



Minutes

MERRILLVILLE STORMWATER MANAGEMENT BOARD

Tuesday, October 4th, 2022 at 3:30 PM

Merrillville Stormwater Resource Center, 7404 Broadway, Merrillville, IN

CALL MEETING TO ORDER

President L.J. “Bud” Crist called the October 4th, 2022 Stormwater Management Board (SWMB) meeting to order at 3:33 p.m.

PLEDGE OF ALLEGIANCE

President Crist led the pledge of allegiance.

ROLL CALL

Members in attendance were, President, Bud Crist and Secretary, Barbara Ghoston, a quorum was established. Staff members present were Executive Director Matt Lake, Attorney James Meyers, Financial Advisor Karl Cendar, and Secretary Adra Breclaw-Csanyi.

COMMENTS FROM THE PRESIDENT:

None.

MINUTES

Stormwater Management Board Minutes (SWMB) from September 6th, 2022, approved. Secretary Barbara Ghoston made a motion to approve the minutes from the SWMB meeting held September 6th, 2022, motion seconded by President Bud Crist. There were no questions. A voice vote was taken, and the motion unanimously passes with a 2/0 vote.

ACCOUNTS PAYABLE REGISTERS APPROVAL

Included in the agenda packet were copies of the Accounts Payable Registers from September 13th, 2022 and September 27th, 2022. Secretary Barbara Ghoston made a motion to accept the Accounts Payable Registers from September 13th, 2022 and September 27th, 2022, seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

Approval of claims for Accounts Payable Register for ARP for September 13th, 2022 and September 27th, 2022 with Stormwater Contractual Service appropriations/submissions. Secretary Ghoston made a motion to approve the Accounts Payable Register for ARP from September 13th, 2022 and September 27th, 2022, seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

OLD BUSINESS

Bud Crist –

Matt Lake – In the members packet are invoices for the following:

Director Matt Lake read invoices for approval for the following projects listed below:

DLZ Engineering for professional services for Marcella Road Storm Sewer Project construction observation, in amount due this invoice for \$6,725.00 (**VOICE VOTE**) - *ARP Appropriation*. Dyer is about half way through the project. President Crist made a motion to approve payment of the invoice to DLZ Engineering, Secretary Ghoston entered a motion that we approve the invoice from DLZ in the amount of \$6,725.00, it was seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

Christopher B. Burke Engineering, LLC for professional services for Hickory Ridge Flood Control Improvements, in amount due this invoice for \$22,845.00 (**VOICE VOTE**) - *ARP Appropriation*. Secretary Ghoston entered a motion that we approve the invoice from Christopher B. Burke Engineering, LLC for professional services for Hickory Ridge Flood Control Improvements, in the amount of \$22,845.00, it was seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

Howard's Tree Service invoice for Chapel Manor Ditch Clearing in the amount due this invoice for \$15,500.00 (**VOICE VOTE**). Secretary Ghoston entered a motion that we approve the invoice from Howard's Tree Service for ditch clearing in the amount of \$15,500.00, noting that Matt has reviewed the site, it was seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote. Matt Lake noted that it looks great.

Lake & Pond Biologist treated Bon Aire Lake with Pond Shade; service performed on 9/26/2022. No algae noted. Bob Cotton just mentioned that there is duck weed but it is going down.

Updates – Executive Director Matt Lake gave an update on the projects listed below:

