

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:30 P.M. THURSDAY, MAY 3, 1990
AT THE COMMISSION OFFICES
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

Chairman Doyle Niemeyer called the meeting to order at 6:30 p.m. All eleven (11) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

- George Carlson
- Doyle Niemeyer
- Clyde Baughard
- Charles Agnew
- Dave Springman
- Steve Davis
- William Tanke
- Arlene Colvin
- Nathaniel Leonard
- John DeMeo
- William Critser

Visitors:

- Bob Bicki - Black Oak
- Richard Bundy - Salmon Unltd.
- Pete Zak - South Shore Marina
- Mary Jane Zak - " "
- Carl Fisher - Supt. Portage Park Dept.
- Bob Kimberly - Harbor Marine
- Dick Wawrzyniak - DNR, Div. of Water
- Eddie Vasquez - Supt. Gary Park Dept.
- Julian Allen - Gary Park Dept. attorney

Staff:

- Dan Gardner
- Lou Casale, Attorney
- Sandy Mordus
- Bruce Stouffer

A motion was made by Clyde Baughard to approve the minutes of the April 5th meeting; seconded by Bill Critser; motion passed unanimously.

Finance/Policy Committee - Treasurer Clyde Baughard presented the financial status report for March as well as the claims. Mr. Baughard made a motion to approve the pending claims; motion seconded by John DeMeo; motion passed unanimously.

LCRBDC Minutes
May 3, 1990
Page 2

Legislative Committee - Committee Chairman George Carlson announced that the Development Commission is on the agenda for the Water Resources Council meeting to be held May 15th in Indianapolis. At that time, it is expected that the DNR will give overall project approval of the Little Calumet River Flood Control/Recreation project. With that approval, the river would no longer be a regulated drain under the Lake County Drainage Board but their authority would be transferred to the Development Commission. Mr. Gardner stated he would attend this council meeting. He referred to pages 8-13 contained in the packet outlining a description of the project and the draft DNR comments.

A lengthy discussion was held as to how the Commission can implement a plan to handle its new responsibility. A meeting will be held with the Drainage Board to discuss the coordination and the responsibilities of that new authority.

Mr. Gardner stated that a project review/approval of the Commission's financial capability will be held shortly in Washington. Paul Benkowski of the Chicago District desires the Commission's presence at that review. In case Dan Gardner cannot attend, the attorney will represent him. This review must be held before the project is actually begun. After this Washington hearing, it is expected that a date will be identified for the signing ceremony, probably in late June or July.

Mr. Carlson talked about the situation at the Tri-State parking lot. A meeting was held this week with those involved to identify the potential flooding problem and find a solution to correct that problem. A field investigation was also held to view the site. All parties attending agreed that the dike system should be re-established to prevent flooding. They recognized the potential problem and will correct it. The staff will monitor compliance.

Land Acquisition/Management Committee - Committee Chairman Chuck Agnew reported six closings this month: DC227, DC283, DC285, DC289, DC338 and DC351. Replacement housing monies were paid to three persons: DC289, DC227 and DC285.

Mr. Agnew made a motion to approve the appraisal revision on DC257 from \$525 to \$2,600 to cover excluded buildings; motion seconded by Clyde Baughard; motion passed unanimously.

Mr. Agnew announced that construction has been started on the multi-purpose building at Lake Etta.

LCRBDC
May 3, 1990
Page 3

It was stated that a hearing has been set in the city of Gary for a person from Chicago who was caught violating dumping laws. Some of the dumping has been done on Commission property. We have offered to the city whatever support we can give them in order to stop this dumping. Attorney has talked to the city attorney handling this case and he will pursue matter.

