



Minutes

MERRILLVILLE STORMWATER MANAGEMENT BOARD

Tuesday, November 1st, 2022 at 3:30 PM

Merrillville Stormwater Resource Center, 7404 Broadway, Merrillville, IN

CALL MEETING TO ORDER

President L.J. “Bud” Crist called the November 1st, 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, Vice President, Ralph Simek, 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 October 4th, 2022, approved. Secretary Barbara Ghoston made a motion to approve the minutes from the SWMB meeting held October 4th, 2022, motion seconded by President Bud Crist. There were no questions. A voice vote was taken, and the motion unanimously passes with a 3/0 vote.

ACCOUNTS PAYABLE REGISTERS APPROVAL

Included in the agenda packet were copies of the Accounts Payable Registers from for October 11th, 2022 and October 25th, 2022. Secretary Barbara Ghoston made a motion to accept the Accounts Payable Registers from for October 11th, 2022 and October 25th, 2022, seconded by President Crist. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Included in the agenda packet were copies of claims for Accounts Payable Register for ARP for October 11th, 2022 and October 25th, 2022. Vice President Simek made a motion to approve the Accounts Payable Register for ARP for October 11th, 2022 and October 25th, 2022, seconded by Secretary Ghoston. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 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:

Microbac invoice for Field Sampling, in the amount due this invoice for \$5,941.00 (**VOICE VOTE**). Matt Lake noted that they are sampling Bon Aire Lake. Bob Cotton asked if the results will be made public. Matt responded, “Yes and that he has the results, and he can have them, they are in a spreadsheet.” Vice President Simek had wondered where these samples were taken, Matt noted that they are select locations throughout Turkey Creek and Deep River, he has a map. The areas are those that they can safely enter to collect samples. We are going to put this into our annual reports for IDEM MS4 compliance. The

data will be made available to the public upon request and we may consider posting results on the Town website. Locations were selected that were accessible and represents the waterway within each sub-watershed. If results are out of compliance and indicate a potential illicit discharge, we can then initiate an investigation to trace a pollutant back to the source and eliminate. Most impairments would be related to E. coli. Matt noted that we do this once a quarter, we don't need to do anything more intense than that unless we are investigating an MCM 3 violation. This water sampling provides a baseline and is performed from a professional laboratory with certified data. If something were to happen, we can share information with IDEM. Bob Cotton wondered if they will be doing one more as they did have a Tilapia fish kill. Yesterday there were a number of dead ones floating and today they were either underwater or gone. Matt said that the Tilapia start to die off at the end of season and we are going on the fourth quarter and can share the sampling data. Secretary Ghoston entered a motion that we approve the invoice from Microbac for field sampling per the description from Matt in the amount of \$5,941.00; it was seconded by Vice President Ralph Simek. President Crist asked if there any changes from the previous quarter, Matt said there wasn't anything that significant, seasonally there are changes because of dissolved oxygen, but there is nothing alarming that we have to do or be concerned about at the moment. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

DLZ Engineering for professional services for Marcella Road Storm Sewer Project, in amount due this invoice for \$2,595.00 (**VOICE VOTE**) - *ARP Appropriation*. The project is close to being done; we are going to add a couple extra structures as we found a couple extra tie ins. Dyer equipment is essentially demobilized. The road will get paved this year through the public works paving program before the plants close. This is definitely an improvement to the area. Vice president Simek entered a motion that we approve the invoice from DLZ in the amount of \$2,595.00; it was seconded by Secretary Ghoston. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Dyer Construction for work completed on Marcella Road Storm Sewer Project, Contractor's Pay Application #1, in the amount due this invoice per recommendation of DLZ Engineering for \$50,945.60 (**VOICE VOTE**) - *ARP Appropriation*. Vice president Simek entered a motion that we approve the invoice from Dyer Construction in the amount of \$50,945.60. Matt wanted to comment that we will be getting reimbursed for \$144,000.00 for this project from the grant he applied for through the Community Development Block grant. He has met with Jason Ryder and they have to do exit interviews and other paperwork to close out everything. He is happy with everything. Vice President Simek asked where the money was coming from. Matt said, The County, it is Federal Dollars and the County disperse it. It was seconded by Secretary Ghoston. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Christopher B. Burke Engineering, LLC for professional services for Hickory Ridge Flood Control Improvements-Final Design & Permitting, in amount due this invoice for \$20,773.50 (**VOICE VOTE**) - *ARP Appropriation*. Matt noted that he just signed the permits for Core of Engineers and IDEM associated with this project. Preliminary design is already done and they are moving quickly with the plans. Matt has received the engineers estimate and wanted to share that in this public meeting and will keep it under wrap until we go out for bids. We will save our dollars so that we do not have to bond. Matt anticipates that this will be a late next year project. Vice president Simek entered a motion that we approve the invoice from Christopher B. Burke Engineering, LLC for professional services for Hickory Ridge Flood Control Improvements-Final Design & Permitting, in amount due this invoice for \$20,773.50. It was seconded by Secretary Ghoston. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Robinson Engineering, Ltd. for professional services for Southmoor Subdivision Drainage Improvements, in amount due this invoice for \$3,417.50 (**VOICE VOTE**) – *ARP Appropriation*. This

