

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
AUGUST 23, 2021**

The regular meeting of the Lowell Town Council was called to order on Monday, August 23, 2021 at 7:00 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 Michael Gruszka, Todd Angerman, John Alessia, Shane Tucker, and John Yelkich. Also present were Town Manager Craig Hendrix, Police Chief Jim Woestman, GIS Director Greg White, Matt VanDrunen, LVFD, Attorney David Westland via Zoom, and four interested citizen.

**APPROVAL OF MINUTES**

Councilman Gruszka made a motion to approve the regular meeting minutes and work session from August 9th, seconded by Councilman Yelkich and carried with five ayes.

**APPROVAL OF VOUCHERS**

President Angerman stated he had reviewed White Vouchers #10896 - #10960, White-Police #6127 - #6133 , Water #2614 - #2642, Waste Water #4513- #4549, and Stormwater Utility #7085 - #7092. Councilman Gruszka made a motion to approve the vouchers as listed, seconded by Councilman Tucker and carried with five ayes.

**PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS**

Letter of resignation from BZA - Manny Frausto - Councilman Alessia made a motion to accept the letter of resignation, seconded by Councilman Tucker and carried with five ayes. Clerk-Treasurer Walters asked if this open position should be advertised. President Angerman stated to advertise the position for two weeks. Councilman Yelkich and Councilman Gruszka thought there were two open positions and asked Clerk-Treasurer Walters to verify and to advertise accordingly.

**ORDINANCES & RESOLUTIONS**

1<sup>st</sup> reading - Ordinance #2021-23 - authorizing increase in Garbage Administrative Fee of .90 cents - Councilman Gruszka moved to hold Ordinance #2021-23 for a second reading, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

**UNFINISHED BUSINESS**

2020 Street Improvements - Approve Pay Request #7 - Dyer Construction - \$304,493.64 less retainage and approve White Voucher #10961 to Dyer Construction - \$276,812.40 - Councilman Tucker made a motion to approve Pay Request #7 and White Voucher

#10961 to Dyer Construction, seconded by Councilman Alessia and carried with five ayes on roll call vote.

Notice of Award on State Road 2 Water Main Replacement Contract - Grimmer Construction and act on appropriation of funds - Councilman Gruszka asked what the bid amounts were. Town Manager Hendrix stated the Grimmer Construction bid was \$932,991.00 and Austgen Equipment bid was \$997,142.00. Mr. Hendrix stated this project is to replace the water main from Burr Street to Lincoln Street along Route 2; stating it needs to be done before INDOT redoes the highway next year and it is part of the agreement with American Water to have it complete before the sale. Mr. Hendrix stated this will be going down the east bound lane of Route 2, which has to have flowable mortar poured around the pipe, making it more expensive. Mr. Hendrix stated Grimmer fills out an annual responsible bidder ordinance at the beginning of the year, which is sent at the beginning of the year. Clerk-Treasurer Walters stated there is not enough funds in the water utility, and suggested to do a temporary loan from the sewer improvement or stormwater improvement fund, stating once the sale is done, the loans will be paid back. She said there is a balance of \$450,000.00 in Water Improvement Fund at this time.. Clerk Walters said this is approved tonight, she will have a temporary loan ready for approval at the next meeting in the amount of \$300,000.00 from both, the sewer improvement and the stormwater improvement fund. Councilman Gruszka made a motion to award the bid to Grimmer Construction and approve a temporary loan from sewer improvement and stormwater improvement funds to cover the expense for Grimmer Construction, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Tabled from previous meetings:

03/22 - Contract with Lake County Sheriff's Department for animal control service -

04/26 - Propose a Community Garden

## **NEW BUSINESS**

Waive Solicitors fees for LVFD Festival and request donation - Matt VanDrunen, Lowell Volunteer Fire Department, stated in the past the fire department has fund the festival and is asking the town to waive the solicitors fees and asking for any type of donation. Mr. VanDrunen stated the Fall Fire Festival will be held on September 17<sup>th</sup> & 18<sup>th</sup> at Freedom Park. Clerk-Treasurer Walters stated applications will need to be filled out, with the background checks being waived. Councilman Yelkich made a motion to waive the solicitors fees, seconded by Councilman Tucker and carried with five ayes on roll call vote. Clerk-Treasurer Walters stated there are funds available in the Community Relations account that can be used. Councilman Gruszka made a motion to approve a \$1,000.00 donation, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Approve Performance Bond No. 7901022751 - \$990,000.00 - Heritage Falls Phase 4 Unit 1 - Ken Jernberg - Providence Real Estate Development - Councilman Gruszka asked which direction they were going with the development. Mr. Jernberg stated it will be west

and north, stating one street north of Mayflower and one street west of Ben Franklin. Town Manager Hendrix stated this is a performance bond for work that is still progressing, and stated they did get final plat, which will allow them to record the plat and sell off lots. Mr. Jernberg stated there are thirty-two single family lots. Councilman Gruszka made a motion to approve Performance Bond No. 7901022751, seconded by Councilman Tucker and carried with five ayes on roll call vote.

### **ANNOUNCEMENTS**

President Angerman announced the next regular meeting will be held on Monday, September 13th at 7:00 P.M.

Councilman Gruszka stated the tabled items were missed earlier in the meeting. President Angerman asked if the tabled items can remain tabled? Councilman Gruszka made a motion to leave items tabled, seconded by Councilman Alessia and carried with five ayes.

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

Tom Cartwright, 17113 Nightingale, stated there is a list of streets on the town website that have speed limits posted, and said he lives in Heritage Falls and none of the streets have speed limit signs and is requesting they be added. He stated when the speed limit is not posted, people think they can go faster through the subdivision. Town Manager Hendrix stated if there are two ways into the subdivision, a speed limit sign can be placed at each entrance, not on each street. Discussion followed. Town Attorney Westland stated the town needs to codify which streets are 20mph, then put signs up. He stated these streets can be added to the ordinance. Councilman Gruszka stated all subdivisions should be 20mph; stating this will also justify giving someone a ticket if they are speeding.

### **ADJOURNMENT**

No further business, Councilman Gruszka made a motion to adjourn at 7:25P.M., seconded by Councilman Alessia and carried with five ayes.

  
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Todd Angerman, President

Attest:

  
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Judith Walters, Clerk-Treasurer