

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
September 11, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, September 11, 2023 at 7:00 P.M. by Vice President Michael Gruszka. 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, Shane Tucker, and John Yelkich. President Todd Angerman was absent. Also present were Town Manager Craig Hendrix, Police Chief James Woestman, GIS Director Greg White, and Town Attorney David Westland via Zoom. Also present was one member of the press via Zoom, and twenty-three interested citizens present and four via Zoom.

**TREASURER'S REPORT** - August 2023

Councilman Alessia made a motion to approve the August 2023 Treasurer's Report, seconded by Councilman Yelkich and carried with four ayes.

**APPROVAL OF MINUTES**

Councilman Tucker made a motion to approve the regular meeting and work session minutes from August 28th, seconded by Councilman Yelkich and carried with four ayes.

**APPROVAL OF VOUCHERS**

Vice President Gruszka recommend approval of the following vouchers: White Vouchers #10991 - #11063 - \$1,090,251.85, White- Police - #1118-#1124 - \$1,338.10, Waste Water #4692- #4748 - \$333,883.20, and Stormwater Utility #6131 - #6142 - \$ 25,421.75. Councilman Yelkich made a motion to approve the vouchers as listed, seconded by Councilman Tucker and carried with four ayes on roll call vote.

**PETITIONS, COMMUNICATIONS**

Presentation of 2023 Labor Day Parade Winners - Special Event Chairman Susan Peterson announced the 2023 parade winners. She stated new this year was cash prizes and the voting was done by the crowd and we had over 2,000 people vote on line. The third place winner was Haunted Forest of Cedar Lake and the representative said the event is held the last three weekends in October by the Knights of Columbus in Cedar Lake. The second prize winner was 1441 Foundation represented by Bob and Jamie Hornickel who said they began their foundation after the suicide death of their son to raise suicide awareness for fellow veterans and families by raising funds for local and national veteran suicide prevention programs. The first place winner was St. Edwards Church, whose float used the theme of "Our Tradition Unites Us", and passed out bread uniting their tradition of breaking bread in the church. St. Edwards stated they would be donating their \$500 prize money to the 1441 Foundation. The audience applauded all groups represented.

**ORDINANCES & RESOLUTIONS**

A Public Hearing was opened by Vice President Gruszka for both Ordinance #2023-11 and Ordinance #2023-12. There being no public comments, the public hearing was closed.

Ordinance #2023-11 - amend Sewer Inspection Charge - \$ 150.00 - Councilman Alessia moved to adopt Ordinance #2023-11 by name and title only, seconded by Councilman Yelkich and carried with four ayes on roll call vote.

Ordinance #2023-12 - amend Sewer Connection Charge - \$ 3,100 per base unit and Sewer Collection Charge - \$1,700 per base unit - Councilman Tucker moved to adopt Ordinance #2023-12 by name and title only, seconded by Councilman Yelkich and carried with four ayes on roll call vote.

### **UNFINISHED BUSINESS**

WWTP Improvement Project - Approve Pay Request #13 - Bowen Engineering - \$120,023.00 less retainage and approve Sewer Voucher #4746 - \$114,021.85 - Councilman Yelkich moved to approve Pay Request #13 and Sewer Voucher #4746 to Bowen Engineering, seconded by Councilman Tucker and carried with four ayes on roll call vote.

CCMG 2022-2 Approve Pay Request #2 to Milestone Contractors - \$550,341.07 Less retainage and approve White Voucher #11063 - \$495,306.96 to Milestone - Councilman Alessia moved to approve Pay Request #2 and White Voucher #11063 to Milestone Contractors, seconded by Councilman Tucker and carried with four ayes on roll call vote.

Tabled from previous meeting -

8/14 Appointment to Police Commission - Councilman Yelkich moved to remain tabled, seconded by Councilman Alessia and carried with four ayes.

### **NEW BUSINESS**

Request to waive background checks on Transient licences - Lowell Chamber of Commerce - Winterfest Committee -Deanna Sutton representing the Chamber asked that vendors that come to Winterfest or any event held by the Chamber not have to have background checks done because she said we are the only community that does background checks on transient vendors. She said she felt it was a paperwork nightmare and the person that gets the background check is usually not the person working the day of the event. Councilman Alessia stated it is a requirement of our ordinance, and would never support not doing background checks because it opens us to liability. He stated the person who comes in for the permit and gets a background check done, it is on them if they do not follow the rules and allow someone else to work in their food truck or vendor space. Attorney Westland agreed that it would be a liability risk to waive the background checks, and didn't recommend changing the ordinance. Ms. Sutton asked Attorney Westland if he knew if other communities do background checks. Councilmember Yelkich stated he didn't care what other communities did, but said the town would be willing to waive the fees for their event. Police Chief Jim Woestman told the Council that recently he had turned down a vendor request due to his background and not wanting that individual in town among children.

Vice President Gruszka asked for a motion to waive the background checks on transient license and the their being no motion it failed. Councilman Alessia moved to waive the background check and permit fees for transient licences for the Winterfest Event, seconded by Councilman Tucker and carried with four ayes.

### **ANNOUNCEMENTS**

Vice President Gruszka announced the next regular meeting will be held Monday, September 25, 2023 at 7:00 P.M., and will include a public hearing on the 2024 budget. He also announced that Early Voting will begin at the Town Hall beginning October 11<sup>th</sup>.

## MEDIA QUESTIONS/PUBLIC COMMENTS

Chuck Abraham, Lowell Tribune, asked for clarification on the sewer fees. He was informed the sewer inspection fee used to be \$50 and was being raised to \$150, and the sewer connection fee was \$2015 and being raised to \$3100 and the sewer collection fee was going from \$1635 to \$1700. The fees are all for new construction.

Russell Bobo, 351 N. Liberty Street, spoke on the Freedom Trail Project and stated Liberty Street has no shoulder, no sidewalk and is the only access for two residents with one being disabled. He stated in 2016 the town denied responsibility of the maintenance of the road. He said the road is so narrow that he doesn't know how it is going to be shared with pedestrian and bicycle traffic and wanted to know what they are going to do about that. Councilman Alessia stated this item has been discussed at difference public forums and said that it is not economically feasible to put \$40,000 in one road that serves two people, but stated that INDOT will improve the road during this project and they will have a road much better than they have now. Town Manager Hendrix stated the Town is waiting for the environmental documents to be reviewed by INDOT and they will then move to final design and will have more information then. Mr. Bobo asked that all decisions be transparent and they are concerned that the road remain accessible during construction for public safety.

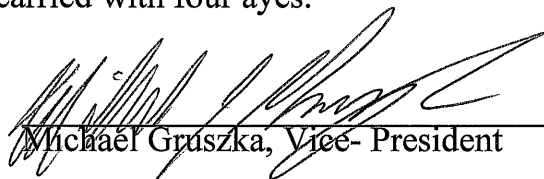
Gina Vicari from St. Edwards Church thanked Susan Peterson for all her work on the Labor Day Parade. The Council agreed, but suggested she may be back next year.

## ADJOURNMENT

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

Attest:

  
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Judith Walters, Clerk-Treasurer

  
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Michael Gruszka, Vice-President