

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, MAY 1, 1997
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
HIGHLAND, INDIANA

Chairman Bob Huffman called the meeting to order at 6:40 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

Robert Huffman
Robert Trelo
William Tanke
Steve Davis
Roger Chiabai
Charles Agnew
George Carlson
Arlene Colvin
Marion Williams

Visitors:

Jim Flora - RWArmstrong
Denis Buksa - Munster
Mike Doyne-Portage Public Marina
Pete Zak - South Shore Marina
Ken Smith - IDNR, Div. Water
Jomary Crary - IDNR, Div. Water

Staff:

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

The minutes of the April 3, 1997 meeting were approved by a motion from George Carlson; motion seconded by Roger Chiabai; motion passed unanimously.

Chairman Bob Huffman and Executive Director Dan Gardner both welcomed Marion Williams as an appointee to the Commission. He will serve out the term of Nathaniel Leonard, who is off on sick leave.

Executive Director's Report - Mr. Gardner talked about the joint venture agreement we have with Lake County Parks Dept. in regard to Deep River borrow site. A Memorandum of Intent for Closure of the Deep River borrow site was signed by both Bob Nickovich, Supt. of the Parks Dept. and Mr. Gardner. Attorney Casale went over the points outlined in the Memo. The Lake County Parks Dept. also passed a resolution regarding same. Mr. Casale presented a resolution to be adopted by the Board members. After reading Resolution 97-5, Mr. Carlson made a motion to approve the resolution; seconded by Chuck Agnew; motion passed unanimously.

Mr. Gardner referred to the letter in the agenda packet from the COE regarding the Recreation Phase 1 contract. The low bidder was Dyer Construction Company coming in at \$1,049,577.21. Mr. Gardner added that the low bid was just a little higher than the estimate.

Staff is working on obtaining approval from IDNR to add on recreational features to the existing permit. The OxBow area will be the first area of recreation to be done. Regarding recreation at Lake Etta, the Lake County Parks Dept. and the Commission will jointly share in the cost of the additional parking lot on the east side (total cost \$39,600 - \$19,800 each).

Land Acquisition Committee - Committee Chairman Chuck Agnew reported that there were no increased offers this month. Mr. Agnew made a motion for staff to file condemnation proceedings on DC117; motion seconded by Bill Tanke; motion passed unanimously.

Mr. Agnew reported that the Clark/Chase St. borrow site is the suggested site for Stage IV Phase 2B. Before the borrow site is used for clay material, top soil will need to be removed. We have received a request letter from Dyer Construction wanting to purchase the soil. Mr. Agnew made a motion to deny the request at this time; motion seconded by Bill Tanke; motion passed unanimously. It was felt that it is too premature to sell off the top soil now; we may have another use for it later. The soil has met the COE specifications.

Mr. Agnew informed the Board members that the greenhouse is almost completed. Pictures of it were passed around.

A proposal from Mr. Witvoet from Chase Street Produce was distributed to Board members. They will review proposal and it is tabled until next meeting. Mr. Witvoet is asking for several areas of improvement to increase his business/exposure.

Attorney Casale presented Addendum #6 addressing the shared cost of the Lake Etta parking lot. Mr. Agnew made a motion to approve the addendum as presented for a cost not to exceed \$19,800; motion seconded by Bob Trelo; motion passed unanimously.

Project Engineering Committee - Committee Chairman Bob Huffman informed the Board that the Gary Sanitary District has provided the monetary deposits to NIPSCO for utility power installations to all 4 pump stations in the east reach. He also announced that construction will be beginning for the Burr Street (betterment) pump station. Scheduled completion is June 1998.

Soil borings are being taken at the Burr Street levee area between Arbogast and the EJ&E RR.

Discussion was held on the Cady Marsh project. Griffith has expressed great concern over the total cost estimated and the local share. This project has a cost and engineering impact on the Little Calumet River project. Staff will report at later meeting of developments.

Haul routes and road closures were approved by the Gary Public Works Dept. for the upcoming construction projects in 1997.

Staff held pre-bid meeting on 4/24 to review scope of work for clean-up of possible hazardous materials from the old greenhouse site. Also reviewed were the IV-2B structures for clean-up. Bids on due on May 9th.

Legislative Committee - Committee Chairman George Carlson referred to the 5 key points of the project construction that were prepared for the state legislative session. (1) importance of continued funding for overall project; (2) project 35% complete with \$5.3 million of Federal dollars earmarked for Little Calumet River project; (3) budget request was for \$4 million; a minimum of \$2 million is needed to avoid serious construction delay; (4) project will protect some 10,000 residences, businesses and institutions along the river; and (5) schedule of ongoing construction commitments, as well as timing and funding requirements.

Mr. Carlson elaborated on the non-passage of the state budget. Although the Senate version had included us for \$2 million, the House voted against the budget. Roger Chiabai, as Republican Chairman, went to Indianapolis and was able to talk to a few key legislators on the Commission's behalf. Chairman Huffman thanked both Roger and George Carlson for talking to area legislators. When the budget is passed, we are hopeful that the Commission will be put back in for at least a \$2 million appropriation. Mr. Chiabai added that the smaller local budget items were not the problem but funding for the schools was a main issue problem. Dan Gardner added that also deleted from the proposed budget was \$5 million for sand erosion and \$2 for marina funding.

Staff will contact State Budget Agency to see if a date for a budget hearing is scheduled. It is imperative that we be on the next hearing agenda for the allocation of the \$2 million from appropriated funds in 1991. We have nearly depleted our available funds at present.

