

LOWELL TOWN COUNCIL  
WORK SESSION  
NOVEMBER 8, 2021

A Work Session of the Lowell Town Council was called to order on Monday, November 8, 2021, at 5:30 P.M., by President Todd Angerman. Members present were Todd Angerman, John Alessia, John Yelkich, and Mike Gruszka. Councilman Shane Tucker was absent. Also present were Clerk-Treasurer Judith Walters, Town Manager Craig Hendrix, Town Attorney David Westland, Police Chief Jim Woestman, and GIS Director Greg White. Also present were Tri Creek Ambulance Director Corey Wietbrock and LVFD Chief Nick Hydelek and representatives from Etica Group. The purpose of the work session was general town business.

Councilman Gruszka brought up regulating golf carts. He stated he saw so many in his neighborhood on Halloween, and was not opposed to allowing them if they had brake lights and turn signals. Attorney Westland stated the town enacted an Ordinance not allowing off roads vehicles, except for official town business, back in March 2020. Discussion followed. Councilman Yelkich stated he was against changing and would like to see our current ordinance stand. President Angerman stated the police can enforce and could ticket. Councilman Gruszka stated he would like further discussion when all Council members are present.

Tree removal at 17558 Willowbrook - At a previous meeting, the property owner had addressed the Council about a large tree that is dying behind their property on a ten foot walkway that is not listed as an easement. Town Manager Hendrix stated the property is not deeded to the town and seems to be land nobody owns. It was noted it was probably meant for the Outlot behind the property that maybe the developer was going to develop into a park. Council members had agreed since they would have to go on private property to remove the tree, to offer the homeowner to pay for the removal of the tree and the town will reimburse them upto \$3,000. Discussion followed if the walkway should be quit claimed to the town and then the town transfer to the property owners.

Presentation of Emergency Services Facility Assessment - Jim Biggs of Etica Group was present and Toby Winiger was on line via Zoom. They presented their Facility Assessment and Needs Study on the Fire and Police Stations. Mr. Winiger reviewed the study that is broken into tasks that can be performed separately leading to a finalized strategic plan for the Town of Lowell and Townships that will address the future needs of the community for future planning. The project will consider a 20-year life cycle. Task 1 includes facility assessment, site assessment for a fee of \$36,370. Task 2 includes data gathering for a fee of \$11,015. Task 3 includes needs assessment to determine the future needs of the fire/police for a fee of \$13,390. Task 4 and 5 include strategic planning that includes maps and site diagrams and the rate is to be determined. Town Manager Hendrix stated the Town needs to determine if they are moving forward or if further discussions need to be had with the Townships and Ambulance Board. Councilman Gruszka stated the fire station is owned by the Town and is our



responsibility, and said the rent to the other entities needs to be adjusted. Councilman Yelkich said we need to talk among all entities before we begin an assessment. Mr. Hendrix agreed, and stated this will be big costs in the future. Corey Wietbrock presented some preliminary numbers for call percentages from the last three years. He stated that 52.09% are within the town limits, 25.38% in West Creek Township, 15.29% in Eagle Creek Township, and 17.78% in Cedar Creek Township. He said they feel the current fire station is centrally located based on calls. LVFD Chief Nick Hydelk stated if the station was moved west it would add additional response time to calls they respond to on I-65. He stated Lowell has a mutual aid agreement with Crown Point to respond to calls on I-65 north to Route 231. Discussion followed on the area covered by both LVFD and Tri-Creek Ambulance.

Discussion of American Rescue Plan Proceeds - \$2,242,598.60 - Town Manager Hendrix stated a plan has to be developed by December 31<sup>st</sup> on how the proceeds are going to be spent. The West Side Sewer Project will be included in the plan, as the school is in cooperation with the project and will contribute one million. Indiana American Water will also be installing a water line west. Discussion had been held in the past on providing employee bonuses for working during the pandemic. Discussion followed on amount for full-time and part-time employees. Clerk-Treasurer Judy Walters will provide additional information on hours worked by part-time employees before a decision is made. Council agreed to budget upto \$160,000 into the plan for bonus pay. Any additional funds will be budgeted for collection system projects.

Discussion of Tax Abatement for Trilogy Project on Burr Street - Town Manager Hendrix stated Cedar Creek Health Facility is planning to develop a residential facility on the property south of Walgreens. The site plan includes single family assisted living facilities. Mr. Hendrix has been approached by Trilogy representatives who have asked if the Town Council would consider offering tax abatement and TIF incentives for this project, as they have indicated the cost to develop is higher than they anticipated. Discussion followed. Council agreed they would like to see the area developed but were not in favor of either tax abatement or TIF incentives.

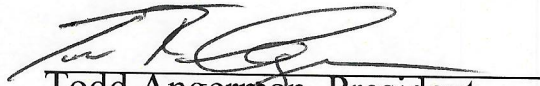
Police enforcement in private subdivision - Councilman Gruszka stated he had been approached by a resident in the Meadowbrook Subdivision, which is a private subdivision, to have the police enforce traffic regulations. Currently the police don't have authority to write tickets in Meadowbrook. Town Attorney Nicole Bennett, available via phone, explained the Town Council may adopt an ordinance that provides for traffic regulations on specified private roads within Meadowbrook, but the process begins with the property owner making a request to the Town Council and a contract would have to be entered into. Attorney Bennett further explained that approved traffic signs must be erected on each private street and signage must include the specific traffic regulations that the Town is enforcing on that private street. She explained that if a speed limit sign is posted, a second sign would have to be posted that reads "Police Enforced per Local Ordinance". Attorney Bennett said there are four HOA's within Meadowbrook and a request must be made by each of the HOAs for the private streets they own.



Discussion followed. Attorney Bennett explained only violations per Ordinance can be enforced, like the agreement on school property. If an officer stops a driver for speeding and notices they have an expired plate, they can only ticket for speeding. She stated they can not do any illegal arrest and said it is opening the Town up for liability. Councilman Alessia asked why we couldn't make these private street public. Town Manager Hendrix said we would then be responsible for the paving and plowing of those streets, and didn't think the property owners wanted to be made public streets. The streets are smaller than public streets as they didn't have to comply with town ordinance if they were private. Councilman Gruszka suggested just enforce stop signs and speeding. Police Chief Woestman stated there is not a lot of speeding in the area, but said they do get complaints about running stop signs and because of the private streets they walk on the road. Discussion followed if not all HOAs are in favor of entering into an agreement with the Town it would be hard to enforce.

State Representative Michael Aylesworth was present to give an update on the 2021 legislative accomplishments that included supporting a responsible budget, helping small businesses, investing in Hoosier students, teachers and schools and supporting law enforcement, boost accountability and transparency in policing. Mr. Aylesworth also showed a budget breakdown on the General Fund Appropriations for 2022/2023. He spoke of the re-districting that was done in 2021. Representative Aylesworth said the letter President Angerman had sent him requesting legislative changes on how municipalities can invest excess funds, due to the sale of the water utility, has been forwarded to the director of legal services to start the process. Council members thanked him for his support.

No further discussion, the work session adjourned at 7:00 P.M.

  
Todd Angerman, President

Attest:

  
Judith Walters, Clerk-Treasurer