REGULAR MEETING, BOARD OF SANITARY DISTRICT COMMISSIONERS
WEDNESDAY, MAY 28, 2014 – 4:00 P.M. – 1100 E. EIGHTH STREET

The meeting was called to order at 4:00 p.m. in the Board Room of the Administration Building, 1100 E. Eighth Street, by the President of the Board, Michael W. Gonder.

 Commissioners present for the meeting were Holt L. Edinger, Michael W. Gonder, Frank R. Harris, and Charles G. Peller, Jr. Commissioner Garry L. Mitchell, Sr. was absent.

 Staff Members present for the meeting were:
 Michael P. Kuss, General Manager
 Milorad Milatovic, Water Reclamation Superintendent
 Doretha M. Sanders-Malone, Administrative Director
 Tina M. Tabisz, Administrative Assistant
 William J. McNeill, Assistant Superintendent of Operations & Maintenance
 James J. Micheals, Assistant Superintendent of Collection
 James L. Kintzele, Sr., Refuse Superintendent
 James B. Meyer, Legal Counsel

 Also present for the meeting were:
 Duane Parry, City Council President (entered later in the meeting)
 Donna Pappas, City Controller
 Josh Barnett, Collection Maintenance II/Video Operator & GIS
 Karl Greer, Plant Operator I
 John Doyle, John A. Doyle & Associates
 Jeanette Hicks, Global Engineering & Land Surveying
 Tim Haas, Haas & Associates
 Jim Maurer, Haas & Associates
 Tom Weinmann, Haas & Associates
 Anthony Kenning, DLZ
 Larry Simpson, DLZ
 Matthew Bernacchi, H&G Underground Utilities
 Rob Sohacki, Superior Construction Co. Inc.
 Josh Crandall, Gariup Construction, Inc.
 Brad Biggs, D&M Excavating
 Ryan Kelly, Holladay Properties
 Andre Steele, Access La Porte County (allcommunity.org)

 Mr. Gonder noted that the District experienced the loss of an employee due to cancer last week, and asked everyone to observe a moment of silence for John Morse.

 Mr. Kuss then took a moment to introduce District employees Collection Maintenance II/Video Operator & GIS Josh Barnett and Plant Operator I Karl Greer, and read from an e-mail sent to Mayor Meer earlier in the day, as follows:
“I just wanted to thank you and tell you how much I appreciated Karl and Josh’s help this past Memorial Day Weekend. I dropped a valuable item into a street drain and assumed it was lost forever. I called the Michigan City Sanitary District and Karl offered to do his best, and boy did he help.

Karl promptly made the necessary phone calls to see what could be done and he called me back several times to keep me updated. Within an hour, Josh arrived on the scene and went to work. Within a few minutes, he had the item out. Josh was extremely polite and even refused the cash tip I had offered him.

I have to say I have never experienced this type of personal attention and service from any municipal agency, especially on what must have been an extremely busy Memorial Day Weekend.

I can’t tell you how much I appreciate Karl’s and Josh’s help, but hopefully this letter finds its way back to them and their co-workers. If there is any sort of recognition or praise that is given to employees, I sure hope Karl and Josh get some recognition.

Thanks again,

David Gonzalez”

Mr. Kuss presented each employee with a copy of the e-mail and again recognized the employees.

Minutes
Mr. Gonder entertained a motion to approve the minutes of the Regular Meeting of April 23, 2014, the Special Meeting of May 14, 2014 and the Executive Session of May 14, 2014.

Mr. Harris made a motion to approve the minutes, as submitted – seconded by Mr. Edinger. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Financial Report
City Controller Donna Pappas provided the monthly financial report, by reading off the fund balances.

Public Comment
Mr. Gonder called for public comment. There was none.

