

**LOWELL TOWN COUNCIL
REGULAR MEETING
AUGUST 28, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, August 28, 2023 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 John Alessia, Todd Angerman, Shane Tucker, and John Yelkich. Councilman Mike Gruszka was absent. 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 via Zoom, and eight interested citizens.

APPROVAL OF MINUTES

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

APPROVAL OF VOUCHERS

President Angerman stated he had reviewed the vouchers and asked approval of the following: White Vouchers #10919 - #10990 - \$ 676,274.99. Police - #1116-#1117 - \$ 263.76, Waste Water #4660- #4691 - \$ 206,481.65 and Stormwater Utility #6127 - #6130 - \$14,922.94. Councilman Tucker made a motion to approve the vouchers as listed, seconded by Councilman Yelkich and carried with four ayes on roll call vote.

UNFINISHED BUSINESS

Tabled from previous meeting -
8/14 - Appointment to Police Commission - Councilman Yelkich moved to remain tabled and advertise for applicants until the next meeting, seconded by Councilman Tucker and carried with four ayes.

ANNOUNCEMENTS

President Angerman announced the next regular meeting will be held Monday, September 11, 2023 at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

Chuck Abraham, Lowell Tribune, asked about the Kingston Ridge PUD Ordinance, and Attorney Westland stated he had been approved at the last meeting as it only required one reading.

Isabella Dodd apologized for her involvement in the vandalism at the restrooms at Evergreen Park.

Keith Kender, representing his mother at 363 N. Liberty, stated their objection to the Freedom Trail project and stated that it is not ADA accessible and contested the right of way and was worried about his mother having access to her property. He stated previous town manager, Jeff Sheridan and the Lowell Police Department have denied responsibility for north Liberty and say it is a

private road. He stated the town should be upgrading their current parks and resurfacing roads before they look into a trail. He stated he spoke against the project at the INDOT public hearing last week. Mr. Kender said the majority of people were against the project. President Angerman stated the project is to connect the two parks and came from a survey done back in 2014 that the number one thing people wanted is a bike path and access to Freedom Park. Town Manager Hendrix stated the route on Nichols Street did not get approval from INDOT and the other option near the railroad tracks was not feasible because the rail is still active. An application was presented to INDOT for an off street path and a 80/20 grant was approved. Mr. Hendrix said the environmental study has to be done before a final design can be completed. Mr. Hendrix clarified that the Town does plow and maintain north Liberty, but admitted it needs a lot of work and said he will be able to pave the street using grant funds. Mr. Hendrix stated he has spoken many times to the Kender family about the process. Councilman Alessia said they will have access to her house. Mr. Hendrix stated it is only a preliminary design and until the environmental study is complete they can't do a final design. Mr. Kender wanted to know why the route changed from the original design, and Mr. Hendrix stated the route submitted to INDOT was for the application process. The route chosen is favored because it will connect with Nassau Park and the road will be reconstructed, but said they will stay as close to the property line. Mr. Kender asked if he could meet with President Angerman or Town Manager Hendrix. Both stated at this time they need to let the process happen until they get a final design. Mr. Kender again asked why the route was chosen and said the slope was too deep to do and the other area would be flat. Mr. Hendrix explained it is not final design, once it is approved and signed off on with INDOT it will become public and move to final design and then they will start on land acquisitions per federal rules. Mr. Hendrix stated the path may be adjusted but it is the approved route chosen by the Council. Mr. Kender again objected to the route. President Angerman stated he had spoken with Mr. Kender's sister and she was pro-trail and she stated while they don't agree with the route, they understood. Councilman Tucker said he understands they don't agree but the trail is going through. Mr. Kender then said he was worried for access during construction and President Angerman stated they will make sure his mother has access to her property and said they may look at the alley behind 266 W. Main Street. Mr. Kender said he had reviewed a lot of council minutes and said the Council had put a lot of time into the project but still didn't think the route was a good answer.

David Frizzel, 3900 Main Street, representing his mother-in-law, stated the trail isn't needed because the Town doesn't maintain their current parks and said they need to find someone else who is willing to have the trail on their property because this family isn't. He stated her property is a beautiful place and didn't want to see it ruined with a trail behind her house. Councilman Alessia said that people want trails, but you are saying 'not it my back yard'.

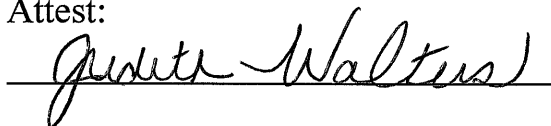
ADJOURNMENT

No further business, Councilman Alessia made a motion to adjourn at 7:39 P.M., seconded by Councilman Tucker and carried with five ayes.



Todd Angerman, President

Attest:



Junita Walters