

**MINUTES OF THE  
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING  
TUESDAY, SEPTEMBER 6, 2011**

President Bud Crist called the September 6, 2011 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:42 p.m. Members in attendance were Dorinda Gregor and Barbara Ghoston. Staff present included Damon Tsouklis for Karl Cender from Cender & Company and Secretary Liz Bushemi; Attorney T. Edward Page was present for a portion of the meeting. Also present was Councilwoman Chrissy Barron, the Town Council Liaison to the SWMB, resident Ted Thorek and *The Times* reporter Chas Reilly. Unable to attend were Executive Director Matthew Lake and Jon Derwinski from Robinson Engineering.

Included in the agenda packet were copies of the minutes from the August 3, 2011 SWMB meeting and the August 25, 2011 SWMB public hearing. Barbara Ghoston made a motion to approve both sets of minutes; there were no questions, and the motion was seconded by Dorinda Gregor and unanimously approved.

Also included in the agenda packet was the current fund report, appropriation report and accounts payable registers. Mr. Crist indicated that the current fund balance is \$1,043,645.01, which includes the SWMB draw from real estate taxes. Barbara Ghoston made a motion to approve the financial reports; there were no questions, and the motion was seconded by Dorinda Gregor and unanimously approved. Also included in the members' packets was a copy of the revised SWMB final budget for 2012.

**COMMENTS FROM THE PRESIDENT**

Mr. Crist said there is an old oak tree on 57<sup>th</sup> Avenue, which was featured in the November, 1955, *National Geographic Magazine*. He said they are in the process of talking to Larry Foerstel since the River Oaks Mall's insignia is that specific tree. Since the tree is 100 years old, he said they are attempting to get some segments of the tree or limbs to bring to the new Stormwater Utility Center and have history of the tree at the new office. Stormwater may pay a portion to remove the tree since it is a part of Merrillville history and some may be used at the new building.

**OLD BUSINESS**

Mr. Crist gave all members a copy of Ordinance No. 11-38, which will be heard for first reading at the September 13, 2011 Town Council meeting. The ordinance transfers \$265,000 from the Stormwater Utility Fund to the Other Equipment line item. This amount will pay for the TV camera truck and dump truck.

Damon Tsouklis was present for Karl Cender from Cender & Company. He passed out a Bond Anticipation Note (BAN) term sheet regarding the \$1 million BAN. He advised that the bond cannot exceed \$1 million. He said they plan to issue notice to local banks on Thursday, September 8<sup>th</sup>, with bids due September 15<sup>th</sup>, at 3:00 p.m. The closing will take place on September 29, 2011. The BAN maturity date is March 30, 2012. He asked if anyone has any revisions or questions regarding estimated sources or use of funds, to advise them by September 7<sup>th</sup>. Mr. Crist said the \$1 million will help with the startup on work on the 54<sup>th</sup> Court project. Dorinda questioned if the \$1 million is a short-term loan on the \$3.5 million voted upon on August 3, 2011, and Mr. Crist said yes.

Mr. Crist said the TV cube camera truck bid opening was held on September 2, 2011. Although several companies asked for bid packages, the sole bidder was Brown Equipment Company, Inc. for the Cues Sewer Inspection System at a cost of \$165,000.00, with the additional option of the Lite Stick Portable Video Inspection Camera and Wireless Receiver Package in the amount of \$5,500, for a total cost of \$170,500.00. He said the bid was awarded to Brown Equipment Company, Inc. in the amount of \$170,500.00. The total of \$175,000 was budgeted, so we saved \$4,500.00. Dorinda Gregor made a motion to accept the bid and purchase the Cues Sewer Inspection System and optional camera package for a price of \$170,500.00 from Brown Equipment Company, Inc. of Fort Wayne, Indiana, and it was seconded by Barbara Ghoston. Discussion was held. Barbara asked if we have satisfied all legal requirements in connection with the bidding process, and Bud said yes. He said the company has 90 days for delivery of the vehicle, and that he and Matt will see the vehicle prior to delivery. Three (3) days of training are included in the price. Since delivery will be at the end of the season, they will ask for a 90-day extension on the guarantee/warranty. A purchase order will be prepared on September 7 and faxed to Brown Equipment Company, Inc. Upon roll call vote, all three (3) members voted yes, and the motion to accept the bid and purchase the Cues Sewer Inspection System and optional camera package for a price of \$170,500.00 from Brown Equipment Company, Inc. of Fort Wayne, Indiana, was unanimously approved.

Regarding the Taft Street project, Mr. Crist said they are working with the Lake County Surveyor to survey the Doepping and Innsbrook properties. Mr. Doepping is in favor of the project, and once the corn is removed from his property, it will be surveyed. Speaking for Matt Lake, Mr. Crist said an archeological survey needs to be done on the two (2) ponds since excavation will take place. The project is being divided into two (2) phases—an Indiana Department of Transportation (INDOT) right-of-way and non right-of-way. Dorinda and Barbara asked about the expense, and Bud said Stormwater will pay for the surveys, and Matt will check prices.

