

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
JULY 25, 2022**

The regular meeting of the Lowell Town Council was called to order on Monday, July 25, 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 via Zoom, Shane Tucker, and John Yelkich. Also present were Town Manager Craig Hendrix, Police Chief Jim Woestman, GIS Director Greg White, and Town Attorney David Westland. Also present was one member of the press and twenty interested citizen.

**APPROVAL OF MINUTES**

Councilman Gruszka made a motion to approve the regular meeting minutes from July 11th, seconded by Councilman Tucker and carried with five ayes on roll call vote.

**APPROVAL OF VOUCHERS**

President Angerman stated he had reviewed White Vouchers #10736- #10792 , White-Police #1110 -#1117, Water #2226- #2230, Waste Water #4484- #4511, and Stormwater Utility #6087- #6095 . Councilman Gruszka moved to approve the vouchers as listed, seconded by Councilman Tucker and carried with five ayes on roll call vote.

**ORDINANCES & RESOLUTIONS**

2<sup>nd</sup> reading - Ordinance #2022 -13 - Amend Special Event Permit - waive \$25.00 fee - Councilman Tucker moved to adopt Ordinance #2022-13 by name and title only, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

1<sup>st</sup> reading - Ordinance #2022-15 - Additional Appropriation - Various Funds - President Angerman opened the Public Hearing for additional appropriations for General, MVH, Park, Freedom Park, CCD Fund and Gambling Revenue Fund. There being no public comments, the hearing was closed. Councilman Yelkich move to hold Ordinance #2022-15 aside for a second reading, seconded by Councilman Gruszka and carried with five ayes.

Ordinance #2022-16 - PC#22-011 rezone from AG to PUD - 5920 Belshaw - approximately 193 acres. The Plan Commission held a public hearing on the petition on June 30<sup>th</sup> and forwarded a favorable recommendation for rezone to PUD. Town Attorney Westland reminded that a rezoning ordinance only requires one reading. Councilman Alessia moved to adopt Ordinance #2022-16, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

## **UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

Permission to advertise old town vehicles for sale - Councilman Gruszka moved to given permission to advertise a list of old town vehicles, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Added to agenda:

Investment of Water Sale Funds - Per discussion during the work session, Councilman Yelkich moved to direct the Water Sale Investment Committee to contact banking institutions for Request for Proposals for investing of the funds to give the town additional options. The motion was seconded by Councilman Tucker and carried with four ayes, one nay. Councilman Gruszka voting nay and stating he wanted to go on record that one bank had responded with the previous request and he didn't feel the need to seek additional.

Amendment to Salary Ordinance - Councilman Yelkich directed an amendment to the Salary Ordinance to increase the Town Judge salary by \$3800 be prepared for the next meeting, 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, August 8, 2022 at 7:00 P.M.

## **MEDIA QUESTIONS/PUBLIC COMMENTS**

Chuck Abraham, Lowell Tribune, asked about the rezone ordinance and was informed it was rezone from Agriculture to Planned Unit Development. He also asked for the amount of the additional salary for the Judge.

President Angerman stated that public comment is limited to three minutes per person and asked that comments be respectful and constructive to public policy issues. All speakers will be timed and shall not exceed 20 minutes.

Gina Hawkins, 2238 Spring Run Lane, stated that her neighbor has a pool that is dug into the ground and does not have a fence around it and she is concerned about her children and the neighborhood children. She stated she has complained before and nothing has happened and asked about the process. Town Manager Hendrix stated a notice has been sent to the property owner and they have been given ten days to comply, and will be issued a citation if they don't.

Barb Mathias, 17915 Dallas Court, asked about the procedure for the rezoning. President Angerman stated the Council accepted the recommendation from the Plan Commission and approved the Ordinance to rezone from AG to PUD. Ms. Mathias stated her second concern was the amount of traffic that would occur with a development of 500 units.

Joeilynn Townsley, 17405 Michael Drive, representing the Labor Day Festival Committee, stated she had forwarded an email on July 11<sup>th</sup> asking for the returned funds of hotel motel tax monies from the Fire Department and had not received a response. She asked whose decision it was to give out the amount, and she felt their festival has been the largest festival in the community in the last four years and didn't know why they received less than the Fire Department. She stated it is a thorn in their side that they go to ask for funding, like from the Lion's Club, and the Parade Committee gets three times what they get and they are lucky to break even. Ms. Townsley said they asked for a monetary donation from Indiana American Water and they responded they had already given to the Town, but she was able to get funds and help from them. She stated the theme of the parade is Love My Community and felt the Town needed to step up and help, and asked why the Town Council and Town Manager are never at ribbon cuttings. Ms. Townsley also stated they had a food vendor pull out of the festival that said they were going to Evergreen Park and asked why they didn't have to get special permit, and said she felt the town needed to be more consistent.

Royce Bialon, 5515 Belshaw Road, stated the Ordinance didn't state what type of PUD. He stated the filing procedure provided by the developer didn't follow proper procedure. He asked about structural use, boundary lines, development in phases, an environmental impact study and soil water. He asked what is the actual zoning.


Attorney Westland stated the Plan Commission forwarded approval of residential Planned Unit Development for zone change. He said the plat has not been approved and is the next stage in the process before the Plan Commission, and a Public Hearing will be held for plat approval at the Plan Commission level.

Alan Mathias, 18915 Dallas Court, asked if the Plan Commission is concerned about the flow of water and said he didn't think the retention pond looks big enough. He also asked about a traffic study and said he didn't get any answers at the Plan Commission.

Mr. Bialon said it does not seem the developer followed the correct procedures per town ordinances during the filing procedure, and asked if school, police, and fire had reviewed the proposed area.

## **ADJOURNMENT**

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

  
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Todd Angerman, President

Attest:

  
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Judith Walters, Clerk-Treasurer