

**LOWELL TOWN COUNCIL
REGULAR MEETING
MAY 10, 2021**

The regular meeting of the Lowell Town Council was called to order on Monday, May 10, 2021 at 7:02 P.M. by President Christopher Salatas. 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, Christopher Salatas, John Yelkich, and John Alessia. Also present were Town Manager Craig Hendrix, Public Works Director Kevin Gray, Police Chief Jim Woestman, GIS Director Greg White, Attorney David Westland, and eleven interested citizens. .

TREASURER'S REPORT - April 2021

Councilman Gruszka made a motion to approve the April 2021 Treasurer's Report, seconded by Councilman Alessia and carried with five ayes.

APPROVAL OF MINUTES

Councilman Yelkich made a motion to approve the regular meeting and executive session minutes from April 26th, seconded by Councilman Alessia and carried with five ayes.

APPROVAL OF VOUCHERS

President Salatas stated he had reviewed White Vouchers #10480 - #10542, White-Police #6066 - #6072, Water #2307 - #2360, Waste Water #4278- #4312 and Stormwater Utility #7047 - #7053. Councilman Alessia made a motion to approve the vouchers as listed, seconded by Councilman Yelkich and carried with five ayes.

ORDINANCES & RESOLUTIONS

Public Hearing - 2nd reading - Ordinance #2021-09 - an Ordinance to amend Chapter 52 - Water Rates and Charges - 15% increase water rates - President Salatas opened the Public Hearing, stating that each person will be limited to three minutes and should be civil and to the subject on hand.

Mark Hittle, 18385 Candace Drive, stated he was not opposed to American Water taken over the system, but said that he has lived here for six years and doesn't consume 2500 gallons monthly and still has to pay a minimum bill. He stated users should pay for what they use. Mr. Hittle stated in the six years he has lived here the rates increased 27% when the new water tower was installed and now another 15%. He stated that Indiana American should be taking the increase to the Indiana Utility Regulatory Commission, not being done locally.

Dennis Rosengard, 314 Ridge Ct, stated he also does not use the minimum amount of water and asked if the minimum of 2500 gallons was going to change. President Salatas stated no it would remain at 2500 gallons, as it has been for a number of years. Mr. Rosengard asked about the other charges on his bill and he was informed they would remain, the increase was on the water portion only.

Tiffany Giuliana, 5523 Malibu, stated she has lived in multiple towns that have sold out their water utility and then you see 50-60% rate increase, and she is opposed to the sale of the water utility and said she never had a say in the matter. She said she lives in a new subdivision and the water pressure is very bad and asked what we are getting for this 15% increase. President Salatas said American Water will be doing a 5-year capital plan for infrastructure improvements of 4.5 million. Ms. Giuliana stated she wanted to see transparency and accountability for the money the Town receives for the sale of the utility. President Salatas stated that all town funds are monitored by the State Board of Accounts and Department of Local Government Finance and are available to the public and said our last audit we passed with flying colors. Ms. Giuliana said she felt it was a mistake to sell just like Dyer and St. John, and is afraid the same will happen to us. She said she trusts the Council takes the citizens' best interest into consideration.

Amy Peak, 358 Tomahawk, stated that she works for a home builder and has 100 customers that are serviced by American Water and stated their customer service is very bad and you sometimes have to wait 90 minutes to talk to someone, and their bills are not always correct. She asked if there is a guarantee that we will not see an increase in five years. President Salatas stated there is no moratorium that an increase won't happen for five years and they don't do increasing yearly, but said they will include with their state wide increase and it will go before the IURC. Town Manager Craig Hendrix stated that it is more likely that their other customers will have an increase to come up to our rate. Councilman Angerman said they review the whole group together and doesn't expect an increase here for at least five years.

Brian Ruscitti, 5284 Belaire, stated he was not happy about the rate increase and asked why customers have to pay for a minimum amount. Town Manager Hendrix explained that all utilities have a minimum cost that is a set cost to run the daily operation of the plant and for capital costs. Mr. Ruscitti said he had never heard the reason why the town was selling the utility. President Salatas stated the Town is not changing the base rate of 2500 gallons, and said if the Town kept the Water Utility the customers would have seen a 25% increase in rates to meet all the infrastructure needs. Councilman Yelkich said this would save money for the customers as American Water has the ability to do this amount of work on a larger scale at a lower cost than we could do.

