

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
SEPTEMBER 12, 2016**

The regular meeting of the Lowell Town Council was called to order on Monday, September 12, 2016 at 7:00 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, LeAnn Angerman, Will Farrellbegg, Christopher Salatas, and Edgar Corns. Also present were Town Attorney David Westland, Police Chief Erik Matson, Town Manager Jeff Sheridan, Public Works Director Greg Shook, Building Administrator Carl Ferro, one member of the press, and fourteen interested citizens.

**TREASURER'S REPORT** - August 2016

Councilman Farrellbegg made a motion to approve the August 2016 Treasurer's Report, seconded by Councilman Gruszka and carried with five ayes.

**APPROVAL OF MINUTES**

Councilman Corns made a motion to approve the August 22<sup>nd</sup> work session and regular meeting minutes, seconded by Councilwoman Angerman and carried with five ayes.

**APPROVAL OF VOUCHERS**

President Salatas stated he had reviewed White Vouchers #1993 - #2063, White-Police #4179 - #4192; Water #2606 - #2664, Waste Water #3516 - #3553, and Stormwater Utility #5108 - #5113. Councilman Corns made a motion to approve the vouchers as listed, seconded by Councilman Farrellbegg and carried with five ayes.

**PROCLAMATION**

September- Childhood Cancer Awareness Month - Councilman Gruszka stated the Lowell Town Council declared to make September 2016 a Childhood Cancer Awareness Month in the Town of Lowell. Councilwoman Angerman made a motion to approve September 2016 as Childhood Cancer Awareness Month, seconded by Councilman Gruszka and carried with five ayes.

**MONTHLY REPORTS** - August 2016

Councilman Corns moved to approve the August 2016 Monthly Reports, seconded by Councilman Gruszka and carried with five ayes.

## **ORDINANCES & RESOLUTIONS**

2<sup>nd</sup> reading - Ordinance #2016-18 - Additional Appropriation - PO Grant Hours  
Councilman Gruszka made a motion to approve the 2<sup>nd</sup> reading of Ordinance #2016-18, seconded by Councilwoman Angerman and carried by roll call vote with five ayes.

1<sup>st</sup> reading - Ordinance #2016-19 - Additional Appropriation - General Tr Professional Services - \$50,000, Gambling Revenue Fund - \$200,000 , and Debt Services Fund - \$300 - Councilman Farrellbegg made a motion to approve the first reading of Ordinance #2016-19. seconded by Councilman Corns and carried by roll call vote with five ayes. President Salatas open the Public Hearing, there being no comment, he closed the hearing.

Resolution #2016-14 - Transfer of Funds - M.V.H. - \$3,000 - Councilman Corns made a motion to approve Resolution #2016-14, seconded by Councilman Gruszka and carried by roll call vote with five ayes.

Resolution #2016-15 - Opposing Enactment of Harmful Federal Trade Agreements - A Resolution of the Lowell Town Council Opposing the Enactment of Harmful Federal Trade Agreements was read by Councilwoman Angerman. A copy of this Resolution will be provided to Senator Dan Coats, Senator Joe Donnelly, and Representative Pete Visclosky. Councilman Farrellbegg made a motion to approve Resolution #2016-15, seconded by Councilman Gruszka and carried by roll call with five ayes.

## **UNFINISHED BUSINESS**

WWTP / JMOB Requests - Act on favorable recommendation from JMOB meetings - Shrewsbury Engineering Interceptor Inspection \$24,650 - Phosphorous Removal \$78, 710 - Mechanical Trash Rack \$68,600 - Sweeney Electric - Electric Service Upgrade \$23,480 - DPS - #3 Clarifier Repair \$107,500. Councilman Farrellbegg made a motion to approve the favorable recommendations, seconded by Councilwoman Angerman, and carried by roll call with five ayes.

SR2 Curb & Sidewalk Project - Approve Pay Request to Commonwealth Engineers \$16,774.62 and forward to INDOT for 80% reimbursement and Approve Voucher #2064 - Councilman Corns moved to approve the pay request to Commonwealth Engineers, seconded by Councilman Farrellbegg and carried with five ayes on roll call vote.

Water Improvement Tank Project - Approve Pay Request #4 to CB&I in the amount

of \$316,310 (less retainage - \$31,631) and approve Voucher #2665 in the amount of \$127,613. Councilman Corns made a motion to approve Pay Request #4 to CB&I, seconded by Councilwoman Angerman and carried with five ayes on roll call vote.

Act on additional on call assistance and LTCP assistance under General Service Agreement with Shrewsbury Engineering - Councilman Farrellbegg made a motion to approve to act on additional on call assistance and LTCP assistance under General Service Agreement with Shrewsbury Engineering, seconded by Councilman Corns and carried with five ayes on roll call vote.

## **NEW BUSINESS**

Act on South Shore Clean Cities for \$2000.00. Councilman Corns made a motion to approve an agreement with South Shore Clean Cities for \$2000.00, seconded by Councilwoman Angerman and carried with five ayes on roll call vote.

Enter into CMAQ Grant Agreement with INDOT / NIRPC for bike racks - Councilman Gruszka made a motion to approve to enter into CMAQ Grant Agreement with INDOT / NIRPC for bike racks, seconded by Councilman Farrellbegg and carried with five ayes on roll call vote.

