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**Lowell Stormwater Mgmt. Board Minutes**  
**Regular Meeting**  
**Tuesday July 9<sup>th</sup>, 2024**

Phil Kuiper called the meeting to order on Tuesday, July 9<sup>th</sup>, 2024, at 4pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members present were Rich Oman, Phil Kuiper and Courtney Anderson. Staff Present was Stormwater and GIS Director Greory White, Town Manager Craig Hendrix. Town Attorney Nichole Bennet was present via Zoom connection.

**Election of Officers:**

Mr. Oman made a motion to nominate Phil Kuiper for Chairman, seconded by Courtney Anderson. No other nominations are heard. Motion was carried with a voice vote of all ayes.

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Mr. Oman made a motion to appoint Courtney Anderson for Vice Chairman, seconded by Mr. Kuiper. No other nominations are heard. Motion was carried with a voice vote of all ayes.

Mr. Kuiper made a motion to nominate Mr. Oman as secretary, seconded by Ms. Anderson. No other nominations are heard. Motion was carried with a voice vote of all ayes.

**Approval of Minutes:**

Mr. Oman made a motion to approve the minutes from May 12, 2022. Mr. Hendrix stated for the record Mr. Kuiper and Ms. Anderson were not members at the time of this meeting. Attorney Bennett stated members approve the minutes based on their capacity and that they were submitted by the secretary as the minutes for that meeting. Motion to approve the minutes was seconded by Chairman Kuiper and carried with a voice vote of all ayes.

**Old Business:**

**Status report- Stormwater Master Plan town wide:** Mr. Hendrix stated the board had been working for a while with a consultant which at the time was SEH on several issues around town. Mr. White displayed the “known issues” document on the monitor. Mr. Hendrix stated this is the map for small drainage problems in town. There are nineteen listed. He stated the major areas of problems are the SE area, Hilltop, Joe Martin. This is an older part of town, and not a lot of storm sewers were installed back then. He stated mostly on the west side of this area. He stated another area is Lincoln St and Powell ditch culvert. Discussion. He discussed some of the other projects and what was done already.

Mr. Hendrix stated his intention is to meet on a more regular basis. There are some major storm projects that need to be accomplished. This board is the funding mechanism for these projects. The board has a bonding capacity. They can make recommendations to the council. Discussion. Discussion on acquiring easements for some of these projects. Watersheds have been identified. Some of those solutions are easements, pipes, swales etc. Mr. Hendrix stated these are long-term projects. Discussion.

**WWTP** – Mr. Hendrix stated there is an EQ basin at the WWTP around the 15–17-million-gallon range. The plant is rated at 4 million. During large rain events there are 10-, 12- or 15-million-gallon rates coming in. The plant cannot handle cleaning that water, so it is diverted. There are 2 basins in cedar lake that store 15 million gallons total. The liner at the plant is 20+ years old. It is failing, has tears in it and

due to the bottom of the basin it cannot be maintained since there is no hard surface in the bottom. Town has been sited by IDEM for this issue and we are under an agreed order to fix it. The liner must be replaced and the bottom repaired. The town is a CSO. The EQ basins are only used during rain events. This repair will fall under stormwater for that reason. Project cost will be shared with Cedar Lake. Discussion on cost and the sewer plant expansion. The EQ project will be listed as a stormwater project. A bond will be applied for, bids will be accepted and awarded later this year. Most of the work would be done in early summer of next year.

**New Business:**

**Lincoln St & Powell Ditch** – east central part of town drains into this area. Discussion on areas that need to be repaired. Discussion. Mr. Hendrix stated he has an agreement with SEH. He discussed some of the hydraulic modeling that has been done already. Discussion. He stated it will be a bond project. The bridge and road are eligible for INDOT crossing community matching grants. The Lincoln Ave scope of work and proposal were displayed on monitor. Mr. Hendrix stated he is asking the board to consider approving the contract with SEH for a total of \$20,900 for preliminary engineering on this project. Mr. Oman made a motion to approve the agreement with SEH for preliminary engineering for the Lincoln St over Powell ditch, seconded by Ms. Anderson, carried with a voice vote of all ayes. This is for preliminary engineering only. **ACTION TAKEN = MOTION PASSED 3-0**

