



Minutes

MERRILLVILLE STORMWATER MANAGEMENT BOARD

Tuesday, September 6, 2022 at 3:30 PM

Merrillville Stormwater Resource Center, 7404 Broadway, Merrillville, IN

CALL MEETING TO ORDER

President L.J. “Bud” Crist called the September 6th, 2022 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 and Vice President Ralph Simek, Secretary Barbara Ghoston 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 August 2nd, 2022, approved. Vice President Ralph Simek made a motion to approve the minutes from the SWMB meeting held August 2nd, 2022, motion seconded by Secretary Barbara Ghoston. 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 August 9th, 2022 and August 23rd, 2022. Secretary Ghoston made a motion to accept the Accounts Payable Registers from August 9th and August 23rd, 2022, seconded by Ralph Simek. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Approval of claims for Accounts Payable Register for ARP for August 9th, 2022 and August 23rd, 2022 with Stormwater Contractual Service appropriations/submissions. Secretary Ghoston made a motion to approve the Accounts Payable Register for ARP from August 9th, 2022 and August 23rd, 2022, seconded by Ralph Simek. 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:

Christopher B. Burke Engineering, LLC for professional services for Hickory Ridge Flood Control Improvements, in amount due this invoice for \$25,525.25 (**VOICE VOTE**) - Ralph Simek made a motion to approve payment of the invoice to Christopher B. Burke Engineering, LLC for the Hickory Ridge Flood Control Project in the amount of \$25,525.25, it was seconded by Barbara Ghoston. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote. *ARP Appropriation and the other half will come from Little Calumet River Basin.*

VS Engineering for professional services for Storm Water Lift Station Conversion Project, at the SE Corner of Connecticut Street and E 69th Place, in amount due this invoice for \$14,819.00 (**VOICE VOTE**) – Bud Crist made a motion to approve payment of the invoice to VS Engineering for the amount of \$14,819.00, it was seconded by Ralph Simek. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Approval of Cender|Dalton Municipal Advisors dated August 24th, 2022 Budget Transfer memo to the Clerk-Treasurer regarding budget transfers in Fund 6501-Stormwater Operating Budget. The increase \$5,600.00 and the decrease is \$5,600.00, net change to the budget is \$0. Bud Crist made a motion to approve the budget transfer in Fund 6501, it was seconded by Ralph Simek. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Lake & Pond Biologist treated Bon Aire Lake with Shade Treatment, performed on 8/23/2022.

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, they were the lowest bidder.
- Marcella Road Storm Drain Sewer Project – There will be a preconstruction meeting here at the Resource Center tomorrow, Wednesday September 7th, 2022 with Dyer Construction. Matt said they will review scheduling and believes Marcella is scheduled to be paved as well so we will be meeting with Steve King from Public Works so they delay that until we are in and out of there then they can repave the entire area after the new drainage infrastructure is installed. This will be good timing and coordination on everyone's part.
- Kaiser Ditch Lateral Project (Taney Ditch) – We are looking to get this out to bids very soon. DLZ is working on that information and on front-end documents, they will get it advertised and we should have something to look at. In terms of bids, we should have something to look at maybe in terms of bids by our next meeting. This will be a sealed bid process.
- 101st & Clay Street Drainage Project - This is a Winfield project that is in Merrillville. We did meet with Winfield representatives here as well as Town Councilman Shawn Pettit. We will discuss private property easements on the Merrillville side, south of 101st Avenue. Winfield is pursuing these easements in all manners in order to get the project moving forward.
- Hickory Ridge Lake Apartment Regional Basin Design engineering is underway, all the survey work is completed. Matt will be meeting with Darren Olson from CBBEL later this week. We will get some updates from him as well.
- Southmoor Park Drainage Project, Phase 2, plans are about 95% complete by Robinson Engineering, Ltd. Matt stated that what we will do is hold off on putting this out for bids until Merrillville Conservancy District (MCD) is done so that we can time it just right and get the best pricing on our project. MCD is looking at two different routes first they were going to replace/install all the sanitary behind the houses and loop it around and then they would have to get several easements which would take longer, and so now what is being proposed by Robinson Engineering is bring it to the road right-of-way and we would allow them to construct the sanitary system within our right-of-way and loop it around. This will probably be the best route, the cheapest route, and make the project feasible. Bud Crist asked how many houses, Matt responded approximately 15 or more properties. Having MCD obtain all of the property owners to cooperate and sign sanitary utility easements it would be challenging. We are at a holding pattern; we will be all set to go.
- Independence Street Drainage Phase 2 – We have met with Robinson Engineering and will do a final walkthrough to see if there are any considerations we need to address outside of the right-of-way.

