

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, APRIL 1, 2014**

President Leonard White called the April 1, 2014 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:30 p.m. The other members in attendance were Curtis Luna and Barbara Ghoston. The pledge of allegiance was said. Staff present was Executive Director Matt Lake, Compliance Officer Joe Fish, Karl Cender from Cender and Company, Attorney James Meyer, Ron Wiedeman from Robinson Engineering and Secretary Liz Bushemi. Others present were Councilman Tom Goralczyk, Councilman Richard Hardaway, Planning & Building Director Dorinda Gregor, Anne Collins, John Hasprunar and Karen Caffarini from the *Post-Tribune*.

COMMENTS FROM THE PRESIDENT

Mr. White said he does not want to talk about controversial things and wants to put issues from the past to bed. He said he would like to make sure there is an understanding as to what he defines as Stormwater Management Board duties. He said Councilman Hardaway tonight has an opportunity to ask him any questions if he needs information with the Board operating under Indiana Code 8-1.5-5. Mr. Hardaway said he does not appreciate being called out, saying he is an elected official and that he is at the Stormwater meeting as a citizen, he does not come to meetings to be disruptive. Mr. White questioned him again if he wanted to take the opportunity to say anything, and Councilman Hardaway said no.

Mr. White brought up the sign-in sheet at the Stormwater Resource Center and said it does not make sense not to have one. He said he has made the choice to have a sign-in sheet and is trying to comply with the Indiana Code, town ordinances the Indiana Department of Homeland Security; he had a copy of recommended tips from the Homeland Security office. He cited the Indiana code found at Section 11 which he said, in part says, that “the board shall have a safe environment”, and said that if anyone knows of anything otherwise, to say so. Attorney Jim Meyer said it is not wrongful or unlawful discrimination to have a sign-in sheet, and Mr. White said it is not discriminatory to have a sign-in-sheet. Mr. Meyer said the Homeland Security information is tips and recommendations only and not the law. Mrs. Ghoston said that member Curtis Luna also had a copy of the Homeland Security tips and wondered why she was not emailed a copy; Mr. White said Mr. Luna looked it up online himself. Mrs. Ghoston asked for a copy. Mr. White said he is not trying to duplicate anything and said the board needs to go through its Town Council liaison, Councilman Tom Goralczyk, for him to be on board with it.

Mr. White publicly thanked Town Manager Bruce Spires for a copy of the town’s Personnel Policies book, which he held up, and said some of the information contained in the book is not what he was looking for, but that it is a good template. He would like to see political harassment addressed. He also said there should be information on employees not providing confidential information to others, but thinks the board should do what the public wants.

He said the Board personnel committee was created, and he believes there is enough information now. He said some people are double dipping and he doesn’t want to see any triple dipping to happen in the future.

Regarding the Board finance committee, he said the budget needs to be discussed, and he wants to talk to the right people. He wants to look at the budget and see how the process works and look at the entire budget that will be submitted to the Town Council.

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Regarding the board by-laws committee, Mr. White said he is trying to look to the Town Council since the board is not a legislative body, and that the Town Council appoints members to take care of the Stormwater Board. He said he is just following the law, and it is important to get things right so he is not harassed; he said he does not like being harassed. Mrs. Ghoston said Mr. White should be careful with his wording, like double dipping and triple dipping; Mr. White said it goes on in this town but not in this (Stormwater) department. Mrs. Ghoston said she has no idea why he is addressing this issue. Mr. White said he is running the Stormwater Board, and Matt Lake is doing a great job with the staff. He intends to tell the truth and nothing but the truth.

ROLL CALL

A roll call was taken. All three members were present.

MINUTES

Included in the agenda packet was a copy of the meeting minutes from the February 4, 2014 SWMB meeting and a copy of the SWMB minutes from the March 4, 2014 meeting. Curtis Luna made a motion to approve the minutes from the February 4, 2014 and March 4, 2014 meetings, and it was seconded by Barbara Ghoston. A voice vote was taken, and all three members voted yes; the motion to approve the minutes from the February 4, 2014 and March 4, 2014 meetings was unanimously passed.

