

**LOWELL TOWN COUNCIL
REGULAR MEETING
MARCH 28, 2016**

The regular meeting of the Lowell Town Council was called to order on Monday, March 28, 2016 at 7:00 P.M. by Vice-President LeAnn Angerman. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Mike Gruszka, LeAnn Angerman, Will Farrellbegg, and Edgar Corns. Christopher Salatas was not in attendance. Also present were Town Attorney David Westland, Police Chief Erik Matson, Public Works Director Greg Shook, two members of the media, and twenty-two citizens.

APPROVAL OF MINUTES

Councilman Gruszka made a motion to approve the March 14, 2016 regular meeting, work session, and executive session minutes, and the March 16, 2016 work session minutes, seconded by Councilman Corns and carried with four ayes.

APPROVAL OF VOUCHERS

Vice-President Angerman stated she had reviewed White Vouchers #1285 - #1344, White-Police #4058 - #4062, Water #2181 - #2209, Waste Water #3167 - #3190, and Stormwater Utility #5028 - #5034. Councilman Farrellbegg made a motion to approve the vouchers as listed, seconded by Councilman Corns and carried by roll call vote with four ayes.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

Request for donation - Rebuilding Together of South Lake County - Susan Peterson, Special Events Coordinator, stated Lowell has been a member of Rebuilding Together since 1999, and that the event will be held in Lowell this year on Saturday, September 17th. The event rotates each year between four communities, Lowell, Cedar Lake, Merrillville, and Crown Point. They are soliciting applications for people of low income, or who are disabled, veterans, and spouses of veterans. They are also soliciting donations, which offset the cost for materials. They hope to get twenty applicants, and of that normally eight to ten will be chosen. She stated to sponsor a house is \$1500, which is what we were hoping the Town would do, and for that you will get a sign in the yard stating that you are sponsoring that house. Councilman Corns made a motion to sponsor a house for \$1500, seconded by Councilman Gruszka and carried by roll call vote with four ayes.

ORDINANCES & RESOLUTIONS

2nd reading - Ordinance #2016-04 - Additional Appropriation - Freedom Park, M.V.H. - Councilman Farrellbegg made a motion to adopt Ordinance #2016-04 by name and title only, seconded by Councilman Corns and carried by roll call vote with four ayes.

1st reading - Ordinance #2016-07 - amend Chapter 27 - stop intersection Michael Drive/173rd Lane - Councilman Gruszka made a motion to approve the first reading of Ordinance #2016-07, seconded by Councilman Corns and carried by roll call vote with four ayes.

UNFINISHED BUSINESS

Public Works Department Update - There were no updates given.

Accept agreement with Robinson Engineering for sign project and forward to INDOT - Public Works Director Greg Shook stated we have received a grant from NIRPC for a traffic sign replacement project, and we put out the RFP's, and then the Council filled out the score cards which revealed that Robinson Engineering was the highest score. This was forwarded to INDOT and they have approved the Town to negotiate a contract with Robinson Engineering for the project. If the Council decides to accept this contract, it will be forwarded to INDOT for review and approval, and then it will come back for signatures. Councilman Farrellbegg made a

motion to accept the agreement with Robinson Engineering, seconded by Councilman Gruszka and carried by roll call vote with four ayes.

NEW BUSINESS

Approve quarterly fees for Park Department - Councilman Corns made a motion to approve the quarterly fees for the Park Department, seconded by Councilman Gruszka and carried by roll call vote with four ayes.

Act on extension of Memorandum of Understanding with Lake County Board of Commissioners - storage of liquid asphalt - Director Shook stated rather than the County have their trucks go back to the County Highway or put tanks in every County site, they rent space from places like Crown Point and Lowell for storage of the material. They buy the material and we charge them \$.10 per gallon for storage. Councilman Farrellbegg made a motion to approve the extension, seconded by Councilman Gruszka and carried by roll call vote with four ayes.

Permission to use recycling funds for playground equipment at Reservation Park - Clerk-Treasurer Judith Walters stated last fall we updated the playground equipment at Reservation Park and at that time it was recommended to replace the swing set. It did not get done, so this \$3653 quote is to complete that project. Councilman Gruszka made a motion to approve the use of recycling funds for playground equipment at Reservation Park, seconded by Councilman Farrellbegg and carried by roll call vote with four ayes.

Accept annual report for 2015 from Redevelopment Commission - Councilman Farrellbegg made a motion to approve the annual report from the Redevelopment Commission, seconded by Councilman Corns and carried by roll call vote with four ayes.

ANNOUNCEMENTS

Vice-President Angerman announced that the next regular meeting would be Monday, April 11, 2016 at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

Councilman Farrellbegg stated at the NIRPC meeting he had attended on March 17th, plans were revealed for Route 41 to be resurfaced this year from Route 2 to Route 231, as well as upgrades that will be made to I-65 from Route 30 south to Route 10. There will be a public meeting held regarding the updates on I-65 on March 31st at 2:00 P.M. at the Lowell Library.

