

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

HELD AT 6:00p.m., WEDNESDAY, MAY 9, 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 six (6) Commission members present at roll call. Quorum was declared.

Commissioners:

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

Executive Director:

Dan Repay

Attorney:

David Wickland

Staff:

Jodi Lambert

Visitors:

Paul Daniels – Munster (Advisory Board)
Judy Knapp – Hammond
John Garcia – Garcia Consulting Engineers
Jamie Miller – DNR
Samuel Henderson – Hoosier Env. Council
Mike Wolfe – Gary
Pat McCann – Highland
Trevor Schaff – IHC
Scott Houldieson – Highland
Barry Halgrimson – Munster
Craig Hendrix – S.E.H. of Indiana
Thomas Frank – East Chicago
Erik Sprenne – NWIPA
Barbara Whitaker – Munster
Salvatore DiBernardo – Ciorba Group
Dean Button – City of Hammond
Terry Steagall – Highland
Brent Spence – Munster
Doug Stuart – Dunnet Bay Construction
T. Ahearn – Hammond
Karie Koehnke – Patrick Engineering

Approval of Minutes -

Commissioner Nimetz made a motion to approve the minutes as presented; motion seconded by Commissioner Ware; motion passed with 6 aye votes.

Chairman's Report -

Chairman Baker welcomed all to the meeting and thanked them for attending. The Commission is tasked with the ongoing and deferred maintenance of this \$275 million man-made flood project and we are far better prepared now than we have been in the past. It has been 10 years since the devastating flood event of 2008. The yellowing pictures we show at every meeting serve as a reminder of what can happen if maintenance on a man-made flood control project is neglected. The communities saw from the recent rain event what can happen when dealing with Mother Nature. Keep in mind that 10 gallons of water in a 5-gallon bucket will cause problems. 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 May claims in the amount of \$356,983.68. 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 Vale Appraisal Group for \$19,550.00 for the

remaining parcels needed for the federal project. \$16,998.10 was paid to S.E.H. of Indiana for continued work on the Lake Station Flood Mitigation Project. DLZ submitted a claim for the Harrison Street Bridge Project in the amount of \$28,100.75. Later in the meeting we will request approval to advertise for bids on the project with bid opening at the June meeting. Wiltjer Excavating was paid \$61,800.00 for clearing work on Hart Ditch. \$33,985.00 was paid to USGS for the operation, maintenance and installation of stream gages along the system. All the stream gages can be accessed from our website. The City of Crown Point submitted a claim in the amount of \$15,774.80 for continued progress on the Sauerman Woods Watershed Project. \$850.00 was paid to Hunt's Maintenance for a tire dumpster used at the Izaak Walton River Clean-up Event. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 6-0.

Executive Director's Report –

Mr. Repay gave updates on some of the projects:

- The 35th & Chase Grade Adjustment Project started this week. This project was awarded to Dyer Construction at a previous meeting and will eliminate the post and panel closure at this location.
- The USACE managed In-Project Mitigation project of approximately 70 acres in Gary continues. Discussions between USACE, US Fish & Wildlife and IDEM are ongoing to protect the wildlife in the project area including nesting bald eagles.
- The Hobart Marsh Mitigation Project is progressing on schedule.
- Sealed bids on the CFER Railroad Bridge over Deep River will be opened tonight. 15 contractors were given the plans, with 8 attending the mandatory pre-bid conference and 1 submitting a bid.
- The Clark Street Grade Adjustment Project is in the final approval process and should be ready to bid out by the June meeting.
- The Chase Street Pedestrian Bridge Project is also in final permitting and should be ready to bid at the June meeting.
- We have met with various entities including Audobon Great Lakes, The Wetland Initiative and The Nature Conservancy regarding future mitigation projects and hope to present these opportunities at an upcoming meeting.
- USACE annual inspections were completed in Highland, Hammond and Munster. Next month the Gary and Griffith inspections will occur.
- Grass cutting for the entire levee system will begin on May 17th with a new contractor.
- 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.
- A tree program is available for all municipalities within the watershed. This program allows for the reimbursement of trees planted in public areas.

Commissioner Whittaker asked for status on our funding of several outstanding Watershed Projects. Mr. Repay stated that several municipalities including the Hammond Sanitary District for the Columbia Ave. Detention Project and Lake County for the Hermit's Lake Project are working on their projects and he expects requests for their approved funds to be submitted soon.

Chairman Baker asked what additional projects can be anticipated this year and next. Mr. Repay stated that the CFER Railroad Bridge over Deep River is the largest project this year, with bids to be opened later in the meeting. The 35th & Chase Grade Adjustment Project has been started by the contractor this week. Additionally, The Harrison Street Bridge Project, Chase Street Pedestrian Bridge and Clark Road Grade Adjustment Project should all be ready to bid out this summer. Acquisitions continue in Lake

Station that will allow us to design and construct a levee that will protect approximately 220 homes in that area. The 1st Phase of the Kennedy Avenue Bridge Project should be ready to construct in 2019. This is anticipated to be a 2 year project.