- Meadowland Phase II risk tree removal is underway. Clemons Tree Service has been working on the project and making good progress.
- We are still waiting on Homer Tree Service to complete Phases II and III in terms of cleaning up all of the shavings from grinding the stumps out, so there are piles in the R-O-W. They have until this week to complete the work. Matt sent Jim Meyer an email regarding this, they did respond and said they would be out there this week to take care of it. We will give them this week and see where it ends up.
- Marcella Road Storm Drain Sewer Project – Dyer Construction is at least half way done with the project already. They said it would take a little over a week and they were correct, they are moving quickly through there.
- Kaiser Ditch Lateral Project (Taney Ditch) – We are getting ready to put this out for bid. It will be DLZ doing the advertising and getting it out there. We will see what numbers we'll get back.
- 101st & Clay Street Drainage Project – This is on a temporary pause until the Town of Winfield can either secure an easement by the Hammond's or redesign the south section of 101st Avenue and add a headwall, then just redesign that section. Matt said that he believes that they can do the entire project without the easement if they do a little redesign from DLZ.
- Hickory Ridge Lake Apartment Regional Basin Design engineering by Christopher Burke is well underway. Matt just received an update from Darren Olson from CBBEL but hasn't had a chance to look at it. The design will be done and ready to bid out this winter if we feel like we have the funds to move forward at that time. Matt said that we will probably approach the Little Calumet Basin River Commission to cover half of the construction cost. With your permission we will put an application together once they finish the design, then we will see where the engineers estimate is at.
- Southmoor Park Drainage Project, Phase 2, Robinson Engineering, Ltd. is pretty well done with the design we are just waiting on Merrillville Conservancy District (MCD) so that we coordinate on that.
- Independence Street Drainage Phase 2 – Robinson Engineering is pretty much done with it and we will be ready to put that out for bid as well. It will be an ARP project
- Grassfield Subdivision/9401 Randolph St Drainage – It is no longer coordination with NRCS and will essentially be our project. Matt did submit to Little Calumet River Basin Development

Commission for funding and will be presenting to their full board and has presented at the committee meeting for that project. We do have a proposal from Christopher Burke for design of that project.

NEW BUSINESS

Bud Crist – None

Matt Lake – Proposals – Up for discussion/approval (**VOICE VOTE**)

Christopher B. Burke Engineering base engineering Service Contract and proposal regarding Design Services for Grassfield/Auburn Hills/Hayes Farm Drainage Improvements (**ROLL CALL VOTE**). There is a not to exceed amount on exhibit C, page 18 in the amount not to exceed \$57,491.00 or \$50,291.00, we wanted to include a tile survey because of laterals. We will make an application to LCRBC to cover half of this. If we approve it, we will sit on this until LCRBC is known. Bud Crist asked to entertain a motion for approval. Barbara Ghoston questioned the two amounts, Matt responded that it says excluding, if necessary, items so there is a \$7,200.00 difference if there is additional permitting with regards to wetlands which will be determined after the wetland delineation etc., but the grand total is not to exceed \$57,491.00. Attorney Meyers explained that it's the "if need" they don't know if it is needed yet, that is why there is two amounts, the high number should be approved because you wouldn't want to go through it twice. Secretary Ghoston entered a motion that we approve the invoice from Christopher B. Burke Engineering, LLC for professional services for design services in an amount not to exceed \$57,491.00, it was seconded by President Crist. Matt Lake said the "if necessary" he sees now, there is a small wetland by Randolph Street if it's delineated as a Class I they don't have to go through the permitting, but if not then, they would have to go through core permitting, so those are the reasons for the two amounts. Matt reiterated and wanted to thank Bud and Ken Hayes for providing the drainage easement without any cost to the town. There were no other questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

Matt Lake asked if everyone recalls the pond between Red Roof Inn and the other hotel on the other side, 8300 Georgia Street that it was a wet basin and we have been utilizing contractors to add clean clay fill to that pond for safety reasons and convert it to a dry basin. All of the work we've had done so far has been done for free. We have probably gotten around \$100,000.00 worth of material added and spread to that basin without costing the town. At this point, we are getting to where we need to refine this to a final grade. Matt had Butler Fairman before survey all of the inverts of all the inlets and outfall pipes. We reached out to several contractors, you can see the numbers here and range from Dyer Construction at \$49,921.92 to our lowest one, Delta III at \$15,000.00. There is quite a difference and the other contractors did not respond. Delta is the lowest contractor.

