

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
 HELD AT 6:30 P.M. THURSDAY, MARCH 2, 1995
 AT THE COMMISSION OFFICES
 6100 SOUTHPORT ROAD
 PORTAGE, INDIANA

Chairman Chuck Agnew called the meeting to order at 6:40 p.m. Nine (9) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson
 Charles Agnew
 Steve Davis
 Robert Huffman
 Robert Trelo
 Emerson Delaney
 Nathaniel Leonard
 William Tanke
 Arlene Colvin

Staff:

Jim Pokrajac
 Dan Gardner
 Lou Casale
 Sandy Mordus
 Judy Vamos

Visitors:

Sandy O'Brien - Sierra
 Jim Flora - R.W.Armstrong
 Ken Smith - Div. of Water, DNR
 Pete Zak - South Shore Marina
 Mary Jane Zak - " "
 Bill Petrites - Highland
 Earl Robertson - Lake Station
 Liz McCloskey - U.S. Fish &
 Wildlife
 Terry McCloskey - Izaak Walton
 Denis Buksa - Munster
 Herb Read - Izaak Walton
 Charles Siar - Izaak Walton
 Richard Comer-Deputy Mayor, Gary
 Shew Linsenmans - Valparaiso
 Macarthur Drake - City of Gary
 Mara Candelaria - Congressman
 Visclosky's Office
 Courtney Van Lopik - Portage
 Journal
 Robert Frum - Lefty's CoHo

The minutes of the February 2, 1995 meeting were approved by a motion from George Carlson; motion seconded by Nathaniel Leonard; motion passed unanimously.

Executive Director's Report - Mr. Gardner spoke on the ongoing progress in working with the city of Gary in trying to secure a resolution from them, thereby authorizing the easements the Commission needs for the levee construction. A resolution has been passed at the Gary Park Board meeting and a similar one needs to be passed at the Gary Council meeting on March 7th.

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Mr. Gardner reported on the meeting held in Indianapolis with INDOT on 2/8/95. Meeting with Stan Smith, INDOT Commissioner, were Dave Hunter from the Corps office, Mara Candelaria from the Congressman's Office, Mayor Barnes of Gary and Arlene Colvin, Commission member and himself. The primary issue was Grant St. interchange reconstruction issue. Mr. Gardner and Arlene both felt the meeting went very well and Arlene added she anticipates that INDOT will move up Grant St. on their list of projects.

Attorney Lou Casale talked on his progress in drafting a revised lease to submit to the city of Gary relative to the property they wish to lease at Clay Street for a riverboat casino. Last month the Commission directed him to draft up a revised lease and he is in the process of doing that and will share it with the Commission as soon as he can. Mr. Gardner added that the city's lease did not cover all the areas that need addressing - environmental, being one. It will be back before the Board at a later date for final approval.

Mr. Gardner referred to the Corps letter to Mayor Dedelow regarding the development of the Hammond-owned Oxbow area. Because of the Mayor's keen interest in the development of this area, Mr. Gardner would recommend that we pursue it with the Corps and participate in development up to our maximum which is 50% cost shared with the Corps. Mr. Carlson stated he desired the project park development to be taken out of sequence and directed staff to write a letter back to the Corps requesting such and stating that the Commission would cost share up to the maximum (capped in at about \$200,000). Mr. Carlson made a motion to that effect; motion seconded by Emerson Delaney; motion passed unanimously.

Mr. Tanke referred back to the motion made at the last Commission meeting authorizing the Chairman and attorney to further negotiate with the City for a lease for the Clay Street property and that it be accomplished within the next 30 days. Mr. Tanke would like to extend that 30 day time limit. He also indicated that the Commission has not received a hold harmless from the City yet. Mr. Tanke then made a motion to extend the agreement for another 30 days contingent upon the city of Gary furnishing to the Commission a hold harmless agreement immediately; motion seconded by George Carlson; motion passed with one abstention from Steve Davis. Deputy Mayor Comer informed the Commission that negotiations and talk has been ongoing with the appropriate people they were told to work with and that a hold harmless clause has been a part of the lease but the city will separate that hold harmless clause out of the lease and deliver it tomorrow to the Commission.

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Land Acquisition Committee - Committee Chairman Arlene Colvin reported that motions and current activities involving land acquisition have already been reported on. Grant Street interchange reconstruction and Gary Park land issues have already been addressed. Any other land acquisitions issues are ongoing.

Project Engineering Committee - Committee Chairman Bob Huffman reported that actual construction at Wicker Park Manor in Highland (Stage V-1) has not begun yet after the winter but should be restarting very shortly. He referred to the revised schedule and cost estimation for the east reach construction segments that was provided in the agenda packet.

