

BOARD OF SANITARY DISTRICT COMMISSIONERS REGULAR MEETING

WEDNESDAY, MAY 28, 2025, 4:00 PM 1100 E. EIGHTH STREET

The meeting was called to order at 4:04 P.M. by President Don Babcock.

Commissioners present were Don Babcock, Andrew Sperling, Tim Werner, Tance Falls, and Tina Mahone.

Staff present at the meeting were:

Rhonda Anderson, Superintendent of Water Reclamation

Rachel McCline Administrative Assistant/Secretary for the Board of Sanitary District Commissioners

Al Walus, Operations & Inspections Manager

Christopher Yagelski, Business & Facilities Manager

Wendy Vachet, Director of Public Works

Jewell Harris, Legal Counsel

Also present at the meeting were:

Dan Cutshaw, MS Consultants, Inc.

Dave Biela, Michigan City Resident

Scott Meland, Michigan City Resident

Tom Nagle, Robinson Engineering

Ryan Laughlin, Haas & Associates, LLC

Eric Burns, United States Geological Survey (USGS)

Rebecca Hammer-Lester, United States Geological Survey (USGS)

Alonzo Garcia, Schneider Geomatics

John Kremke, Schneider Geomatics

Bruce Woodruff, Woodruff & Sons, Inc.

Minutes

Mr. Sperling made a motion to approve the April 23, 2025 – Executive Session Minutes as presented – seconded by Mr. Werner. There being no question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Sperling made a motion to approve the April 23, 2025 – Regular Meeting Minutes as presented – seconded by Mr. Werner. There being no question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Babcock certified that an executive session was held before this meeting and that there was nothing discussed outside of the information posted in the advertisement for the session.

Public Comment

Dave Biela, 3044 Ohio Street Michigan City Indiana addressed the Board regarding storm water issues in his neighborhood. Mr. Babcock asked Mr. Biela when the last time his basement was flooded. Mr. Biela replied 2021. The Board advised that they would investigate the matter and have a response to Mr. Biela's concerns at the next regular meeting or the following meeting.

Scott Meland, Michigan City Resident asked the Board how the Sanitary District proposes to fund the Plant Improvement Project.

Mr. Meland expressed concern regarding the beautification of the medians on Michigan Boulevard. Mr. Meland asked why the Sanitary District is responsible for them as opposed to Vector Control. Mr. Babcock advised that the Ron Meer Administration made the decision to appoint the Sanitary District to the above-mentioned task.

Financial Report

As of May 28, 2025

Sanitary District Operating Fund: \$1,804,487.12
Sanitary District Tax Levy Fund: \$1,792,806.84

Harris Law Firm PC

Mrs. Anderson submitted Invoice No. 11034 in the amount of \$337.50, Invoice No. 11035 in the amount of \$112.50, Invoice No. 11036 in the amount of \$787.50, Invoice No. 11037 in the amount of \$956.25, Invoice No. 11038 in the amount of \$337.50, Invoice No. 11039 in the amount of \$618.75 and Invoice No. 11040 in the amount of \$1,631.25 from Harris Law Firm PC and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Christopher B. Burke Engineering

Mrs. Anderson provided the Board with an April Progress Report. Mrs. Anderson submitted Invoice No. 38280 from Christopher B. Burke Engineering in the amount of \$8,062.50 and recommended approval of the same.

Mr. Sperling made such a motion - seconded by Mr. Werner. There being no question or comment on the matter, the motion carried 5 – 0 in favor.

Mrs. Anderson noted that Christopher B. Burke Engineering has been instrumental in assisting the Sanitary District with the Municipal Separate Storm Sewer System (MS4) and submitted an April 2025 Progress Report.

MS Consultants, Inc.

Mr. Cutshaw advised that there will be more information regarding the Rate Study at the next regular meeting.

Mrs. Anderson submitted the final invoice from MS Consultants, Inc. for the Preliminary Engineering Report in the amount of \$10,450.00 and recommended approval of the same.

Mr. Werner made a motion to approve Invoice No. 61-04G30-00-7 as presented – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Schneider Geomatics

Mr. Kremke and Mr. Garcia provided the Board with a status report for the Lake Avenue/U.S. Highway 12 Lift Station Project. Mr. Kremke noted that a pre-construction meeting was held on April 29, 2025, and that the contractor shop drawing and product submittal is ongoing. The Indiana Department of Environmental Management (IDEM) Sanitary Sewer Permit review for sewer extension and regulatory approval is ongoing.