ACCOUNTS PAYABLE REGISTERS APPROVAL

Also included in the agenda packet were copies of the accounts payable registers from March 11, 2014 and March 25, 2014. Curtis Luna made a motion to approve the accounts payable registers from March 11, 2014 and March 25, 2014, and it was seconded by Barbara Ghoston. A voice vote was taken, all three members voted yes; the motion to approve the accounts payable registers from March 11, 2014 and March 25, 2014 was unanimously passed.

OLD BUSINESS

Matt said the Madison Ditch snagging and maintenance project was completed by Blade Cutters on March 21st and suggested that people look to the north from the bridge at 68th Avenue to see the good clearing and snagging job that was done. He said he'd like to continue to work on non-regulated ditches that the town owns, like Madison Ditch.

The Joint Interlocal Cooperation Agreement with the Town of Winfield for use of Merrillville equipment and labor was approved by the Merrillville Town Council on March 25th, and Matt has notified the Town of Winfield; he said Winfield is very excited to have the help of their neighboring community in the event of an emergency when equipment and labor is needed. Matt said it's good to help neighboring communities.

Matt said the Southmoor Park subdivision project is 100% complete. They are looking at the Redevelopment Commission for possible funding for the project. Ron Wiedeman from Robinson Engineering said there will be a public hearing, and the project is expected to be bid at the end of May. Matt said north and south phases of the project are being discussed.

The Contract with Scope of Services with Karl Cender and Cender & Company LLC was tabled at the March meeting in order for members to review the document. Barbara Ghoston made a motion to approve the Contract with Scope of Services with Karl Cender and Cender & Company LLC, and it was seconded by Curtis Luna. A voice vote was taken, and all three members voted yes; the motion to approve the Contract with Scope of Services with Karl Cender and Cender & Company LLC was unanimously passed.

NEW BUSINESS

Matt said as in the past, Bon Aire Lake will be treated for algae; he said some of the fountains on the lake have been repaired and will be installed soon. Matt held a meeting with residents last year to discuss maintenance of the lake, and most residents felt some of the water level was lost due to placement of the culvert, which may have to be reset. Another meeting will be held with residents to discuss maintenance of the lake.

Matt said the Clay Street drainage improvements will be included in the Mississippi Street TIF project. He has been looking at the drainage situation with Robinson Engineering, and the street needs to be redesigned and reconstructed. Ron Wiedeman said Clay Street is on the 2014 list of roadway projects, and drainage is part of the reconstruction.

Matt said a Stormwater drainage crew started this week, and the crew will be looking at public complaints, projects and routine maintenance; these are for the smaller projects that will be done in house. Crew members will be cross trained on equipment such as the jet vac truck, camera truck and backhoe. Cues Company, who sold Stormwater the camera truck, may be called in for retraining. Matt has compiled a list of projects to be done, and he will continue to add projects to the spreadsheet all year. Leonard White said it helps to see what the employees do and helps the board understand.

Matt said the town newsletter has been printed and delivered to all residents, and his article on Spring Tips is contained in the newsletter. He said a picture of some of the Stormwater Board members is on the front page with the article on the newly-launched website. Since Stormwater has no bill to send to residents on a regular basis, he said the town newsletter is a good way to inform citizens through public education outreach.

Matt said as the Stormwater department did last year, it will again have a rain barrel program through Upcycle Products. The program will be advertised in the newspapers and on the town website, and residents will order rain barrels directly from Upcycle Products. The rain barrels will then be delivered to the Stormwater Resource Center for pickup by residents.

Matt said he received the two benches for Merrillville from Lake County Solid Waste from the CAPS recycle program held last year. They will be installed at the 54th Court rain garden in the spring.

Barbara Ghoston suggested that colleges with local environmental students be contacted for possible internships to shadow Matt to learn more about the environment. She also asked Matt about his contact with the Town Council about what is being done in each of their wards; Matt said the Stormwater Master Plan will address drainage in all wards, and once it is completed, a meeting will be held with Town Council members for their input.

