

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 p.m., WEDNESDAY, FEBRUARY 15, 2023
Location: Munster Town Hall

Chairman Baker presided and called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. There were seven (7) Commission members present at roll call. Quorum was declared.

Commissioners Present:

William Baker, Chairman
Tom Wichlinski, Vice-Chairman
Tom Gozdecki, Treasurer
Levon Whittaker, Secretary
David Castellanos
Robert Ochi
Derek Nimetz

Visitors:

Dave Taborski – Gary
Gary Lee – Gary
Eric Sprenne – Highland/NWIPA
Lori Latham – Wessler Engineering
Blaine Howell – Wessler Engineering
Josh Grabijas – HWC Engineering
Carolyn McCrady – Gary (via zoom)

Commissioners Absent:

Ron Ware
Anthony Broadnax

Executive Director:

Dan Repay

Attorney:

David Wickland

Staff:

Jodi Lambert

Election of Officers -

Commissioner Wichlinski made a motion to re-elect the current slate of officers for the upcoming year: William Baker – Chairman, Tom Wichlinski – Vice-Chairman, Tom Gozdecki – Treasurer, Levon Whittaker – Secretary; motion seconded by Commissioner Nimetz. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 7-0.

Approval of Minutes -

Commissioner Gozdecki made a motion to approve the minutes from January 18, 2023, as presented; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 6-0. (Commissioner Whittaker abstained)

Chairman's Report -

Chairman Baker thanked the board for the vote of confidence as we move forward into 2023. The yellowing pictures from the 2008 flood event are shown at every meeting as a reminder of what can happen if maintenance on a man-made flood control

project such as this is neglected. He reminded all that the Commission is tasked with the continued maintenance of a 275 million man-made flood control project. There are numerous issues with the original design and decades of deferred maintenance that we are in the process of completing. However, this Commission is far better prepared than was in the past, but there is always room for improvement. We continue to work with Communities within the watershed so that events such as the flood in 2008 does not happen again.

Finance –

Chairman Baker referred to the February 2023 claims in the amount of \$631,804.09. Commissioner Whittaker made a motion to approve the claims as presented; motion seconded by Commissioner Castellanos. Mr. Repay explained a few of the claims, starting with payment to Lake County Parks and Recreation for the Sarros Land Acquisition. The Commission contributed \$200,000.00 towards the land acquisition. \$118,176.64 was paid to Delta III for work on the Dyer Ditch/Hart Ditch Streambank Stabilization Watershed Project. This is a joint project with The Lake County Drainage Board and Briar Ridge Property Owners Association. Gariup Construction submitted claims totaling \$71,823.50 on the Northcote Avenue Floodwall Installation. This was the final pay estimate on the project and included the retainage and 2 change orders. Martin Mechanical submitted a claim in the amount of \$27,030.00 for continued work on the Grant West Pump Station. Finally, \$25,110.00 was paid to the U.S. Geological Survey for our streamgages throughout the system.

Commissioner Ochi asked for further information on Gariup Construction's change orders for the Northcote Bridge Project. Mr. Repay stated that the first change order was for additional work we requested that was out of the scope of the project and the second was for site conditions.

Commissioner Whittaker asked how many pumps were repaired at the Grant West Pump Station. Mr. Repay replied that we pulled Pumps One and Two for routine maintenance and replaced the Sump Pump at that Pump Station.

Chairman Baker asked if logs are kept of the usage at our Pump Stations. Mr. Repay responded that our contractor, Great Lakes Electrical Maintenance, keeps logs and submits monthly reports on the status of the Pump Stations.

Commissioner Nimetz stated that as the DNR Representative appointed to the Commission, he would recuse himself from voting on the claim submitted by DNR-Division of Nature Preserves in the amount of \$13,620.00.

Chairman Baker asked if there were any further questions and called for a roll-call vote. Motion passed 7-0 (claims in the amount of \$618,184.09) Motion passed 6-0 (claim in the amount of \$13,620.00)

Executive Director's Report –

Mr. Repay gave an update on several of the projects:

- The final span of the Hammond Pedestrian Bridge over Calumet Avenue is scheduled for installation on March 15th.

- The Contractor has completed all of the stabilization work on the Dyer Ditch Bank Stabilization Project.
- The Hart Ditch Stabilization Project continues to move forward, taking advantage of the good weather. The next phase of the project is currently under design.
- The Sauerman Woods Drainage Improvements Project has been on pause since mid-January. The project is expected to start up again early Spring.
- I have been working with various people from the City of Gary's administration regarding the next step with the LOMR. I have pledged the Commission's support to help find answers so the LOMR can be issued.
- Last month Pump One was repaired and put back into service at the Grant West Pump Station. Pump Two was pulled for similar maintenance and will be put back into service later this week.
- We anticipate pulling Pump One at the Burr North Pump Station for routine maintenance soon. It is important to take care of any repairs prior to the spring rains and USACE inspections.
- The Commission continues to move forward on the four final USACE required property acquisitions. INDOT is still working through the process so the easement can be signed by the Governor. Attorneys representing MOB I and MOB II have indicated that we should have the easements by the end of the month. Additionally, the court has appointed appraisers on the Ingram acquisition, with a ruling due no later than February 27th on that acquisition.
- We submitted approximately 150 tax sale parcel requests to the county. We are currently ordering title work for the parcels.
- Wessler Engineering will conduct a study to determine the cause of flooding on Georgia Street during high flow events.
- We have held several meetings with the Town of Griffith, FH Paschen and Duperon regarding the timing of the project and delivery of the raker for the Cady Marsh Ditch Screen Raker Project. The project is currently scheduled to begin around August 1, 2023.
- We are still waiting for NIPSCO to connect service at the Natural Spring. We also have two cameras on order for the area around the spring.
- We have several crews removing debris along the river. They are concentrating on the areas between Burr and Grant on the south side of the river.
- We are partnering with the Lake County Drainage Board to do general maintenance and clearing of Spring Ditch. The plan is to start just south of Main Street in Schererville and work north until it connects with Cady Marsh Ditch.
- Over the last few weeks we have been slowly opening sections of the system to allow for better flow underneath I-94. The culvert is located approximately 400' to the east of Martin Luther King Blvd.