Legislative Committee - Committee Chairman George Carlson talked about the meeting co-hosted by Rep. Chet Dobis and Rep. Tim Fesko and the Congressman on 2/17. Commissioners Chuck Agnew, Emerson Delaney, Bob Huffman, Bill Tanke and George Carlson were in attendance. There were several legislators in attendance. Mr. Carlson commended Dan on doing his usual excellent and thorough job in stating the reality of the repercussions regarding federal dollars being lost if the \$8 million is not appropriated. Mr. Carlson stated he has been in communication with newly elected Senator Sandy Dempsey and stressed the importance of the needed monies to her. Mr. Gardner added that a mailing has gone out to all legislators and mayors/council presidents. He also indicated that he has since talked to Rep. Dobis who had talked to Jean Blackwell, State Budget Director, and had indicated that the \$4 million of Build Indiana Funds has not been lost. We still are able to access it. If that is the case, then only \$4 million of new money in this biennium would be necessary. Mara Candelaria from the Congress- man's Office inquired about the time frame as to whether those funds would be still available and Mr. Gardner answered that he was told they would be. They are not lost.

Marina/Breakwater Committee - Committee Chairman Bill Tanke referred to the weekly construction report letter from Abonmarche listing up-to-date marina progress. Sheetpiling is completed. A meeting was held last week with Dyer & Superior, with Abonmarche and the city present, to re-negotiate for the remaining sand removal. Dyer will also clean up the north slope; maybe planting some grass.

Attorney Casale reported that the Commission has received a notice of claim (not a lawsuit) from four property owners along the shoreline alleging that certain damages has occurred to their property caused by the breakwater construction. Lou has notified the Commission's insurance carrier.

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Mr. Tanke made a motion authorizing Abonmarche to proceed with Task #9 for a total cost not to exceed \$19,840 subject to review by himself, staff and attorney. It was questioned whether the amount is an estimate or the actual cost. Staff will verify. Motion was seconded by Nathaniel Leonard; motion passed unanimously.

Mr. Tanke then made a motion authorizing Task #7I for \$1,840 per month for a total of 8 months not to exceed \$14,720 total based on itemized statements from Abonmarche; motion seconded by George Carlson; motion passed unanimously.

A marina committee meeting needs to be scheduled shortly. There needs to be further discussion on what work needs to be done next.

Finance/Policy Committee - Treasurer Nathaniel Leonard gave the treasurer's report. Mr. Leonard made a motion to approve the financial status report for January as well as the claims amounting to \$42,997.69; motion seconded by Bob Huffman; motion passed unanimously. Mr. Huffman inquired about the claim for \$17,200 for IDNR and Mr. Gardner responded that it is a yearly claim we receive for the maintenance of the gaging stations.

Other Business - Mr. Gardner introduced Judy Vamos, recently hired on contract by the Commission as a land acquisition agent.

He then proceeded to thank Mara Candelaria for her help in arranging the Congressman to be at the legislative briefing held in Rep. Dobis' office.

He also referred to the letter received from Bill Dull, State Director in Washington from the Senate office.

Mr. Gardner referred to the letter received from Chuck Siar, President of the Izaak Walton League, stating their environmental concerns with the site selection of a riverboat casino at Clay Street. He reiterated that environmental concerns were important to the Commission also and they would be addressed accordingly. Any action taken must be taken at a public meeting.

Bob Huffman asked Deputy Mayor Comer if the city has received any thing back yet as to soil boring results. Mr. Comer said he did not think so but would check and make sure the Commission received a copy of their findings when they were available.

Nathaniel Leonard inquired about the yearly lease fee. Attorney Casale stated that the lease income would come to the Commission and our rationale would be that it be used for maintenance costs for the flood control/recreation project.

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Statements from the floor - Chuck Siar from the Izaak Walton League thanked Mr. Gardner for his remarks in addressing the Izaak Walton League's concerns. He stated that they do not want to see any lease dollars going to the General fund but want to see them stay within the Commission and be used for maintenance.

Herb Read asked that the minutes of the last meeting be corrected to clarify his statement that the old DNR recreation plan that was created in the mid-70's that is on file was developed as part of the total flood control/recreation plan and not as it was implied that it was a previous separate project. That plan has not been abandoned. He suggested a copy of the organized 1976 League resolution be made part of the minutes to clarify their position.

Terry McCloskey asked attorney Lou Casale about sites that were used as dump sites at one time. He asked whether any environmental impact studies have been performed on these sites? He feels this should be the Commission's #1 priority. Mr. Huffman stated that is some of the reason for the soil borings on the Clay St. site - to determine the soil conditions to see if the site is even compatible before we would grant any lease.

Bob Frum from Lefty's Coho Landing asked the Commission to ask the contractor at the marina site to not start sand removal before 8 a.m. (last summer, he stated they started as early as 5 a.m.). Mr. Gardner informed him we would request that of the contractor.

There being no further business, the next Commission meeting was scheduled for Thursday, April 6, 1995. That meeting will be held at the Highland Town Hall in Highland.

/sjm