Melanie Csepiga, The Times, asked if she could obtain a copy of the Redevelopment Commission report. Attorney Westland stated he would give her a copy.

Craig Earley, 341 Tomahawk Trail, stated on February 11th he had sent an e-mail to the Council in regards to the Town of Schererville not accepting the extension of their garbage contract with Republic Services, which ultimately forced them to bid against several other services in the area. He stated he had never received any comments from the Council, which was why he was at the meeting. He stated, "During the last meeting you heard from a representative from one of the companies that was unsuccessful in that bidding process, and you also heard what this company could possibly do for Lowell if they were allowed to bid. The outcome of Schererville's bidding process resulted in Republic Services, their current vendor, dropping the cost by \$1.79 per month per household. This was also \$1.79 less than the price they had offered in their extension. Schererville residents now pay \$14.25 per month for garbage service from Republic Services. This is over \$2.50 less than what our residents pay for Republic to pick up their garbage. If you would allow the bidding of this contract, you could possibly save Lowell residents over \$100,000 per year for the next three years. Why, by ordinance, do you force our residents to use the garbage service that you choose and then turn around and not even try to get the best price that you make us pay for that service. As a municipality, you are required to get multiple bids when you spend tax dollars, so why would you not consider that in a contract such as this when the money that is being paid for this service comes out of our pockets, not the budget." He stated in his opinion, this lack of consideration is not considered good government, is very unethical, and it certainly does not appear that you are looking out for our best interests, and asked why will you not allow this contract to be

bid out and possibly save this community an awful lot of money. Councilman Corns stated the gentleman from GMI had called him about the contract, but when Councilman Corns called back, the gentleman said he did not know who Councilman Corns was or what he wanted so he was not going to talk to him. He asked if that answered Mr. Earley's question. Mr. Earley stated no it does not at all, and stated there are several other companies out there that would love to bid this contract, not just the gentleman from GMI . He stated the Town forces us by ordinance to pay the bill for a company that you say we have to have, and then you turn around and do not competitively bid, so you can get the best price for me. In Schererville, Republic came back in and under-bid themselves, receiving the bid. Competitive bidding forces good business. He stated he is asking the Council to do the best they can for this community, and asked again why they were not doing that. Councilman Corns stated it was our feeling that we have received the best service from Republic, and said when we had garbage day before, everyone had different containers and complained that they were not big enough. Republic came in and gave everyone new containers. Mr. Earley stated they did not give that to us, we are paying for it. You can save this community over \$100,000 per year and demand the same service, but you choose to not even try. Vice-President Angerman thanked Mr. Earley and stated they appreciated his comments.

Kevin Sawaska, 12601 Marsh Landing, Cedar Lake, GMI Recycling, stated he had given the Council the comparison sheets to show them the potential savings for the garbage service, but never heard anything back from anyone. He stated he was just wondering if anyone had any questions. Councilman Corns stated he was not a very good businessman for telling him he did not know who he was or what he wanted. Mr. Sawaska stated he could assure Councilman Corns that he did not speak to him that way. Vice-President Angerman thanked Mr. Sawaska for his comments. Mr. Sawaska stated he was not done, and stated, as far as the toters or anything else you may be concerned with, anything you put in the bid specs will have to be met in order for it to be a responsible bid. He stated he would love for his company to be the lowest responsible bidder, but that is not a guarantee, but your price will go down. He said you have an out in your contract and it is only a \$10 fee, and you will save money, and asked them again to call him as there is still time to get this done, if you want it done. Per Vice-President Angerman's request, Mr. Sawaska left additional packets with the Council.

Jill Murr, 17174 Paul Revere Parkway, stated the reason some of the other communities started bidding out their garbage service was because Lowell set the example. Years ago when you bid out the service and got us the toters, that is the reason the town just north of you put their services out to bid. She stated she agreed with the comments that Mr. Earley and Mr. Sawaska made, and as a resident, she would hope if the opportunity was out there, the Council would consider it.

Don Parker, 17334 Castlebrook Drive, stated he had sat and listened to this for months, and this was not put out for bid, this was an extension. He stated there were Council's before that who extended this service without it going out for bid. He said, "This is not about not going out to bid, this is the same group of people that did not want Republic to be annexed in with the landfill. Schererville has a transfer station so their rates are there. The issue in Schererville is one of the Town Council members works for one of the people bidding, which is what made the press. The last time we received the toters, we did not go out for bid, we extended the contract. This is a group of people that have been opposed to something with Republic for a period of time and that is all that is about. The solution to that is, if you do not like the action that the Town Council takes, run for Town Council, but you have to learn how to get three votes once you are there, just getting elected does not do it.

ADJOURNMENT

Councilman Farrellbegg made a motion to adjourn at 7:26 P.M., seconded by Councilman Gruszka and carried with four ayes.

Attest:

LeAnn Angerman, Vice-President

Judith Walters, Clerk-Treasurer