A local developer, Al Bartley just came into Stormwater Utility a little bit ago and he has an abundance of black dirt from one of his projects that he is offering for free. We may need some black dirt have top dress the basin with at least three inches of top soil and then we will seed it so the whole project would entail having Delta final grade which includes adding the top soil, and we would get it seeded. The whole intent was to create a safer environment because you have two hotels on both sides of the basin. We continue getting rental payments on that property from Lamar Billboards, so we would just reinvest that towards our maintenance program for this site. Karl Cender asked if it was town-owned, Matt responded yes. Karl asked if they had to divert that water elsewhere, Matt said no, we are just filling it up where the normal water level would be so the basin would retain the same amount of stormwater storage. It drains down the ground, instead of a normal water level, it all goes under I-65.

Attorney Meyers asked why there was such a discrepancy. Matt said he didn't know, but assuming that many contractors are busy this time of year. Gary Material is one of the contactors bringing in the clean fill. We told them to get their final amount in, and level the piles, then Delta is going to assess if they need more clay material, they can probably have Gary Material bring more in. Again, we are trying to save as much money and right now we have zero invested. We are going to have to consider a permanent barrier to deter anyone from entering the site and adding more fill to the basin. Either we berm it up around where they were coming it at or we put a gate there. Matt would like it excluded from any other activities except for us mowing. Barbra Ghoston asked if you would put signage, Matt said yes, we will put detention pond only, no dumping. We had some signs there already; one is missing in the front which will be replaced. We still have an "Pond Outlet" sign positioned over the outfall, so that's if it's blocked, we know exactly where to go and remove any blockage. Once it's filled with water its hard to find.

Delta submitted the lowest quote at \$15,000.00. Attorney Meyers was asking if we know where Gary Materials is getting the clay? Matt said he wasn't sure what projects they are currently working on but Joe Fish is managing that portion of the operation. We have been over there several times to inspect the fill material are bringing in. Attorney Meyers said typically you have to pay for clean clay. Matt said yes, another contactor installed a stone construction entrance and sweep up the road, it was part of the condition to add clean fill. Joe conducts a visual inspection of the site weekly. It has been advantageous for us and a good partnership. They have a project to get rid of fill and there is no guarantee, its usually after the fact that they have a project and have to get rid of the fill and look for adequate locations. President Crist asked if we had gotten some from Mr. Brant, Matt said no but Mr. Brant has a stockpile of topsoil from the Broadfield Pond Expansion. Matt said it an even better deal if they can deliver it to our site at no cost.

Karl said that on page two it does not include seed. Matt responded that we will look at landscaping contractor to broadcast seed the site with an appropriate seed mix. We can consider a native wild flower seed mix, a wetland seed mix, or a temporary seed mix for now.

Proposals for 8300 Georgia Street for Red Roof Inn Pond Grading:

- Delta III, Inc proposal for Red Roof Inn Pond Grading to provide labor, material and equipment in the amount of \$15,000.00
- Dyer Construction Company, Inc proposal for Red Roof Inn Pond Grading to provide mobilization, pond grading w/existing dirt onsite, and seed w/temporary seed mix in the amount of \$49,921.92
- Rex Construction – requested proposal, none received
- Austgen Equipment – requested proposal, none received
- Ziese Construction – requested proposal, none received

Secretary Ghoston entered a motion that we approve the Proposal from Delta III, Inc to grade and provide mobilization for the 8300 George Street Red Roof Inn Pond grading in the amount of \$15,000.00, it was seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

Secretary Ghoston asked where do they normally get black fill? Matt said any construction project that is going on that they can't balance out. Typically, they are going to lose it within the site. Sometimes they will change their minds and say we are going to dig out more foundations because more people want basements so then they have to get rid of fill. The engineer speculates based on what the developer is going to do and coordinate. Typically, they add more houses with basements that they didn't anticipate or visa versa they need fill to bring in to balance it out. Moving dirt costs money, the

less they can move the better for them. They would rather lose it on their site and balance it off that way.

