

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
MARCH 27, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, March 27, 2023 at 7:04 P.M. by President Todd Angerman. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Todd Angerman, Michael Gruszka, John Alessia, Shane Tucker, and John Yelkich. Also present were Police Chief James Woestman, GIS Director Greg White, Fire Chief Chris Gamblin, and Town Attorney David Westland. Also present was one member of the press, and eight interested citizens., and two via Zoom.

**APPROVAL OF MINUTES**

Councilman Gruszka made a motion to approve the regular meeting and work session minutes from March 13th, seconded by Councilman Alessia and carried with five ayes.

**APPROVAL OF VOUCHERS**

President Angerman stated he had reviewed the following vouchers: White Vouchers #10283 - #10337, White- Police - #1041-#1048, Water #2005-#2005, Waste Water #4219- #4253, and Stormwater Utility #6037 - #6044. Councilman Tucker made a motion to approve the vouchers as listed, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

**ORDINANCES & RESOLUTIONS**

2<sup>nd</sup> reading - Ordinance #2023-02 - PUD - Mohawk Light Industrial - The Ordinance had already been approved on first reading on March 13<sup>th</sup>.

1<sup>st</sup> reading - Ordinance #2023-03 - Additional Appropriation - General, Freedom Park, and Cumulative Fire Fund. Clerk-Treasurer Judy Walters explained the additional appropriation was for cash on hand for a full-time court clerk, police equipment, and additional funds for Freedom Park and Cumulative Fire Fund for equipment., President Angerman opened the Public Hearing. No comments, the hearing was closed. Councilman Tucker moved to hold Ordinance #2023-03 for a second reading, seconded by Councilman Alessia and carried with five ayes on roll call vote.

**UNFINISHED BUSINESS**

WWTP Improvements -  
Act on Change Order #1 - Austgen Electric - UV Disinfection Replacement - \$8,849.25  
Act on Change Order #2 - Bowen Engineering - EQ Basin Drain Piping - \$4,669.68  
Councilman Alessia moved to approve Change Order #1 to Austen Electric and Change Order #3 to Bowen Engineering, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

INDOT SR 2 Sidewalk Project - Repayment of matching funds - \$205,604.70 maximum - Councilman Gruszka moved to approve the repayment to INDOT from Cumulative Capital Development Funds, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Tabled from previous meeting -

3/13 Mohawk property - PUD fees - Mike Austgen - Councilman Yelkich moved to reduce the PUD fee to \$2,000, seconded by Councilman Alessia and carried with five ayes on roll call vote.

## **NEW BUSINESS**

NERI Architects Supplemental Agreement - An Agreement for architectural services (\$25,000) for construction, administration and bidding phase (hourly) and engineering (\$12,000) for the new 16,000 square foot Public Works Facility, was approved on motion by Councilman Gruszka, seconded by Councilman Tucker and carried with five ayes.

Freedom Trail - Ben Harvey, Stantec, environmental consultant for the project was present via Zoom, and explained the environmental document is needed because it is federally funded project. INDOT is concerned with making sure all the rights of people, endangered species, architectural, archeological, floristic community are being preserved and protected. He will collect the comments and questions and prepare a formal response and forward to INDOT for review, then they will formally present to the public. Mr. Harvey stated that a citizen may request a public hearing, but it is up to INDOT to grant a hearing.

Stacy Brown, 511 Timberlake, asked that the public hearing is not being held tonight, that this is just a public meeting. Mr. Harvey agreed yes, INDOT would hold a public hearing on record if granted, and then all responses would be released at a later date. Ms. Brown stated they have been concerned about the trail for three years and felt they have received no information from the town council and town manager. She stated they were not given notice, and she has gone door to door and collected 50 signatures against the trail. Ms. Brown asked who was going to be patrolling the trail, the hours it will be open, and if a camera would be installed, and was concerned the trail was near a school bus stop. She asked if a walker fell onto their property who will be responsible? She asked if dirt bikes would be allowed, and said she felt it would be easy for people to scope out their property and have easy access to their garages. Ms. Brown stated she has spoken with the DNR and has asked INDOT for a public hearing. She stated the document filed is not factual because it stated that nobody is against the project, which is not true, and that it states that Liberty Park has basketball and tennis courts, which it does not. Ms. Brown stated she cannot hold a conversation with Mr. Hendrix and asked the Town to work with them not against them.

Carrie Kish, 524 Timberwod, stated they have lived in their house for ten years and that is why they moved there is for what is behind their house, not a trail. She stated the trail is only going to connect one park to another and there is nothing at either park. She spoke of a pond behind her house and stated they were the ones who cleaned it up and brought it back to life, and said she felt the trail was unnecessary and she was 100% against.

Ed McGuire, 7562 Independent Lane, stated the pond at Redbud has a large drop off and is unsafe. He stated the sidewalks will have to be widened and will take away from his property, and asked why the bikes can't ride on the street and leave the subdivision alone.

Brian Sylevester, 17391 Redbud, said the trail is being done to link the two parks together and asked why that couldn't be done on Nichols Street. He asked if their mailboxes will be moved and if they will be able to park on the street. He felt it was not the best solution and would not be as intrusive on Nichols Street.

Ms. Brown asked how long they will have to wait for their answers for the questions they posed. Mr. Harvey stated it would take a couple weeks for them to compile and forward to INDOT and then they will have to review, so may take up to two months.

Beth Pulley, 560 Redbud Lane, via Zoom, stated she was concerned about the safety of the trail. She stated she bought in the area to raise her family and didn't want to see random people in the subdivision, and said her front yard will be destroyed. She stated her dad was a former member of the Plan Commission, and when they tried to get information about the trail they couldn't get any information and felt the Town should be informing the citizens that this impacts.

### **ANNOUNCEMENTS**

President Angerman announced the next regular meeting will be held Monday, April 9, 2023 at 7:00 P.M. A Special Meeting will be held on Tuesday, April 4<sup>th</sup> at 6:00 P.M. to award the street paving bid.

### **MEDIA QUESTIONS/PUBLIC COMMENTS**

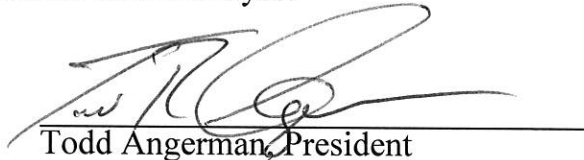
None

### **ADJOURNMENT**

No further business, Councilman Yelkich made a motion to adjourn at 7:28 P.M., seconded by Councilman Alessia and carried with five ayes.

Attest:

  
Judith Walters, Clerk-Treasurer

  
Todd Angerman, President