Jim Kintzele
Mr. Kintzele reported on the following:

- Submitted no objection, to the City Clerk’s Office, to alley vacation on Eighth Street
- Will be presenting a resolution at the next meeting proposing to scrap two vehicles to make one refurbished dump truck.
- Street Sweeping Dumping Charges in the approximate amount of $33,000
- Hours of business for Waste Management for dumping
- Monthly Tonnage Report
- Damaged Toters – Will be replaced at no cost to District
- A Company has approached the Refuse Department about the possibility of advertising on toters. Information has been requested for the company.
- Spring Cleanup went very well
- Unpaid Special Pickup Invoices have been provided to Attorney Meyer
- Another Code Sweep will be occurring in the near future
- Waste Management contract will be expiring in 2015

**Construction and Engineering Reports**

Jeanette Hicks, of Global Engineering & Land Surveying, reported on the following projects:

**Kimball Woods Lift Station Renovation**
Ms. Hicks advised that she spoke with the fence contractor regarding the damaged gate repair. She was advised that the repair was made approximately April 8th and was advised that the gates were reinforced with two wooden 2’x4’s in the uprights of each gate so that all of the hardware is screwed through the PVC and into the wooden reinforcements. Additionally, 5.5” deep diagonal reinforcements were also added.

Ms. Hicks then submitted the Certificate of Final Completion dated November 1, 2013, since all the punch list items were completed by that date. The gate repair was considered maintenance. She then recommended approval of same.
Mr. Gonder entertained a motion to approve the Certificate of Final Completion, as submitted.

Mr. Harris made such a motion – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

John Doyle, of John A. Doyle & Associates, reported on the following projects:

**Fourth Street Lift Station Renovation Project**
Mr. Doyle reminded the Board that bids were received on April 23rd and the project was awarded to H&G Underground Utilities at the May 14th meeting.

Mr. Doyle advised that all of the necessary paperwork has been submitted by the contractor and the contract price is in the amount of $144,644.44. He then submitted the contract and Notice to Proceed for execution by the Board.

Attorney Meyer advised that Board action was necessary.

Mr. Peller made a motion to approve the contract, as submitted – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Gonder then entertained a motion to issue the Notice to Proceed.

Mr. Peller made such a motion – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

**U.S. Hwy 12/Meer Road Sanitary Sewer Extension Project**
Mr. Doyle submitted an Engineer’s Pay Request in the amount of $5,623.75, and requested approval of same.

Mr. Doyle then noted that the Amtrak Railroad has responded advising that they need some additional information, some of which has been previously supplied. Additionally, they have requested a letter from the contractor spelling out the procedure and equipment they intend to use on the project. Mr. Doyle anticipates providing the information to the Railroad within the next week.

Mr. Peller made a motion to approve the Engineer’s Pay Request of John A. Doyle & Associates, in the amount of $5,623.75, as submitted – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

**Riley Court/Combs Street/Michigan Boulevard Sanitary Sewer Project**
Mr. Doyle advised that Michigan Boulevard and Cleveland Avenue have been paved, and the streets have been opened. Pipe is now being laid off of the roadway.
Mr. Doyle then submitted Pay Request #1 of H&G Underground Utilities, in the amount of $192,326.96, and recommended approval of same.

Mr. Peller made a motion to approve Pay Request #1 of H&G Underground, in the amount of $192,326.96, as submitted – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Doyle explained that the pay request represented approximately 33% of the project; however the project is currently approximately 60% complete.

Mr. Doyle then submitted an Engineer’s Pay Request, in the amount of $14,890.25 and requested approval of same.

Mr. Peller made a motion to approve the Engineer’s Pay Request, in the amount of $14,890.25, as requested – seconded by Mr. Edinger and Mr. Harris. There being no questions or comments regarding this matter, the motion carried 4 – 0 in favor.

Mr. Doyle then submitted a pay request from H&G Underground Utilities, in the amount of $20,947.00, for storm sewer removal and replacement on Michigan Boulevard between Vail Street and Cleveland Avenue, and recommended approval of same.

He added that, although this work was outside the scope of work of the SRF-funded sanitary sewer project, it was approved by the Board at last month’s meeting.

Mr. Peller made a motion to approve the Pay Request of H&G Underground Utilities, in the amount of $20,947.00, as submitted – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

**Beech Street Storm Sewer Project**

Mr. Doyle reminded the Board that Woodruff & Sons was awarded the contract, in the amount of $127,738.00, noting that the contractor has provided all of the necessary paperwork at this point. He then submitted three copies of the contract and the Notice to Proceed, for approval and signature.

Mr. Gonder entertained a motion to approve the contract with Woodruff & Sons, and to issue the Notice to Proceed.

Mr. Peller made such a motion – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

**Donnelly Street/Carlon Court Sanitary Sewer Project**

Mr. Doyle advised that D&M Excavating was awarded the contract, in the amount of $60,093.44, and the contractor has provided all of the necessary paperwork. He then
submitted three copies of the contract and Notice to Proceed, for approval and signature.

