

LOWELL TOWN COUNCIL  
WORK SESSION  
MAY 24, 2021

A Work Session of the Lowell Town Council was called to order on Monday, May 24, 2021, at 6:00 P.M., by President Christopher Salatas. Members present were Michael Gruszka, John Alessia, Christopher Salatas, and John Yelkich. Councilman Angerman was absent. Also present were Clerk-Treasurer Judith Walters, Town Manager Craig Hendrix, Public Works Director Kevin Gray, Town Attorney David Westland, Police Chief Jim Woestman and two interested citizens. The purpose of the work session was general town business.

Updates were given on the following projects:

Virtual Meeting Update - Attorney Westland reported during the pandemic virtual meetings were allowed per the order of the Governor, and now State Statute has changed that will allow virtual meetings but the Council must adopt a policy to utilize electronic meetings. He stated there are certain rules that must be followed such as: at least 50% of the body must attend in person; a member may not attend more than two meetings in a row electronically unless due to health or military service; a member may not attend more than 50% of the meetings a year electronically and in order to vote the person must be both seen and heard on audio. A member cannot participate electronically if the body intends to take final action of seven specified actions - adopt a budget, make a reduction in personnel, initiate a referendum, impose or increase a tax, fee, penalty, or using eminent domain. He recommended an Ordinance be enacted that will cover all boards and commissions. Attorney Westland stated the policy can be stricter than the state law, but not less strict. Discussion followed. Council agreed to enact Ordinance but would like actual meeting attendance per year at 75%. Attorney Westland will prepare a draft of ordinance for their review.

Costas/Sidetrack Demolition - The following bids were opened on May 21st for the demolition project: Austgen Equipment, Crown Point - \$325,430; GE Marshall, Valparaiso, - \$311,800; Fowler Enterprises, Elgin, Illinois - \$146,240; and Dore Associates, Bay City, Michigan - \$189,600. Town Manager Hendrix stated the two lowest bids are non-union and not licensed in Lake County Indiana and stated it may take a month or better to get licensed. He stated it was part of the bid specs that they had to be licensed in Lake County to have their bid counted. He said he needed to review if the two lower bids included railroad protection insurance since they will be working on railroad property when they are demolishing the Sidetrack. Town Manager Hendrix said he would like more time to review the bids and recommended having a special Redevelopment Meeting prior to our regular Council meeting on June 14th.

Trail Project - A revised image of the Freedom Trail alignment had been received from SEH that will bypass the wetland and require 550 feet of boardwalk. Mr. Hendrix stated the alignment will minimize wetland impacts and will cost less money to go this route. He said he has spoken to Mrs. Kiechle about an easement from her property for this route, and understood that Mr. Rankin was in favor of it on his property also. The route would avoid the area where the property owner is encroaching on town property. Councilman Yelkich asked if there is a liability issue with a property owner having items on town property. Attorney Westland stated it is always possible you could get sued, and suggested the best way to protect the encroachment is to send them a letter telling them to move it. He stated private citizens can't take public property.



Cripe Detention Pond Donation - Town Manager Hendrix explained the Cripe family wishes to donate two pieces of land containing detention ponds. The first is in the Harrison Heights Subdivision, along Harrison. It is needed for the Harrison Street project. Staff recommends accepting this parcel. The second parcel is in the Beverly Estates Subdivision between Peggy Sue and Platinum Drive. Staff recommends accepting this parcel conditioned upon the installation of sidewalks and installation of street lights that were never installed by the Cripe family.

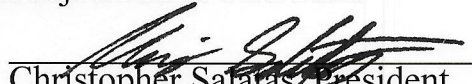
Mr. Hendrix said the Cripe family was the developer of the Beverly Estates Subdivision and never put in a sidewalk around the retention pond and no street lights in the subdivision, just carriage lights. He said they asked for additional time to install the sidewalk due to the cost of concrete, and after discussion Council agreed to give them to August 1st. The enforcement of the street lights will be placed on the agenda of the Plan Commission and also the street lights for Village Green Subdivision. The ordinance will be looked at to have developers pay the two years of Nipsco bills when their final plat of subdivision is approved rather than over a two year period.

No Parking on Liberty - The current ordinance states no parking is allowed on both sides of the street on Liberty Street from Washington Street to Main Street. Mr. Hendrix stated a neighbor is complaining about the Mason Jar parking in front of his house. Mr. Hendrix stated if we enforce then nobody will be allowed to park, not even the resident in front of his own house. Discussion followed. The area they are parking is more on an easement and not the actual street. A decision needs to be made to either modify the ordinance to allow parking or enforce current ordinance.

IFA Matching Funds - Town Manager Hendrix stated the Indiana Finance Authority will be providing grant funds with the American Rescue Plan money they received and said staff met today with representatives from Wessler Engineering to discuss what projects would have the best chance to score well to receive funding for Lowell. He stated they felt the sewer extension to Lake Prairie School and Route 41, and wastewater plant improvements would both be good scoring projects. This money could be used in addition to the two million of ARP funds the Town is receiving. Mr. Hendrix stated Lake County also received funding the Town can apply for. President Salatas said that the State of Indiana is restarting the Stellar Committee and said money will be available for economic projects, such as the Costas property to be re-developed, next year. Town Manager Hendrix commented on the Census data that may be delayed a year that will change our funding source for Community Crossing Grants for street paving from 75/25 match to 50/50 match due to increase in population.

Code Enforcement - Mr. Hendrix stated staff met with Attorney Nicole Bennett about the Unsafe Building Ordinance and nuisance ordinance and stated both need to be updated. He stated currently the Unsafe Building committee is the BZA members and he would like it changed to three professional people.

No further discussion, the work session adjourned at 6:52 P.M.

  
Christopher Salatas, President

Attest:

  
Judith Walters, Clerk-Treasurer