

LOWELL TOWN COUNCIL
WORK SESSION
OCTOBER 23, 2023

A Work Session of the Lowell Town Council was called to order on Monday, October 23, 2023, at 5:30 P.M., by President Todd Angerman. Members present were Michael Gruszka, Todd Angerman, John Alessia, John Yelkich, and Shane Tucker arrived at 6:15. Also present were Clerk-Treasurer Judith Walters, Town Manager Craig Hendrix, Town Attorney David Westland via Zoom, GIS Director Greg White, Police Chief Jim Woestman, and Fire Chief Chris Gamblin. Also present were two interested citizens, and Tri-Creek School Superintendent Andy Anderson. The purpose of the work session was general town business.


Discussion of West Side Water Project - Councilman Yelkich and Town Manager Hendrix had a conference call with Justin Schneider of Indiana American Water Company concerning the water line being extended west on Commercial Avenue to Route 41 to Lake Prairie School. The agreement entered into for the sale of the water utility stated 'shall cooperate with Seller and extend water service to Lake Prairie Elementary School on a mutually agreeable timeline consistent with Seller's extension of sanitary sewer service to Lake Prairie Elementary School'. Per their conversation with Mr. Schneider it appears they are less than amendable on whether they are required to put the water line in or not. Mr. Hendrix stated the value of the asset was determined to be \$25.5 million and the town agreed to the lesser amount of \$24,500,000 knowing they would be running the water line. Councilman Alessia asked their justification in not wanting to do the line. Councilman Yelkich stated they tried to get special legislation to recapture their costs and the State did not take up the request, but he understood they would petition their request again, but in the meantime this could stall the project. Attorney David Westland agreed it is clearly in the contract but would be reaching out to Attorney David McGimpsey, who was the attorney for the sale of the water utility for further clarification. Discussion followed. Council members were concerned it would end up in litigation and asked if there was a clause in the contract for mediation. Attorney Westland stated no, but the winning party would have to pay all legal costs. Council agreed their next step after conferring with Attorney McGimpsey would be contacting Matt Prine, President of Indiana American Water Company.

Discussion of Nassau Park Project - Mr. Hendrix brought the Council up to date on the Nassau Park Project. He stated the final plat of the subdivision will need to be approved during the regular council meeting. He stated the property that was originally twelve lots has been created into a two lot subdivision and received Plan Commission approval. Mr. Hendrix showed a conceptual layout of the Liberty Street parking lot, located near the pole barn building, that will be completed with the Liberty Street CCMG project in 2025. The renderings of the future park of the community building, band shelter, splash pad and signage were reviewed. Discussion followed on different events that could occur, capacity of areas, catering events, and that the splash pad would use recycled water. The old Miss Pat's property drawing was reviewed and Mr. Hendrix stated that project will be bid out as a separate project. Mr. Hendrix stated the plan is to bid out the project in November or December with groundbreaking in the spring of 2024. Discussion followed on alternatives if the bids come in too high, and Mr. Hendrix stated there is a 10% contingency built into the project. Mr. Hendrix spoke of the Washington Street future renovation project and how it will be able to be closed off for events at the park.

Discussion of West Side Sewer Project - Mr. Hendrix stated a public informational meeting on the project will be held on Tuesday, October 24th at 5:00 at Town Hall. He stated they have invited people that are along the route that we will need an easement from. He stated at this time they are appraising the costs of the easements and will be entering an agreement during the regular meeting with EA Right of Way Associates for making the offers on the public right of way easements. Discussion followed that it would affect ten private homeowners and that a tap would be installed at each property if they would like to connect in the future. Council discussed if the property owners would be required to pay a tap fee or if they would waive the fee to encourage people to connect to the sewer line. It was suggested they waive the tap fees in exchange for the cost of the easement. Mr. Hendrix stated the school would have to agree to waiving the fees because they have a recapture agreement for their investment into the new sewer line. Mr. Hendrix stated we will wait until the appraisals come back before any decision will have to be made.

Waive school permit fees - Tri-Creek School Superintendent Andy Anderson was present to request the Council to consider waiving the building permit fees for the capital projects they are doing at Lowell High School, Oak Hill Elementary, and Three Creeks Elementary. The savings of those fees would be put back directly into the improvement projects and making improvements on Holtz Road, adjacent to the east property line of Lowell High School that would improve traffic flow for the school and the community and the installation of a sidewalk. Mr. Anderson said the school corporation values the partnership that has been established with the Town and said this would improve fiscal savings for the town, school and the residents of Lowell. Discussion followed. Mr. Hendrix stated the project for Holtz Road would be designed and bid by their contractor, Skillman. Discussions have also included the possibility of sharing use of land in addition to programming use of school facilities with the park department. Council members agreed to the waiving of the fees as they all liked that the cost would be going into the Holtz Road project and will be acted on during the regular meeting.

No further discussion, the work session adjourned at 6:50 P.M.


Todd Angerman, President

Attest:


Judith Walters
Clerk-Treasurer