No comments via Zoom, President Salatas closed the Public Hearing.

Councilman Gruszka made a motion to approve Ordinance #2021-09 to amend Chapter 52 Water Rate and Charges, by name and title only, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

2nd reading - Ordinance #2021-13 - establishing ARP Coronavirus Fiscal Relief Fund - Councilman Alessia made a motion to adopt Ordinance #2021-13 by name and title only, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

2nd reading - Ordinance #2021-14 - amending Chapter 155.195 Principals and Standards of Design - Councilman Gruszka made a motion to adopt Ordinance #2021-14 by name and title only, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

2nd reading - Ordinance #2021-15 - amending Chapter 150.35 Adoption of Building Codes - Councilman Gruszka made a motion to adopt Ordinance #2021-15 by name and title only, seconded by Councilman Alessia and carried with five ayes on roll call vote. .

1st reading - Ordinance #2021-16 - Additional Appropriation - General Fund - \$55,000.00 - Building Administrator position - Councilman Alessia made a motion to hold over Ordinance #2021-16, seconded by Councilman Gruszka and carried with five ayes on roll call vote. President Salatas opened the Public Hearing. There being no public comments, the hearing was closed.

1st reading - Ordinance #2021-17 - Amend 2021 Salary Ordinance - Councilman Gruszka moved to hold over Ordinance #2021-17 for a second reading, seconded by Councilman Alessia and carried with five ayes on roll call vote.

UNFINISHED BUSINESS

Tabled from previous meetings:

03/22 - Contract with Lake County Sheriff's Department for animal control service - President Salatas stated he had been contacted by the Sheriff's Department of our intent to participate because other communities are also hesitant due to the increase in administrative costs.

04/26 - Propose a Community Garden

NEW BUSINESS

Community Crossing Matching Grant Fund 2021-1 - Award Letter & Agreement - The Town had been notified from INDOT that they had been awarded a Community Crossing Matching Grant in the amount of \$1,000,000.00. The 75% funding will be used for Pavement Replacement Project on Camelot, Cherokee, Tomahawk Trail, Shawnee, Arrowhead, Driftwood Drive, Timberlake Drive, Timberwood Lane, and Walnut Lane Councilman Alessia moved to approve the Local Roads and Bridges Matching Grant Agreement with Indiana Department of Transportation, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Acceptance of 2-year maintenance bond - \$363,781 - Graythorne Sanitary Improvements & Acceptance of Graythorne North Lift Station Recapture Agreement and Graythorne South Life Station Agreement - Councilman Gruszka moved to accept the maintenance bond and Recapture Agreements, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Act on Bond Releases -

Vero Fiber Networks - Performance Bond - release performance bond - \$169,200 for installation of fiber lines for the school corporation - Staff reported all repairs have been completed. Councilman Alessia moved to release the performance bond, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Sierra Ridge Subdivision, Unit 1 - release Irrevocable Standby Letter of Credit - \$107,281.58 - Staff has inspected and accepted the constructed improvements. The street lights have not been installed, but the developer is under contract with Nipsco for installation. Councilman Gruszka moved to release the Letter of Credit, seconded by Councilman Alessia and carried with five ayes on roll call vote.

ANNOUNCEMENTS

Councilman Salatas announced Town Clean-up Day will be held on Saturday, May 22nd, and the next regular meeting will be held on Monday, May 24, 2021 at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

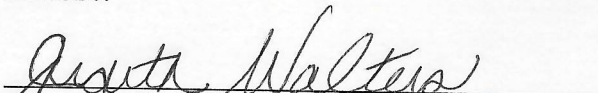
ADJOURNMENT

No further business, Councilman Alessia made a motion to adjourn at 7:30 P.M., seconded by Councilman Gruszka and carried with five ayes.



Christopher Salatas, President

Attest:


Judith Walters, Clerk-Treasurer