Other Issues/New Business –

Commissioner Nimetz made a motion to open bids for the CFER Bridge 434.97 Replacement Project and award to the lowest and most responsive bidder, pending review by engineer, attorney and staff and subject to the engineer's estimate; motion seconded by Commissioner Ware. Mr. Repay stated that this is the largest project this year and one that was identified through previous studies as a concern. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 6-0. The bid opening was as follows: IHC - \$4,481,271.20.

Commissioner Ware made a motion to approve an agreement with Patrick Engineering to provide construction engineering services for the CFER Bridge 434.97 Replacement Project in an amount not to exceed \$339,810.00; motion seconded by Commissioner Wichlinski. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 6-0.

Commissioner Whittaker made a motion to approve a Construction and Maintenance Agreement with the Chicago, Ft. Wayne & Eastern Railroad for the CFER Bridge 434.97 Replace Project; 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 Castellanos made a motion to approve an agreement with Applied Ecological Services for the Greiner Nature Preserve Restoration Project in an amount not to exceed \$149,934.00; motion seconded by Commissioner Nimetz. Chairman Baker asked if there were any questions and called for a roll call vote. Motion Passed 6-0.

Commissioner Castellanos made a motion to authorize the Executive Director to advertise for bids on the Harrison Street Bridge Replacement Project; motion seconded by Commissioner Ware. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 6-0.

Commissioner Nimetz made a motion to approve Resolution 2018-02 authorizing the Chairman and/or Executive Director to execute a Donation Agreement and Temporary Highway Agreement Grant required by INDOT for their public highway improvement project know as I-65/Little Calumet River; 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 Wichlinski made a motion to defer the following Watershed Applications until the June meeting: Town of Munster Hart Ditch Bank Stabilization at Camellia, Town of Munster Hart Ditch Bank Stabilization, and Merrillville Stormwater Utility Meadowdale Lateral Floodwater Storage Basin; motion seconded by Commissioner Ware. Chairman Baker asked if there were any questions and called for a roll call vote. Motion passed 6-0.

Statements from the Floor –

Eric Sprenne, NWIPA, gave information and invited everyone to a paddling trip on the Little Calumet River to be held on Sunday, May 20th.

Scott Houldieson, Highland, stated that the Commission does important work for the area, but he feels that Maya Energy is a bad idea for the area.

Barry Halgrimson, Munster, spoke in opposition to Maya Energy. He further stated that a meeting with IDEM would be held at 6pm tomorrow evening at the Local 1014 Union Hall in Gary. He also invited everyone to the Walk the Line Event to be held this coming Saturday. You can visit www.walkthelinenwi.com for further information.

Doug Stuart, Dunnet Bay Construction, stated that his company attended the pre-bid meeting for the CFER Railroad Bridge Project but did not submit a bid on the project because they felt the bid documents were overly restrictive.

Michael Wolfe, 35th Avenue, Gary, stated that he is experiencing flooding near his home due to blocked culverts along 35th Avenue. He asked for help from the Commission regarding this issue.

Barbara Whitaker, Munster, requested status regarding the answers to questions Mr. Rocheford of the USACE was requested to put in writing. Mr. Repay stated that he spoke with Mr. Rocheford and he will be submitting the written answers soon.

Lea Fisher, Munster, thanked the Commission for all the flood protection provided to the community and asked for clarification regarding the water levels remaining on Hart Ditch before it overflows into Wicker Park. Further discussion was held regarding modeling on Hart Ditch and the overflows built into the system.

Sam Henderson, Hoosier Environmental Council, stated that while he appreciates all the good work and transparency of the Commission, he must state his opposition to Maya Energy. He questioned the statutory authority of the License Agreement for lands held in public trust for flood control. He further stated the 35th Avenue Industrial Park was not within the scope of the statute.

Bridget Bodefeld, Munster, stated her concerns regarding Hart Ditch and wondered what resolutions were being discussed to solve this problem.

Thomas Frank, East Chicago, spoke against Maya Energy. He further stated that Gary and the surrounding communities are against this project.

Terry Steagall, Highland, spoke in opposition to Maya Energy. He asked if the Commission has an Environmental Justice policy in place. He stated that there were better uses for the land, including using it as a Solar Farm. He further requested that the Commission reject the extension of the Maya Energy License Agreement.

Commissioner Castellanos thanked residents for reaching out and expressing their opinions. He would like to see local contractors continue to bid on our projects.

Commissioner Whittaker thanked the residents and local contractors for coming to the meeting. He would like to see local and minority projects continue to participate and bid on our contracts. He welcomes further discussion with municipalities regarding their economic development plans.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, June 13th, at the Munster Town Hall.