

**LOWELL TOWN COUNCIL
REGULAR MEETING
JUNE 25, 2012**

The regular meeting of the Lowell Town Council was called to order on Monday June 25, 2012 at 7:00 P.M. by President Phillip Kuiper. The Pledge of Allegiance was recited and a moment of silence was observed. Town Administrator Susan Peterson called the roll. Members present were Craig Earley, Robert Philpot, Donald Parker, Phillip Kuiper and Edgar Corns. Also present were Town Attorney Ben Ballou, Director of Public Works Greg Shook, Police Chief John Shelhart, Town Administrator Susan Peterson, Building Official Tom Trulley, two members of the media and fourteen citizens.

TREASURER'S REPORT – May, 2012

Councilman Earley made a motion to approve the May, 2012 Treasurer's Report, seconded by Councilman Parker and carried by voice vote.

APPROVAL OF MINUTES

Councilman Corns made a motion to approve the June 11th regular meeting and the June 14th executive session, seconded by Councilman Philpot and carried by voice vote.

APPROVAL OF VOUCHERS

President Kuiper stated he reviewed White Vouchers #1683 - #1734, White-Police #4096 - #4103, Water #2352 - #2389, Waste Water #3330 - #3358. Councilman Earley made a motion to approve the vouchers as listed, seconded by Councilman Parker and carried by voice vote.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

SPECIAL COMMITTEES – Annexation Committee

ORDINANCES & RESOLUTIONS

1st & 2nd reading - *Ordinance #2012-17 – adopting a Policy concerning Nepotism and Contracting to comply with I.C. 36-1-20.2 & I.C. 36-1-21. President Kuiper read Ordinance #2012-17 as presented. Councilman Earley made a motion to adopt Ordinance #2012-17, seconded by Councilman Corns. Councilman Parker stated he has an issue with the employment of relative's section, he will vote in favor of this ordinance, this specifically talks about employees in the Police Department and it doesn't reference in the IC code and thinks this part of the ordinance is ludicrous and does an injustice to the workers and employees of the State of Indiana. The motion carried by voice vote. Councilman Parker made a motion to set the rules aside, seconded by Councilman Corns and carried by voice vote. Councilman Earley made a motion to adopt Ordinance #2012-17 by name and title only, seconded by Councilman Corns and carried by roll call vote

with 5 ayes. Councilman Corns made a motion to set the rules back, seconded by Councilman Philpot and carried by voice vote.

1st & 2nd reading –*Ordinance #2012-18 – Additional Appropriation – Cumulative Sewer Fund. **Public Hearing.** President Kuiper read Ordinance #2012-18 as presented. Councilman Corns made a motion to approve Ordinance #2012-18, seconded by Councilman Philpot and carried by voice vote. President Kuiper opened the public. Melanie Csepiga, The Times, asked what was the purpose of this ordinance. Public Works Director Greg Shook explained Clerk Treasurer Walters spoke about the cost to the Powell Ditch would be covered by the Cum Sewer Fund and the money is there just in case it is needed. President Kuiper closed the public hearing. Councilman Corns made a motion to set the rules aside, seconded by Councilman Philpot and carried by voice vote. Councilman Philpot made a motion to adopt Ordinance #2012-18 by name and title only, seconded by Councilman Parker and carried by roll call vote with five ayes.

1st & 2nd reading – Ordinance #2012-19 – 105 N. Nichols – granting rezoning from B-1 to R-3. President Kuiper read Ordinance #2012-19 as presented. Councilman Earley made a motion to adopt Ordinance #2012-19, seconded by Councilman Philpot and carried by voice vote. Councilman Philpot made a motion to adopt Ordinance #2012-19 by name and title only, seconded by Councilman Corns and carried by roll call vote with five ayes. Councilman Philpot made a motion to set the rules back, seconded by Councilman Corns and carried by voice vote.

*Resolution #2012-19 – Transfer of Funds – Freedom Park Budget. President Kuiper read Resolution #2012-19 transfer of funds from Improvement to Miscellaneous Supplies. Councilman Corns made a motion to approve Resolution #2012-19, seconded by Councilman Parker and carried by voice vote.

UNFINISHED BUSINESS

Public Works Department Update. Public Works Director Greg Shook stated at the last Council meeting he had asked that a survey be done on the wetland delineation for Powell Ditch and after talking with Commonwealth, they would do the survey for the wetland delineation and the ditch itself. He is asking the Council for approval to have Commonwealth do the survey at a cost of about \$2,000. Councilman Parker made a motion to approve the request to have Commonwealth Engineers do the survey for the wetland delineation for Powell Ditch, seconded by Councilman Earley and carried by voice vote.

WWTP JMOB Requests
Water Infrastructure Improvement Plan

WWTP Improvement Project – Approve Pay Request #13 – to Commonwealth Engineers for engineering services - \$15,976.94 – and forward to SRF fund for payment. Councilman Corns made a motion to approve Pay Request #13 to Commonwealth Engineers, seconded by Councilman Parker and carried by voice vote.

Tabled from previous meetings:

Resolution #2012-08 & Resolution #2012-09 – adopting fiscal plans for Area #3 & Area #4.

NEW BUSINESS

*Act on chemical quotes. Public works Director Greg Shook explained this was the annual chemical quotes for the Water Plant drinking water. This year they sent requests to six companies because no one company supplies all the chemicals that they request. He is asking the Council to approve those with the low quotes as follows: Alexander Chemical for Chlorine at \$72.00/cylinder, Sodium Hypochlorite at \$12.00/case, and Sodium Silicate at \$279.50/drum. Carneuse Lime Inc. for Hydrated Lime at \$184.39/ton. Airgas North Central for Carbon Dioxide-CO2 at \$0.72/lb. Councilman Parker made a motion to approve the chemical quotes, seconded by Councilman Corns and carried by voice vote.

ANNOUNCEMENTS

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

President Kuiper asked the public because of the dry conditions to be careful where and what fireworks they are setting off. The Ordinance for fireworks are 5 P.M. and two hours after sunset on June 29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8 and July 9. 10:00 A.M. to 12:00 Midnight on July 4th. 10:00 A.M. on December 31 and 1:00 A.M. on January 1st.

Councilman Parker asked for the status of the eighty acres annexation. President Kuiper stated they were waiting on the fiscal plan.

MEDIA QUESTIONS / PUBLIC COMMENTS

Angie Fletcher, Lowell Tribune asked for a copy of the Fireworks Ordinance so she could put it in the paper.

Don Huseman, 362 Gwen's Cove, asked if there were any plans to blacktop Nichols St. Public works Director Greg Shook stated they had put in for a grant to blacktop Nichols St, since that time they have not received that grant. He has talked to the Clerk Treasurer

about paving Nichols St from Washington to Apache and where the funding would come from.

Mr. Huseman wanted to know when Building Official Tom Trulley could meet with him at the Providence pond to discuss the problems with the pond.

There being no further business or discussion, Councilman Philpot motioned to adjourn, seconded by Councilman Earley at 7:29 P.M.

Phillip Kuiper, President

Attest:

Judith Walter, Clerk-Treasurer