

**LOWELL TOWN COUNCIL
REGULAR MEETING
OCTOBER 26, 2009**

The regular meeting of the Lowell Town Council was called to order on Monday, October 26, 2009 at 7:00 P.M. by President Phillip Kuiper. The Pledge of Allegiance was recited and a moment of silence was observed. President Kuiper asked everyone to keep Councilman Alessia and his family in their thoughts and prayers. Clerk-Treasurer Judith Walters called the roll. Present were Council Members Donald Huseman, Shane Tucker, John Alessia and Phillip Kuiper. Councilman David Gard was absent. Also present were Town Attorney Greg Sobkowski, Public Works Director Greg Shook, Town Administrator Susan Peterson, Community Development Director Wilbur Cox, Police Chief John Shelhart, three members of the media and eleven interested citizens.

TREASURER'S REPORT

Councilman Tucker made a motion to approve the Treasurer's Report for September, 2009 as presented, seconded by Councilman Alessia. The motion carried by voice vote.

APPROVAL OF MINUTES

Councilman Alessia made a motion to approve the minutes from the October 12th regular meeting, seconded by Councilman Huseman. The motion carried by voice vote.

APPROVAL OF VOUCHERS

President Kuiper stated that he had reviewed White Vouchers #2365-2443, Water Vouchers #2633-2659 and Waste Water Vouchers #3528-3549 and recommended them for approval. Councilman Huseman made a motion to approve the vouchers as listed, seconded by Councilman Tucker. The motion carried by voice vote.

ORDINANCES & RESOLUTIONS

2nd Reading - Ordinance #2009-19 - 2010 Appropriations & Tax Rates - Councilman Huseman made a motion to adopt Ordinance #2009-19 for the 2010 Appropriations & Tax Rates, seconded by Councilman Alessia. Roll call vote carried with four ayes.

1st Reading - Ordinance #2009-21 - amend 2009 Salary Ordinance - President Kuiper read Ordinance #2009-21 to amend the 2009 Salary Ordinance. Councilman Alessia made a motion to hold over Ordinance #2009-21 for second reading, seconded by Councilman Huseman. The motion carried by voice vote.

UNFINISHED BUSINESS

Public Works Department Update - Public Works Director Greg Shook reported on the Main Street bridge. He and President Kuiper met with the county on Friday to discuss the bridge

project. Work will begin in early spring and there will be sidewalks on both sides. He also reported meeting with Councilman Huseman earlier in the day to go over the project. They decided that if the county will put sidewalks on the bridge itself, the town will finish the sidewalks at a future date since the project will need time to settle. In the meantime, if kids are walking on the road, they will still be able to move over when they are on the bridge itself.

Water Replacement Project - Director Shook requested approval of Pay Request #5 to Hodges & Davis in the amount of \$1,500 and forward it to SRF/Indiana Finance Authority for payment. Councilman Tucker made a motion to approve the request, seconded by Councilman Alessia. The motion carried by voice vote.

Recommendations from Traffic Commission - President Kuiper asked if anyone had any information about how much a flashing yellow light would cost. Director Shook said he would try to have some information available at the next meeting. Councilman Alessia commented that he noticed an article in the paper a day or two after the last meeting that mentioned a flashing yellow light in Valparaiso and he thought the article said that it cost somewhere between \$3,000 and \$3,500, but he wasn't sure if that was accurate or not. Director Shook said he would look into it. Councilman Tucker said that with regard to recommendations to the Traffic Commission, he was contacted by a resident on Holtz Road, just north of the High School bus barn where the curves are. There have been several accidents and people driving up into the yard. They anticipate someone eventually going up into the house. There are currently poles with arrows for southbound traffic on Holtz Road. There is nothing to indicate the sharp curve for northbound traffic and the resident asked if a sign could be placed there. Director Shook said that should not be a problem.

Tabled from previous meetings:

8/10 - Mavis Program - President Kuiper stated that the Mavis Program is still tabled since they are still waiting on some information to come back from the insurance company. Once they get that information, they hope to be able to move forward with the program.

NEW BUSINESS

Approve 2010 Water Utility Budget per USDA Rural Development Loan - Clerk-Treasurer Walters explained that this is a requirement of the Rural Development Loan for the water plant. They ask the utility to provide an annual operating budget. For 2010, there is an estimated operating income of \$1,931,065 and operating expenses of \$1,906,594. These figures are based on what the water rates are currently. Councilman Huseman made a motion to approve the 2010 Water Utility Budget, seconded by Councilman Alessia. The motion carried by voice vote.

Approve 2010 Bark Park Fees - Clerk-Treasurer Walters reported that they want to start charging for 2010 passes but they can't start charging until it is approved. The approval needs to be retroactive to October 1st. Councilman Tucker made a motion to approve the 2010 Bark Park fees retroactive to October 1st, seconded by Councilman Alessia. Councilman Alessia asked if the fees are the same and Clerk-Treasurer Walters confirmed that they are. The motion carried by voice vote.

Recommendation from Historic Preservation Committee to adopt Downtown Historic District

and Map - Director Cox reported that the Commission has had several meetings, along with most of the downtown merchants and property owners. While getting everyone together was no easy task, due to scheduling conflicts, for the most part, everyone showed up and has been very supportive of the endeavor. The Commission has done it's part so now they are requesting the Town Council to consider directing legal counsel to prepare an ordinance and get it adopted as soon as possible. Director Cox stated that if anyone had any questions, the President of the Commission and Tiffany Tolbert were present. Councilman Alessia made a motion to direct legal counsel to prepare an ordinance to adopt the Downtown Historic District and Map, seconded by Councilman Huseman. Tiffany Tolbert, Director of the Calumet Region Office for Historic Landmarks Foundation of Indiana, said she has been working with the Lowell Historic Preservation Commission over the last year or so toward the goal of designating the downtown as a local historic district. Over the last several months, they have been working to develop design guidelines to hopefully offer some protection for historic facades along Commercial Avenue. They have also met with property owners, notified them, tried to educate them and worked with the Historic Preservation Commission to get them educated on historic preservation and how to administer the district. This is also just part of a larger plan they have to facilitate and help the businesses and property owners in the downtown. They will work with Wilbur next to hopefully start a facade grant program, as has been seen in other communities throughout the region. This is just one step but it is an important step. The district runs along E. Commercial Avenue from the 200 block to the 700 block with two commercial properties on Clark Street. These properties are already in the National Register district so they are designated nationally, but this is something they want to do on the local level. The motion carried by voice vote. Attorney Sobkowski said he would have the ordinance ready for the next meeting.

ANNOUNCEMENTS

President Kuiper announced that this Saturday, Halloween trick or treat hours are set for 5:00 to 7:00 P.M.

President Kuiper announced the next regular meeting will be held on Monday, November 9th at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

A member of the media asked what was done with the salary ordinance. Clerk-Treasurer Walters explained that they didn't change anything in the salary ordinance. They just added the wording Assistant Chief. There was no salary increase, just the wording.

A member of the media said she missed the figures for the water budget. Clerk-Treasurer Walters told her she would fax it to her.

Councilman Alessia made a motion to adjourn, seconded by Councilman Tucker at 7:17 P.M.

ATTEST:

Phillip Kuiper, President

Judith Walters, Clerk-Treasurer