

Lowell Stormwater Mgmt. Board Minutes
Regular Meeting
Tuesday July 9th, 2024

Phil Kuiper called the meeting to order on Tuesday, July 9th, 2024, at 4pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members present were Rich Oman, Phil Kuiper and Courtney Anderson. Staff Present was Stormwater and GIS Director Greory White, Town Manager Craig Hendrix. Town Attorney Nichole Bennet was present via Zoom connection.

Election of Officers:

Mr. Oman made a motion to nominate Phil Kuiper for Chairman, seconded by Courtney Anderson. No other nominations are heard. Motion was carried with a voice vote of all ayes.

Mr. Oman made a motion to appoint Courtney Anderson for Vice Chaiman, seconded by Mr. Kuiper No other nominations are heard. Motion was carried with a voice vote of all ayes.

Mr. Kuiper made a motion to nominate Mr. Oman as secretary, seconded by Ms. Anderson. No other nominations are heard. Motion was carried with a voice vote of all ayes.

Approval of Minutes:

Member Richard Oman made a motion to approve the minutes from May 12, 2022. Mr. Hendrix stated for the record Mr. Kuiper and Ms. Anderson were not members at the time of this meeting. Attorney Bennett stated the members approve the minutes based on their capacity and that they were submitted by the secretary as the minutes for that meeting. Motion to approve the minutes was seconded by Chairman Kuiper and carried with a voice vote of all ayes.

Old Business:

Mr. Hendrix stated this board has not meeting in a few years. There are some projects that were being discussed:

Status report- Stormwater Master Plan town wide: Mr. Hendrix stated the board had been working for a while with a consultant which at the time was SEH on several issues around town. Mr. White displayed the “known issues” document on the monitor. He stated this is the map for small drainage problems in town. There are nineteen listed. He stated the major areas of problems are the SE area, Hilltop, Joe Martin. This is an older part of town, and not a lot of storm sewers were installed back then. He stated mostly on the west side of this area. He stated another area Lincoln St and Powell ditch culvert. Discussion. He discussed some of the other projects and what was done already.

Mr. Hendrix stated his intention is to meet on a more regular basis. The are some major storm projects that need to be accomplished. This board is the funding mechanism for these projects. The board has a bonding capacity. They can make recommendations to the council. Discussion. Discussion on acquiring easements for some of these projects. Watersheds have been identified. Some of those solutions are easements, pipes, swales etc. Mr. Hendrix stated these are long-term projects. Discussion.

WWTP – Mr. Hendrix stated there is an EQ basin at the WWTP around 15–17-million-gallon range. The plant is rated at 4 million. During large rain events there are 10-, 12- or 15-million-gallon rates coming in. The plant cannot handle cleaning that water, so it is diverted. There are 2 basins in cedar lake that store 15 million gallons total. The liner at the plant is 20+ years old. It is failing, has tears in it and due to the bottom of the basin it cannot be maintained there is no hard surface in the bottom. Town has been sited by IDEM for this issue and we are under an agreed order to fix it. The liner must be replaced and the bottom repaired. The town is a CSO. The EQ basins are only used during rain events. This repair will fall under stormwater for that reason. Project cost will be shared with Cedar Lake. Discussion on cost and the sewer plant expansion. The EQ project will be listed as a stormwater project. A bond will be applied for, bids will be accepted and awarded later this year. Most of the work would be done in early summer of next year.

New Business:

Lincoln St & Powell Ditch – east central part of town drains into this area. Discussion on areas that need to be repaired. Discussion. Mr. Hendrix stated he has an agreement with SEH. He discussed some of the hydraulic modeling that has been done already. Discussion. He stated it will be a bond project. The bridge and road are eligible for INDOT crossing community matching grants. The Lincoln Ave scope of work and proposal were displayed on monitor. Mr. Hendrix stated he is asking the board to consider approving the contract with SEH for a total of \$20,900 for preliminary engineering on this project. Mr. Oman made a motion to approve the agreement with SEH for preliminary engineering for the Lincoln St over Powell ditch, seconded by Ms. Anderson, carried with a voice vote of all ayes. This is for preliminary engineering only. ACTION TAKEN = MOTION PASSED 3-0

