

**MINUTES OF THE  
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING  
TUESDAY, JUNE 2, 2015**

Vice President Ralph Simek called the June 2, 2015 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:36 p.m. The pledge of allegiance was said. Leonard White was unable to attend since his brother passed away; the other member in attendance was Barbara Ghoston. A roll call was taken, and a quorum was established with two members present. Staff present was Executive Director Matt Lake, Attorney James Meyer and secretary Liz Bushemi. Others present were Ron Wiedeman from Robinson Engineering and Dolly Flaska.

**MINUTES**

Included in the agenda packet was a copy of the minutes from the May 6, 2015 SWMB meeting. Barbara Ghoston made a motion to approve the minutes from the May 6, 2015 SWMB meeting, and it was seconded by Ralph Simek. A voice vote was taken, and both members voted to approve the minutes from the May 6, 2015 meeting, and the motion unanimously passed with a 2/0 vote.

**ACCOUNTS PAYABLE REGISTERS APPROVAL**

Also included in the agenda packet were copies of the accounts payable registers from May 12, 2015 and May 26, 2015. Ralph Simek made a motion to approve the accounts payable registers from May 12 and May 26, 2015, and it was seconded by Barbara Ghoston. A voice vote was taken, and both members voted to approve the accounts payable registers from May 12 and May 26, 2015, and the motion unanimously passed with a 2/0 vote.

**OLD BUSINESS**

Mr. Simek asked about the guardrail on Taft Street, and Matt said the Indiana Department of Transportation (INDOT) has not responded to his follow-up emails. INDOT needs to make the determination if the guardrail is warranted since Taft Street is a state road. Matt said INDOT has perimeters if a guardrail is warranted, and it will be up to them.

Matt attended and spoke at the Indiana MS4 Annual Meeting in May, and he said it was the most well-attended conference with over 380 attendees. He said all presentations are on the MS4 website. The Town of Merrillville received a Certificate of Recognition for Outstanding Development and Implementation of Stormwater Programs. He said the Northwest Indiana Stormwater Advisory Group (NISWAG) was there and had a display of all local communities' materials; all NISWAG members are in the same watershed and continue to share information and ideas. At the last NISWAG meeting, Congressman Pete Visclosky attended, where they discussed roadway standards for green engineering.

Regarding the 53<sup>rd</sup> Court lift station, everyone received a memo from Robinson Engineering at their places regarding the two options available – gravity drainage or lift station expansion. Ron Wiedeman said the existing lift station was put there to empty out two ponds if they were filled, not for storage of the entire drainage area. The lift station does not have enough capacity to pump the entire subdivision. He recommended gravity drainage and option 1a – gravity drainage to remove and replace in the *cul de sac* only for \$200,000, not option 1 b – gravity drainage to remove and replace and extend throughout the entire drainage area for \$600,000. He said option 1a would get the outfall working. He said a decision needed to be made so they could get the design started, easement information and a survey; he said he will sit with Matt to discuss design of the plan itself.

Matt agreed that option 1a should take care of the affected area and overland flow since a swale would be graded. Mr. Simek said if they are going with option 1a, he would like to see the old lift station disassembled to see if they could get any money for the parts.

Ralph Simek made a motion to approve Robinson Engineering's Preliminary Opinion of Construction Costs Option 1a – gravity drainage to remove and replace in the *cul de sac* only for \$200,000, and it was seconded by Barbara Ghoston. A roll call vote was taken, and both members voted yes, and the motion to approve Robinson Engineering's Preliminary Opinion of Construction Costs Option 1a – gravity drainage to remove and replace in the *cul de sac* only for \$200,000 unanimously passed with a 2/0 vote.