Other Issues/New Business –

Commissioner Gozdecki made a motion to approve Resolution 2023-01 and an Interlocal Agreement with the Lake County Drainage Board on the Dyer Ditch/Hart Ditch Streambank Stabilization Project, in the amount of \$138,300.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for a roll-call vote. Motion passed 7-0.

Commissioner Nimetz made a motion to approve Resolution 2023-02 and an Interlocal Agreement with the Town of Merrillville on the Hayes Farm Drainage Improvements Project for engineering and planning, in the amount of \$23,425.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Whittaker. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Whittaker made a motion to approve Resolution 2023-03 and an Interlocal Agreement with the Town of Schererville on the Sunset Blvd. Detention Project in the amount of \$340,000.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Wichlinski made a motion to approve Resolution 2023-04 and an Interlocal Agreement with Lake County Parks on the Sarros Land Acquisition in the amount of \$200,000.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Nimetz. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Nimetz made a motion to approve Resolution 2023-05 and an Interlocal Agreement with Lake County Parks on the Penn Oak Land Acquisition in the amount of \$25,800.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Wichlinski. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Wichlinski made a motion to approve Resolution 2023-06 and an Interlocal Agreement with Lake County Parks on 2nd Year Funding for the Little Calumet Conservation Collaborative in the amount of \$229,871.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Ochi made a motion to approve Resolution 2023-07 and an Interlocal Agreement with the Hammond Sanitary District on the Southeast Combined Sewer Overflow Treatment Facility Design in the amount of \$1,000,000.00. Subject to final draft and approval by Attorney, Executive Director and Chairman; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 6-0. (Commissioner Whittaker abstained)

Commissioner Gozdecki made a motion to approve the 7th Addendum to the Employment Agreements of the Executive Director and Office Manager pending legal review; motion seconded by Commissioner Ochi. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Castellanos made a motion to approve an Agreement with Christopher Burke Engineering for the completion of a Comprehensive Hydrologic Model of the Deep River Watershed in amount not to exceed \$250,800.00, pending legal review;

Motion seconded by Commissioner Ochi. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Whittaker made a motion to authorize the purchase of 2 parcels of land from the North Township Trustee in an amount not to exceed \$30,000.00; pending legal review; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Commissioner Castellanos made a motion to approve a Memorandum of Understanding with the Indiana Department of Natural Resources for the management and maintenance of the Hobart Marsh Mitigation site for the period of July 1, 2023 to June 30, 2025 in an amount not to exceed \$200,000.00, pending legal review; motion seconded by Commissioner Ochi. Commissioner Nimetz stated that as the DNR Representative appointed to the Commission, he would recuse himself from voting on this motion. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 6-0.

Commissioner Nimetz made a motion to approve an Agreement with HWC Engineering for the design of bank stabilization at 3 sites and an access boat ramp along the Little Calumet River in an amount not to exceed \$151,400.00, pending legal review; motion seconded by Commissioner Wichlinski. Chairman Baker asked if there were any questions and called for roll-call vote. Motion passed 7-0.

Statements to the Board –

Carolyn McCrady, Gary, commented on Maya Energy stating that their permit is currently being challenged before IDEM. She also stated that 35th Avenue would not be able to handle the truck traffic if Maya Energy moved forward. It would cost millions of dollars to widen the roads to allow for the increased truck traffic. She further added that contracts can be broken and urged the Commission to reconsider their agreement with Maya Energy.

Eric Sprene, Highland stated that he had concerns on the boat ramp being considered near 5th Street in Highland. He added that the water is only inches deep at that location and there is already emergency access on the Hammond side of the river.

Statements from the Board –

Commissioner Whittaker stated that we have a lot of projects ahead of us. He is happy to hear that the flooding on Georgia Street is being looked at. He further stated that we need to do a better job at working with contractors on minority participation and find out why contractors are not fulfilling their obligations. He thanked all for attending and being a part of our meeting and appreciates all the comments from the public.

Commissioner Wichlinski noted that we approved a lot of projects for the upcoming year and thanked the public for attending the meeting and their comments.

Commissioner Gozdecki thanked everyone for attending the meeting and offering their comments.

Commissioner Castellanos complimented Commissioner Whittaker on his comments regarding minority participation. He further added that he recently shared historical information on the Commission's WLTH AM 1370 Radio Show that the Little Calumet River was part of the Underground Railroad. He offered his condolences to the family of Kelton Aaron, one of our contractors, who recently passed away. Finally, he noted that Lori Latham, a Gary Council Member was in attendance at our meeting.

There being no further business, the next regular meeting was scheduled for 6:00 p.m. Wednesday, March 15, 2023.

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