

**LOWELL TOWN COUNCIL
REGULAR MEETING
MARCH 28, 2022**

The regular meeting of the Lowell Town Council was called to order on Monday, March 28, 2022 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. Town Attorney David Westland attended via Zoom. Also present was one member of the press and seven interested citizens.

APPROVAL OF MINUTES

Councilman Alessia made a motion to approve the regular meeting minutes and work session minutes from March 14th, seconded by Councilman Gruszka and carried with five ayes.

APPROVAL OF VOUCHERS

President Angerman stated he had reviewed White Vouchers #10285 - #10333, White-Police #1048 - #1053, Water #2136 - #2144, Waste Water #4163- #4190, and Stormwater Utility #6028 - #6032. Councilman Gruszka moved to approve the vouchers as listed, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

ORDINANCES & RESOLUTIONS

2nd reading - Ordinance #2022 -06 - Additional Appropriation - PO Grant - \$7,844.46 - Councilman Gruszka moved to adopt Ordinance #2022-06 by name and title only, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Public Hearing - 2022 Community Development Block Grant Funds - President Angerman read the opening remarks that the Lake County Community Economic Development Departments applies to the U.S. Department of Housing and Urban Development for funding through the CDBG Block Grant Program, and funding is allocated for proposed uses such as handicap access, curb cuts and wheelchair ramps. CDBG funds may be used in areas where the neighborhood is at least 47% low/moderate income according to HUD guidelines. The Public Hearing allows for public participation in the project proposal. He stated an affirmative action program implementing Section 13 of the Housing and Urban

Development Act of 1968 and Section 13 Understanding that creates job opportunities for low income persons when HUD funds are expended must also be adopted. The Public Hearing was opened by President Angerman. No comments, the public hearing was closed. Town Manager Craig Hendrix stated the project proposed is to make the dog park at Freedom Park handicap accessible and a sidewalk from Heritage Falls to Freedom Park.

Resolution #2022-05 - authorizing the Council President to submit a project proposal for CDBG Funds for fiscal year 2022 - Councilman Alessia moved to adopt Resolution #2022-05, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Approve Affirmative Action Program and Section 3 Understanding - Councilman Tucker moved to adopt, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

UNFINISHED BUSINESS

WWTP - enter into agreement with Sweeney Electric - generator -
The project had been awarded at the last meeting in the amount of \$194,400, and the agreement needed to be acted on. Councilman Yelkich moved to enter into agreement with Sweeney Electric, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Tabled from previous meetings:

11/08 - Enter into professional agreement with Etica Group

Councilman Alessia moved to remain tabled, seconded by Councilman Yelkich and carried.

NEW BUSINESS

Sierra Ridge, Unit 2 - Performance Bond - reduce cash bond from \$1,675,011.13 to \$341,070.00 & Approve Maintenance Letter of Credit No. CL7608LC - \$266,788.23 and approve Clerk-Treasurer to issue check in the amount of \$1,333,941.13 to Rick Zunica. Councilman Yelkich moved to reduce cash bond to \$341,070., and instruct Clerk-Treasurer Walters to issue cash refund check to Mr. Zunica in the amount of \$1,333,941.13., seconded by Councilman Alessia and carried with five ayes on roll call vote. Councilman Gruszka moved to approve Maintenance Letter of Credit in the amount of \$266,788.23, 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, April 11, 2022 at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS


Renee Lucka, 171st Avenue, asked about her inquiry at the last meeting regarding 171st Avenue and the damage to the road from Saco trucks and the culvert and puddles that sits on the road and causes ice. She stated her and her neighbors are still very concerned and also asked if the town could put out barricades when the water is high to caution drivers. She also asked about trash around the business. Town Manager Hendrix stated they are addressing the issue.

Kristen & Ray Borchert, 17591 Merlin, addressed the Council and provided pictures of their yard regarding flooding that has occurred for many years. They stated many of the residents between Arthur and 175th Avenue have similar problems. They said their new fence is falling because of the water and their children can't play in their backyard because it is constantly muddy, and their sidewalk floods over. They stated they had brought this problem to the town and a contractor had recommended that a french drain be installed. Greg White, GIS Director, stated about three years ago the town collected elevation data and it was recommended to run a drain to the two storm sewers, but the Storm Drainage Board did not approve the project. Town Manager Hendrix stated a french drain would not work. It would need a positive outlet pipe because it will need to drain into the storm sewer. Mr. Hendrix said this subdivision does have storm sewers, but said the pitch has changed over the years because he can see many pools, fences, and sheds have been installed. Steve Lenord, 17593 Marion, stated he has lived there for 35 years and his backyard is always soaked and believes the original plan was not correctly done. He and his neighbors have had many flooding issues.

Mr. Ray Borchert Sr. stated that many residents in the neighborhood have loss thousands of dollars in flooding damage, and some of the insurance companies are not covering sump pumps anymore. He stated they came here to get something started to get it corrected. Discussion followed. Mr. Hendrix stated rear yard drains are not common in older subdivisions. He stated they can shoot grades in the neighborhood and recommend a design to correct the problem and forward to Storm Drainage Board. He recommended a rear yard drain with a positive outlet be installed, that could cost approximately \$40,000. Council members agreed this should be done and forwarded for action to the Storm Drainage Board.

ADJOURNMENT

No further business, Councilman Gruszka made a motion to adjourn at 7:38 P.M., seconded by Councilman Tucker and carried with five ayes.



Todd Angerman, President

Attest:



Judith Walters, Clerk-Treasurer

