

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**

**HELD AT 6:00p.m., WEDNESDAY, JULY 11, 2018**

**Location: MUNSTER TOWN HALL, Munster, IN**

Chairman Baker called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. An Executive Session/Work Study Session was held prior to the public meeting. There were seven (7) Commission members present at roll call. Quorum was declared.

**Commissioners:**

William Baker, Chairman  
Tom Wichlinski  
Dave Castellanos  
Derek Nimetz  
Ron Ware  
Levon Whittaker  
Tom Gozdecki

**Executive Director:**

Dan Repay

**Attorney:**

David Wickland

**Staff:**

Jodi Lambert

**Visitors:**

Tom Silich – Hobart Township Trustee  
Sam Henderson – Hoosier Environ. Council  
LuAnn Franklin – The Times  
Charlie Svitko – Munster  
Laurie Czulno – Hammond  
John Beckman – Catalysto Consulting  
Natalie Mills – USACE  
Lt. Col. Dan Hayden – USACE  
Barbara Whitaker - Munster  
Mark Gordish – City of Hammond  
Darren Olson – CBBEL  
Bernie Zemen – Highland Town Council  
David Nellans – Munster Town Council  
Carolyn Marsh – Whiting  
Peter Yackanich – Hammond  
Steve Truchan – Gary  
Linda Anguiano – Prog. Democrats of America  
Paul Daniels – Munster  
Terry Steagall – Highland  
Sandy O'Brien – Hobart  
Eakta Kamal – Munster  
Connie Wachala – Highland  
Erik Sprenne – NWIPA  
Tim Werner – Ciorba Group  
Scott Houldieson – Prog. Democrats of America  
Thomas Frank – Community Strategy Group  
Katie Kirley – Steel City Academy

**Approval of Minutes -**

Commissioner Whittaker made a motion to approve the minutes as presented; motion seconded by Commissioner Castellanos; motion passed with 7 aye votes.

**Chairman's Report –**

Chairman Baker welcomed all to the meeting and thanked them for attending. This Commission is tasked with the ongoing and deferred maintenance of this \$275 million man-made flood project. We do everything possible to make sure the devastation, as depicted in the pictures of the 2008 flood event, never happens again. Our priority is as a flood control project in partnership with our federal

partner, the U.S. Army Corps of Engineers. We are far better prepared now than we have been in the past. Every member of the Commission brings expertise and background from the private sector to assist in this project. The Commission continues the practice of meeting with the communities in the Watershed on a monthly basis to ensure we are ready in case of a flood event. The goal of this Commission is a true regional flood project.

**Finance –**

Chairman Baker referred to the June claims in the amount of \$593,361.36. Commissioner Ware made a motion to approve the claims as presented; motion seconded by Commissioner Whittaker. Mr. Repay explained a few of the claims starting with payment to Applied Ecological Services in the amount of \$143,074.00 for the Greiner Nature Preserve Restoration. Dyer Construction was paid \$94,833.12 for continued work on the 35<sup>th</sup> & Chase Grade Adjustment Project. This project will eliminate the current post and panel closure at that site. DLZ Engineering submitted a claim in the amount of \$65,915.00 for continued work on the Kennedy Avenue Bridge design. It is anticipated to bid this project in November of this year. S.E.H Engineering was paid \$41,281.10 for work on the Lake Station Flood Mitigation Project. They will present on their findings at a future meeting. \$7,032.00 was paid to Great Lakes Electrical Engineering for monthly pump station inspections and maintenance. Several blockages along the system were removed by Northern Indiana Mechanical for the total amount of \$7,562.05. Clearing work continues on Hart Ditch with payment made to Wiltjer Excavating in the amount of \$82,800.00. The Town of Highland was reimbursed \$4,394.57 for pump repairs necessary during the February rain event. Finally, Garcia Consulting Engineers was paid \$6,183.30 for their work during the USACE inspections. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 7-0.

**Executive Director's Report –**

Mr. Repay gave updates on some of the projects:

- The 35<sup>th</sup> & Chase Grade Adjustment Project is in the final phase with only seeding a few other punch list items remaining. This project was awarded to Dyer Construction at a previous meeting and will eliminate the post and panel closure at this location.
- The Harrison Street Bridge is about to begin. The road closures starts on Monday, with the project expected to be complete by Thanksgiving.
- The Clark Street Grade Adjustment Project is ready to advertise with bid opening at the August meeting.
- The Chase Street Pedestrian Bridge Project is also ready to advertise with bid opening at the August meeting.
- USACE Inspections for Griffith, Gary, INDOT and Pump Stations were completed. There were minor issues such as a few gates that needed repairs.
- A RFQ for the design of the Lake Station Levee will be issued later this month. The levee will be constructed on Deep River between Liverpool Road and I-94.
- A meeting was held with Lake County Commissioner Tippy and the Surveyor's office regarding Hart Ditch. The current thought is that the County would be made a regulated drain.
- The contract for the CFER Bridge over Deep River was signed with contractor IHC Construction, and work is expected to begin later this month.

- The Lake Station Flood Mitigation Project study has almost been completed by S.E.H. Engineering. They are expected to give a presentation on their findings at an upcoming meeting.
- Work continues on acquiring the remaining 30+ parcels in Gary as well as easements for the Pump Stations throughout the project area.
- We continue to move forward in the purchase of properties in Lake Station. Once complete we will be able to design a levee to protect over 200 residences in Lake Station.