is a phase II, and we are waiting for MCD to get done with their engineering and how they are going to route their sanitary so we can do construction in tandem with them. Secretary Ghosten entered a motion that we pay Robinson Engineering, Ltd. for professional services for Southmoor Subdivision Drainage Improvements, in amount due this invoice for \$3,417.50; it was seconded by Vice President Ralph Simek. There were no questions. President Crist said it was interesting to see some of these old problems coming to an end, Matt commented we keep solving more issues and that it is noticeable. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Clemons Tree Service invoice for Meadowland Phase 1 Tree Removal, pay request 1, partial in the amount due this invoice for \$44,650.00 (**VOICE VOTE**) – *ARP Appropriation*. Ralph Simek had a question, “How large is Clemons?” Matt said that they are not that big, he wasn’t sure how many personnel they have but imagines that they have around ten people. Ralph Simek said the reason he asks was because he looked at the two invoices and they are getting \$87,000.00 today, Matt said yes but that is because they held their pay requests until the project is at least half completed so that they are not asking for them every month or so. Matt recommends driving through Meadowdale and Meadowland and see the amount of work that is being done. Secretary Ghosten said they have done a tremendous job and asked if they take the trees down to the stump, Matt confirmed, yes, they grind the stump. Ralph asked if they are cleaning up. Matt said, “Yes everything and recommends driving through, it’s a dramatic difference.” The Town also repaving the streets, they bonded for ten million to pave streets to cover resurfacing last year and this year. Looking at the trees that were degrading or dead and sidewalks/curbs that were heaving and all of this is getting addressed, makes a significant difference. Barbara Ghosten said they are doing the cul-de-sac in front of her house, and it looks great. Matt said the timing is right, trees curbs, sidewalks, and paving, it makes a big difference. The Town is investing in our infrastructure which is a positive proactive approach. With smaller companies like Clemons, we’ve been on site almost every other day and they handle the public very well too, we’ve gotten very few complaints or calls, especially with the amount of work being done. There safety protocols are good and their public relations are good as well. Ralph said for further work like this we should get them on board. We try to send things out to good contractors, from our last experience with Homer there was some disappointment in follow through with stump removal and cleanup. We want positive contractors on our list to do business with, we give everyone a chance, but if they fail to follow through with things it becomes difficult. Vice president Simek entered a motion that we approve the invoice from Clemons Tree Service invoice for Meadowland Phase 1 Tree Removal, pay request 1, partial in the amount due this invoice for work completed in the amount of \$44,650.00, it was seconded by Secretary Ghosten. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Clemons Tree Service invoice for Meadowland Phase 2 Tree Removal, pay request 1, partial in the amount due this invoice for \$43, 300.00 (**VOICE VOTE**) – *ARP Appropriation*. Secretary Ghosten entered a motion that we pay Clemons Tree Service for Meadowland Phase 2 Tree Removal, pay request 1, in amount due this invoice for \$43,300.00; it was seconded by Vice President Ralph Simek. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Homer Tree Service for work completed in Meadowdale Subdivision Tree Removal Phase 2, Pay Request No. 2-Final in the amount due this invoice and per recommendation of Robinson Engineering Ltd. for the amount due this final invoice for \$21,705.00 (**VOICE VOTE**) - *ARP Appropriation*. Vice president Simek entered a motion that we approve the invoice from Homer Tree Service for work completed in Meadowdale Subdivision Tree Removal Phase 2 in the amount due \$21,705.00 it was

seconded by Secretary Ghosten. Matt Lake reiterated that this is their final payment. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Homer Tree Service for work completed in Meadowdale Subdivision Tree Removal Phase 3, Pay Request No. 2-Final in the amount due this invoice and per recommendation of Robinson Engineering Ltd. for the amount due this final invoice for \$9,700.00 (**VOICE VOTE**) - *ARP Appropriation*.

