

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:30 P.M. THURSDAY, JANUARY 4, 1996
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman Chuck Agnew called the meeting to order at 6:35 p.m. Ten (10) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

Charles Agnew
William Tanke
Robert Trelo
Steve Davis
Robert Huffman
Emerson Delaney
Nathaniel Leonard
John DeMeo
Nathaniel Leonard
Arlene Colvin

Visitors:

Jim Flora - RWarmstrong
Rex Sherrard - SEH, Griffith
Robert Frum Jr. - Lefty's Coho
Fred Grady - Attorney, Lefty's
Pete Zak - South Shore Marina
Mary Jane Zak - " " "
John Hannon - City of Portage
Gregg Sobkowski - Portage
John Reed - The Times

Staff:

Dan Gardner
Jim Pokrajac
Lou Casale
Sandy Mordus
Judy Vamos
Melissa Stefanovich

A correction to the minutes was made on page 3 - The last paragraph incorrectly stated the date of the next meeting to be Wednesday, December 6, 1995. It should have read the date of the next meeting was scheduled for Thursday, January 4, 1996. The minutes of the December 6, 1995 meeting were then approved by a motion from Robert Huffman; motion seconded by Arlene Colvin; motion passed unanimously.

Arlene Colvin gave the report of the Nominating Committee for new officers for 1996. Nominations were:

Chairman - William Tanke
Vice Chairman - Robert Huffman
Treasurer - George Carlson
Secretary - Robert Trelo

There were no other nominations from the floor. John DeMeo made a motion that nominations be closed; motion seconded by Arlene Colvin; motion passed unanimously.

Arlene then made a motion to elect the slate as officers for 1996; motion seconded by John DeMeo; motion passed unanimously.

At that point, outgoing Chairman Chuck Agnew presented the gavel to incoming Chairman Bill Tanke. Mr. Tanke commended Mr. Agnew on the excellent job he did as chairman for the year 1995.

Chairman Tanke referred to the Committee List that all Commissioners had received. If any changes need to happen, let staff know. Otherwise, committees stand as presented.

Executive Director's Report - Executive Director Dan Gardner reviewed the Commission meeting just held on December 16th. Discussion included priority projects for the new year. Mr. Gardner also informed the Commissioners that he met with Mayor King and briefly discussed the project. A more in-depth meeting will be scheduled with the Mayor in the very near future.

Chairman Tanke referred to the NIRPC Services Contract for 1996. Mr. Gardner informed the Board that there were no major changes from last year's contract. Mr. Carlson questioned why NIRPC should control the salaries of staff and not the Board itself. Mr. Gardner explained the criteria used for basing salaries and how, as staff are NIRPC employees, they must follow the procedure. Attorney was directed to research methods of Board input and compensation for staff working for the Development Commission. Mr. Agnew then made a motion to approve and enter into the contract with NIRPC; Bob Trelo seconded the motion; motion passed unanimously.

Mr. Gardner referred to a Corps letter in the packet from Paul Benkowski, Chief of Real Estate, regarding the east reach remediation post authorization change. This is the COE request to extend the scope of the project to include the proposed remediation of the east reach as a Federal cost-shared project segment. In order to obtain a DNR permit, the area east of the project must be included as a remediation area.

Mr. Gardner also referred to the notice that went out to all residents living in or near the remediation area announcing a community forum meeting to take place January 11th at the I.U. Northwest Conference Center. Commissioners are invited.

Land Acquisition Committee - Committee Chairman Chuck Agnew made a motion to approve a negotiated settlement on two properties to avoid condemnation - DC321 for \$2,000 and DC458 for \$5,000; motion was seconded by Bob Huffman; motion passed unanimously.

Mr. Agnew then made a motion for staff to proceed with the condemnations of DC224 (Lot 20 Block 17 Tolleston Club Properties); DC230 (Lot 29 Block 17 Tolleston Club Properties); DC240 (Lots 13 & 14 Block 18 Tolleston Club Properties); DC333 (Lot 25 Block 29 Tolleston Club Properties); DC307 (Lot 10 Block 22 Tolleston Club Properties); DC322 (Lot 6 Block 22 Tolleston Club Properties); motion seconded by Arlene Colvin; motion passed unanimously.