Mr. Agnew presented a draft copy of a letter to be sent to the Chicago Corps stating the Commission's strong support and opinion of building a levee along Burr Street to protect homes rather than floodproofing them. As the plan stands now, there are about 50 structures slated for various forms of floodproofing. The city officials of Gary as well as the DNR and FEMA oppose the floodproofing; it is unanimously agreed upon that a levee should protect the homes along Burr St. There are also plans for sewers and improvements to the drainage system on Burr St. After discussion, Mr. Agnew made a motion to approve and send the letter to Richard Carlson; motion seconded by John DeMeo; motion passed unanimously.

Dan Gardner stated that he has met several times with Gary Park Board and staff relative to Gary lands needed for the project. We are requesting conveyance of access and use of lands owned by the Gary Park Board that are designated as needed for the purpose of survey, construction and maintenance of flood control levees, utility and bridge improvements and related flood control support facilities. The Park Dept. has asked the Commission for several things, i.e. relocate the existing greenhouse structure to the protected side of the levee and floodproof an existing park building. The Development Commission has also hired a consultant to work with the Park Dept. and city to develop a comprehensive recreation concept plan for additional park features.

Julian Allen, Gary Park Board attorney, expressed concern as to the use of the lands after the city conveys use of them to the Commission. Mr. Gardner stated the land would still be there for park use once the levee was in place. Mr. Gardner will draft a letter addressed to the Gary Park Board outlining the Commission's intentions of use for the lands and stating our intentions of relocating the greenhouse.

Interim Flood Control Committee - Committee Chairman Clyde Baughard reported that a contract has been received from Conrail giving permission to the Basin Commission to enlarge the culverts at Martin Luther King Drive. However, it is felt that the contract is very one-sided to their benefit. The attorney will

LCRBDC
May 3, 1990
Page 4

contact Conrail and work toward developing another contract. This is a project of the Basin Commission's but since that Commission expires at the end of 1990, it will be the Development Commission that follows through.

Breakwaters/Marina Committee - Committee Chairman William Tanke referred to letter contained in packet from John D'Aniello of the Corps stating that the Corps proposes to dredge sediment from the Burns Waterway and Small Boat Harbor project. Mr. Gardner stated that the dredging work is scheduled for 1991. Staff responded to letter by stating the Commission is supportive of dredging as soon as possible. The Commission is also very supportive of depositing all clean material on the westward side of the west breakwater to provide beach nourishment.

Mr. Gardner also referred to the letter from Dale Engquist, IN Dunes National Lakeshore, stating their support for the dredging work but listing conditions/suggestions to be implemented.

There has been no progress on the sand removal issue. The Commission has received the signed agreement from the Dept. of Natural Resources that will transfer \$44,000 to the Commission for the purpose of testing sand at the marina site to determine its suitability, to obtain necessary permits needed, and to use remaining monies to excavate/transport/deposit sand as beach nourishment.

Mr. Gardner has received no response in identifying a time and date for the Commission to appear before the Union Board to acquire a waiver from them in regard to sand removal.

Mr. Gardner stated he attended the Portage hearing last week regarding the marina permits. Since the Commission is now named as an intervenor, he will be attending the hearings.

In the agenda packet, there is a letter of interest for the development of a public marina from Marquette Yacht Club. Staff has responded with a letter for them to meet with the Board with a plan layout and a financial plan identified.

Bill Tanke made a motion for staff to write a letter to the Governor's Office stating our position on sand removal and check with the city to see if the Commission can re-activate the previous sandmining permit so it is current; motion seconded by Bill Critser; motion passed unanimously.

LCRBDC Minutes
May 3, 1990
Page 5

Statements from the floor - Bob Bicke, resident of Black Oak, expressed concern about open sewage into the ditch and the quality of the standing and drainage water in the area. The ditches outfall into the river and it is a severe problem that needs to be addressed.

Also discussed was the development of plans for sewers in Black Oak. Sewers along Burr Street would replace the ditches through phased projects as funding was accessed.

There being no further business, the meeting was adjourned at 8:00 p.m. The next meeting was scheduled for June 7, 1990.

/sjm