Mr. Gonder entertained a motion on the matter.

Mr. Harris made a motion to approve the contract and issue the Notice to Proceed, as submitted – seconded by Mr. Peller. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

**Plum Street Alley Sanitary Sewer Project**
Mr. Doyle advised that Woodruff & Sons was previously awarded the project, in the amount of $61,800.00, and the contractor has provided all of the necessary paperwork. He then submitted three copies of the contract and Notice to Proceed for approval and issuance.

Mr. Gonder entertained a motion to approve the contract with Woodruff & Sons, and issuance of the Notice to Proceed.

Mr. Peller made such a motion – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Doyle then submitted his proposal for engineering services for resident inspection and project administration services for the Fourth Street Lift Station Renovation Project, the Beech Street Storm Sewer Project, the Donnelly Street/Carlon Court Sanitary Sewer Project and the Plum Street Alley Sanitary Sewer Project.

Mr. Kuss advised that he has reviewed the proposal and recommended approval of same.

Mr. Peller made a motion to approve the Engineering Services Proposal of John A. Doyle & Associates, for construction management of the projects, for an estimated cost of $96,950.00, as submitted – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Jim Maurer and Tom Weinmann, of Haas & Associates, reported on the following projects:

**Chlorine & Sulfur Dioxide Isolation Room**
Mr. Weinmann reported that Substantial Completion and project closeout occurred at last month’s meeting. The O&M Manuals were submitted to the District on May 16th.

Mr. Weinmann then submitted the Final Pay Request #2, of Tonn & Blank, in the amount of $1,135.00, and recommended approval of same. This amount represents 100% of the project.
Minor discussion was held, noting that the Certificate of Final Completion has also been submitted to Mr. Kuss.

Mr. Kuss pointed out that this project is to comply with the District’s Risk Management Plan (RMP).

Mr. Peller made a motion to approve the Certificate of Final Completion, as recommended by the engineer – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Peller then made a motion to approve Pay Request #2 of Tonn & Blank, in the amount of $1,135.00, as submitted – seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

**Greenwood Avenue Sanitary Sewer Replacement Project**

Mr. Weinmann distributed an updated copy of his monthly report, advising that D&M Excavating has completed all of the main line sewers, sanitary sewer crossings, sanitary laterals, and all storm sewers as well as the asphalt resurfacing. Incidental construction items are currently being completed, such as grading of top soil, seeding and pavement markings.

Mr. Weinmann then submitted the Certificate of Substantial Completion dated April 24th, and recommended acceptance and approval of same.

Mr. Peller made a motion to approve the Certificate of Substantial Completion, as recommended – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Weinmann then submitted Pay Request #9, of D&M Excavating, in the amount of $31,240.60, and recommended approval of same.

Mr. Peller made a motion to approve Pay Request #9, of D&M Excavating, in the amount of $31,240.60, as submitted – seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Mr. Weinmann submitted Change Order #6 of D&M Excavating, for concrete underlayment removal and replacement, as well as compacted aggregate shoulder construction. He recommended approval of same.

Mr. Peller made a motion to approve Change Order #6 of D&M Excavating, in the amount of $16,798.68– seconded by Mr. Edinger. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.
Mr. Weinmann then submitted the Engineer’s Pay Request of Haas & Associates, in the amount of $19,674.04 and requested approval of same.

Mr. Peller made a motion to approve the Engineer’s Pay Request, in the amount of $19,674.04, as submitted – seconded by Mr. Edinger and Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

**Indiana State Prison Sanitary Sewer Flow Screening & Metering Improvement Project**

Mr. Maurer submitted Change Order #6, in the amount of $1,785.00, for a change in the automatic fence gate operation from a remote control operation to an intermediate key receptacle, as well as a sensor cable in the pavement inside the fencing. This is for consistency with District standards. He advised that this change has been approved by the Department of Corrections, as well as SRF officials. He then recommended approval of same.

Mr. Maurer noted that the current key receptacle is an interim control. The District will replace this at a later date, at the District’s expense, with an RFID (Radio Frequency Identification) proximity card reader.

Mr. Gonder entertained a motion to approve Change Order #6, in the amount of $1,785.00, as submitted.