- Grassfield Subdivision/9401 Randolph St Drainage – Matt did coordinate with the property owners. The owners signed an easement agreement at no expense to us. We just need to have Rick Bella our Town Council President sign it and get it recorded. Matt has a meeting later this week with Darren Olson regarding this project as well as the property owners and will coordinate overall site design. A lot of the survey work primarily was already looked at so this should be an easy project to get done. We have also submitted an application to Little Calumet River Basin Development Commission for this one, for design. Right now they are scheduling a committee meeting. They will prescreen all of these applications before they go to the full LCRBDC Board they will vote on it. Matt believes this has a high chance of getting funding from them to support the project, this is “urban/agriculture interface project” which is a little unique and again it involves two subdivisions as well as Randolph Street.
- Delta III Randolph 72” roadway culvert project was completed on July 6th, 2022. The project took about a half day and we did not have to interrupt traffic significantly. The existing culvert was severely deteriorated and dangerous. Ralph Simek mentioned that with the new culverts what is the life expectancy? Matt said that the polymer coated is 100 plus years. The plus means they don’t have an end date and may last much longer. They do not make the 72” HDPE so our best affordable option is to install the polymer coated CMP which is the best alternative and is a much less expensive than concrete box culverts. This allows us to get projects done in an economical way but then have it last 100 years of service life. Ralph asked, what is used to join the two culverts together? Matt said there is banding used to join them together, which keeps it adequately sealed.

NEW BUSINESS

Bud Crist – Stormwater Budgets. President Crist asked Karl Cender to update the Board. Carl said, “It is pretty similar to what we have been doing.” For the Operating and Maintenance bond 6501 budget estimate of \$1,212,900.00, this is in line with where we are at this year, maybe with a slight increase. The next one is Stormwater Construction, Fund 6504, we are budgeting what we have, cash on hand to be available to do various projects. Some this is for the stormwater Meadowdale Watershed project and allow for other projects to come up, engineering is done and then you are ready to proceed, \$1,330,000 for next year. The Stormwater Grants Fund 6505 is a place-holder and is at \$70,000.00 in case we have to do some local match of local grants. In the past the Board has always considered a motion to approving these, they will go on Town Council as a part of the Towns formal budget process, it is not required but we just have been doing it as a courtesy. Bud Crist entertained a motion for approval of the Stormwater 2023 budget for funds 6501, 6504, 6505 it was seconded by Barbara Ghoston for Funds 6501, 6504, and 6505. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

Matt Lake – Matt said that we are getting in that time of year when the county sends the parcel information for our stormwater fee billing which we review, properly format with charges for each parcel, QC and send it back to Lake County so they can add to the property tax bills. Karl said they have been in touch with the County and until they update their assessment, we think it will be this month yet, but they will get us access to those files. Bud Crist said you would think it would be an increase with all of the building going on. Matt commented with the number of parcels sometimes people combine them and some divide out so we will see. Our unit of measurement for billing is the parcel.

OTHER BUSINESS

Matt Lake – Tree Grant money was offered by Little Calumet River Basin Development Commission (LCRBDC), so this is a formal request made by Matt to the Little Cal knowing that they have this program. It is a 100% reimbursable, a list of the trees and locations have already been sent. The tree planting should occur on property owned by the municipality. In your packet you will find a quote from Hubingers in the amount of \$7,980.00, this is for additional trees at the rain garden at 54th Court. It is 100 % reimbursable. **(VOICE VOTE)** – Bud Crist made a motion to approve, Ralph Semik motioned to approve the proposal for the tree grant for LCRBDC (Hubinger Landscaping Corp.) quote for Supplying and Installing 20, 1.5” Taxodium Distichum in amount of \$7,980.00, it was seconded by Barbara Ghoston. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

We have been awarded a CommuniTree Grant, this is through Northwestern Indiana Regional Planning Commission (NIRPC), an application was applied through Matt’s intern from IU and will result in planting 30 trees planted in Rosenbalm Park. This is part of urban green infrastructure and is coordination with the Merrillville Park Department with the goal to reduce the impact of flooding. The planting would be carried out as part of Indiana University’s Urban Green Infrastructure Cohort. They will supply the trees and the Park’s Department will plant them and take care of them from that point forward. A favorable outcome was received and requested to attend a workshop and distribution on September 29th, 2022.