OTHER BUSINESS

Matt Lake – Just wanted to talk to Karl regarding stormwater fees for next year’s billing cycle and the current status. Did Lake County send us the updated list of parcels? Karl said he has the new parcel file and plans to review it tomorrow and send it over to Matt for his final review. Once Matt gives the go ahead, we will have to put it into their format. That is due by the end of the month but he is sure they would appreciate having our final sign off sooner. Matt said he will QC it and look at all of it to see if there is anything out of the ordinary. Karl doesn’t anticipate anything except if there were parcel combinations or property classifications, Matt said you probably get more of the opposite like Liberty Estates and some of the bigger subdivisions we have going they are getting separated out, so we will be receiving more revenue as development continues. Karl said we will then get additional parcels, so all we will have to do is assign the rates.

The Town has been addressing issues on a parcel that is listed as a nature preserve/park in the Sandpiper Subdivision, they had offered a purchase agreement to the owner for that parcel, the Town will own it but we will look at it and maintain it as a nature preserve essentially that also outlets stormwater from the subdivision. The amount was \$3,343.19, this came up at a council meeting. Joe Svetanoff had prepared a purchase agreement, which Matt handed out noting that this is a standard purchase agreement. The owner picked it up on tax sale years ago, they didn’t realize they couldn’t develop or allow hunting so the owner is trying to break even. Attorney Meyers asked if it was in the name of the Town, Matt said yes, but they want us to cover the cost.

Attorney Meyers asked Karl Center what is the best way to do that? Karl said good question. Attorney Meyer said they are going to pay and we are going to reimburse the Town for the cost. Karl questioned if we are going to maintain it, Matt responded mostly as a natural forest preserve and we will ensure proper stormwater conveyance through the property. Karl asked if in the name of the Stormwater Board, Matt said no, we want all parcels to be in the name of the Town of Merrillville. Matt said he sent Joe Svetanoff all of the Town parcels and some say Town of Merrillville, Merrillville Town off, Park District, so there is a handful of these parcels where the names need to be cleaned up. Matt gave these to Joe as a recommendation and maybe he can work with the County and rename all parcels to “Town of Merrillville” so that it is easier to query and track. Karl said if we are going to pay for it you might as well have a capital line item. Matt said we would have to look at our budget and see where we could take it out of. Karl said we may just have to do a transfer, a line-item transfer. Attorney Meyer said that it would be easier if we get something from the Town in writing demonstrating that they paid whatever the dollar amount is so that we can then reimburse them. Karl said or would it be easier because they are the purchaser. Karl said it might be easier if we pay directly. Attorney Meyer said, well if the contract is with the Town so he thinks in the State Board of Accounts perspective it should be a reimbursement. Karl said then it should be a reimbursement. Karl said you could do a simple little agreement or something with the Town. Attorney Meyer said have the Town forward us a request for reimbursement. Karl said right. Attorney Meyers then said it can be forwarded on for the Board to approve, then send them a check. Karl agreed that it would be the easiest. Matt said that Rick hasn’t signed the purchase agreement yet but anticipates that he will as Town Council President. Matt said this was presented at the last Town Council meeting and wanted everyone to be aware of it. President Crist entertained a motion to approve the purchase of the land. Attorney Meyer said to be exact it is \$3,343.19 Secretary Ghoston entered a motion that we approve the land purchase in the amount of \$3,343.19, it was seconded by Bud Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 2/0 vote.

President Crist asked about our recycled pipe grant submitted to IDEM, Matt commented that we are on the final phase. IDEM has sent Matt an email congratulating us for making it to the final round of the grant for recycled pipe. Matt has to present to a committee and since IDEM has limited funds available and so many applicants, he assumes what they will do is those projects that can't be done without that exact amount they might drop off, others like ours we would have a better chance because ours can be scaled down if you need to, fund our less, it could be because we are just asking for materials. We have various projects we can apply it to, if they said can you reduce it down by 20% that's fine. We can match what we currently have or can drop it down a little, we can still get funded, great. Attorney Meyers said any free money is good money. Matt said so he will be presenting to the board.