Mr. Agnew then made a motion to enter into a lease with the Northwest Indiana Food Bank to farm some 50 acres of land owned by the Commission between Chase & Grant Streets for \$1/year; motion seconded by Emerson Delaney; motion passed unanimously.

Project Engineering Committee - Committee Chairman Bob Huffman gave the report. He reported that a meeting had been held concerning the recreational trails, basically in the Woodmar Country Club area. Commissioner George Carlson said he would have liked to attend that meeting and, in the future, notify him (as well as the other Commissioners) of any meetings that take place in their perspective area of interest/jurisdiction. Mr. Gardner added that this particular meeting was not called by us but we would, in the future, make sure Commissioners are aware of upcoming meetings.

Mr. Huffman stated that staff met with the Corps regarding the betterment levee on December 8th. Mr. Gardner added that the Corps is going back to the drawing board to see what further changes could be made in order to bring down the cost of that levee section. The Corps originally were going to just floodproof the houses in the area and that was not acceptable to either us or the city. They designed the betterment levee at the Commission's request and it will be the Commission's obligation to finance it. As it has now been presented to us, it is not feasible for the Commission to commit to the design as it exceeds funding available.

Marina/Breakwater Committee - Committee Chairman Bill Tanke introduced John Hannon, city engineer for Portage, who gave a brief report on the status of contracts for the marina. There will be status/construction meetings every Wednesday at 8:30 a.m.

The attorneys for the Commission and the city have worked out language to amend the inter-local agreement between the Commission and the city. The bank where we are financing the bond has requested the language to insure revenue payback. Attorney Casale read the language change: "In the event that income derived from said fees and charges is not sufficient to defray the financing costs, including but not limited to, repayment of revenue bonds, operational costs and expenses of the facilities, the resulting deficit shall be financed by Portage.

The Commission may, from time to time, at the request of Portage, grant funds to help defray any such deficit." The other language change was extending the deadline for the parties to obtain the necessary financing to design and construct the project until December 31, 1997. John DeMeo made a motion approving the revision insert and having the city approve it by January 17th; motion seconded by Bob Huffman; motion passed unanimously. City of Portage attorney Gregg Sobkowski stated that the Mayor supports the language insert and both the Board of Public Works and the City Council will approve it as will the Mayor.

Mr. Tanke referred to a request amendment from Abonmarche for additional monies for additional work they performed that was not covered in their original proposal. Mr. Tanke recommended the request be tabled.

Finance/Policy Committee - Treasurer George Carlson gave the financial report. Mr. Carlson made a motion to approve the financial status statement ; motion seconded by Chuck Agnew; motion passed unanimously. Mr. Carlson then made a motion to approve the Monthly Budget Report for December; motion seconded by Bob Trelo; motion passed unanimously. Mr. Carlson then made a motion to approve the NIRPC services bill; motion seconded by John DeMeo; motion passed unanimously. Mr. Carlson then made a motion to approve the claims for payment totaling \$58,422.46; motion seconded by Chuck Agnew; motion passed unanimously. Mr. Carlson then made a motion to adopt the Operating Budget for 1996 as presented; motion seconded by John DeMeo; motion passed unanimously.

Treasurer George Carlson requested staff to schedule a finance meeting. Several items need discussion and he directed the attorney to research staff compensation status.

Other Business - There was none.

Statements from the floor - Robert Frum Jr. from Lefty's Coho inquired as to whose responsibility it was to dredge the channel. He stated that several vessels could not get out of the waterway last month because dredging needs to happen. Mr. Gardner replied that it is the responsibility of the Corps of Engineers and he will pass that information onto them. City Engineer John Hannon added that money is earmarked in the budget for study this year but not for actual dredging. Chairman Tanke said we would investigate and let Mr. Frum know of our findings.

There being no further business, the next regular Commission meeting was scheduled for Thursday, February 1, 1996 in Portage.