Members had received a copy of the May 5, 2015 proposal for design services for Ross Meadow Farms from Christopher Burke Engineering (CBBEL) in their packets, and a revised June 2, 2015 copy was given to each member at the meeting; Attorney Jim Meyer had reviewed it and made some changes, and the revised copy was discussed. Matt said he brought the matter up at the Town Council meeting, where Councilman Shawn Pettit has asked Town Council Attorney John Bushemi to pursue making the pond owner who caused the problem years ago responsible for this. Mrs. Ghoston asked if Stormwater is proceeding with fixing the problem at Ross Meadow Farms and if the town is successful in getting the pond owner to pay for his responsibility, would Stormwater recoup what it spent. Attorney Meyer said it would have to go through the legal process, and the pond owner would be given a certain amount of time to get rid of the nuisance he created as long as we can prove he created it. Matt said he would coordinate with Attorney Bushemi to put that money towards the project. Ralph Simek made a motion to approve the CBBEL proposal for design services for Ross Meadows drainage improvement (as revised) for up to \$28,950 *excluding* if necessary items and up to \$34,700 *including* if necessary items, and it was seconded by Barbara Ghoston. A roll call vote was taken, and both members voted yes, and the motion to approve the CBBEL proposal for design services for Ross Meadows drainage improvement (as revised) for up to \$28,950 *excluding* if necessary items and up to \$34,700 *including* if necessary items unanimously passed with a 2/0 vote.

Mrs. Ghoston asked the status of the NIPSCO matter that Matt had discussed last month, and Matt said that NIPSCO will not agree to pay the fine or train its employees or contract employees regarding trees blocking waterways, so he plans to attend the court hearing with Attorney Jim Meyer. He wants reimbursement that Stormwater had to pay for removal of the tree logs, the fine paid, a provision that they not block waterways and that they train their employees so it will not happen again. Attorney Meyer is not able to attend the June 22 court hearing, so it will be continued, and Matt will attend.

Matt said within the past month, Stormwater has collected \$2,900 from citations issued by Compliance Officer Joe Fish and fines paid to the Clerk-Treasurer; the money goes into a Stormwater revenue account. He said if a citation is not paid and the corrective action is not taken, it will go to court. Matt said he heard that the U.S. Environmental Protection Agency (EPA) is planning to do five select audits of construction sites, and although they may be random, Merrillville may be picked. Since Stormwater is a regulatory program, we have to enforce the ordinance.

**NEW BUSINESS**

Matt said he was selected to be the Merrillville representative on the Little Calumet River Basin Project Advisory Board, where they discuss applications pending before the Little Calumet River Basin Development Commission (LCRBDC). All Merrillville residents pay the \$45 annual LCRBDC fee, and the funding is for local projects outside the Little Calumet River levy. They had a recent meeting, and they will be looking at applications already approved by the LCRBDC to make sure the LCRBDC is not being biased in areas they approve funding. He said all local communities can have a representative on the board, and they will be discussing land acquisition and other issues. He said SEH Engineering may be at their next meeting to discuss engineering studies near the levy.

Matt has drafted a letter to residents who live adjacent to local waterways, with the hopes that it will deter illegal dumping. He intends to send them to Forest Hills subdivision residents and others and also place more illegal dumping signs at specific locations.

Matt said the Indiana Department of Environmental Management (IDEM) has announced that Merrillville has been named a “Clean Community”, which involves quality of life improvements for the town. He said it is basically a feather in the town’s cap, although reporting will be required.

Matt said one fountain at Bon Aire Lake has burned out and needs replacement. Since the Town of Merrillville owns the lake, he is working with Aquatic Weed Control on replacement of the fountain. Although the four fountains aerate a little, the fountains are more for the esthetics, and the residents along the lake like them.

**OTHER BUSINESS**

Barbara Ghoston said with the bad weather and rain that has affected other parts of the country, she sees that there has not been a lot of flooding in Merrillville, and she complimented Matt, his staff and all partners for keeping Merrillville flood-free. She also charged him with getting funding for where it is needed while serving on the Little Calumet River Basin Project Advisory Board.

**PUBLIC COMMENT**

None.

**ANNOUNCEMENTS**

Mr. Simek said the next Stormwater meeting is scheduled for Tuesday, July 7, 2015, at 4:30 p.m. at the Stormwater Resource Center.

Barbara Ghoston made a motion to adjourn, and it was seconded by Ralph Simek. The meeting was adjourned at 5:17 pm.

Respectfully submitted,

Liz Bushemi  
Staff Secretary