OTHER BUSINESS:

Curtis Luna asked Attorney Jim Meyer if the board's finance committee and personnel committee could be disbanded since they were formed as study groups, and they now have the information they were seeking. Mr. Meyer said yes, as long as it is done at a public meeting since they were created at a public meeting. Mr. Luna made a motion to disband the Stormwater Board finance committee and personnel committee. Barbara Ghoston said she would not second the motion since she has not been given any information; Mr. White seconded the motion. A voice vote was taken, with Mr. Luna and Mr. White voting yes and Mrs. Ghoston voting no. The motion to disband the Stormwater board finance committee and personnel committee was approved by a two to one vote. Mr. Luna said they should have a report completed and will present it at the next meeting. Mr. White said he would like to see a meeting of all Stormwater Board members and Town Council members.

Mr. White said the reason the bylaws committee is not being disbanded is that there has not been a lot of discretion given to them, and he cited that in February, the board president at that time said no election would be held in order for members to meet. He feels a bylaws committee is necessary. He said they are not on a power trip, but that he wants everyone to understand everything in order to have a better understanding. Barbara Ghoston asked that the minutes reflect that the current president is alluding to her not wanting to hold the election of officers in February, which she said is false; she wanted the members to know other board members before the election was held.

Mr. White asked Councilman Goralczyk for a meeting with the Stormwater Board, and Councilman Goralczyk said the meeting cannot be held in private and will have to be a public meeting. He said if the board wants to set up a workshop, it must be open to the public. Mr. White said a workshop will give Town Council members an opportunity to hear what the Stormwater board would like.

PUBLIC COMMENT

Resident Anne Collins addressed the board and said that she has attended several Stormwater meetings and that Mr. White has made an impression on her, which is not a positive one. She said in the last two meetings, Mr. White has created confusion and she is greatly disturbed. She said Mr. White places too much innuendo in his comments, and that is wrong. She said his job is to help Matt and his staff on a good path and to be congenial and get along, not control. Pushing 80 years of age, she said she is upset that if she comes to the Stormwater Resource Center for a brochure, she does not feel she should be required to sign in, and he should not tell the press what their jobs are. She said several remarks Mr. White has made infer there is wrongdoing with the Stormwater office, and that is unfair, and she said he should respect the people that he is here for. Mr. White said they are transitioning from the old to new, and Mrs. Collins said the old worked fine. Mr. White said there are no innuendos here.

Resident John Hasprunar addressed the board, saying he has had discussion with Matt about the Gough, Inc. property at South Ridge Park on East 89th Avenue. Mr. Hasprunar said he does not believe the pipe that was installed at the project is large enough to hold stormwater. Matt said he has been at Mr. Hasprunar's home several times, and everything is draining to the north in the existing basin. He said Gough bought the

industrial lots years ago and there have been no drainage or flooding issues there. Matt has come to the site with surveyors, engineers from Robinson Engineering and the Indiana Department of Environmental Management (IDEM), and there is no problem, and Mr. Hasprunar had said he has no damage; the plans were approved years ago. He asked Mr. Hasprunar what is his concern and asked if he would be satisfied if Robinson Engineering would go there again to survey the South Ridge Park property for drainage, and Mr. Hasprunar said yes. Mr. White asked for a report to the full Stormwater Board. Mr. Hasprunar said the 36" pipe is five feet higher than it should be and wants it re-graded. Robinson Engineering will review the matter and advise Matt.

ANNOUNCEMENTS

Mr. White said the next monthly meeting is scheduled for Wednesday, May 7, 2014, at 4:30 p.m. at the Stormwater Resource Center.

Curtis Luna made a motion to adjourn, and it was seconded by Leonard White. A voice vote was taken, and all three members voted yes; the motion to adjourn was unanimously passed. The meeting was adjourned at 5:14 pm.

Respectfully submitted,

Liz Bushemi
Staff Secretary