**Discussion of Financing for proposed capital projects:**

The fund balance was displayed, there is \$1,000,000.00 in the fund. The various projects that the funds could be used for were displayed on the monitor and discussed. He explained the rules for quotes versus bidding. Mr. Hendrix stated there are a lot of little jobs that he cannot get a contractor to do on their own. He is going to pair a few of them together and make it a bigger project. He discussed the rules of being able to solicit quotes versus formal bid. He stated he will request quotes from 3 or 4 contractors and present them to the board at the next meeting. Discussion on where the projects are located at and what is needed at each one. Mr. Hendrix will package the discussed projects and request bids for all of them as one job. He is estimating the bids to come in under \$150,000 total.

**-agreement with Ziese Excavating for drainage pipe in Beverly Estates**

Mr. Hendrix discussed the location of the pipe and scope of work that is needed. He discussed the large area of town that drains to this pipe. Because this pipe is a mutual benefit to the town and Beverly Estates sub. during phase 1 of Beverly Estates discussions the developer agreed to split the cost with the town for the needed repair. Mr. Hendrix discussed the timing and location of the next two phases of the subdivision. He stated the price for the repair from Ziese is \$200,000/\$100,000 ea. The developer is prepared to pay his portion of the phase 2 pipe fix. The phase 3 portion of the pipe fix the developer is not able to contribute to until he starts development of that phase. Mr. Hendricks stated the entire pipe needs to be replaced to make it function properly. Mr. Hendrix stated the cost of material and labor to fix this pipe will more than likely increase in price, it certainly will not be less. He stated he spoke with Attorney Bennett about this. Mr. Hendrix stated that his proposal is to pay for the entire pipe now with the developers half contribution for phase 2 and this entity will pay the remaining balance with an agreement signed by the developer to pay his half of phase 3 when he develops that part of the subdivision. He stated there would also be a lien placed on the 3<sup>rd</sup> phase of the developer's property for added security to recoup the boards monies. The design and contractor are ready to go. Attorney Bennett discussed the legal mechanisms that must be completed first. There must be agreements signed by the developer, contractor and coupled with a resolution that must lay out the project. These items would have to be approved at another meeting. Because it is a public project a public hearing must be held for remonstrances. Discussion on timeline. Discussion on motion needed at this meeting to proceed. Mr. Hendrix stated the

developer has a contract with the contractor. The town would be reimbursing the developer as a participant. The town did not bid out this project. Discussion on who is receiving payment and contracts. Discussion on motion need today at meeting. Chairman Kuiper made a motion to authorize Attorney Bennett to proceed with the preparing of the contracts with the developer and resolution for this project, seconded by Ms. Anderson and carried with a voice vote of all ayes.

**ACTION TAKEN - MOTION PASSES – 3-0**

Discussion – a next meeting date to proceed with the stormwater pipe replacement in Beverly Estates.

**Discussion – Fund financing for proposed large capital projects-**

Mr. Hendrix discussed the feasibility study that the financial consultants did for the stormwater users' rates. He discussed current rates and financial needs for capital project bonding. Mr. Hendrix presented the disbursements/allowance for improvements with the current rate and with three different potential rate increases. He discussed the current rate that would be held for operating expenses and the increase difference that would generate monies for bond proceeds based on these different scenarios. He discussed the cost of the EQ basin at the WWTP. Mr. Hendrix stated the board cannot set the fee it would be a recommendation to the council. Discussion. He stated stormwater fees monies are collected on the bi-yearly tax bill. He stated the council has seen this document and they want to proceed. He stated the job of the stormwater mgmt. board would be to recommend the projects, develop cost estimates and decide a mechanism for paying for it. The council would be the authority that raises the fee. Mr. Hendrix stated his estimate is that we need a six-million-dollar bond. Discussion. The stormwater board secures the bond, and the council pledges the fees to the bond. Mr. Hendrix estimates 5-7 years' worth of projects.

**Discussion:** None

**Announcements:** The next meeting was scheduled for July 23<sup>rd</sup>, 2024

**Public Comment:** None

**Adjournment:** Mr. Oman, made a motion to adjourn at 5:08pm, seconded by Ms. Anderson and carried with voice vote of all ayes.



Chairman



Secretary