Regarding Bon Aire Lake, Bud said there was a September 1, 2011 article in the *Post-Tribune* where they discussed the possibility of dredging. Mr. Crist said the lake will not be dredged because it is a legal drain and also due to the cost. Approximately \$8,300.00 has been paid this year for April through September services to Aquatic Weed Control for spraying of the lake. Matt is obtaining copies of electric bills from NIPSCO from the Clerk-Treasurer's office to determine the cost of running the three (3) fountains. Bud said they are not aware when the lake was dug but estimated in the 1960's.

Mr. Crist said they have been at Savannah Ridge several times and jet vacked all of the lines. The question remains if the piping and lines are large enough and if they were installed properly. They intend to take the jet vac there again to see what happens at the retention pond near Town Centre. Merrillville Conservancy District may be asked to use their TV camera vehicle to televise the lines. The SWMB will hold off on the \$19,600.00 bid from Robinson Engineering since a problem remains.

Bud said Matt has drafted a Flood Hazard Ordinance, and they have given a copy of it to Attorneys Bower and Page for their review. The ordinance will be a requirement for the town and needed for the National Flood Insurance Program. He said we have received the new Federal Emergency Management Agency (FEMA) flood maps and will design them on the GIS and print on the new plotter.

Regarding the 54<sup>th</sup> Court project, Bud said they are finishing up the specs for the rain garden design. They are relocating the water line to lower it and put a water hydrant on Virginia Street. Reporting for Jon Derwinski, Mr. Crist said the anticipated schedule for the 54<sup>th</sup> Court project is as follows:

- 9/13/11 - Completion of contract plans, specifications and quality assurance.
- 9/14/11 - Bid books to be prepared and delivered to the clerk's office.
- 9/15/11 - Advertisement to appear in local papers for the project.
- 9/30/11 – Bids to be opened.
- 10/4/11 – Bids to be awarded at regular scheduled meeting.
- 10/17/11 – Anticipated construction start date.

Mr. Crist said each stage of the contract will take approximately eight (8) to ten (10) weeks to complete, weather permitting. The complete cul-de-sac should be complete with the re-graded rain garden near the end of November, and Virginia Street will be under construction, half a street at a time. The project completion is anticipated to be by mid-December.

A corrective action update is being prepared for the Ozinga Concrete matter. A concrete washout logo is being designed and will be submitted to them. In partnership with Mike Conquest from Ozinga Concrete, a brochure is being planned for use by them, and a supply will be available at the Planning & Building Office to help contractors in the future.

The Public Works rain garden will be planted this Thursday, September 8, 2011, with plants having been purchased from Gardens on the Prairie, which was the best price available. Public Works staff will plant the plants.

The rain barrel program is underway. There are two (2) installed outside the Town Hall, and one (1) is located inside near the Clerk-Treasurer's office. Anyone interested in purchasing a rain barrel can contact our office. Once the ten (10) rain barrels we purchased have been sold, we will look at finding a cheaper one to sell to the public.

A legal meeting was held with Attorney T. Edward Page regarding various SWMB issues. The intention is to meet once per month so legal matters are properly addressed. Discussed at the last meeting was the ongoing drain problem for the resident on 101<sup>st</sup> Avenue, the Broadfield Subdivision pond matter and responsibility for the pond, and East 63<sup>rd</sup> Place resident Elaine Chenore's problem since she has contacted an attorney.

Matt obtained a grant from Great Lakes Restoration for \$42,178 for the Emerald Ash Borer (EAB) problem and tree inventory. A portion of the grant will be matching funds. More information will follow.

**NEW BUSINESS**

Bud said that our computer company currently charges \$90.00 per hour for services, and Matt found someone who would charge \$45.00 per hour, so we may use this person for future computer services.

**OTHER BUSINESS** – None

**PUBLIC COMMENT** – None

Dorinda asked resident Ted Thorek about the pond in Auburn Hills. Mr. Thorek said he thought the pond in question is the one in back, “Pond B”, which was sold at tax sale. Councilwoman Barron said she has been contacted by residents about the pond being covered with algae. Mr. Thorek said all residents received a letter from an attorney about the lot being sold, and Councilwoman Barron asked him for a copy of that letter.

Mr. Crist brought a map of all subdivisions in Merrillville that Matt had printed from the plotter/scanner and showed everyone present. These types of maps will be available to residents and other departments.

Mr. Crist asked Attorney Page about the status of the real estate closing for the property at 7404 Broadway. Mr. Page said he will follow up with Karl Cender and have the proper documents prepared.

**ANNOUNCEMENTS**

The next regular Stormwater Management Board meeting will be held on Tuesday, October 4, 2011, at 4:30 p.m. at the Town Hall.

Dorinda Gregor made a motion to adjourn the meeting at 5:28 pm, and it was seconded by Barbara Ghoston and unanimously approved.

Respectfully submitted,  
Liz Bushemi  
Secretary