



Meeting Minutes

MERRILLVILLE STORMWATER MANAGEMENT BOARD

Merrillville Stormwater Resource Center, 7404 Broadway, Merrillville, IN

Tuesday, November 2, 2021, at 3:30 PM

CALL MEETING TO ORDER

President L.J. “Bud” Crist called the November 2, 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, and Secretary, Barbara Ghoston. A roll call was taken, and a quorum was established. Staff members present were Executive Director Matt Lake, Attorney James Meyers, Financial Advisor Karl Cender, and Secretary Adra Breclaw-Csanyi.

COMMENTS FROM THE PRESIDENT

None

MINUTES

Stormwater Management Board Minutes (SWMB) from October 5, 2021 Approved. Barbara Ghoston made a motion to approve the minutes from the SWMB meeting held October 5, 2021, 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 October 7, 2021 and October 21, 2021 accounts payable were accepted and approved as provided. Ralph Simek made a motion to accept the accounts payable register for funds 626 and 627, seconded by Barbara Ghoston. Barbara Ghoston asked if reports was funds 626 and 627, Crist said yes. A voice vote was taken, and the motion passed with a 3/0 vote.

OLD BUSINESS

Bud Crist – None

Matt Lake –

Pay Request Inv. #2 Final/Waiver from Dyer Construction in the amount of \$4,205.22 for Bon Aire Lake Culvert Project. Barbara Ghoston made a motion to approve payment to Dyer Construction in the amount of \$4,205.22 for the Bon Aire Culvert Project, Bud Crist seconded the motion.

Pay Request from Lindco Equipment Sales, Inc. for a Tommy gate G2 lift and hitch for Ford F150 w/T&M in the amount of \$4,149.00 Barbara Ghoston made a motion to approve payment to Lindo Equipment Sales, Inc. for the aforementioned equipment in the amount of \$4,149.00. No questions, comment from Bud Crist that it has already been installed on the truck.

Pay Request from National Power Rodding in the amount of \$15,374.25 for 7577 Morton Street to 7649 Morton Street to Test and Seal 21” Storm Line. Ralph Simek made a motion to approve payment to National Power Rodding in the amount of \$15,374.25, Barbara Ghoston seconded the motion. Bud Crist asked if this is where they go in and line the pipe, Matt Lake confirmed and said work was completed.

NEW BUSINESS

Bud Crist - Asked if a letter can be written to Dyer Construction on a job well done. Matt Lake will draft letter.

Matt Lake - American Recovery Act Plan - Phase I – Update, committee meeting was held last week. Since then, Matt has been meeting with all of the Council to go over projects in their prospective wards. A draft spreadsheet is provided, each color is a different ward, projects are itemized, and ARP amount listed as well as current grant or cost share that is associated or anticipated is included. Some cost-share funds include community Development Block Grant (CDBG) money for Marcella Road \$144,000 and we just submitted an application to the LCRBDC for Kaiser Watershed/Taney Ditch Crossings that will be 50% or approximately \$343,000. There are more projects to add and you will see under “type” there is “engineering design” meaning the project needs a full set of plans developed or “construction” meaning it has already been designed, and is shovel ready. Most of these with dollar amounts will have to go through a sealed bid process and advertised twice. At the very bottom you will see under each category are the expenditures the budget and total amount allocated by the ARP committee. They also have a specific process of submitting APV forms for ARP projects and they have a special pink APV form that was created for submittal, these will go directly to the ARP and reviewed and signed off by Richard Hardaway the ARP Committee Chairman. These funds should be allocated by 2024 so this process is temporary. The SWBM does not have to vote on anything, however it may be good to approve this like any other project we are involved in and update the Stormwater Board Members accordingly. Overall, we are managing these projects for the ARP Committee. Matt wanted the members to look and review the draft APV form, there are certifications statements on the new APV form and wanted to make sure they are reviewed by our attorney. We will modify our database with the new APV form and the APR ARP form, the only difference is that the one for ARP funds has a section to select the ARP-related categories and they are pink. Bud asked if we will just be billed and then we send the bill on to the ARP Committee. Matt confirmed, any invoice that we receive for ARP projects will go direct to the ARP Committee with the pink APV form for them to pay it out of the ARP Fund 176 and not any of the Stormwater Utility funds. Ralph notice that the year on the last column is 2022, he asked if anything can be added on, Matt responded that we have till 2024 to allocate and spend these funds. The current completion dates on the spreadsheet are placeholders and will be updated as we progress. We may have a half of it in 2022 but we have till 2024 to incur it. Jim Meyers said there is till 2026 to spend it. This provides more time to apply for other grants and cost-share to support the stormwater infrastructure projects as much as possible.

One of the ARP projects involves removal of risk trees and those interfering with the stormwater system within the rights-of-ways. We have already received a proposal from Arbor Metrics to professionally assess/inventory the trees so we can provide the location, number and size (DBH) of these trees. It will take them a couple of weeks to complete. They will inventory the Meadowdale, Meadowland, and Turkey Creek subdivisions, which has the most trees in the worse condition. Based on the amount the ARP Committee approved with the ARP budget we may be able to remove about 500 trees. Attorney Meyers asked if the council adopted a budget for this dollar amount, Matt responded yes, it has been through first and second reading. Matt also submitted a grant in October in partnership with the Delta Institute to U.S. Forest Service “Expanding community forest Canopy through Northwest Indiana Tree Planting Consortium” which will add 1,000 trees to Merrillville if awarded. If that comes through, they may be replacing trees in those areas needing trees on town-owned property with the proper species.