Secretary Ghosten entered a motion that we pay Homer Tree Service for Phase 3, Pay Request No. 2-Final amount for \$9,700.00, President Crist seconded. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Delta III Inc invoice for Ross Meadow Farms, 6995 E 86th Court, installation of new 120' HDPE perforated pipe, in the amount due this invoice for \$14,800.00 (**VOICE VOTE**). Secretary Ghosten entered a motion that we pay the final invoice for \$14,800.00 for installation of new 120' HDPE perforated pipe, President Crist seconded. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

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

- Meadowland Phase II risk tree removal is underway and is finishing up. Most of the trees are processed, and what happens to big portions of the tree are stored at property we have at 54th and they are sent off through Clemons for pallet wood and are used in some way shape or form. The trees do not go to waste.
- Marcella Road Storm Drain Sewer Project is being finalized – there is a couple of addendums at the end for a couple of structures. Other than that, we are good. This is a dramatic improvement to the subdivision which is the main outlet for water for the subdivision. It is important that we focus on those areas first and work our way back in the subdivision. Most of this subdivision is in decent shape, we have done some work in the subdivision over the years.
- Kaiser Ditch Lateral Project (Taney Ditch) – We are going to be opening bids. Matt noted he had a pre-bid meeting with contractors and had a good turnout with some good questions. Matt believes it will be competitive and a good project to get finished this winter. Due to crossings then they will patch the road portions and hot patch in the spring. That item will be left open until they can get to it because of the weather. Matt would rather get the project installed first then cold patched and then in the spring come back and hot patch it finalizing everything. This is long overdue and is part of our stormwater master plan and part of the Little Calumet Master Plan which is why they are paying fifty percent of the cost of the project. Again, with all these cost shares it is allowing us to save up for our other big regional detention basin project as identified in our stormwater master plan. Ralph Semik said we have talked about Kaiser Ditch for a long time. These are all the crossings from 30 all the way down 73rd to where it actually hits Kaiser Ditch, this is the east tributary of it. Matt notes this is long overdue. We will keep doing what we can, we don't want to bond for projects. You have to pay interest payments; you have to pay that back over your payment schedule for years and take a hit out of your budget and he will be glad to see it paid off. That can then be used for other things. Karl mentioned ARP monies account for some being used on project, Matt noted that it has helped and we can move forward with some of the engineering. In the future we may have to look at SRF monies as infrastructure dollars come to the state, that's like a zero-interest loan, even though you have to pay it back but at it least it frees us up from having to pay interest payments which is important and we budget ourselves properly and be responsible.
- 101st & Clay Street Drainage Project – This is a Winfield project; they are 100% moving forward with because they did a redesign at 101st to our suggestion putting a headwall in so

they don't have to go outside our right-of-way otherwise they would have to purchase an easement. The owner of that property at first was in favor somewhat of the project then changed their mind at the last minute. There were a couple of different options Winfield could have taken, this was probably the quickest and easiest way to get the project moving forward and out for bids. Matt believes they are putting a bid package together now. Matt anticipates this project will be starting within a month or two. This is Winfield's largest stormwater drainage project; it affects three subdivisions. The key was this portion of it. We were supportive of this; we wrote a letter of support for them to get Little Cal money. Again, this is going to help us, we are getting two new crossings, the one at 101st and one at Clay Street. The one at Clay Street is important because that area overtops, we get three inches of rain and it's not passable. Emergency services have turn around. At Clay Street we are getting three brand new box culverts and we will dredge out to the east so it's going to be a big improvement there. Public Works is holding off on their contractor going through and paving that area until it's done. Right after that project is done, probably in the spring they will pave Clay Street. Ralph Simek asked how long they expect the project to take. If they get contractors on site, its two crossings, they could get it maybe three weeks. We have had culvert replacements done in a day. It depends on the contractors and they will have to close the street when they are doing each of the sections. Ralph questioned this because of the weather and Matt stated we are at the mercy of the weather. A big hindrance is seeding and paving and, in that case, you put down temporary measures until conditions change in the spring. At that point you would have retainage held back until completion.