Mr. Harris made such a motion – seconded by Mr. Peller. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Maurer then reported that the bar screen manufacturer has determined that they will have to replace the discharge chute for the Washer Compactor Unit #2. There has been too much back-pressure, which is causing the unit to electrically trip out. He and District staff agree with this change, which will be at the manufacturer’s expense.

Mr. Maurer submitted Pay Request #9 of Woodruff & Sons, in the amount of $73,672.50, and recommended approval of same. This represents 93% of construction contract.

Mr. Peller made a motion to approve Pay Request #9 of Woodruff & Sons, in the amount of $73,672.50 – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Maurer then submitted the Engineer’s Pay, in the amount of $5,971.25, and requested approval of same.
Mr. Maurer added that there may be the need to request an increase in the engineering contract due to some additional engineering work that is being done. He will have a better idea by next month’s meeting.

Mr. Peller made a motion to approve the Pay Request of Haas & Associates, in the amount of $5,971.25, as submitted – seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Mr. Maurer then noted that sod has been placed inside the fenced area, but noticed that some of the sod has turned brown. He added, however, that the rain garden seems to be fine. Therefore, there may be a possibility for the need of sod replacement.

**Aerated Channels and Chlorine Tank Weirs and Gates**

Mr. Maurer reported that he inquired about the manufacturing schedule, and has been advised that the equipment will be delivered between mid- to late-July.

Mr. Kuss advised that he received a call from the manufacturer today asking if the District would be willing to accept delivery at the end of June. He indicated that the District preferred delivery as soon as possible.

Brief discussion was held about the length of time needed for installation.

Mr. Maurer then submitted an Engineer’s Pay Request in the amount of $695.00, which represents the quotation work for the receipt from the manufacturers for this equipment. He requested approval of same.

Mr. Peller made a motion to approve the Pay Request of Haas & Associates, in the amount of $695.00, as submitted – seconded by Mr. Edinger. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

**WWTP Potable Water Service Improvements – Receipt of Quotes**

Mr. Gonder called for submission of any bids for the WWTP Potable Water Service Improvements. There were no additional quotes submitted.

Mr. Kuss and Attorney Meyer then opened and read the quotes, as follows:

- **HRP Construction, Inc.**
  South Bend, IN
  $147,586.00

- **H&G Underground Utilities, LLC**
  La Porte, IN
  $139,995.00

- **D&M Excavating**
  Michigan City, IN
  $129,664.67
Attorney Meyer then recommended referral of the quotes to the Engineer and District staff for review and tabulation for future recommendation. The Board agreed

Mr. Tony Kenning and Mr. Larry Simpson, of DLZ Engineering, reported on the following projects:

**Lake Avenue Lift Station Project**
Mr. Kenning distributed copies of the updated project status report and advised that all sanitary and storm sewers and force mains have been installed and passed testing. The areas have been paved and pavement markings have been placed in the parking lot, as well as Colfax and Lake Avenues.

The contractor is currently working with the District to fine tune the lift station controls. There is currently a temporary chain link gate across the front of the lift station pending installation of the permanent gate. A walk through of the project is scheduled for May 30th to discuss necessary punch list items.

Many of the sanitary laterals to residences on Colfax Avenue that were going to be replaced as part of this project resulted in the need to replace some of the concrete base that was in poor condition. This resulted in the need for more pavement restoration than originally anticipated.

Mr. Kenning then submitted Change Order #4 of HRP Construction, in the amount of $1,049.07, explaining that this was the result of the need for a new driveway approach to help the drainage of the parking lot. He recommended approval of same.

Mr. Gonder entertained a motion to approve Change Order #4 of HRP Construction, in the amount of $1,049.07, as submitted.

Mr. Peller made such a motion – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kenning also mentioned that the Change Order also includes an extension of time for completion due to the delays by NIPSCO. This will change the date of Substantial Completion to May 31st with a Final Completion date of August 4th. He explained the Final Completion date extension is due to the emergency generator selection and lead time for delivery.

Mr. Gonder then entertained a motion for the extension of time for Substantial Completion to May 31st, and Final Completion to August 4th, as requested.

Mr. Peller made such a motion – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.
Mr. Kenning then submitted Pay Request #5 of HRP Construction, in the amount of $283,995.66, and recommended approval of same.

