

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, OCTOBER 7, 2014**

President Leonard White called the October 7, 2014 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:31 p.m. The pledge of allegiance was said. The other members in attendance were Ralph Simek and Barbara Ghoston; a roll call was taken, and a quorum was established. Staff present was Executive Director Matt Lake, Attorney James Meyer, financial advisor Karl Cender and Secretary Liz Bushemi. Others present were Planning and Building Director Dorinda Gregor, Ron Wiedeman from Robinson Engineering, residents John Hunt, Leslie Liess and Richard Tanzymore from Ross Meadow Farms subdivision and resident Anne Collins.

COMMENTS FROM THE PRESIDENT

Leonard White said there was a tragedy in town, and we lost Merrillville Police Officer Nickolaus Schultz. He said prayers are requested for his family, and he asked for a moment of silence for Officer Schultz. Mrs. Ghoston asked if the Centier bank account was still accepting donations to the Schultz family, and Liz said she believed so.

MINUTES

Included in the agenda packet was a copy of the minutes from the September 2, 2014 SWMB meeting. Barbara Ghoston made a motion to approve the minutes from the September 2, 2014 SWMB meeting, and it was seconded by Ralph Simek. A roll call vote was taken, and all three members voted to approve the minutes from the September 2, 2014 SWMB meeting, and the motion passed with a 3/0 vote.

ACCOUNTS PAYABLE REGISTERS APPROVAL

Also included in the agenda packet were copies of the accounts payable registers from September 9, 2014 and September 23, 2014. Ralph Simek made a motion to approve the accounts payable registers from September 9, 2014 and September 23, 2014, and it was seconded by Barbara Ghoston, with a question about two entries for overtime; Matt said overtime was due to the recent rain events, where the crew was called out to clean drains and catch basins, to make sure they are free and clear for public safety. A roll call vote was taken, and all three members voted to approve the accounts payable registers from September 9, 2014 and September 23, 2014, and the motion passed with a 3/0 vote.

OLD BUSINESS

Mr. White said he is not sure if the CAP-A-THON program will continue because of the Lake County Solid Waste Management District (LCSWMD) Board controversies. He said the new contact person for the program is Racine Kovach from the Hammond Environmental Center. Leonard said he will make a recommendation to the LCSWMD Board to continue the program since it is a good program for Merrillville and other communities. He asked the staff to let Councilwoman Chrissy Barron know, since she is spear-heading the CAPS program this year, that they are unsure of continuation of the program. He will recommend continuation to the LCSWMD Board because it is a worthy program. Last year, he said the town received two benches from Solid Waste for the program initiated by Councilman Richard Hardaway for two benches for the 54th Court Rain Garden.

Matt Lake said the Indiana Department of Natural Resources (IDNR) grant of \$13,587.78 was received last month for the urban waters initiative riparian tree planting done at the Stormwater Resource Center (SWRC). Both IDNR and EPA representatives came to see the project, and Matt hopes to get further grant money for projects like this.

Matt attended the Indiana Assn. for Floodplain and Stormwater Management (INAFSM) annual conference, "Above and Beyond", last month, where we received an award for going above and beyond -- the Outstanding Stormwater Project for the Merrillville 54th Court Bioremediation and Roadway Runoff Control project, including the rain garden. He showed those present the award and said it would be placed in the SWRC reception area with other awards. Leonard thanked Matt and the Stormwater staff for the good job they do for making Merrillville noticeable in the state and congratulated Matt on the award and his efforts. Matt said it is a team effort with everyone -- staff and consultants.

Matt attended an MS4 post-construction stormwater runoff workshop at NIRPC last month and said Merrillville is ahead of the curve on low-impact development standards. .

Some illegal dumping signs offering the \$100 reward from Solid Waste have been put up, but Matt said one was already vandalized and thrown in the ditch where it was located; he said they plan to hone in on that area to watch for illegal dumping. Like he told the media when contacted, there doesn't have to be a sign at the site for people to collect the reward if a conviction occurs. Leonard will make sure the LCSWMD Board knows that Merrillville is participating in this illegal dumping and public outreach program.

NEW BUSINESS

Matt said the final invoice in the amount of \$187,500 was sent to the Indiana Department of Transportation (INDOT) for the Taft Street project, and when it is paid, it will have fulfilled INDOT's \$750,000 cost share for the project.

Matt submitted an article for the town's fall newsletter regarding the illegal dumping signs and also showed ways residents can help prevent blockages at their storm drains. He said keeping the drains clear of leaves and debris is a team effort with the public.

An audit was held by the Indiana Department of Environmental Management (IDEM) for Merrillville's Rule 13 permit and "Good Housekeeping" program on September 30th, where Matt met with Reggie Korthals, the state's MS4 coordinator. He said Merrillville was the first community in the state to be audited, and it went extremely well. As a municipality, the Stormwater office, Public Works, the Fire Department and Park Department operations were reviewed. Merrillville passed with flying colors, he said.

OTHER BUSINESS

Members were provided with a copy of the Metropolitan Pump Company quotation for replacement of the 53rd Court lift station, and Matt had a copy of a GIS map showing where the current lift station is located. Matt said the current pump at the lift station is not working properly for the amount of rain that falls, and each time there is an inundation of rain, the lift station is checked. Matt said Stormwater Utility is not budgeted for the \$165,000 to \$175,000 quoted, but he is hopeful the Town Council will provide funding from another source. Ralph Simek asked Matt if he felt the price would be that high, and Matt said yes, to build a lift station is expensive. Leonard asked if it would go to bid, and Matt said yes, it would have to go to bid for construction. Mr. Simek asked what funding would be used to pay for it; Matt said possibly tax increment financing (TIF) money, although the lift station is not currently in a TIF district.

