

**LOWELL TOWN COUNCIL
REGULAR MEETING
DECEMBER 12, 2011**

The regular meeting of the Lowell Town Council was called to order on Monday, December 12, 2011 at 7:00 PM by President John Alessia. The Pledge of Allegiance was recited and a moment of silence was observed.. Clerk-Treasurer Judith Walters called the roll. Members present were Donald Huseman, Robert Philpot, John Alessia and Phillip Kuiper. Absent was David Gard. Also present were Town Attorney Greg Sobkowski, Director of Public Works Greg Shook, Chief John Shelhart, Town Administrator Susan Peterson, two members of the media and 13 citizens.

APPROVAL OF MINUTES

Councilman Philpot made a motion to approve the November 29th regular meeting minutes, seconded by Councilman Huseman and carried by voice vote.

APPROVAL OF VOUCHERS

President Alessia stated that he had reviewed White Vouchers #2430 - #2495, White Police #4115 - #4123, Water #2742 - #2775, and Waste Water Vouchers #3598 - #3629. Councilman Huseman made a motion to approve the vouchers as listed, seconded by Councilman Philpot and carried by voice vote.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

MONTHLY REPORTS – November, 2011

Councilman Kuiper made a motion to approve the November, 2011 Monthly Reports, seconded by Councilman Huseman and carried by voice vote.

STANDING COMMITTEES - Annexation Committee

ORDINANCES & RESOLUTIONS

1st reading – Ordinance #2011-14 – amending Title IX – General Regulations – Park Rules. Attorney Sobkowski explained that Chief Shelhart and Public Works Director Greg Shook looked at the old rules, made some revisions and he has the updated version of the Park Rules to comply with the new handgun laws, which came into effect this past year. This ordinance is to codify these rules so that there will be a mechanism to enforce them. Councilman Huseman made a motion to hold this ordinance over for a second reading, seconded by Councilman Philpot and carried by voice vote.

1st & 2nd reading – Ordinance #2011-15 – amend Salary Ordinance. President Alessia read the Ordinance. Councilman Kuiper made a motion to pass Ordinance #2011-15,

seconded by Councilman Huseman and carried by voice vote. Councilman Kuiper made a motion to set the rules aside, seconded by Councilman Huseman and carried by voice vote. Councilman Kuiper made a motion to adopt Ordinance #2011-15 in name and title, seconded by Councilman Huseman and carried by roll call vote. Councilman Kuiper made a motion to set the rules back in order, seconded by Councilman Huseman and carried by voice vote.

Resolution #2011-16 – Transfer of Funds. President Alessia read the Resolution. Councilman Kuiper made a motion to adopt Resolution #2011-16, seconded by Councilman Huseman and carried by voice vote.

UNFINISHED BUSINESS

Approve Pay Request #1-4 and forward to SRF Funding for payment - WWTP Project #1-Bingham McHale - \$9,844; #2- Ice Miller - \$25,432; #3 – Financial Solutions Group - \$41,470; Commonwealth Engineers - \$494,259.61. Clerk-Treasurer Walters stated that they closed on the loan last Wednesday and the final closing will be on Thursday and these are the requests that SRF allowed them to do at the closing. Councilman Huseman made a motion to approve the pay request, seconded by Councilman Philpot and carried by voice vote.

Tabled from previous meetings:

10/24 Act on favorable recommendation from Plan Commission – adopt Lowell Zoning and Subdivision Ordinance.

NEW BUSINESS

Enter into agreement with Public Works Director for 2012 – 2014. Councilman Kuiper made the motion to approve the contract with the same terms, seconded by Councilman Huseman and carried by voice vote. Councilman Kuiper stated that he appreciates that two years in a row Mr. Shook has not asked for any increase just the contract itself. Mr. Shook stated that he has always thought that what was fair for the rest of the employees was fair for him.