- Hickory Ridge Lake Apartment Regional Basin permitting has been signed off on. This will be one of our biggest projects dollar wise and impact wise. This will be a large regional detention basin. What complicates it is that we have a pump station there and some other elements that we have to deal with. All of this will be looked at and replaced accordingly. This will be one of the last biggest things that we can do in that area other than getting into the Gary area where we would do a regional basin outside the corporate limits. We have been acquiring parcels with Joe Svetanoff and the County as they come up on tax sale. And working with Lake County Parks, we would like it eventually to become a Lake County Park. The projected dollar figure for this project is pretty high. If we don't start, we will never finish.
- 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. Once we are done with this project it will be all the drainage within that subdivision. This will be a hybrid swale so that there is a perforated underdrain, no curb and gutter, and sheets off into grass swales that are like mini basins along the right-of-way. These don't stay wet the water percolates into the ground or gets into the catch basin and drains out. The subsurface area has the perforated pipe so it's actually taking in the ground water and conveying that and at it fills up it infiltrates and is called a hybrid swale and is a green streets approach. The EPA and other agencies recommend this so we are implementing them.
- Independence Street Drainage Phase 2 – Matt anticipates this being a next year project, engineering is all done. A final walk through was done with Robinson Engineering just in case we need some off-site easements. This is a unique area where for some reason there is an underground stormwater pipe that runs through a property and under part of a garage and other things, so we want to abandon that and route around it. The abandonment is anticipated to be a flowable fill. Matt is not sure why it was ever allowed to be developed this way. 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 is coordinating with Christopher Burke's wetland crew. There is a small wetland area by Randolph Street, they will look at that and see if it is classified as a Class I. We want to make sure we are not impacting anything we aren't supposed to and if we are we will have to mitigate or address it. There are things that would put it in a

category of Class I. The farmer there, the two brothers, Ken and Bud Hayes have been great to work with and granted us the drainage easement free of charge. This is symbiotic where we are

going to improve the property to the point where they can plant more crops. It is to their advantage and our advantage; this is the best scenario where everybody gets a benefit out of it.

NEW BUSINESS

Bud Crist – None

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

Matt did want to make an announcement to congratulate Bud on his fifty years in the Local 150 Operators Union. Bud was recognized for his service and for going above and beyond. Bud has run a successful business and should be looked to as a model business. Bud said that they just started in their 60th year.

We did have a pre-bid meeting hear with good attendance and the more competitive it is the better pricing we get. We will have a public bid opening following our meeting.

Secretary Barbara Ghoston want to make a comment that the work performed in Meadowdale and Meadowland was a learning opportunity for a lot of people. Barbara was surprised at the number of apple trees in Georgia Heights, peach trees, and walnut trees and how they were in disrepair because they weren't kept up. Matt said part of this is because trees were topped off and the tree health was hurt and decay happened internally. Today you anyone caught topping trees, Certified Arborist, would have their license revoked. We have a no topping clause in our tree ordinance and there is a tree life span and a lot of the subdivision were here before Merrillville was Merrillville. With little to no maintenance and between life span and poor maintenance the trees are not healthy. Matt noted that he did get 44 trees from a utility project and that some trees will be replaced or replenished in the parkway area. Some people have requested a tree and we will put the right tree in there. Matt is getting a list together for this, it is the cycle of things. Barbara Ghoston said you definitely have some "Happy Campers" there. Matt said we have gotten a lot of good positive feedback. Matt noted that we just had a public meeting in Councilman Hardaway's ward and a lot of people had a lot of positive comments. This freshens up the area and show the Town is trying to do a positive thing and invest into the older subdivision. It is important to look back into the older areas and that we revitalize them. This is a good use of American Rescue Plan Fund; it is a one-shot deal. This is a positive responsibility toward trees, Public Works would pick up branches and that was about it. It is not just about fallen limbs but the curbs and heaved sidewalks, root growth which then affects the drainage and public safety. So, it is all of the elements that each other. Mr. Cotton asked about the trees and Matt said we do have a list of prohibited trees and Matt looks at plans where he marks them off because he reviews all the landscape plans, so when a developer comes in, he will make sure they meet our standards, we also look at tree species. We don't want a monoculture of the same species as an example with the devastation of the Ash tree where the beetles took over. You have to look at what could be next and how would everything be affected, industry, it's a big scare when you have something like this happen that aggressively. Commerce is affected and we need to look at future conflicts and proper planning.

