

**LOWELL TOWN COUNCIL
REGULAR MEETING
JULY 24, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, July 24, 2023 at 7:10 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, John Alessia, Todd Angerman, Shane Tucker, and John Yelkich. Also present were Town Manager Craig Hendrix, Police Chief James Woestman, GIS Director Greg White, and Town Attorney David Westland. Also present was one member of the press, and seven interested citizens, and two via Zoom.

APPROVAL OF MINUTES

Councilman Gruszka made a motion to approve the regular meeting and work session minutes from July 10th, and special meeting of July 18th, seconded by Councilman Yelkich and carried with five ayes.

APPROVAL OF VOUCHERS

President Angerman stated he had reviewed the vouchers and asked approval of the following: White Vouchers #10768 - #10826 - \$3, 645,179.85, Police - #1101-#1107 - \$ 1,919.83, Water #2012 - \$ 305.00, Waste Water #4555- #4587 - \$ 1,081,989.73, and Stormwater Utility #6103 - #6108 - \$1,010,067.89. Councilman Tucker made a motion to approve the vouchers as listed, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

COMMUNICATIONS

Kathryn Heuer apologized for her and her friends dying their hair in the restroom at Evergreen Park and not cleaning up after. She stated she realized there is a time and place for everything and made a mistake that she has learned from.

ORDINANCES & RESOLUTIONS

2ND reading - Ordinance #2023-09 - Additional Appropriation - Park Capital - \$310,000 - Councilman Gruszka moved to adopt Ordinance #2023-09 by name and title only, seconded by Councilman Tucker and carried with five ayes on roll call vote.

1st & 2nd reading - Ordinance #2023-10 - create White Foundation/Nassau Park Construction Fund - Councilman Gruszka moved to hold Ordinance #2023-10 for a second reading, seconded by Councilman Alessia and carried with five ayes on roll call vote. Councilman Alessia moved to suspend the rules to hold second reading, seconded by Councilman Yelkich and carried with five ayes. Councilman Yelkich moved to adopt Ordinance #2023-10 by name and title only, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

1st & 2nd reading - Ordinance #2023-11 - amend administrative fee - garbage bill - The ordinance corrects the administrative charge from .90 cents to 1.00. Councilman Tucker moved to hold for second reading, seconded by Councilman Gruszka and carried with five ayes on roll call vote. Councilman Tucker moved to adopt Ordinance #2023-11 by name and title only, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

1st & 2nd reading - Ordinance #2023-12 - create Water Sale Proceeds Funds - The funds have been transferred to Peoples Bank and State Board of Accounts has recommended that a fund be established by Ordinance. Councilman Tucker moved to hold over Ordinance #2023-12 for a second reading, seconded by Councilman Alessia and carried with five ayes. Councilman Yelkich moved to adopt Ordinance #2023-12 by name and title only, seconded by Councilman Alessia and carried with five ayes on roll call vote.

1st & 2nd reading - Ordinance #2023-13 - amend Chapter 27, Stop Sign to include the intersection of Marion Drive and Debra Lane - Councilman Gruszka moved to hold over Ordinance #2023-13 for second reading, seconded by Councilman Tucker and carried with five ayes. Councilman Gruszka moved to adopt Ordinance #2023-13 by name and title only, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Councilman Alessia moved to put the rules back in order, seconded by Councilman Tucker and carried with five ayes.

Resolution #2023-06 - ADA Self-Evaluation and Transition Plan - The plan was reviewed during the work session. President Angerman asked if there were any comments on the ADA Plan for concerns and suggestions since it had been posted on the town website. No one present or on line had comments. Councilman Gruszka moved to adopt Resolution #2023-06, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

UNFINISHED BUSINESS

Authorize Clerk-Treasurer to make payment for wire transfer for closing on 136 W. Washington Street property - \$250,000 - Councilman Gruszka moved to allow permission for wire transfer be done on day of closing, seconded by Councilman Yelkich and carried with three ayes on roll call vote.

CCMG 2022 -2 - Approve Pay Request #1 to Milestone - \$308,318.20 less retainage and approve White Voucher #10823 to Milestone - \$277,486.38 - Councilman Gruszka moved to approve Pay Request #1 and White Voucher #10823 to Milestone, seconded by Councilman Alessia and carried with five ayes on roll call vote.

Enter into agreement with Dean & Barbara White Foundation - An agreement for matching grant was presented by Attorney Joseph Svetanoff, representing the White Foundation, pledging \$3,500,000 for the ongoing operation and maintenance of the Nassau Park Project. Mr. Bill Hanna, Executive Director, will be present at the next meeting to present the funds. Councilman Alessia moved to enter into the agreement, seconded by Councilman Gruszka and

carried with five ayes on roll call vote. Council members were very appreciative of the funds.

Tabled from previous meeting -
6/26 - West Side Sewer Project - enter into appraisal agreement with Randall Raynor, American Valuation Appraisal Service at \$260.00 each at twenty two parcels based on INDOT fee schedule - Councilman Tucker moved to untable the item, seconded by Councilman Yelkich and carried. Councilman Gruszka moved to enter into agreement with American Valuation Appraisal Service, seconded by Councilman Alessia and carried with five ayes on roll call vote.

7/10 Enter into SRO Memorandum of Understanding - Tri-Creek School Corporation - remains tabled until next meeting with amended agreement.

NEW BUSINESS

Enter into extension for garbage billing with Republic - Republic Services has presented an extension of the current agreement from September 1st to December 31st, 2023 at the rate of \$21.09 per unit. An additional four year extension will be acted on in January 2024. Councilman Alessia moved to accept the extension, seconded by Councilman Tucker and carried with five ayes on roll call vote. The monthly amount for billing will be \$22.09 beginning September 1st.

Freedom Springs Unit 2 - Block 1 - Accept performance bond in the form of Letter of Credit - \$43,593.75 - and Accept maintenance bond in the form of Letter of Credit - \$40,780.35 - Mr. Hendrix stated the letter of credits had not been received from the developer. Councilman Yelkich moved to accept the performance and maintenance bond letter of credits, subject to attorney review, seconded by Councilman Alessia and carried with five ayes on roll call vote.

ANNOUNCEMENTS

President Angerman announced the next regular meeting will be held Monday, August 14, 2023 at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

Chuck Abraham, Lowell Tribune, asked when closing on the property on Washington Street would be and Attorney Westland stated August 4th. He also asked about the salary of the SRO Officer. Council members also wished his son well from his accident.

ADJOURNMENT

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



Todd Angerman, President

Attest:



Judith Walters, Clerk-Treasurer