Approve Freedom Bark Park fees for 2012. President Alessia explained that the fees would be the Resident fee is \$60, non resident \$70, the resident for seniors sixty five plus and disabled is \$30, non-residents seniors sixty five plus and disabled is \$35, daily pass is \$5 and monthly pass is \$20. If signed up passed July 1st the remainder of the pass is \$30 for residents and \$35 for non-residents, \$5 if you have an additional dog. Councilman Kuiper made a motion to approve these fees, seconded by Councilman Philpot and carried by voice vote.

Discuss changing first meeting of 2012 due to IACT Newly Elected Training. Clerk-Treasurer Walters explained that the first meeting of the year is January 9th and IACT is offering a newly elected training seminar on Tuesday and Wednesday of that week. She has had four out of five council members show an interest in attending this seminar and they will not have a quorum for the Town Council meeting, a decision needs to be made as to when the first Town Council meeting in January will be held. Councilman Philpot made a motion to make the first meeting of the new year Monday, January 16th, seconded by Councilman Kuiper and carried by voice vote.

Councilman Philpot spoke of traveling with hazardous material in a vehicle such as oxygen tanks and that is why he is leaving on Monday instead of Tuesday morning. Councilman Kuiper stated that this is why the first meeting in January was changed. Clerk-Treasurer Walters stated that she has already booked a room for him for that Monday.

ANNOUNCEMENTS

President Alessia stated that Police Chief Shelhart said that there would be demolish of tanks at the old Rieter Plant on December 14th between 9 AM and 12 Noon and the public may hear some explosions.

President Alessia wished everyone a Merry Christmas.

The next Town Council meeting will be held on Tuesday, December 27th at 7:00 PM.

MEDIA QUESTIONS / PUBLIC COMMENTS

Melanie Csepiga, The Times asked when the demolition of the tanks would be. President Alessia stated that it would be between 9 AM and 12 Noon on December 14th. She also requested a list of the Freedom Bark Park changes. She asked how many full time employees would be getting the \$500 bonus. Clerk-Treasurer Walters stated that there were 54 full time employees. She further stated that they had saved some money in health insurance costs so there was money in the health insurance line item to move over for the employees that get paid out of the General Fund and the employees that get paid out of Water and Wastewater would come out of that fund.

Carl Ferro wanted to know why the vouchers weren't out for review like they used to be. Clerk-Treasurer Walters stated that she used to put them out, but no one picked them up, but she would give him a copy of the vouchers if he wanted it. He questioned what Commonwealth Engineering was doing for the fees that were charging and wanted to know why the Council was not exploring other firms locally that were cheaper than Commonwealth Engineering. President Alessia stated that he was told by council members before him, that the Town in the past has not received the quality of consulting and engineering that Commonwealth has given the town. Mr. Ferro stated that there was a problem with the engineering of the sewer at the new middle school, where Commonwealth miscalculated the gravity fed system instead of using a lift station. Mr.

Shook stated that it was his understanding that the school designed their own sewer and the school changed the elevations of the sewer system. Mr. Ferro stated that the engineering firm should have caught that mistake.

Charlie Reel wanted to know if there was an update on the recycling bins that used to be at the bowling alley. Mr. Shook stated that they were working with the County and the bins will be moved to the Street Garage. Councilman Huseman stated that the County would not work any quicker than they did with the ditch on Clark St. Mr. Shook stated that the easements for the ditch have been done and should be cleaned this Spring. He further stated that with the recycle bins, it was his understanding that the County Highway Department is going to allow bins to go out there. Councilman Kuiper stated that they had one in town and one out of town and could not find anyone in the town to take these recycling bins and that is why the Solid Waste District met with Mr. Shook to find a location in Town. Councilman Huseman asked Mr. Shook what was the latest with the County on the ditch. Mr. Shook stated that the County is planning to clean it next Spring. He stated that he had met with the County to get the easements done which were about 8 easements and turned in to the Lake County Surveyors office.

There being no further business or discussion, Councilman Kuiper motioned to adjourn, seconded by Councilman Philpot at 7:26 PM.

John Alessia, President

Attest:

Judith Walters, Clerk-Treasurer