Not part of your packet, is a project on Washington Court and 76th Court which is by El Poblano, water comes barreling through and ponds. Three quotes were submitted, one from Dyer Construction in the amount of \$43,048.13, Austgen Equipment for \$40, 240.00, and Delta III for \$33,340.00, so Delta III is the low bidder. You can take action on that now, and we can move forward on that. Bud Crist entertained a motion for approval for Delta III in the amount of \$33,340.00, Washington Court project. Barbara Ghoston entered a motion to approve the bid from Delta III for Washington Court. No questions, all in favor said aye, motion carried.

Matt said that we have received word back from the legal representation of Hickory Ridge Lake Apartments, they have modified an easement agreement that we had sent them. We are looking at it now, we had attorney Jim Meyers review it. Once finalized, we will have them sign it and we will get it signed, notarized and recorded. You will see that it is one of the projects in Ward 1, that we have on the ARP project list. So that we can execute engineering through ARP. Hopefully they will be okay with our amendments of the easement agreement. Jim Meyers said whoever did theirs took two documents put them together and they were not the same type of documents. Three times there is an indemnification clause, once we get a final, we will send it back to them. Jim Meyers asked if there was sanitary sewer involved? Matt said we are not touching any sanitary. Jim responded how about a storm sewer, an actual storm sewer, Matt said we do have a storm drainage system that does run through there, underground. There pond has an outlet that connects into a structure with a pump, then that drains into our infrastructure, the outlets into Turkey Creek Lateral 6. Attorney Meyers said they have 20 ft and said he assumes our sewer is longer than 20 feet. The easement agreement is there so what ever is in the easement agreement we will work within that area. Attorney Meyers said he assumes someone is doing a legal description. Matt said that they already have, it was attached to it, Christopher Burke Engineering prepared the original draft easement agreement and temporary right of entry agreement. That is why it says the project has to be done within two years because the right of entry agreement will expire on July 12, 2023. Attorney Myer asked, do we know what entrance will be used for construction? Matt anticipates construction being accessed at 56th and Grant but will not have a final determination until we develop the plans. He prefers not have ingress/egress directly on Cleveland Street because of traffic/safety issues.

We are still waiting for VS Engineering to submit a proposal on Bon Aire Lake LOMA Assessment. Engineers from VS are coordinating with FEMA to ensure they are evaluating every option for flood insurance reduction.

OTHER BUSINESS – Bud Crist wanted to report that Matt, Ralph and himself attended the MS4 State Conference at the Marriott Indianapolis East Monday October 25, 2021-October 26, 2021. Matt spoke, there were about 345 people who attended. Ralph said that the committee did a good job putting it together. The focus was on the new IDEM permit changes. Matt commented that we were notified that there isn't going to be an IDEM MS4 annual report this year. It is anticipated that the new IDEM permit will become effective early in 2022. Bud Crist said the next MS4 State Conference will be in May of 2022.

Bud Crist asked about the poster signing, Matt said it is a poster to demonstrate our commitment to inclusion, diversity, and equality. Wednesday, November 3rd 2021 at 11:00 o'clock there will be an all-town employee poster signing luncheon for the Statement of Diversity and Equality Display at the Community Center. Copies of the signed posters will be distributed to the various offices for display.

PUBLIC COMMENT – Bud Crist welcomed Bob Cotton for comment, he said that Matt already answered one question, about the survey. He said his premium is due tomorrow, and hopes he can get a refund if we do get out of this thing. Said he has a sink hole in the street in the front, he asked if we can put up some type of safety barrier, it keeps getting bigger and bigger. Mr. Cotton said he put a door over it so he wouldn't lose and trick-or-treaters last night. Matt said at first, he thought we were going to put an inlet structure there as part of the repair but instead we are going to put two mission couplings on it and pipe it for now then backfill. Mr. Cotton said you mentioned before a modified swale, is that still in the plans for the future? Matt said yes, but he would like to do a whole section in that area, Mr. Cotton said would that take care of the problem, Matt said, so basically, they would redesign the ROW drainage on the west side of Taft Place around 58th. The best solution would be a hybrid swale so that there are catch basins and perforated underdrains so the water keeps moving along with shallow grassed swales for infiltration and treatment. Matt asked if everything else is going good, Mr. Cotton responded after the dry spell the lake receded from his property edge even with the six inches of rain we had, it probably came up only half way to his yard. For the first time it didn't flood my back yard, its working well. This

helps out a lot of the properties especially on the south end of the lake. The contractor also did a good with re-grading and stabilizing the boat launch too, this is just for use by out contractors so they can safely enter and treat the lake.

Matt mentioned that some areas have old railroad timber headwalls along the shoreline and he is looking at the property lines and maybe we can get in there and remove these old timbers that are within the boundaries of the town-owner parcels. These timbers typically have creosote which is bad for the water quality but is probably all gone by now since they have been there for many years. Overall, they are falling apart and looks bad. Maybe we can remove and replace with geotextile and riprap or other stabilization methods that are going to be more aesthetic and safer for the environment. Matt noted that there are still some old dilapidated docks out there as well which were probably not permitted by the town and should be removed. This was all documented and handed to the previous town manager so the town could take action as needed. This would probably be resolved through the Planning and Building Inspector who can make that determination and condemn as needed.

Bud Crist asked if there were any other comments from the Board, Karl Cender, or Jim Meyers. No other comments.

Barbra Ghoston commented that 57th looks great, and the signage also looks good, Matt said the Town is replacing signs as needed so they meet the reflectivity standard that is required. The Town has bonded 10 million for paving in 2021 and 2022. Milestone did all the work this round. Jim Meyers said he noticed they are busy working. Batch plants will be closing soon so the contractors are rushing to get paving completed.

ANNOUNCEMENTS

Next meeting: Tuesday, December 7, 2021, at 3:30 pm at the Stormwater Resource Center

ADJOURNMENT

The meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Adra a. Breclaw-Csanyi
Recording Secretary