

LOWELL TOWN COUNCIL
WORK SESSION
DECEMBER 13, 2021

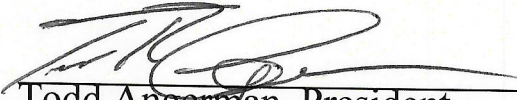
A Work Session of the Lowell Town Council was called to order on Monday, December 13, 2021, at 6:08 P.M., by President Todd Angerman. Members present were Todd Angerman, John Alessia, John Yelkich, and Mike Gruszka. Councilman Shane Tucker attended via phone. Also present were Clerk-Treasurer Judith Walters, Town Manager Craig Hendrix, Town Attorney David Westland, Police Chief Jim Woestman, GIS Director Greg White, and one interested citizen. Also present were Justin Schneider and Kari Britto from Indiana American Water and Attorney David McGimpsey via Zoom. The purpose of the work session was general town business.

Update on Water Utility Transfer - IAWC - Town Manager Hendrix stated that we need to develop a time line to notify customers on the closing of the water sale in anticipation of the closing on December 28th. He stated in a meeting last week with Kari Britto of Indiana American Water we were informed they will continue to use the current meters for the time being so we won't have to make a software change at this time. We will continue to be able to download the water readings to bill for sanitary sewer until they change the meters. The Town needs time to notify the customers of the change so customers can change their auto-pay and banking. Clerk-Treasurer Judy Walters stated she had been told there would be a decision by the end of December, but thought there would be another 30 days to finalize our customers. She was concerned about customers getting a bill for longer than 30 days. Justin Schneider, IAWC, stated they are looking forward to having the closing completed and stated it is not on the IURC docket this week, so they anticipate the closing will occur on December 28th. He stated they have set closing of the sale with the title company on that day, as they don't anticipate any issues with the order from IURC. He stated that is has always been their intention to close by year end, before the 30-day appeal process is over. Discussion followed on the different options for final billing. The Town asked if they could have 30 days to complete final billing and notifying customers. Kari Britto stated the plan is to take a final reading of the entire town on December 28th and then they will bill the entire bill for January and will pro-rate the portion back to Lowell for what is owed for the difference owed by Lowell's customers from now until then. Attorney McGimpsey stated that billing can still occur after the closing transactions. Discussion followed on a letter being sent to all customers from the Town of Lowell notifying them of the sale and informing them to stop their auto payment, how to set up to pay with Indiana American, and that they will be refunded the \$25.00 water deposit. A discussion followed on how to refund the \$25.00 meter deposit and Clerk Judy Walters will check with State Board of Account to see if it can be credited to the sewer portion of the billing or if a refund check will have to be issued. Mr. Hendrix stated they will be meeting with Indiana American Water on the 28th at the distribution garage to take inventory of the stock to be transferred to their contractor's yard. Clerk-Treasurer Judy Walters asked about the wire of funds on the 28th of December, and was informed the proceeds of the sale should be deposited in the General Fund and the Water Debt Fund to make future debt payments owed. Craig Hendrix and Kari Britto will work on a

letter from the Town to all customers to be sent by the end of the week. Mr. Schneider stated IAWC will be meeting with water employees on the 28th for their employee paperwork, and they will become an employee of IAWC on the 29th. It was agreed that no further water meter deposits will be collected until the sale is complete. Mr. Schneider stated after the transition he would be happy to come back in a few months to give a status update on how they change is progressing. A press release on the closing of the water sale will be issued on December 28th that is has happened.

Agreement to purchase Mohawk parcel - review Concept Plan - Mr. Hendrix stated the purchase agreement is contingent upon Mr. Austgen receiving PUD zoning on the conceptual drawing. He will submit a \$10,000 earnest deposit and the property will close after the zoning is approved.

No further discussion, the work session adjourned at 7:07 P.M.


Todd Angerman, President

Attest:


Judith Walters, Clerk-Treasurer