Marina/Breakwater Committee - Committee Chairman Bill Tanke reported that he and Dan Gardner met at the marina site last week with John Hannon and Mike Doyne. As a result of that visit to the site, discussion ensued on a draft letter staff has written to Abonmarche concerning problems with water line freezing, dislodgement of fender pilings, exclusion of posts from dock specs, etc. Several of these problems were brought to the Board's attention at the last Commission meeting. Mr. Tanke referred to Mike Doyne, harbormaster, who concurred that the letter summarizes some of the ongoing issues that need addressing. He went into detail on the specific problems. Mr. Gardner indicated that the city has taken the position that they should not be responsible for payment of this repair work. They feel it is the obligation of the contractor or engineering firm. Mr. Tanke also questioned why lettering of the Portage Public Marina was not on all 4 sides of the marina tower as originally designed.

Mr. Tanke reported that the sign advertising the marina is down. The adverse weather and high winds from the storm disfigured the sign and it came loose from posts. We have 3 options: (1) repair existing sign at a cost of \$944.40; (2) replace with a larger sign for a cost of \$16,326 minus a credit for old sign for a total cost of \$15,366; or (3) purchase the larger sign and in addition to that cost, repair the old sign and put it by the entrance road. There is still money in the marina construction bond account that would pay for the signs. If we do pay out of this account, it would eventually be reimbursable by the city. Mr. Tanke made a motion to purchase the larger sign and put the small sign at the 249 entrance road; motion seconded by Chuck Agnew. Further discussion ensued. Attorney Casale suggested we wait and talk to the city first. Mr. Tanke amended the motion to table the action at this time; motion passed unanimously. Mike Doyne added that if any money is currently available, it would be wise to spend it on an additional parking. When they are really busy with launch lanes, there is not enough parking available. Mr. Doyne was asked if Dyer Construction still has anything on the site that needs to be removed. He indicated that some equipment is still there as well as some empty fuel tanks. Mr. Tanke suggested staff write a letter to Dyer Const. to remove all equipment and such by a certain date. Attorney Casale will research to see what is legally required of the contractor after he finishes his work at a site.

The RFP for Phase 2 marina development was discussed. Mr. Gardner stated that it has not gone out for bids yet. It is prepared and ready to go but not released yet. City wants to wait to see if additional marina money will be approved by the State Budget session. Also, once the weather breaks, it can be determined what

landscaping needs to be replanted to stay in compliance with the permit. Staff will stay in contact.

Discussion took place regarding NIPSCO high tower lines. Mr. Tanke's concern is that the signs we have posted to alert drivers of the NIPSCO lines are adequate and satisfactory to NIPSCO. Attorney Casale stated that there is nothing in the lease which addresses this issue. Staff will follow up with NIPSCO in order to be sure we are in compliance.

Finance/Policy Committee - Treasurer Chuck Agnew gave the financial report. He referred to a revised monthly budget report for April redistributing the greenhouse cost to Budget Code 5860 from Budget Code 5883. Mr. Agnew made a motion to approve the financial status statement for March and approve the claims for payment totaling \$146,644.38; motion seconded by George Carlson; motion approved unanimously.

Mr. Agnew referred to the two COE letters in the packet withdrawing \$300,000 from the project construction escrow account and \$50,000 from the design escrow account.

Other Business - Attorney Casale announced that Attorney Melissa Stefanovich is leaving to take a legal position with the IDNR. Chairman Bob Huffman expressed his and the Commission's appreciation to Melissa for all her hard work.

Discussion ensued on the new structure format of the meetings. Mr. Carlson commented he liked it; he thought it was a fuller discussion period where more detailed information was given out.

Commissioner George Carlson made a motion that it shall be the policy of the Commission to provide each member with an opportunity to serve annually as an officer of the Commission or as a Committee Chairman on an equitable basis; motion seconded by Roger Chiabai. Much discussion ensued. Mr. Carlson explained that there are 4 officers and 5 committee chairmen. Two members have publicly stated they do not wish to hold either chair. Since the Board is made up of 11 members, that leaves 9 to serve. Other Commissioners felt it was unreasonable to mandate all 9 members to serve in an office/committee chairmanship capacity; some members do not want to serve in that capacity. It was determined that it would be a goal of the Commission to try to have as many members as possible serve but not to make it a policy. Motion passed with Bill Tanke and Chuck Agnew abstaining.

It was determined that, with Arlene Colvin's help, we will attempt to schedule next month's meeting will be at I.U.N.

Commissioner Bill Tanke discussed the making of a video of the project area. Board members viewed a sample video a few meetings ago; Tanke has recently met with the firm, Virtual Imaging and has recently met with staff and the COE regarding this. He presented a proposal from Virtual Imaging. Phase I of the project would cost \$3,700; Phase 2 & 3 would cost \$38,500 for a total of \$42,200. Commissioner Marion Williams stated that we should establish exact parameters of what it is we expect for our money and also we should seek proposals.

Commissioner Arlene Colvin inquired whether Phase I could be used with any video firm or whether it would be have to be redone if we went with another firm. Since Phase I is a basic aerial view, it was thought that it could be used with any firm. It was discussed that we would initiate Phase I now and see the results before we pursued Phase 2. The video would include the entire project area. Mr. Tanke made a motion to authorize Phase I; motion seconded by Arlene Colvin; motion passed unanimously.

Statements from the floor - There were none.

There being no further business, the next regular Commission meeting was scheduled for 6:00 p.m. Thursday, June 5, 1997.