Howards Tree Service quote for Chapel Manor Ditch clearing and maintenance in the amount of \$15,500.00. We did solicit quotes from Clemon’s Tree Service and South County Landscaping. Howards was the lowest at \$15,500.00, Clemon’s was at \$16,500.00, and South County at \$23,555.00 up for consideration for Chapel Manor Ditch. **(VOICE VOTE)** – Bud Crist made a motion for approval, Barbara Ghoston made a motion to approve the proposal for tree services, it was seconded by Ralph Semik. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote. Bud asked where the location was, Matt said behind where the Radisson was and next year we will do further down because we did that not too long ago maybe two to three years ago. Next, we can do 68th where Ralph had mentioned, late winter so we can get a better price at that time.

As part of you packet, we solicited quotes for Ross Meadow Farms to provide for additional drainage for a project we previously did. Delta III, Inc proposal for Ross Meadow Farms for additional drainage to provide labor, material and equipment for approximately 120’ of perforated HDPE pipe replacement and repair disturbed areas in the amount of \$14,800.00. **(VOICE VOTE)** We did reach out to other construction firms. Gatlin Plumbing, Ziese, Austgen Equipment, and Dyer Construction and none of them responded, Dyer said that they couldn’t do it. Some of these jobs are too small for them to throw a number at. Ralph made a motion to accept the proposal from Delta III for Ross Meadow Farms in the total of \$14,800.00. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote.

As part of the packet and a back ground we met with the financial secretary for Local Operating Engineers 150 Dave Fagen. We have been going back and forth with this and talking about this and coming up with an agreement between us and the union because we don’t have a lot of staff and we don’t want to hire a lot of people especially when it’s a culvert here and there and for some of the small projects we thought we can partner with them, line up projects then schedule them accordingly. Basically, they would be under contract. Jim had looked at this agreement, Matt doesn’t believe there was any issues that he had pointed out, it is something different and something we have never tried before. This would be an interim thing, we would line up projects and schedule labor, they come in an

do it and then we would pay them. There is a wage rate in the back of the packet on how much is charged per hour. This avoids us from having to hire a whole crew and avoid having to pay benefits. This will be an experimental way to try it out and see how it works, we are not committed forever. This is something that the Town has never tried before but it involves the unions and they are probably short

handed right now but we may get good staff out of this and be able to implement some projects. It is an agreement between us and the union, again we can terminate it at any time. Matt verified with Jim that there is a termination clause, Jim responded yes. If it goes well, we can continue on if not no hard feelings. Ralph Semik asked if Little Cal does this sort of thing, Matt responded no. No one has this type of setup. The Little Cal contracts out everything, they have zero equipment and zero staff other than administrative.

Mike Mahy is our hands on guy that goes out but he can't do it alone. He can work with these guys and get smaller projects done. The larger stuff we still contract out. We would have the locates, order the material and take care of everything else so when they get here, we would be all set to go. We would minimize on hours. Ralph asked if Joe would have to oversee them? Matt responded yes, he would be a site supervise for them, he would line up the projects, locates, order the materials, and schedule the guys to come in. It wouldn't be for a lot of projects but we are getting some of the prices from these contractors and its ten grand to do a small driveway culvert and it's getting outrageous to continue, we need to find a creative way to get these small projects done. This is where we are seeing the problem with the pricing on the smaller projects. Bigger projects pricing is okay. Ralph asked if the pricing on Ross Meadow Farms is too high, Matt responded no because that is 120' of pipe. We have seen \$10,000 for small driveway culvert because they have to mobilize and this is a flat area. Matt would like to try them out on some easy projects and see how this works out and see who they are sending out and what their skill set is. Barbara asked if we would get them when they have down time or when we need them. Matt and Jim responded "get them off the bench." Bud said we call them when we need them, Matt said we schedule them and we can't pick and choose who we get. Bud said they only thing that concerns him is the wage rates and if it will confuse the Clerk Treasurers Office. Matt said we will pay under contractual services. Karl said that we will get an invoice from them and you will just pay off the invoice. Matt said, "Again this is experimental and we are the only Town that is doing this." Barbara Ghoston asked if there is a time limit, Matt said we would schedule two around two days, come in and then done. There is no down time and we are trying to avoid this. If there was a whole crew there could be a lot of down time here and there. Attorney Jim Meyers asked if we have the equipment? Matt said we do and during the course of this that we will see if we need something else, we can bring it up but for all intensive purposes we have enough equipment to do what needs to be done. Bud said in October it will be fifty years he is in the union. Ralph made a motion to accept the proposal from the Operating Union Local 150, Barbara Ghoston seconded. There were no questions. A voice vote was taken, and the motion unanimously passed with a 3/0 vote. Secretary Ghoston asked if it would be immediately, Matt said yes but we don't have anything set right now. Matt will come up with a few small projects for them and will move forward. Ralph said he looks forward to seeing one of the projects.