Mr. Peller made a motion to approve the Pay Request of HRP Construction, in the total amount of $283,995.66 - seconded by Mr. Edinger. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Mr. Kenning then submitted the Engineer’s Pay Request, in the amount of $3,427.50, and requested approval of same.
Mr. Peller made a motion to approve the Engineer’s Pay Request of DLZ, in the amount of $3,427.50, as submitted – seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Brief discussion was held about when the restrooms will be open.

**Sheridan Beach Storm Sewer Separation Project**
Mr. Kenning distributed copies of the updated project status report and advised that all sewer work and intermediate and surface paving has been completed along the Colfax Avenue corridor. Additionally, the City is in the process of paving some of the streets between Lake Shore Drive and Colfax Avenue for continuity.

The storm and sanitary sewer along Lake Avenue south of Lake Shore Drive has been installed from Arndt Street to approximately 180 feet of Washington Park Boulevard. The stone backfill has been placed to nearly the sub-base level and traffic is now able to move on Washington Park Boulevard southward on Lake Avenue.

The contractor, Woodruff & Sons, is currently working on storm sewers on Lake Avenue immediately south of Lake Shore Drive. They also need to complete the storm sewer that will run on Lake Shore Drive between Lake Avenue and Prairie Avenue. There are currently four or five inlets connected to sanitary sewer that need to be connected to a new storm sewer to that area.

Sheet piling has been installed up to the wall on Turner Court and the concrete has been poured along the face of the wall. However, storm sewer and paving construction has not occurred on Turner Court.

Mr. Kenning has just received a proposal from the contractor regarding pavement restoration, which he has not had an opportunity to review.

Brief discussion was held on this matter.

Mr. Gonder entertained a motion to approve anticipated Change Order #4, to proceed with pavement restoration, contingent upon evaluation by DLZ, the City Engineer and District staff, and approval of all.
Mr. Peller made such a motion – seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Mr. Kenning then continued his report, reminding the Board of discussion at the last meeting regarding the need to install additional sanitary sewer on Colfax Avenue immediately east of Georgia Avenue, over an existing 15 inch clay sanitary sewer. The cost estimated by the contractor as $10,850.00, which has been approved by SRF officials and the sewer has been installed. He advised that this will also be a future change order.

Mr. Kenning reported that there was also additional mill and resurface completed along Colfax Avenue in the areas that there were no storm sewers placed. This was at the request of the District to provide continuity along the project area.

Mr. Kenning also reported that one of the sanitary sewer manholes had to intercept a sanitary sewer coming from the west on Washington Park Boulevard. During excavation, the contractor discovered a large thrust block for the existing water main. This is a massive concrete block that should not be disturbed because of the possibility of pressure causing the water main joints to push apart, which would create a significant issue. After discussion on the matter, the District decided that two additional manholes would be placed to re-route the sanitary sewer around the thrust blocking, instead of the current location under the thrust blocking.

Mr. Kenning advised that this matter has also been discussed with the Water Department, and he will be requesting approval by the SRF. He does not anticipate any issue with the matter.

Mr. Kenning then advised that previously approved Change Order #1 in January, which extended the Substantial Completion Date from April 1st to May 12th, and the Final Completion Date was changed from May 1st to May 31st. Since that time, there was still rough weather in the months of February and March.

As a result, the contractor is requesting additional time for construction due to certain delays, including inclement weather, as well as additional investigative work on the previous sewers on Lake Avenue. There were additional issues with re-routing of traffic due to the construction by HRP on the Lake Avenue Lift Station Project.

Mr. Kenning then submitted Change Order #3 for an extension of time to extend the Substantial Completion Date to June 30th and the Final Completion Date to July 18th. However, he anticipates that the work will probably be complete sooner.

Mr. Gonder entertained a motion to approve Change Order #3, to change the Substantial Completion Date to June 30th and the Final Completion Date to July 18th, as submitted.
Mr. Peller made such a motion - seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

Mr. Kenning then submitted Pay Request #4 of Woodruff & Sons, in the amount of $308,959.50, and recommended approval of same.

Mr. Peller made a motion to approve Pay Request #4 of Woodruff & Sons, in the amount of $308,959.50, as submitted – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kenning explained that DLZ’s Engineering Agreement was originally prepared with an anticipated completion date of May 23rd. With projecting out anticipated future hours for construction supervision, he submitted proposed Supplemental Engineering Agreement #3, in the amount of $55,535.00, and requested approval of same.

