

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
APRIL 24, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, April 24, 2023 at 7:00 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 Police Chief James Woestman, GIS Director Greg White, Fire Chief Chris Gamblin, and Town Attorney David Westland. Also present was one member of the press, and ten interested citizens.

**APPROVAL OF MINUTES**

Councilman Gruszka made a motion to approve the regular meeting and work session minutes from April 10th, seconded by Councilman Alessia and carried with five ayes.

**APPROVAL OF VOUCHERS**

President Angerman stated he had reviewed the following vouchers: White Vouchers #10397 - #10446, White- Police - #1056-#1059, Water #2006-#2007, Waste Water #4295- #4327, and Stormwater Utility #6052 - #6055. Councilman Tucker made a motion to approve the vouchers as listed, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

**PETITIONS, COMMUNICATION**

Swearing In Ceremony - Newly hired Police Officer Nathaniel Ricci was sworn into office by Clerk-Treasurer Judy Walters.

**ORDINANCES & RESOLUTIONS**

2<sup>nd</sup> reading - Ordinance #2023-04 Re-establishing Cumulative Capital Development Fund - needed to be re-established to the maximum of five cent, since the assessed value grew so much in 2023 the advertised levy wasn't high enough and the rate decreased to 0.0434. A Public Hearing was opened by President Angerman. There being no comments the public hearing was closed. Councilman Gruszka moved to adopt Ordinance #2023-04 by name and title only, seconded by Councilman Alessia and carried with five ayes on roll call vote.

2<sup>nd</sup> reading - Ordinance #2023-05, Additional Appropriation - PO Grant - \$8,476.90 - Councilman Gruszka moved to approve Ordinance #2023-05, by name and title only, seconded by Councilman Tucker and carried with five ayes on roll call vote.

Ordinance #2023-06 - Zone Change from PB to B2- DMK Development,- (Tractor Supply) Councilman Tucker moved to adopt Ordinance #2023-06, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Resolution #2023-02 - Title VI Plan/Non-Discrimination Agreement - Town Manager Hendrix stated this is the annual updated non-discriminating policy with goals and accomplishments. Councilman Gruszka moved to adopt Resolution #2023-02, Title VI Plan and goals and accomplishments, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

## **UNFINISHED BUSINESS**

WWTP Improvements -

UV Disinfection Replacement - Austgen Electric - Approve Pay Request #4 -\$8849.00 less retainage, Pay Request #4 release 50% retainage - \$8336.40 - Pay Request #5 - release total retainage -\$8336.40 and approve Wastewater Voucher #4326 - \$25,079.35 to Austgen Electric - Councilman Alessia moved to approve Pay Request #4,5,6 to Austgen Electric and Wastewater Voucher #4326 in the amount of \$25,079.35, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Enter into agreement with Wessler Engineering - EQ Basin - Task Order for design, permit and bidding - not to exceed \$457,000 - Councilman Yelkich moved to approve the agreement subject to Cedar Lake's approval of share of cost, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

## **NEW BUSINESS**

Permission to close Mill Street during car shows - Lowell Lion's Club - Councilman Alessia moved to grant approval to close Mill Street during the monthly car shows, seconded by Councilman Gruszka and carried with five ayes.

Act on Annual Compliance with Statement of Benefits for CF-1 Personal Property and CF-1 Real Estate - Life Spice and Ingredients, LLC - Councilman Gruszka moved to grant approval of the annual compliance, seconded by Councilman Alessia and carried with five ayes.

Surf Broad Band - Gene Crusie, Surf Internet, stated they are looking to expand to Lowell with fiber optic with all underground wiring. He stated they hope to begin in the summer and it may take up to eight months. Mr. Crusie said they offer multi different packages with no contract/commitment from \$35 to \$85 month with a forever price rate lock. He stated they are in the LaPorte, Elkhart area and added 75,000 households last year and are excited to come to Lowell.

Request Cumulative Fire funds - \$20,657.80 - Fire Chief Chris Gamblin stated he hoped everyone enjoyed the commission ceremony for the new fire truck. Chief Gamblin was requesting funds for equipment for the new engine including hoses, fittings, extinguishers, and hand tools and for a piece of extrication equipment that will replace the 20 year old tool they have on the older engine that will bring it in current fire code standards. Chief Gamblin said it is their goal to improve the ISO rating in town that will save money on homeowners insurance. Clerk-Treasurer Judy Walters stated funds are available in the Cum Fire Fund. Councilman Gruszka moved to approve the purchase of \$20,657.80 for equipment, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Request of police cars - Police Chief Jim Woestman explained that the 2023 cars ordered last September and encumbered have still not arrived nor does he know if they are in production. He stated that one of the pool cars is out of service and not worth putting any money into, and with the additional officer that are going to be short vehicles. Chief Woestman stated Bosak Motors have Dodge Durango's on their lot and he would like to purchase three vehicles now as opposed to waiting for the end of the year as they normally do for their car rotation. Discussion followed on whether to cancel the previous order for one Dodge Charger and two Dodge Ram trucks, but Chief Woestman preferred

to keep the order for delivery when they come and be ahead of the rotation process with these three vehicles. Chief Woestman stated the cost is below state bid at \$38,566.25 each and would need funding for equipping the cars and two new radios for a not to exceed cost of \$165,000. Clerk-Treasurer Judy Walters said funds are available in the Cumulative Capital Fund and then additional police cars should not be needed until 2025. Councilman Alessia moved to approve the purchase of the three police cars immediately to Bosak Motors, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Approve transfers of sick days - Per town code, Councilman Gruszka moved to approve employees donating one of their sick days to an employee in need of additional time, seconded by Councilman Tucker and carried with five ayes on roll call vote.

### **ANNOUNCEMENTS**

President Angerman announced the next regular meeting will be held Monday, May 8, 2023 at 7:00 P.M.

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

Chuck Abraham, Lowell Tribune, asked about the police car purchase, and Chief Woestman replied they would be getting three Dodge Durango's now, and the three ordered last year when they come in.

### **ADJOURNMENT**

No further business, Councilman Alessia made a motion to adjourn at 7:25 P.M., seconded by Councilman Yelkich and carried with five ayes.



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Todd Angerman, President

Attest:

  
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Judith Walters, Clerk-Treasurer