

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:30 P.M. THURSDAY, MAY 4, 1995
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman Chuck Agnew called the meeting to order at 6:40 p.m. Eight (8) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson
Charles Agnew
John DeMeo
William Tanke
Robert Huffman
Robert Trelo
Emerson Delaney
Steve Davis

Staff:

Dan Gardner
Jim Pokrajac
Lou Casale
Sandy Mordus
Judy Vamos

Visitors:

Jimmie Tibbs - Black Oak
Jim Flora - R.W.Armstrong
Melanie Ellison - IDNR, Div. of
Water
Pete Zak - South Shore Marina
Mary Jane Zak - " "
Bill Petrites - Highland
John Mitchell - Hammond
Denis Buksa - Munster
Ken Smith - IDNR, Div. of Water
Herbert Harris - Black Oak
Rex Sherrard - SEH, Griffith
Dave Taborski - Black Oak
Kim Steele - The Times

The minutes of the April 6, 1995 meeting were approved by a motion from William Tanke; motion seconded by George Carlson; motion passed unanimously.

Executive Director's Report - Mr. Gardner spoke on the unresolved situation in working with the city of Gary in trying to secure the signed easements needed for the levee construction. A resolution was approved at the last Gary City Council meeting but nothing was signed and we now understand that it has to be approved by the Board of Public Works. We are hopeful that the signed easements will be coming very soon. Mr. Gardner stated that the city interest is still there for the 179 acre parcel owned by the Commission. The Mayor has met directly with the Governor but no decision has been made on the 179 acres. The Governor has promised a decision no later than Wednesday, May 10th. Attorney Casale added that it is very unfortunate that after we thought we had reached a mutual agreement (after years of efforts) with the Gary Park Board, the city has now added additional requests as a condition for signing the easements. Regarding the 179 acre parcel that the city has an interest in, Mr. Casale reiterated that we are not able to transfer or sell land that was purchased for the

LCRBDC Minutes
April 6, 1995
Page 2

project. Since the land was bought with state dollars, the Governor must approve the transaction. We have tried to separate the two issues - the signed easements vs. the 179 acre parcel but the city refuses to sign the easements until a declaration is made on the 179 acres. Mr. Gardner added that the Congressman is very concerned about losing the \$9.2 million project construction dollars he fought to obtain. The Corps is also very frustrated that we are not able to move forward. A special meeting may have to be called if timely response is not received and agreeable settlement to the easements reached.

Commissioner Bob Trelo stressed that we should document all letters, phone calls, time spent in all our efforts for our own protection in case there is any flooding.

Commissioner Bill Tanke inquired about the pending postal facility and how plans for it are proceeding. Mr. Gardner answered that the area where the physical postal building would sit is actually above the 100 year flood elevation. The surrounding area is not. Technically, the building could be built because it would not sit in the floodplain.

Mr. Gardner informed the Commission that the Corps held an environmental meeting here in our offices today. One item discussed was the Supplemental Environmental Impact Study. Ken Smith from DNR said that the document is out for review now with April 10th being the deadline for comments. Thus far, there have been no comments received but there is still time for public comment.

Mr. Gardner referred to a letter from the town of Highland sent to INDOT requesting the removal of built-up debris at the U.S. 41 bridge over the river. Since the contractor doing the levee work is still in the area, it would be convenient for INDOT to contract with him to do this removal since equipment is already at the site. George Carlson made a motion for staff to send a support letter to INDOT that we, too, encourage the debris clean-up; motion seconded by Robert Huffman; motion passed unanimously.

Land Acquisition Committee - Vice Committee Chairman Emerson Delaney made a motion to offer \$2,500 for DC463; motion seconded by Robert Trelo; motion passed unanimously. Mr. Delaney then made a second motion to offer \$1,000 for DC385; motion seconded by George Carlson; motion passed unanimously.

The Corps Real Estate meeting was held on April 17.