Mr. Peller made a motion to approve Supplemental Engineering Agreement #3 of DLZ, for the estimated amount $55,535.00 - seconded by Mr. Harris. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

**Staff Reports**

**Milorad “Mike” Milatovic, Bill McNeill and Jim Micheals**

Mr. Milatovic reported on, and discussed, the following:

- Monthly Safety Report – District is looking into Lagging and Reading Indicators

- Monthly Report of Operations – He explained a minor disinfection issue on April 18th, which involved the failure of a non-potable water pump. However, there was no bypass of the Filter Building. He provided a brief explanation of the system.

- Mr. Kuss added that another storm and sanitary sewer cross-connection was discovered on April 17th on Fourth Street. This was repaired on the same day, however there was no evidence of any overflows.

In reference to Mr. Kintzele’s report on the requested alley vacation, Bill McNeill noted that he discussed the matter with Jim Micheals and they were unaware of what it is about. Attorney Meyer explained that, anytime anyone petitions the City of Michigan City to vacate an alley or street, there is an ordinance that requires that all department heads review the matter to verify whether they have any objection to the vacation. In reference to the Sanitary District, this would be to verify if there is a current sewer or the possibility of placing a sewer sometime in the future, as well as affecting any garbage routes.
Attorney Meyer explained that the ordinance requires that the General Manager of the Sanitary District sign a document as to no objections or objections, with an explanation of same.

Attorney Meyer further explained that this particular request is from the County of La Porte requesting an alley vacation at Eighth and Wabash Streets to place a generator for their building.

Brief discussion was held on the matter.

Mr. Kuss noted that City Council President Duane Parry was in attendance, but was not in the audience during Public Comment. Mr. Gonder invited Councilman Parry to approach the Board.

Councilman Parry took the opportunity to thank the Board and Mr. Kuss for the opportunity to speak after Public Comment was closed.

Councilman Parry advised that he wanted to share two thoughts with the Board, as follows:

- The invoice for a sewer repair that was made on Michigan Boulevard between Vail Street and Cleveland Avenue. He hoped that the District could look into whether this issue was originally scoped out in Phase I of the Michigan Boulevard Project and, if so it was somehow overlooked, if the cost could be recouped from the original contractor doing the work under their Errors & Omissions insurance coverage.

- In reference to the Greenwood Avenue Project at Woodland Avenue, the design of the concrete curbing and small islands directly adjacent to DJ’s Quick Stop. The owner has advised that these items have severely impacted traffic flow in and out of the business. Councilman Parry hoped that the Board would investigate this issue.

Mr. Peller advised that the Sanitary District had nothing to do with the intersection improvements at Greenwood and Woodland Avenues.

Mr. Peller advised that he met with the business owner to explain what the City was thinking about doing and some modifications were made based on the discussion with the owner. Mr. Peller added that, based on personal conversation, the owner was happy with what was being done.

Mr. Peller further explained that a recommended design was prepared and then a meeting was held with the owner to go over the plans. As previously stated, there was a slight modification of the design to help out the owner.
Mr. Peller added that the modification to the intersection was due to problems with accidents occurring at this intersection. A request was made by the Police Department and the Board of Public Works & Safety to look into the matter, and the design was made to address the issue.

Councilman Parry thanked Mr. Peller for the explanation and asked that he make contact with the owner again to make sure he is satisfied with the design.

Mr. Kuss then responded to Councilman Parry’s concern about the work on Michigan Boulevard, explaining that the District already addressed the issue with Structurepoint Engineers, who was the engineering firm on Phase I of the project. He noted that he pointedly stated that this matter was missed in the repair work.

Mr. Kuss explained that, when H&G Underground Utilities excavated to place the sanitary sewer, they discovered the storm sewer rotting through. Mr. Kuss pointed out that there was a requirement to line all of the storm sewers along that phase of the project and this one was obviously not done.

Mr. Kuss advised that he has been meeting with American Structurepoint regarding Phase II, and is still discussing this matter.

Mr. Gonder and Mr. Kuss thanked Councilman Parry for his comments. Councilman Parry thanked the Board for their consideration.

Michael Kuss
Mr. Kuss reported on, and discussed, the following:

- Compliance Plan Update

Mr. Kuss then advised that quotes have been received for the Pottawattamie Park Sanitary Sewer Repair.

Mr. Gonder then called for any additional quotes to be submitted. There were none.