OTHER BUSINESS

Bid Opening:

Kaiser Ditch East Tributary Culvert Replacement Bid Opening – Sealed Bids, received until 4:30 pm November 1, 2022 with opening immediately after the public Storm Water Utility Board meeting and read aloud.

Five Bids received and read as follows by Attorney Jim Meyers:

\$1,147,500.00	Gariup Construction-Gary, IN
\$764,698.69	Dyer Construction-Dyer, IN
\$934,796.00	Grimmer Construction-Highland, IN
\$686,975.00	Gough, Inc-Merrillville, IN
\$1,175,955.00	DeBoer Egolf Corp DBA Egolf Coates Excavation-Portage, IN

Matt asked if we can accept the lowest bid pending review by DLZ Indiana, LLC for recommendation. Attorney Meyers said that the board can vote to accept the lowest responsive bid that is determined to be responsive and responsible by your staff and DLZ. President Crist said the lowest bid was \$686,975.00 and entered a motion for approval, Vice President Ralph Semik moved to accept the low bid from Gough Inc. in the amount of \$686,975.00 on the condition that everything is in order and correct. Secretary Ghosten seconded. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote. DLZ will take and review and move forward as part of bid documents.

PUBLIC COMMENT

Bob Cotton asked if there was anything on the survey. Matt said nothing yet but he did email Jeff Haw from VS Engineering. Matt suggested that a meeting between him, Mr. Cotton, and Jeff would be a good idea. Matt noted that Mr. Cotton had a good internal knowledge of the area and it would give him a first-hand perspective. Matt confirmed if his insurance was still at a good rate, Mr. Cotton noted that it was paid at the low rate.

Mr. Cotton also wanted to comment that some debris is accumulating in front of the culvert, anything that is floating is piling up. There is six, seven big tilapias are in that debris, feathers, and leaves, accumulating. Mr. Cotton suggested looking downstream also, a week or so ago the water was actually flowing backwards into their lake. Matt said when we look further downstream, we will have to get Lake County Surveyors involved because it is Lateral Seven, technically it is there regulated drain. Mr. Cotton also said that the lake went down approximately two feet. Matt questioned Mr. Cotton about the tilapia, he said there were many along the north shore and they were gone by morning. Matt said gone meaning they were sinking or eaten, Mr. Cotton said they weren't there anymore. He didn't see anything eating them, he only saw one seagull. Mr. Cotton did see an eagle; it's been about the fourth time that he has seen it. Matt said they mainly consume fish; they also build giant nests in trees and keep adding to it every year getting bigger and bigger. Mr. Cotton said others have seen it based on the Merrillville neighborhood site. Mr. Cotton said it has been seen in Griffith and mating on the Calumet River for years. Matt asked if Mr. Cotton documents all the different bird species that he sees, it would be a good article. The most that they have had is a hundred and two in one year. There are a lot of migratory birds. Ralph mentioned that there is a marsh in Fond du Lac Wisconsin that is a stop for the Canadian Geese, the fly 24 hours nonstop, they stay for a couple of days and take off. Matt said at one time they were a once a threatened species. Those that do not migrate have become nuisance wildlife. Attorney Meyer asked if they were protected, Matt mentioned probably regulated by IDNR and may have a hunting season where permitted. We use to get calls about geese in ponds and it's not

good for the environment when an overabundance of geese congregates around shorelines, then the excrement adds E. coli to local ponds. Attorney Meyer said one cubic centimeter of goose feces has over a billion E. coli in it. Matt noted that every animal has a protective status and you have to know the IDNR rules, laws, and regulations. The geese have become a nuisance over time, people use swans to deter them, even the shore line was kept natural so that there would be higher vegetation to deter them, they can survive, like pigeons they learn to adapt to urban environments. Naturally they are supposed to migrate. Ralph said that it was his wife's favorite place to go, right around her birthday, middle of October, and it was round four pm when you would begin to hear them, you could hear them before you could see them. There are a lot of different ducks, birds, maybe we can get a list and call the NWI Times for a story, for all the different wildlife around Bon Aire Lake.

ANNOUNCEMENTS

President Crist said the next SWMB meeting is set for Tuesday, December 6th, 2022, at 3:30 pm at the Stormwater Resource Center

ADJOURNMENT

The meeting was adjourned at 4:47 pm.

Respectfully submitted,
Adra Breclaw-Csanyi, Staff Secretary