Lake County GIS. Ralph Simek said on the east side of the bridge it does look like the homeowner is taking care of it, and then it drops off. Matt mentioned on the west side of the ditch (southwest side of the ditch, two houses down) the person cut trees down and there is a lot of debris right near the edge waiting to fall in. Joe Fish has been to the property and talked to the property owner, he said he would remove the debris, but it has been sitting there for a little while. It is a concern that if the ditch rises the debris could be swept away. We have an ordinance that ensures the owner of the property maintain any drainageway or private detention, but we often provide technical assistance and guidance as needed. Everyone needs to take responsibility for their own property. Barbara Ghoston commented that some people may not know that they have to take care of a portion of the creek or whatever it may be and that is why public education and outreach is important.

Barbara Ghoston had a question regarding flagging off 57<sup>th</sup> Avenue, Matt responded that they will be paving, milling and resurfacing within the next week or two. This is through Public Works.

## **ANNOUNCEMENTS**

Mr. Crist said the next SWMB meeting is set for Tuesday, October 5, 2021, at 3:30 pm.

The meeting was adjourned at 4:00 pm.

Respectfully submitted,

Adra A. Breclaw-Csanyi  
Recording Secretary