Mrs. Anderson submitted Invoice No. 196274 in the amount of \$11,955.00 and Invoice No. 194579R in the amount of \$480.00 from Schneider Geomatics and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Falls. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Kremke provided the Board with a project status report for the Michigan City Annexed Area Sewer Extension Project (MCASE). It was noted that Rieth-Riely Construction Co., is making progress on this project with approximately 80% of the gravity sewer north of U.S. Highway 20 installed.

Mr. Kremke submitted Change Order No. 2 from Rieth-Riley Construction Co., due to engineering design changes to the small diameter low-pressure portion of the sewer

project. It was noted that the aggregate sum of Change Orders No. 1 and No. 2 is a contract price decrease of \$44,778.21. Mrs. Anderson recommended approval of the same.

Mr. Sperling made such a motion - seconded by Mr. Falls. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mrs. Anderson submitted Invoice No. 3620457-2 from Rieth-Riley Construction Co., in the amount of \$445,367.70 and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mrs. Anderson submitted Invoice No. 196273 from Schnieder Geomatics in the amount of \$14,652.50 and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mrs. Mahone. There being no question or comment on the matter, the motion carried 5 – 0 in favor.

MCSAN Project Updates

Mr. Walus advised that prior to starting the MCASE Project with Schneider Geomatics, some land clearing had to be completed. After thorough research, it was determined that the following documents must be approved to close out the land clearing project.

Mr. Laughlin presented a project history and status memorandum for the project mentioned.

Mr. Walus submitted Change Order No. 1 for an additional amount of \$5,052.00 to cover additional scoped items and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted Change Order No. 2 for “as-built” quantity adjustments for an additional amount of \$16,446.23 and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted a Certificate of Substantial Completion with a correct date of March 30, 2024, and recommended approval of the same.

Mr. Sperling made such a motion – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted a Certificate of Final Completion with the correct date of September 19, 2024, and recommended approval of the same.

Mr. Sperling made such a motion – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted a Final Pay Request for the site clearing. Invoice No. 81094 from Woodruff & Sons, Inc., in the amount of \$38,316.46 and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus advised that after thorough research, it was determined that the following documents must be approved to close out the Lincoln Avenue Sewer Replacement Project. Mr. Walus noted that all payments/final payments have been made to the contractor for this project.

Mr. Laughlin presented a project history and status memorandum for the project mentioned. It was noted that the Sanitary District and Haas & Associates, LLC, had staffing issues that caused delays regarding the closing out of this project.

Mr. Walus submitted Change Order No. 1 for an additional amount of \$47,019.56 to repair the collapsed sewer and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted Change Order No. 2 for “as-built” quantity adjustments with a deduction of \$92,895.87 and recommended approval of the same.

Mr. Werner made such a motion – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted a Certificate of Substantial Completion with the correct date of December 4, 2023, and a Certificate of Final Completion with the correct date of December 11, 2023, and recommended approval of the same.

Mr. Sperling made such a motion – seconded by Mr. Werner. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

MCSAN Staff Monthly Reports

Mrs. Anderson commended the Sanitary District staff for their efforts during the severe storm.

Mrs. Anderson provided the Board with Sanitary District staff monthly reports. Mrs. Anderson advised that Indiana Department of Environmental Management (IDEM) visited the Sanitary District and was satisfied that the staff did everything they could to prevent any violations during the severe storm event.

Mrs. Anderson reported that the Sanitary District hosted Plant tours to third graders from Marsh Elementary School on April 25, 2025.

Mr. Walus introduced Rebecca Hammer-Lester from the United States Geological Survey (USGS). Mrs. Hammer-Lester provided the Board with a Stream Gage presentation. A Stream Gage contains instruments that measure and record the amount of water flowing in the river or stream, or its discharge. Mr. Walus advised that the renewal of the mentioned Stream Gage is due in August 2025.

Approve & Allow Revenue & Tax Levy Claims for Payment

Mr. Werner made a motion to approve and allow Revenue & Tax Levy claims for payment – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Old Business

Mrs. Anderson advised that the Cintas website is now functional for District employees to purchase clothing for the year 2025.