Discussion of Financing for proposed large capital projects:

The fund balance was displayed, there is \$1,000,000.00 in the fund. The various projects that the funds could be used for were displayed on the monitor and discussed. He explained the rules for quotes versus bidding. Mr. Hendrix stated there are a lot of little jobs that he cannot get a contractor to do on their own. He is going to pair a few of them together and make it a bigger project. He discussed the rules of being able to solicit quotes versus formal bid. He stated he will request quotes from 3 or 4 contractors and present them to the board at the next meeting. Discussion on where the projects are located at and what is needed at each one. Mr. Hendrix will package the discussed projects and request bids for all of them as one job. He is estimating the bids to come in under \$150,000 total.

-agreement with Ziese Excavating for drainage pipe in Beverly Estates.

Mr. Hendrix discussed the location of the pipe and scope of work that is needed. He discussed the large area of town that drains to this pipe. Because this pipe is a mutual benefit to the town and Beverly Estates sub. during phase 1 of Beverly Estates discussions the developer agreed to split the cost with the town for the needed repair. Mr. Hendrix discussed the timing and location of the next two phases of the subdivision. He stated the price for the repair from Ziese is \$200,000/\$100,000 ea. The developer is prepared to pay his portion of the phase 2 pipe fix. The phase 3 portion of the pipe fix the developer is not able to contribute to until he starts development of that phase. Mr. Hendricks stated the entire pipe needs to be replaced to make it function properly. Mr. Hendrix stated the cost of material and labor to fix this pipe will more than likely increase in price, it certainly will not be less. He stated he spoke with Attorney Bennett about this. Mr. Hendrix stated that his proposal is to pay for the entire pipe now with the developers half contribution for phase 2 and this entity will pay the remaining balance with an agreement

signed by the developer to pay his half of phase 3 when he develops that part of the subdivision. He stated there would also be a lien placed on the 3rd phase of the developer's property for added security to recoup the boards monies. The design and contractor are ready to go. Attorney Bennett discussed the legal mechanisms that must be completed first. There must be agreements signed by the developer, contractor and coupled with a resolution that must lay out the project. These items would have to be approved at another meeting. Because it is a public project a public hearing must be held for remonstrances. Discussion on timeline. Discussion on motion needed at this meeting to proceed. Mr. Hendrix stated the developer has a contract with the contractor. The town would be reimbursing the developer as a participant. The town did not bid out this project. Discussion on who is receiving payment and contracts. Discussion on motion need today at meeting. Chairman Kuiper made a motion to authorize Attorney Bennett to proceed with the preparing of the contracts with the developer and resolution for this project, seconded by Ms. Anderson and carried with a voice vote of all ayes.

ACTION TAKEN - MOTION PASSES – 3-0

Discussion – a next meeting date to proceed with the stormwater pipe replacement in Beverly Estates.

Discussion – Castlebrook Sub./Marion Drive Backyard Drain: Craig Hendrix discussed the backyard drainage situation on Marion Drive and how it relates to the 3 levels of priorities highlighted in the upcoming Stormwater Master Plan. The discussion included the possibility of in-house design and construction. NO action was taken.

Discussion – Malibu Woods Pond Renovation: Craig Hendrix discussed the pond in Malibu Woods and the degrading conditions within the pond. He stated that the pond was acquired on tax sale and has been severely neglected. Members discussed with the Town Attorney legalities of the pond since there was no easement or access rights for the town. The discussion included a request from the property owner to the south of the pond to intervene because of the uncontrolled release of stormwater on to his unincorporated property. Mr. Hendrix asked that no action be taken at this time until staff returns with more details about the project. No action was taken.

Discussion: None

Announcements: The next meeting was scheduled for July 14 2022.

Public Comment: Ray Borchert commented on the importance of the project in Castlebrook.

Adjournment: Motioned by Rich Oman, Seconded by Daniel Smith. Approved 3-0 Meeting was Adjourned 5:53 PM

Chairman

Secretary