Act on Additional Park Quarterly Fees - little Chef Class - Councilman Gruszka made a motion to approve to the additional Park Quarterly Fees, seconded by Councilman Farrellbegg and carried with five ayes on roll call vote.

Jennifer Klasner, 795 Surrey Drive - Stormwater / Wastewater - Ms. Klasner stated her home flooded on August 15, 2016, and Nationwide Insurance came out stating she had \$14,257 worth of damage, which they didn't pay because her water backup only covered \$5,000. She has noticed that the problem in the area is getting worse and wants to make sure the Council is aware of it and that they are asking these questions as well. She also stated that she has never seen the detention pond located on the west side of Lowell High School retain so much water as it does now. Ms. Klasner said she built her home fourteen years ago and had never had a problem until the last five years. On August 15th she knows that rain was an Act of God, however in 2008 / 2009 those rain events were worse and she didn't see the flooding then like she had just seen in August. In the past she has never seen her yard flood, her neighbors yards flood, or the storm drains spewing water from them like they were that day. She understands our sanitary infrastructure is substandard and we have issues with I & I (Infiltration & Inflow) which she feels caused untreated waste water to back up into her home. She also stated she understands we are in a contract with the Town of Cedar Lake for their waste water disposal, and stated she doesn't understand why we are allowing the Town of Cedar Lake to contribute to the problem by accepting their waste water into our system, if our sanitary structure can't handle it with the issues we already have. She questioned if the lift stations were full operational and was informed they were, the alarm was sounding because there was so much rain water coming in that it was alerting that it was at its capacity. Town Manager Sheridan stated that the Town has a long term control plan that they are following. Ms. Klasner asked for a copy of the contract with Cedar Lake and Lowell. Town Manager

Sheridan stated they are responsible for 50% of the treatment facility, but are responsible for their own storm sewers and collection system just like Lowell is. Councilman Farrellbegg spoke of the upgrades approved for the Wastewater Treatment Plant. Town Manager Sheridan spoke of the sixth step procedure that will be addressed in the Carriage Crossing area including maintenance of the retention ponds, door to door inspections to make sure homeowners have proper connections, and explain to homeowners about the installation of back-up preventative, and televise the system to see if there are any blockages. Mr. Sheridan explained that municipal storm sewer systems are built for a ten year rain event and we had a 100-year rain event that day. He also explained that they will be having a joint meeting with the Town Council/Stormwater Drainage Board when they have all their data collected to see if any repairs or changes need to be made. Ms. Klasner stated the detention pond is owned by Peters Land Development. She questioned the retention pond by the high school holding water and President Salatas stated the County is working on maintenance of the ditches.

### **ANNOUNCEMENTS**

President Salatas announced that the next regular meeting would be Monday, September 26, 2016 at 7:00 P.M., with the 2017 Budget Hearing.

### **MEDIA QUESTIONS/PUBLIC COMMENTS**

Melanie Csepiga, Times, asked about the additional appropriation hearing, and Clerk-Treasurer Walters said \$50,000 was for additional professional services in the General Fund, \$200,000 in the Gaming Revenue for the reimbursable amount from INDOT on the State Road 2 Curb Project, and \$300 in the Debt Service Reserve Fund. She was also informed the transfer in the MVH Budget was for the purchase of equipment. Ms. Csepiga questioned the JMOB requests, and was informed the Shrewsbury amounts were for engineering proposals and the Sweeney and DPS quotes were for actual work performed. Councilman Corns stated he knew they recommended a lot of money be spent at the WWTP, but stated a lot of work needs to be done to the plant that hasn't been done in forty years. Councilman Farrellbegg stated we are being proactive rather than reactive. She was informed the Shrewsbury agreement for additional services is for on-call assistance at an hourly rate, and was informed the additional bike racks location will be determined after they are received.

### **PUBLIC COMMENT**

Melissa Cummins, 780 Carriage Drive, asked if the Town was going to go door to door to inspect homeowners connections and if the home is connected improperly, which they are unaware of, who would be responsible. Town Manager Sheridan stated they will be checking such things as if the sump pump is draining into the storm system not the sanitary system and the homeowners would be responsible to correct. He stated they won't be fined but asked to correct the issue.

Manny Frastino, 6207 Sarah Lane, stated they had flooding in the Brookwood Subdivision also and stated he has noticed that it has progressively gotten worse and asked if the Town would be evaluating other areas of town. Mr. Jim Carlson, 6202 Anne Avenue, stated he has been in his home for sixteen years and has had water through his windows twice and asked if the subdivision had been built with a smaller pipe size than it was supposed to have. He asked to see as-built drawings of the original design of the subdivision. Town Manager Sheridan stated there are standards for underground pipe size. Town Manager Sheridan stated the Town does annual cleaning of the sewer and catch basins.

Clerk-Treasurer Walters asked for a correction of the Voucher approved to CB&I and stated it should be in the amount of \$294,679. Councilman Farrellbegg moved to approve the amended Voucher #2665, seconded by Councilwoman Angerman and carried with five ayes.

### **ADJOURNMENT**

No further business, Councilman Farrellbegg made a motion to adjourn at 7:50 P.M., seconded by Councilwoman Angerman and carried with five ayes.

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Christopher Salatas, President

Attest:

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Judith Walters, Clerk-Treasurer