New Business

Mr. Walus submitted a proposed Project Manual for a Utility Emergency Repairs Program. Mr. Walus explained that the Project Manual would be used to solicit bids with unit pricing for use in emergency repair call outs. Mr. Walus advised that upon approval of the Project Manual, the Sanitary District would like to move forward with the publication of bid advertisement on June 3, 2025, and June 10, 2025. Mr. Walus then recommended approval to finalize the Project Manual with Harris Law Firm, PC.

Attorney Harris asked if the responsive bidders will be required to agree to an on-call contract that the Board approves. Mr. Walus advised that there is language in the proposed Project Manual that may need to be reviewed to address pre-approved agreements.

Mr. Sperling made a motion to approve the Project Manual for Utility Emergency Repairs Program as presented – seconded by Mrs. Mahone. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Walus submitted two (2) Emergency Repair Requests. *Indiana Code Section IC 36-1-2-4.5* defines *Emergency* as a situation that could not reasonably be foreseen and that threatens public health, welfare or safety and requires immediate action. Additionally, *Indiana Code Section IC 36-1-12-9* Emergencies; contracts by invitation, state that the Board, upon a declaration of emergency, may contract for a public work project without advertising for bids if bids or quotes are invited from at least two (2) persons known to deal in the public work required to be done.

The first repair requested is a storm inlet at the northeast intersection of Franklin Street and Valentine Court. The second repair requested is multiple sanitary sewer manhole covers on Franklin Street between 10th Street and 11th Street. Mr. Walus requested Board approval declaring the mentioned repair requests as emergencies.

Mr. Werner made such a motion – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Yagelski provided the Board with a proposed Michigan City Sanitary District Vehicle & Driver Policy that the Sanitary District would like implemented in the Policy and Procedure Manual. Due to the risk of motor vehicle accidents resulting from traffic congestion, unsafe driving habits, road conditions, and driver distraction, the District is improving its safe driving program. This safety program applies to all employees who operate a motor vehicle on District property while performing services to the District or conducting District business and or while on District time whether operating a District vehicle, personal vehicle, or assigned equipment. Mr. Yagelski then recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Regarding Lakeshore Sewer, LLC., Mr. Yagelski advised that IDEM has granted additional time including a new start date of June 30, 2026, to address unforeseen

issues with the project. Mr. Yagelski noted that the contractor has 5 years to complete the project from the new start date. Mr. Yagelski then recommended Board approval allowing the new start date of June 30, 2026, to match IDEM's approved extension.

Mr. Falls made such a motion – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Yagelski reported hail damage to several Sanitary District structures on May 7, 2024. Mr. Yagelski noted that estimates were received for repairs and funds were encumbered from 2024 to make the necessary repairs in 2025. Mr. Yagelski reported that J.B. West was approved by the Sanitary District's insurer to repair five (5) roofs for the Sanitary District. Mr. Yagelski then recommended approval of the same.

Mr. Werner made a motion to allow the Sanitary District to move forward with J.B. West as recommended – seconded by Mr. Sperling. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Ms. Vachet advised that the financial recovery of sewer delinquencies has been thoroughly reviewed. Ms. Vachet noted that the Sanitary District is working with the Michigan City Department of Water Works and Harris Law Firm, PC. to implement a standard operating procedure for properly applying liens in the future. Ms. Vachet reported that as of March 31, 2025, the Sanitary District has \$204,248.00 of financial leakage to be expunged as bad debt. Ms. Vachet then recommended approval of the same.

Mr. Werner made such a motion – seconded by Mr. Falls. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Mr. Babcock noted that there will be a standing Executive Session thirty (30) minutes before each regular meeting.

Ms. Vachet submitted a revised Sanitary District Organizational Chart that creates a more streamlined process for the Public Works Director position and for those who report to that position. Ms. Vachet then recommended approval of the same.

Mr. Sperling made such a motion – seconded by Mr. Falls. There being no further question or comment on the matter, the motion carried 5 – 0 in favor.

Attorney Harris recommended that the date of approval be included at the bottom of the revised organizational chart. Ms. Vachet understood.

Mrs. Mahone moved to adjourn the meeting at 6:02 P.M. There being no question on the matter, the meeting was adjourned.

Next Board of Sanitary District Commissioners Regular Meeting – June 25, 2025, at 1100 E. Eighth Street, Michigan City, IN 46360 at 4:00 P.M. Local Time.

A handwritten signature in black ink, appearing to read 'Don Babcock', written over a horizontal line.

Don Babcock, President