Matt shared this with Pat Reardon to see if Public Works would want to do the same kind of agreement this way if they are shorthanded over there, they can do something similar.

PUBLIC COMMENT

Bob Cotton has a few things, first of all they did cut the weeds and spray them, it seems to be working well. Mr. Cotton said they did go to seed before they did it so they may have to do it again. There is still a stench coming from the box culvert. Jesse tried to go in and open up a pathway but he couldn't

stand the smell. Matt asked if there is something dead in there, Mr. Cotton is wondering if there is a deer. He couldn't see anything but the duckweed is piled up about a foot thick in there and he tried to open up the path, the smell was so bad he couldn't take it. The other thing was that he got Matt's email. Matt sent him Darren Olson's information because that is who provided all of this from the original study. Mr. Cotton said that it seems like it is taking so long and I know they won't have it done by November. My flood insurance is \$4,700 and that's a lot of money. Matt said. Mr. Cotton said if they could expedite it, Matt said he shared the information, and there is no guarantee and FEMA will make the final determinations but this is our best chance of challenging the FEMA data. Matt asked if the other attendee is in a high-risk policy too, and he responded yes. President Crist asked if he would state his name, Laurence Sinclair Jr. Matt said it gets very technical when you get reports like that, you have to get all of the surveying and things like that. Mr. Cotton said it sounds like he lost some information that you sent him, they are in the analysis phase and comparisons. Instead of recreating the hydraulic information, we already studied that area so they are using that data in order to do the analysis saving time otherwise it takes longer. I believe they are going as fast as they can but it is one of those things. No other comments from the public.

Matt asked how the tilapia is doing out there? Mr. Cotton said he hasn't seen any, one of the neighbors caught one using a night crawler which surprised him. Matt said he knows the school is looking at doing an addition over there, they asked about a few things and will have some kind of construction going on, on that side of the lake. Matt said he let them know about the regulated drain, Lateral 6,7 so that if they are encroaching on that they have to get some information, permitting, from the Lake County Drainage Board. Mr. Cotton asked if they were going to go into the marsh area, Matt did not think so, Mr. Cotton said they have a large open field next to them. Matt said they have plenty of room, he thinks that they probably received money from ARP so you're seeing these schools doing either additions or parking lots or classroom additions, renovations, and things like that. We are seeing this in other communities.

As far as plan reviews it's been pretty intense, they need to be reviewed, marked up and we meet accordingly. Many are coming in at once, which is good for the town, all positive stuff.

Secretary Ghoston asked how the tree removal was going. Matt said it was going well. Barbara Ghoston said she has some neighbors who would like to cut theirs, Matt said if it's in the parkway don't touch it, Matt said he knows there are some dead ones in her area and would like to go right down Madison Street and get them down. Matt said that they are hitting Meadowland pretty hard and Clemons is nearing half done. Homer Tree service finished grinding all of the stumps in Meadowdale so they are pretty close to done except for whatever is left from the grindings and they will have to remove that per the contract. Meadowland is going pretty smoothly. Barbara Ghoston asked about the storm burst that we had go through, Matt said the time of that was interesting because we had all of Meadowdale already done and Meadowland was a comparison. Public Works was none stop out their because all of the trees that had broken apart and fallen over. They would have twice as much to do if we didn't do the Meadowdale area. Barbara Ghoston mentioned that trees were uprooted, Matt said that he saw full trees on its side uprooted completely, parkway into driveway. Sometimes people don't realize how decayed a lot of these Silver Maples are, they may look okay on the outside and then you start cutting them and they are hollowed out and are rotten. The storm proved that. There are a lot of people who are appreciative of the Town doing something and some people have landscaped where the trees were with different plants. It is interesting how people are receptive and a few were concerned how trees are missing here and there which is understandable. We can do selective replacement, there are ways of replenishing, we are getting from the grant, Little Cal, and from the utility project. We have ways to replenish but you have to remember to put the right trees in the right place otherwise