Matt also noted that he will be going to Zionsville Thursday to present to the IDEM Commissioners, we are a pilot community for the Clean Communities Program so it is us, Fishers, Zionsville, and a couple of others throughout the state.

Matt noted that he is also working on the Tree City USA application again and is at the tail end. Rick will have to sign it and we will be good for next year. Matt is thinking of submitting for the Tree City Growth Award, we just finished an analysis of our entire urban forest, that was done in partnership with Indiana University and our intern, so he received the final report and can send it to everyone. It is a good analysis of our canopy cover and what it means to us with regards to green infrastructure.

President Crist asked if Matt would comment on the federal committee that he is on, the RISK committee, and any word on it. Matt said that they were supposed to have their third quarter conference call and that got postponed. Matt said he will wait to hear back from them. They are still tracking the big federal infrastructure dollars and to see if any of this money is available. Matt is looking at state revolving loan options inquiring about requirements for forgiveness criteria. Matt said that he does not want to bond, especially because of interest rates. Our bond will be paid off in 2027 and will free up money in our budget.

PUBLIC COMMENT

Ted Thorek was in attendance. Bob Cotton has a few things; he was wondering if there was any update on FEMA survey? Matt said that he was going to have Jeff Haw from VS Engineering attend but he couldn't make it, he presented an email from him and he mentioned that they had completed all of the topo and incorporated it into the plans. We are at the individual lot analysis stage right now. Matt said that he would give a direct update if Mr. Cotton would want it. Mr. Cotton said he emailed Mr. Haw once and never heard from him. Matt said to copy him on the email.

The other thing, he wondered if Matt heard anything about FEMA changing anything regards their indicators on pricing? Matt said, not yet, no. Mr. Cotton's insurance went from \$2,245.00 last year and his company switched over to Right Flood Insurance Company and just gave him his premium \$898.00 for next year. Mr. Cotton went to Briggs, his insurance agent and they said, they changed some of their indicators. Matt said, "congratulations." Mr. Cotton said he just didn't want to get hit later. Mr. Cotton asked if he was taken out of high risk and she said no, that he was still in high risk and that he still has to have the insurance for your mortgage but 15% is a CRS discount. Matt said our FEMA CRS rating is excellent, so that provides an automatic reduction for your high-risk flood insurance. Mr. Cotton said he told her about the Bon Aire project, lowering the lake and she said if you do get out of the high risk then you can either drop your insurance or go on a low-risk plan. Mr. Cotton confirmed that it was for the whole year. Matt thought that the CRS discount use to be at 15% and maybe it did go up a little. Matt said we are a Class seven, best in the state of Indiana for CRS.

Mr. Thorek asked if there is anything that can treat the pond at Auburn Hills? Matt said yes, we treat Bon Aire Lake with a nontoxic dye called shade, it's a blue-black colored non-toxic dye that we use. It can be applied to small ponds as well. The other treatment that we have implemented is biological control using tilapia to consume the algae. Mr. Cotton said you have to restock them each year since they do not survive the winter. Matt said he would start with the dye; it blocks the sun light to help prevent algae growth. If you get the blue-black shade that you put in the water it disperses blocking the sunlight and it cuts down on the algae, but not as much on the duckweed. It does make a big difference and has in Bon Aire Lake that's why he keeps asking Bob because he monitors it every day. Mr. Cotton said he hasn't seen algae for the last two years but that they do have duckweed. Duckweed is like little round plant that float on the top. Mr. Thorek said they don't have much left of a pond, it is drying up, half of what it is. Matt asked if the water level was below the weir opening of the outlet structure, he responded that it is below the weir. Matt thought that maybe there is a drain tile draining it out, it could be evaporation but if its really down then there might be something else.

ANNOUNCEMENTS

President Crist said the next SWMB meeting is set for Tuesday, November 1st, 2022, at 3:30 pm at the Stormwater Resource Center

ADJOURNMENT

The meeting was adjourned at 4:10 pm.

Respectfully submitted,
Adra Breclaw-Csanyi, Staff Secretary