LCRBDC Minutes
April 6, 1995
Page 3

Project Engineering Committee - Committee Chairman Bob Huffman reported that construction at Wicker Park Manor in Highland (Stage V-1) is ongoing. Landscaping contract is a separate contract. A meeting is scheduled with the town of Highland regarding the landscaping plan and maintenance in that area. Mr. Huffman asked about the residents having any participation in the landscaping plan. Mr. Gardner replied that they should have review and input. It is understood that only certain kinds of plantings will be allowed on the levee. First, staff will meet just with the town and then later schedule something with the residents whose back yards are affected.

When asked about the FEMA status, Mr. Gardner answered that as it now stands, the last letter received from FEMA stating that the bridge over the river at U.S. 41 must be raised first before the area comes out of the floodplain. That bridge raising, as we now understand it, should happen in 1996. Ken Smith from IDNR is still hopeful that conversations with FEMA will cause them to change their position. Mr. Gardner stated he will talk further with the Congressman's local office regarding this.

Attorney Lou Casale presented to the Commission an agreement for their approval to removal clay material at the Merrillville Crossing site. He explained some of the highlights of the agreement. Mr. Huffman made a motion to enter into the agreement; Emerson Delaney seconded the motion; motion passed unanimously. A second agreement will be forthcoming to sign with a property owner to store the material on his land until needed for the levee construction.

Legislative Committee - Committee Chairman George Carlson deferred to Mr. Gardner for an update of the General Assembly session. Mr. Gardner reported that the Commission received a \$2 million appropriation this session and we just found out today that it is earmarked to come from the Build Indiana Fund. We would have preferred the General Fund. In the past, we were not able to draw from Build IN money. Representatives Dobis and Fesko had indicated earlier that those funds previously received from Build Indiana monies in 1989 and 1991 should now be able to be released. Mr. Gardner indicated that we are currently drawing from \$1.6 million allocated to us. Mr. Gardner also stated that \$1.2 million was received by the Marina Development Commission earmarked for Portage marina.

Mr. Tanke inquired about staff obtaining a listing from the State Budget Agency containing all the amounts of monies that was appropriated and the fund in which they were received.

LCRBDC Minutes
May 4, 1995
Page 4

Mr. Gardner also commended the area legislators for their help in securing the \$2 million appropriation. He especially appreciated the extra effort that Mayor Dedelow showed in his vocal support to Rep. Turpin on behalf of the Commission's funding.

Marina/Breakwater Committee - Committee Chairman Bill Tanke referred to the marina progress update from Abonmarche. He suggested to Commissioners that if they have not been by the site recently, they should go and see the progress that has been made there; it is now really starting to look like a basin.

Mr. Tanke referred to the Corps marina permit in which he would like to see it modified to include all the sheetpiling installation and not just partial installation. Mr. Gardner referred to the Abonmarche letter sent to the Detroit Corps office regarding the modification request. Communication is ongoing.

Finance/Policy Committee - In Treasurer Nathaniel Leonard's absence, Mr. Gardner gave the treasurer's report. After adding a claim of \$2,400 for the purchase of DC446 to the claim sheet, Mr. Gardner asked for a motion. Mr. DeMeo made a motion to approve the financial status report for March as well as the claims; motion seconded by Bob Huffman; motion passed unanimously. Pete Zak of South Shore Marina informed the Commission that the handrails have been installed on the breakwaters.

Other Business - There was no other business.

Statements from the floor - Bill Petrites, property owner along Indpls. Blvd. in Highland, informed the Commission that he has been dealing with INDOT for some land/ROWs needed from him to do the bridge raising at U.S. 41 and stated that the project is a 2-year project. The east side will be done first and then the west side the next year. The end of 1997 would be the soonest it would be completed.

Chairman Chuck Agnew stated an attempt would be made to hold the next meeting in Gary. Staff will pursue setting up a meeting at I.U. Northwest in Gary for possibly the July meeting.

There being no further business, the next Commission meeting was scheduled for Thursday, June 1, 1995 in Portage.

/sjm