you'll end up with the same problems we've had in the past. Silver Maples aren't allowed because they fall apart easily and is high maintenance and high risk when it gets larger. Ralph Semik asked when

they grind the stumps wouldn't they grind it to the roots system? Matt said that he had it in there to grind six inches below the surface otherwise the grindings pile up and the fact is that we are not going to put a tree back in that exact spot, you would move it over a couple of feet, then you will be fine. Matt thinks that Homer went in and went down as far as they could go so there is some piles there, they need to take care of. Ralph said if you're not getting the root system, they will pop out somewhere else. Matt said once you are grinding the stump out there is nothing left, Ralph said that was what he was asking. Matt said you will not have a sprouted tree once you grind it down. Mr. Cotton asked what is the common name of the taxodium? Matt said, "Bald Cypress, a deciduous conifer," it is a great urban tree, in a native setting they grow in swamps and areas that have low oxygen near water and so what you get is usually urban environments your soils are highly compacted so there isn't a lot of oxygen in the soil. The positive thing about Bald cypress is the way they grow, kind of strait up like an evergreen, you never have to prune an evergreen, you can limb it up and after that your done, there is no limbs hanging over and, in the fall, when the needles drop off the Bald Cypress tree there is really nothing to pick up, there is nothing left. Matt said they are not acid like a pine tree, pine trees naturally mulch themselves and prevent competition in the root zone because the needles are acidic, Bald Cypress are not like that.

Barbara Ghoston has one other observation, when Nipsco comes they shave off just enough of the tree to get their lines open. Matt said that it depends on the contract. Sometimes they do a minimal cycle prune which means they will only go ten feet radial distance from the wire other times they will be more aggressive depending on their budget and will try to go for removals, eight times out of ten they will do the minimal and by the time they come back in about five years it will be back in the wires and they will do the same thing. Barbara said she had some people concerned about that, its top heavy on one side and clean on the other. Matt said they look disfigured, Barbara said then that's going to break and a power outage and another hole in someone's ceiling. That brings up an interesting point about liabilities, usually it's the last person who touches the tree who has the liability, you might get into other legal aspects. They are doing natural target pruning they are pruning it at branch bark ridge, not lopping and stubbing it off so they are doing a proper cut but that proper cut when you see it, it looks funny especially when you're trying to get a ten-foot radial clearance around wires it starts to become a big V shape and if it's all done right away a tree balances itself off over many years as it grows. A lot of times even when you cut a tree and look at the cross section, you'll see sometime the center is not in the center its offset that's because of the wind and it will literally build up more wood on the one side so that it doesn't get wind thrown so a tree will balance itself out and they a pretty incredible. If you just start lopping limbs off everywhere you can create a hazardous situation. That is there call whether they take the tree out completely or not usually the best circumstance is to take the tree out at that point, it depends on what the contract says. If they charge by line mile then they go as fast as they can down each circuit and charge by mile cut regardless of how many trees they take out. If they are charging by removal then they start looking at size of removal, so there are two different ways that they contract that out. Typically, a cycle is five to seven years. If you cut where a tree naturally sheds a branch you won't get as much as that dormant bud sprouting from there, if you top a tree all the way around then you get regrowth sprouting very quickly and the regrowth is on the outer edge of the tree, it's not attached to the center but the outer edge. When the wind begins to get strong then they break off and you get a bigger hazard that's why they don't promote that and actually discourage it. If you are a certified arborist topping a tree your certification will get revoked, if you're reported. Matt said he would rather have them do more aggressive removals and that he did give them a blanket permit for any tree in the right-of-way to take it out.

Bud Crist wanted to say that we are in the process of looking at replacing our pick-up truck. It is not big enough to handle our marsh master and the dump truck is too big to handle it. Matt said that it is twelve-year-old now, 2010. We are looking for a one-ton pick-up. Matt said we are still waiting on a replacement for Joe's vehicle, we signed the agreement with Bosak and are still waiting on it to be delivered. Ralph said originally, they said it was going to be December, wasn't it? Matt said yes, we have been waiting way past our time, Matt said they he told them if anything comes through like another community orders the same vehicle and they can't follow through with it let us know we can adjust and get that one instead. Availability is a challenge for vehicles.

ANNOUNCEMENTS

President Crist said the next SWMB meeting is set for Tuesday, October 4th, 2022, at 3:30 pm at the Stormwater Resource Center

ADJOURNMENT

The meeting was adjourned at 4:30 pm.

Respectfully submitted,
Adra Breclaw-Csanyi, Staff Secretary