

LOWELL TOWN COUNCIL
WORK SESSION
SEPTEMBER 13, 2021

A Work Session of the Lowell Town Council was called to order on Monday, September 13, 2021, at 5:30 P.M., by President Todd Angerman. Members present were Todd Angerman, John Alessia, and John Yelkich. Councilman Michael Gruszka and Shane Tucker were absent. Also present were Clerk-Treasurer Judith Walters, Town Manager Craig Hendrix, Town Attorney Nicole Bennett, and Police Chief Jim Woestman and GIS Director Greg White. Also arriving during the session were two citizens. The purpose of the work session was general town business.

Lowell Marketing Presentation - this item will be addressed at the next work session.

Title VI Policy Update and Training Session - Town Manager Craig Hendrix explained the abbreviated Title VI Plan/Non-Discrimination Agreement for the Town of Lowell. Since our plan was out of date, it was updated by First Group and then reviewed by Attorney Westland. A Resolution to adopt the plan will be acted on during the regular meeting. Mr. Hendrix conducted a training session on the plan for those present that assures that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. He outlined the procedures including filing a complaint, the complaint process and that he is the designated Title VI Coordinator and will conduct findings. He stated as a recipient of federal funds, those agencies are requiring the town to develop a procedure for gathering statistical data. Mr. Hendrix stated that town employees will be trained on the policy of nondiscrimination. He explained that if staff is unable to translate a language, an identification flashcard will be provided and the town will then provide a translator. The policy will be updated as needed and training will be done every couple of years.

Introduction of 2022 Budget - Corby Thompson, Krohn & Associates, presented the 2022 budget summary with information from Form 1's provided by Clerk-Treasurer Judy Walters. He stated they wanted Council review before the public hearing, which is set for September 27th. The total budget proposed is \$8,192,187, with \$6,021,287 proposed of total levy funds. The budget has been prepared based on the sale of the Water Utility, therefore some of the salaries have been reallocated to the General Fund and/or Sewer or Stormwater Utility. Clerk Treasurer Judy Walters stated the proposed budget includes a 3% salary increase, an additional police officer with benefits, the reallocation of the salaries from the Water Utility, and line items adjusted as needed per usage. It was noted that in 2021 the Town had to appropriate for 27 pays as opposed to 26 pays in a normal year. Mr. Thompson presented a Petition to Appeal for an increase above the maximum levy due to the three-year growth factor. He stated the \$37,468.00 would be a permanent increase to the levy and in addition to the 4.3% normal assessed value growth we automatically receive. The tax rate impact would be 0.9581%. He asked the Council to act on the Resolution to approve the maximum levy appeal during their regular meeting. Discussion followed on the proposed budget, the short fall that may occur in the future, and the need to review miscellaneous revenues such as building permit

fees. Mr. Thompson and Mrs. Walters are also working on a salaries and wage analysis for 2022. Discussion followed on the American Rescue Plan and that some surrounding communities are giving their employees a one time bonus for Covid-19 premium pay to essential employees. Staff and Council will look into the matter further.

Garden Center Update - Mr. Hendrix had met with the owners who had countered back with a price of \$132,000 due to their expenses in 2020. They had originally bought the property for \$55,000 and the Town had offered them \$65,000 based on the appraisal. It was noted this property is in a floodway and they will not be able to get permits from the town or DNR. The Town had tried to buy the property, before the current owner bought it, to be used to expand the south parking lot. Discussion followed and Council agreed to offer \$70,000 because of the cost of litigation, but if they refuse the offer the town will begin the condemnation process.

Acquisition of Detention Pond Parcel in Timber Springs - A pond on Redbud is up for tax sale and Mr. Hendrix asked permission to prepare an offer so it can be combined with the other detention pond. The valued of the property is \$2300.

Acquisition of a Drainage Easement from Lowell Concrete - Mr. Hendrix asked to purchase a drainage easement from Lowell Concrete to construct a ditch to Sierra Ridge pond, that will benefit the Town. The drainage runs east to west and will improve drainage in Indian Heights. An offer to purchase will be acted on during the September 27th meeting.

Attorney Bennett stated the two Outlot parcels in Timbersprings, needed for the trail project, should be deeded over to the Town by the end of the year. She stated the daughter of the deceased developer is wanting to get rid of them. A discussion followed on the five detention ponds that are on tax sale and Mr. Hendrix asked about doing a Quit Claim from the owner to the Town. Mr. Hendrix said this is why detention ponds need to be owned by the Town, and stated many of the detention ponds don't have easements. Discussion followed on a pond in Malibu Woods and Sierra Ridge. Councilman Alessia asked about the property the town acquired on Nichols Street, and Mr. Hendrix stated the plan is still to swipe properties for the trail project. Mr. Hendrix stated the environmental study is showing the trail may be built on the wetlands, and then he will start making offers to purchase property. A discussion followed on the Treasurer's sale vs. Commissioner's sale for properties available.

Discussion of Revising HR Documentation - Employee Handbook, Job Descriptions, Salaries - As discussed in the past, these items need updated and Mr. Hendrix asked permission to contract with a consultant to prepare. Funds are available in the 2021 budget and can be encumbered at year end. Attorney Bennett recommended that an Indiana company be used.

Updates were given on the following projects -

Harrison Street - Curb/sidewalks are being poured, and sod is being installed. Mr. Hendrix stated we will meet the November deadline. Mr. Hendrix explained that the mailboxes had to be placed in the sidewalk, otherwise we would have had to acquire property and that is not the way this funding works. He said the sidewalk are six feet wide and meet all ADA requirements. He stated they knew there was an issue with the Nipsco poles when they started the project.

2021 Street Resurfacing - The bid has been awarded to Milestone. Mr. Hendrix said they plan to have the streets in Timberspring and Camelot Drive done this year, but Indian Heights won't be started until 2022.

Well House 3 at Water Treatment Plant - The pipe has been connected and they are waiting for electrical. This project is part of the agreement with Indiana American Water.

UV Replacement at WWTP - Bids have been received and will be acted on during the regular meeting. Mr. Hendrix stated that Austgen Electric is the low bidder and he has notified Cedar Lake that we plan to award the bid tonight. This is part of the two million dollar projects we have approved with Cedar Lake paying one million and Lowell paying one million. Mr. Hendrix also stated we are still waiting to hear about the grant we applied for with Indiana Finance Authority.


SR 2 Water Main Replacement - Mr. Hendrix stated this project is part of our agreement with Indiana American Water and we will be signing the agreement with Grimmer Construction to perform the work during the regular meeting. He stated the work was originally intended to be completed by November, before the closing, but Grimmer has informed him that they have placed the order for materials and many of the materials won't be available until mid-October. Mr. Hendrix stated he has real concerns to start the project before all the materials are available and starting so late in the year. The main is being installed in the eastbound lane of Route 2 and asphalt plants close in early December, depending on the weather. Discussion followed. The testimony with IURC on the water sale is set for September 23rd. Mr. Hendrix suggested seeing if IAWC would rather begin the work next Spring. The materials will already be on site and paid for. He plans to discuss with both attorneys representing the town in the sale of the water utility.

CDBG Upgrades - ADA improvements have been made at Reservation Park, Moose Park, Evergreen Park and another accessible access at the back of the Town Hall.

Discussion of any new Council Action about COVID -
The attorney will review to see if any action needs to be addressed with the extension from the Governor.

Web Site Update - Greg White gave an update on the website and said they have been receiving citizens signing up for the alert system.

No further discussion, the work session adjourned at 7:02 P.M.


Todd Angerman, President

Attest:


Judith Walters, Clerk-Treasurer