Mr. Kuss and Attorney Meyer opened and read the quotes, as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
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<tbody>
<tr>
<td>D&amp;M Excavating, Inc.</td>
<td>$36,185.00</td>
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<tr>
<td>Michigan City, IN</td>
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</tr>
<tr>
<td>Woodruff &amp; Sons</td>
<td>$55,315.00</td>
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<tr>
<td>Michigan City, IN</td>
<td></td>
</tr>
<tr>
<td>H&amp;G Underground</td>
<td>$85,995.00</td>
</tr>
<tr>
<td>La Porte, IN</td>
<td></td>
</tr>
</tbody>
</table>
Mr. Harris asked about an estimate on the project. Mr. Kuss advised that there was no estimate. The District sent out the Request for Quotes to contractors.

Mr. Kuss then advised that quotes have been received for the Scum Collection and Scum Baffle Repair

Mr. Gonder then called for any additional quotes to be submitted. There were none.

Mr. Kuss and Attorney Meyer opened and read the quotes, as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>Base Quote</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPS Equipment Services</td>
<td>$17,100.00</td>
<td>Caledonia, IL</td>
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<tr>
<td>Superior Construction</td>
<td>$52,000.00</td>
<td>Gary, IN</td>
</tr>
<tr>
<td>Gariup</td>
<td>$98,799.00</td>
<td>Gary, IN</td>
</tr>
</tbody>
</table>

Mr. Kuss continued his report, advising that he is requesting approval of a contract for West Gallery Surface Repair & Coating Project with Kasten Coating & Blasting.

Mr. Peller made a motion to approve the contract of Kasten Coating & Blasting, as requested – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kuss then requested the Board’s authorization to purchase piping from Underground Pipe & Valve, the only company replying to a Request for Quotes for water cannon piping, in the amount of $19,758.00.

Mr. Gonder entertained a motion on the matter.

Mr. Peller made a motion to approve the request by Mr. Kuss to purchase piping from Underground Pipe & Valve, in the amount of $19,758.00 – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

In reference to the issues recently discussed regarding the Larkspur Lane, Southwind Drive and Lake Henry area, Mr. Kuss discussed a proposal received from Haas & Associates for a Storm Drainage Master Plan.
Mr. Kuss explained that the scope of this work will encompass the southwest side of Michigan City, bounded by U.S. Hwy 20 on the north, Grunke Road/400 North on the south, U.S. Hwy 421/Franklin Street on the east, and Hitchcock Road on the west.

Mr. Kuss briefly explained that the boundaries are approximate and the final boundaries will be determined jointly with the engineer. This proposal will cover meetings with the District, as well as two public meetings, perform field inspections, and ultimately provide a design and cost estimate for the drainage needed in the area. This will also include prioritization with a phased approach. The proposal is in the amount of $33,000.00. He requested approval of same.

Mr. Peller advised that he thought the proposal was good but pointed out the proposal stated that the cost states not-to-exceed hourly fees of $33,000, and there are mileage costs, which is an hourly fee. He added that the cost could be in excess of $33,000 if mileage were added.

Mr. Kuss also pointed out that this proposal does not include Lake Henry because it is being evaluated separately by John Doyle, for the Board of Public Works & Safety.

Mr. Gonder entertained a motion to approve the proposal of Haas & Associates for the Storm Drainage Master Plan, in an amount not to exceed $33,000.00.

Mr. Peller made such a motion – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Kuss then updated the Board on Lake Henry, explaining that John A. Doyle & Associates has performed some survey work for the Board of Works & Safety. The Board of Works has asked the Sanitary District to take the lead on the follow-through on this matter. The District has been doing so and will be keeping track of staff time involved for future reimbursement.

Mr. Kuss explained that the survey work performed indicated that the elevation of the concrete overflow weir is actually lower than Mr. Stewart’s home, and the current lake level is lower than Mr. Stewart’s basement at 614 Southwind Drive.

Additionally, the current lake level is a bit higher than Mr. Dull’s basement at 606 Southwind Drive, but the concrete weir is still higher than the bottom of his basement. Therefore, if Lake Henry is affecting the water in his basement, it would have always been affecting it. However, Mr. Dull has repeatedly stated that he never had any problems until this year.

Mr. Kuss advised that Mr. Doyle’s records indicate that Lake Henry is approximately two inches higher right now than in 1955.
Mr. Kuss pointed out that he plans to have a report complete for the June 2\textsuperscript{nd} Board of Works Meeting.

