

**LOWELL TOWN COUNCIL
REGULAR MEETING
FEBRUARY 13, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, February 13, 2023 at 7:12 P.M. by President Todd Angerman. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Todd Angerman, Michael Gruszka, John Alessia, Shane Tucker, and John Yelkich. Also present were Town Manager Craig Hendrix, Police Chief James Woestman, GIS Director Greg White, and Town Attorney David Westland. Also present was one member of the press, and three interested citizens present, and one via Zoom.

TREASURER'S REPORT - January 2023

Councilman Gruszka made a motion to approve the January 2023 Treasurer's Report, seconded by Councilman Tucker and carried with five ayes.

APPROVAL OF MINUTES

Councilman Tucker made a motion to approve the regular meeting and work session minutes from January 23rd, seconded by Councilman Alessia and carried with five ayes.

APPROVAL OF VOUCHERS

President Angerman stated he had reviewed the following vouchers: White Vouchers #10082 - #10173, White- Police - #1016-#1022, Water #2001- #2001, Waste Water #4073- #4125, and Stormwater Utility #6004 - #6015. Councilman Gruszka made a motion to approve the vouchers as listed, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

ORDINANCES & RESOLUTIONS

Resolution #2023-01 - annual transfer of funds from StormWater Operating to StormWater Improvement - \$300,000 - Councilman Alessia moved to approve Resolution #2023-01, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

UNFINISHED BUSINESS

Appointment of Historic Board/Shared Ethics Board - An opening on the Historic Board will be advertised for two weeks. Councilman Yelkich will check if Manny Frausto will continue as citizen representative on Shared Ethics Board.

WWTP Project - Approve Change Order #2 - Bowen Engineering - \$15,577 - Councilman Gruszka moved to accept Changer Order #2, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Agreement to purchase property at 306 E. Commercial Avenue - Councilman Gruszka moved to accept the agreement to purchase 306 E. Commercial Avenue in the amount of \$80,000 to be ratified by the Redevelopment Commission, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Table from previous meeting -

NEW BUSINESS

Act on request to waive Transcient Merchant fees for Bartoberbest - Lowell Woman's Club - Councilman Alessia moved to waive the fees for the Bartoberfest held at Freedom Park, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Void outstanding checks over two years old - Clerk-Treasurer Judy Walters provided a list of meter deposit refund checks in the amount of \$254.66 and one M.V.H. check in the amount of \$415.00 over two years old that have not been cashed. She stated if the customers inquire about their checks within the time limit allowed by state statute they will be issued a new check. Councilman n Alessia moved to approve the list of outstanding checks to be put back into the appropriate fund, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Close out Water Meter Deposit Fund - Clerk-Treasurer Judy Walters stated when the Water Utility was sold the meter deposits being held by customers were refunded as a credit on their sewer bills, and refunds were tracked to customers no longer living in town. After staff reviewed all old records, she stated per State Board of Accounts the balance remaining of \$1,964 should be transferred to Operating Fund. Councilman Yelkich moved to approve the transfer of \$1,964 to Water Operating Fund, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Transfer funds from Sidewalk Escrow to Sidewalk Fund - Clerk-Treasurer Judy Walters asked that an outstanding balance of \$7570 of escrows that have been held for over ten years be transferred to the Sidewalk Fund to be used for construction of sidewalks within town. Councilman Alessia moved to transfer funds, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Approve 2023 Stormwater Budget - An operating budget for the Stormwater Fund had been prepared for 2023 in the amount of \$500,000. Councilman Gruszka moved to approve the 2023 Stormwater Budget, second by

Councilman Tucker and carried with five ayes on roll call vote.

Act on funds to purchase 2023 Ford Supercrew and funds to purchase new copier for Town Hall - Councilman Alessia moved to approve funds from the Water Utility in the amount of \$58,074 for the purchase of a 2023 Ford, and approve the purchase of a new copier for Town Hall from the Cumulative Capital Development Fund, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Approval to advertise for additional appropriation - Approval for advertising an additional appropriation in various funds was granted to Clerk-Treasurer Judy Walters on motion by Councilman Tucker, seconded by Councilman Yelkich and carried with five ayes.

Preserves Phase 6 - Release Performance Bond 41423271 - \$92,713.00 - and accept Maintenance Bond - \$18,542.60 - Councilman Gruszka moved to release the performance bond and accept the cash maintenance bond of \$18,542.60., seconded by Councilman Alessia and carried with five ayes on roll call vote.

ANNOUNCEMENTS

President Angerman announced the next regular meeting will be held Monday, February 27, 2023 at 7:00 P.M.


MEDIA QUESTIONS/PUBLIC COMMENTS

Chuck Abraham, Lowell Tribune, asked for a copy of the 2023 Stormwater Budget.

Frank Golz, Sky Line Vape Shop, addressed the Council concerning the break in's at his shop and was asking for suggestions to make it better to avoid in the future. He asked about a facade grant and also permission to install tinted windows with bars that would require a variance. Discussion followed on Lexan glass and retractable bars that Mr. Golz said are cost prohibited. Mr. Golz said they are stealing CBD which is not federally approved and so is not covered by his insurance. Council members suggest he work with staff to apply for either a facade grant or building renovation grant from the Redevelopment Commission, and try to come up with a solution without having to get a variance.

ADJOURNMENT

No further business, Councilman Gruszka made a motion to adjourn at 7:38 P.M., seconded by Councilman Alessia and carried with five ayes.


Todd Angerman, President

Attest:


Judith Walters, Clerk-Treasurer