**Update from the USACE -**

Natalie Mills of the USACE introduced the new Deputy Commander of the Chicago District, Lt. Col. Dan Hayden, and gave the following updates:

The USACE inspected the wall that had issues during the February rain event. A report is underway and will be shared when complete.

The State Line LOMR is within the 90 day statutory appeal period. Once the appeal period is closed, a 30 day administrative processing period is needed after which the LOMR will become effective.

Work continues on the Hobart Marsh Mitigation Project. The project is currently in year two of a five year contract with continued work on clearing, planting and fencing.

The In Project Mitigation Project is progressing. The Contractor is currently working on clearing and herbicide application.

Work on crediting continues to move forward. An additional 10.9 million dollars in INDOT credits was recently approved.

As requested by the Commission at the June meeting, the total project cost has been clarified by the USACE at 265 million dollars.

**Other Issues/New Business –**

Commissioner Wichlinski made a motion to approve the Merrillville Stormwater Utility – Meadowdale Lateral Floodwater Storage Basin Watershed Application in the amount of \$169,000.00; motion seconded by Commissioner Nimetz. Merrillville gave a presentation on this watershed project at a previous meeting. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 7-0.

Commissioner Gozdecki made a motion to extend the license agreement with Maya Energy, LLC until January 9, 2019; motion seconded by Commissioner Castellanos. Chairman Baker called for discussion on the motion.

Commissioner Whittaker stated his opposition to the project. He felt that any interested party should come before the Commission to discuss the layout and details of the intended project. He further stated that as a resident of Gary and the Gary Commission representative, there were better and more fitting projects for this area other than the Maya Energy Project.

Commissioner Castellanos spoke in favor of the Maya Energy Project. He felt that the project would bring much needed jobs and tax dollars to the City of Gary. He stated that the residents of Gary needed these job opportunities to support their families and live in the City of Gary.

Commissioner Whittaker further added that he sees the number of underprivileged people looking for assistance and job opportunities but feels that we need to set the tone for the types of businesses that are coming to the City of Gary. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passes 6-1 (Commissioner Whittaker nay).

**Statements from the Floor –**

Danielle Sieb, Gary, spoke against the Maya Energy Project. She stated that she loves having the Little Calumet River Trail nearby and this is rare in many urban environments. She further expressed concern for the pollution that will come with the project and asked the Commission to do their job in protecting the area.

Adrian Askew, Steel City Academy Student, spoke in opposition to the Maya Energy Project. She stated that the Maya Energy Project is the opposite of what the Commission is tasked to do in protecting the land.

Dr. Daria Deppow, Highland, expressed her concerns regarding water quality in the area and whether the Maya Energy Project would make it worse.

Daniel O'Brien spoke against the Maya Energy Project. He stated that the project was environmentally alarming, was not needed and would devalue adjacent areas.

Carolyn McGrady, Gary, thanked Commissioner Whittaker for his comments. She added that the Maya Energy Project was a bad idea and the IDEM Application was changed numerous times and did not make sense.

Thomas Frank, East Chicago, spoke in opposition to the Maya Energy Project. He felt the site in an economically disparaged community boded poorly for the intended mission of the Commission.

Eakta Kamal, Munster, stated that Matt Reardon was a partner in the Maya Energy Project and wanted to know what a license agreement was offered to him.

Steve Truchan, Gary Bridge & Iron, stated that he owns property adjacent to the proposed Maya Energy site and has been following the project since 2016. He further stated that the City of Gary Zoning did not send the proper notifications as required by law.

Linda Anguiano, Hammond, expressed her disappointment that the Commission extended the Maya Energy license agreement. She stated that she understands about the need for jobs, but this is not the right project. She thanked Commissioner Whittaker for his comments.

Diane Durochek, Highland, spoke in opposition to the Maya Energy Project. She felt the appointed Commission should listen to the public and not give in to private interests.

Carolyn Marsh, Whiting, stated that the Maya Energy Project was inconsistent with restoring the natural habitat in the area and not a positive addition to the area.

Scott Houldieson, Highland, stated that the public stated month after month their opposition to the Maya Energy Project. People will be at the meetings every month until the Commission does the right thing.

Eric Sprenne, NWI Paddling Association, gave an update on the paddling trip that was held on May 20<sup>th</sup>. He also felt that the Maya Energy Project did not fit with the mission of the Commission.

Pam Eanes, Munster, felt that extending the license agreement to Maya Energy was a slippery slope for the Commission and wondered what was next to be built. She further stated that the Maya Energy Project was not in line with flood protections.

Terry Steagall, Highland, spoke against the Maya Energy Project and stated his intent to challenge the license agreement. He felt the agreement was beyond the scope of the Commission and suggested getting a legal opinion from the Indiana Attorney General regarding the project.

Barbara Whitaker, Munster, stated she received the signed documentation from the USACE regarding the levee wall. She also spoke against the Maya Energy Project and does not understand why Northwest Indiana is the dumping grounds for Illinois.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, August 8<sup>th</sup>, at the Munster Town Hall.