Mr. Kuss then advised that he is not ready to make any recommendation on the Cheney Run Engineering Proposals.

**Dates to Remember**

June 5\textsuperscript{th} - Conference on the Environment. There have been approximately 100-150 registrations to date, however no booths have been requested. Any donations toward this conference will be accepted.

Continuing Education credits will be available for wastewater and professional engineering licenses.

Mr. Kuss then reported that he attended an Ethics Conference in Indianapolis, which was very valuable and well worth the trip.

**James Meyer, Legal Counsel**

Attorney Meyer advised that he has heard nothing back from Mr. Rozendal, or his attorney, regarding the Sewer Use Agreement with Shady Oak Mobile Home Park.

Attorney Meyer reminded the Board that Mr. Rozendal is under an Agreed Order from IDEM that he connect to the Sanitary District sewer. His property would ultimately connect to the U.S. Highway 12/Meer Road Sanitary Sewer Extension.

Attorney Meyer then advised that he sent the Board an e-mail yesterday regarding a Sewer Use Agreement regarding Holladay Properties/Lifeworks property. He advised that Mr. Brian Kelley, was in attendance at the meeting regarding this matter.

Mr. Kelley introduced himself as representing Holladay Properties and explained that they are the developers of the Lifeworks Business Park at U.S. Highway 421 and Interstate 94. Holladay Properties have been working with Haas & Associates and Attorney Meyer to prepare a Sewer Use Agreement with the District with the hopes of being able to connect the existing developer-installed main to the District’s main, and become part of the District.

Attorney Meyer explained that the sewer was actually installed four or five years ago but never connected to anything. Now that they are proceeding with their development, they are requesting permission to connect to the Sanitary District’s system, and then ultimately transfer ownership of that 12 inch sewer to the Sanitary District. There will be a Transfer Agreement submitted at a later date.

Attorney Meyer requested Board approval for the Sewer Use Agreement, which contains statutory language. He explained that this language authorizes the Board to
negotiate terms with the developer, adding that historically the District only requires a connection fee from the building owners as tap fees.

Therefore, Attorney Meyer recommended that the Board agree to a zero connection fee as well as recommendation to approve the Sewer Use Agreement provided.

Mr. Gonder entertained a motion to waive the connection fee.

Mr. Peller made such a motion – seconded by Mr. Harris. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Peller then made a motion to approve the Sewer Use Agreement with HPLRHS Land, LLC, as submitted – seconded by Mr. Edinger. There being no question or comment on the matter, the motion carried 4 – 0 in favor.

Mr. Gonder asked about the possibility of Shady Oaks Mobile Home Park not entering into a Sewer Use Agreement. Attorney Meyer advised that, if they do not respond, they will not be allowed to connect to the District’s line.

Discussion was held about the Agreed Order by the State of Indiana requiring the facility to connect to sanitary sewer, which was not in place, as well as the need to proceed with the installation of the sewer.

Mr. Gonder entertained a motion to approve and allow Revenue and Tax Levy Claims for payment.

Mr. Harris made such a motion – seconded by Mr. Peller. There being no questions or comments on the matter, the motion carried 4 – 0 in favor.

**Old Business**
There was none.

**New Business**
Mr. Gonder commented that he had a previous conversation with Mr. Kuss about the excessive dirt on U.S. Hwy 421. Mr. Kuss explained that he contacted the State on May 22nd and they advised that they would be out on May 23rd to clean it up. However, they did not come out at all.

Mr. Peller explained that this is the result of crack sealing and the placement of sand on top. He noted that this occurred frequently in Gary and all of the sand went into storm sewers. He commented that this is unconscionable.
Discussion was held about this being an issue with storm sewers and that the State of Indiana must be held to the same standards as other entities. Mr. Kuss is to write a letter to the State.

There being no further business to come before the Board, Mr. Gonder adjourned the meeting at 6:23 p.m.

There will be a Special Meeting of the Board of Sanitary District Commissioners on May 14th, 2014, at 4:00 p.m.

There will be an Executive Session of the Board of Sanitary District Commissioners on May 14th, 2014, immediately following the Special Meeting.

The next regular monthly meeting of the Board of Sanitary District Commissioners – June 25th at 4:00 p.m. at 1100 E. Eighth Street

/ Frank R. Harris /
Frank R. Harris, Secretary