Leonard asked Matt what he wanted the Board to do, and Matt suggested approval of the quote and then said he could seek available funding since the residents in the area are in harm's way, and the project is a high priority because of years of flooding in that area. Matt said there are over 40 years of problems, but he will talk to Bruce Spires and the Town Council to see about available funding. Barbara Ghoston said that since this should have been taken care of a long time ago, she made a motion to move forward with the quotation from Metropolitan Pump Company as a baseline for the cost to replace the current pump station. Mr. Simek asked which waterway this would pump to, and Matt said it is a non-regulated drain which drains into Turkey Creek Lateral 6. Mr. Simek asked about the possibility of dredging the ditch instead to save money; Matt said the ditch is higher than the catch basin, and that a lift station, although the cost is high and has to be maintained, is the last resort because of elevation at the location. Mr. Simek asked when the current lift station was built, and Matt said probably in the mid- to late-1990's, and it has been an issue ever since. Mr. White asked if there would be any more development in that area, and Matt said no, the 53rd Court area is already built out. Regarding Mrs. Ghoston's motion to move forward with the quotation from Metropolitan Pump Company as a baseline for the cost to replace the current pump station, Mr. Simek seconded the motion. A roll call vote was taken, and all three members voted to approve the motion, and it passed with a 3/0 vote.

Matt said three residents of the Ross Meadow Farms subdivision were present to address the Board on a drainage matter that he had met earlier in the day with Councilman Shawn Pettit about. Richard Tanzymore, Leslie Liess and John Hunt were present; Mr. Tanzymore, 6990 East 86th Court, showed the Board pictures from his cell phone of rain water from a neighbor's pond coming close to his property, where the easement starts. He said water has come up to his trees and close to his house, and his children cannot come out to the back yard to play due to the mosquitoes, and he is not able to mow his lawn because it is a few feet high. He said when weather is dry, he cleans the ditch and trench area, but the easement area is steadily building up, and water is pooling in his yard. Matt said the water used to flow properly through the area, but a neighbor built a recreational pond six to seven years ago not authorized by the town. Mr. Liess said the ditch used to drain well, and now due to the sediment, the drain plugs up all the time and water does not drain, and he has only mowed one time. From his site visit today, Matt said grading needs to be done, and swales need to be developed with an under drain. Matt said survey and design work should be done in the fall, with a construction project to be done in the spring. Matt said the problem was originally caused by a resident who built the recreational pond. Mrs. Ghoston asked if the resident is still there, and Mr. Tanzymore said he is a Gary police officer who built the recreational pond; the neighbor wanted to build a lift station, but when asked by Mr. Liess, the neighbor would not seek a permit for it. Matt showed the Board a picture of the plat for the area. Mrs. Ghoston asked if anything can be done now. Mr. Liess said the town pushed some of the ditch back and said Stormwater cleaned the pipe under the road and jetted it today. Matt said because of current conditions, the first step is seeking engineering for design and survey work to evaluate the situation and then put it out for bid in the spring as a small drainage project. Mr. Liess said Councilman Pettit came out at the time (6-7 years ago) and tried to put a stop to it. Mr. Liess said the neighbor also has land across the street in Hobart. Ralph Simek made a motion to proceed to have survey and design work done for corrective action, and it was seconded by Barbara Ghoston. All three members voted to approve the motion, and the motion unanimously passed.

OTHER BUSINESS

Mr. White asked Mr. Meyer if he had any report, and he said no. He asked Karl Cender if he had a report, and Mr. Cender said he worked with the clerk-treasurer on the transfers that the Board approved in September, and all transfers have taken place. Karl said a few more transfers may take place before the end of the year. Mr. White asked Ron Wiedeman from Robinson Engineering if he had a report, and he said no.

Mr. Simek asked if there was any new status on the Taft Street guard rail, and Matt said no, he has not yet received a response to his follow-up email.

Mrs. Ghoston suggested that the TIF money that the town intended to use for the Southmoor Park project be used for the 53rd Court lift station.

Mrs. Ghoston said she saw a rain garden at the Lake County Public Library and was happy to hear an adult explaining to children there the different flowers in the garden.

PUBLIC COMMENT

Regarding the Ross Meadow Farms problem, Mr. Simek asked if there is any documentation from years ago when the neighbor built the recreational pond; Mr. Liess said he talked to Councilman Pettit years ago, and he said the town “fixed” the ditch problem six to eight years ago. Mr. Liess said he has lived there for 20 years and paid extra money to have his property taken care of in the easement. Mr. Simek said if there is documentation, perhaps the town can go after the resident who built the recreational pond. Matt asked Attorney Meyer if they could pursue legal action; Mr. Meyer said the statute of limitations for damage of property is six years, and that would have to be done by the owner of the property. Mrs. Ghoston asked if the neighbor’s pond is legal or a health hazard, and Matt said he doesn’t know if the Planning Department ever approved it. Ron Wiedeman from Robinson Engineering suggested that research issues, new engineering design, a permit, etc. be addressed. Mr. Tanzymore asked if the building up of his land outside of the easement is his responsibility; Matt said yes, and the town would address drainage within the easement.

ANNOUNCEMENTS

Mr. White said the next monthly meeting is scheduled for Wednesday, November 5, 2014, at 4:30 p.m. at the Stormwater Resource Center since Tuesday, November 4th is Election Day. He reminded all present to vote.

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

Respectfully submitted,

Liz Bushemi
Staff Secretary