

**LOWELL TOWN COUNCIL MEETING  
REGULAR MEETING  
FEBRUARY 25, 2013**

The regular meeting of the Lowell Town Council was called to order on Monday, February 25, 2013 at 7:00 P.M. by President Edgar Corns. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Craig Earley, Robert Philpot, Donald Parker, Phillip Kuiper, and Edgar Corns. Also present were Town Attorney David Westland, Director of Public Works Greg Shook, Police Chief John Shelhart, Building Official Tom Trulley, Town Administrator Susan Peterson, three members of the media, and thirty-eight citizens.

**JANUARY TREASURER'S REPORT**

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

**APPROVAL OF MINUTES**

Councilman Parker made a motion to approve the February 11<sup>th</sup> study session and regular meeting minutes, and the February 20<sup>th</sup> executive session minutes, seconded by Councilman Philpot and carried by voice vote.

**APPROVAL OF VOUCHERS**

President Corns stated he reviewed White Vouchers #1160 - #1209, White-Police #4037 - #4043, Water #2115 - #2139, and Waste Water #3092 - #3114 and recommended all except WasteWater #3114 to Nipsco should be voided as it is not needed.

Councilman Earley made a motion to approve the vouchers as listed, seconded by Councilman Philpot and carried by voice vote.

**PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS**

Town Employees - Perfect Attendance 2012 - President Corns listed the employees with perfect attendance for the year 2012- Jeff Cavins, Debbie Earley, Frank Lovely, Dan Myers, Tom Sullivan, Sue Sutphen, Tom Trulley, Evelyn Vicari, John Shelhart, Corey Burkus, Erik Matson, Scott Tokach, and Jim Woestman, and commended them for not missing a day of work.

## **STANDING COMMITTEES - Annexation Committee**

Councilman Parker stated that we have not heard anything back from Mr. Novak's attorney yet, and also confirmed with Mr. Westland that there has been no response from the owner of the 80 acres as well. Councilman Parker made a motion to give permission to Mr. Westland to send a letter to the five property owners on the southwest corner of Route 2 and Austin in regards to a voluntary annexation, seconded by Councilman Philpot. Councilman Kuiper asked how many properties were in that area. Councilman Parker stated there are five. Mr. Kuiper asked if that included the landfill. Councilman Parker stated he believed two of them were the landfill. Councilman Kuiper stated he will be voting no on the motion because those properties are not

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contiguous until the 80 acres is brought in, so there is no reason to spend that money until we know for sure that the 80 acres will be in. He also stated if the landfill is involved, he will be voting no. Councilman Earley stated before the letters are written, it should be a unanimous vote by the Council to do so. He also stated in regards to the properties that are the C&D Landfill, he will not support it either. The motion carried with three ayes on roll call vote with Councilman Earley and Councilman Kuiper voting no.

## **UNFINISHED BUSINESS**

Public Works Department Update - Public Works Director Greg Shook stated there is a JMOB meeting on February 26<sup>th</sup> at 1:00 PM at the Town Hall. He stated we should have the preliminary plans this week for the State Road 2 curbs and sidewalks project and will be scheduling a meeting with INDOT and the other utilities on site. After that we will be looking at right-of-way acquisitions. Mr. Shook stated he had been in contact with Dan Gossman at the Lake County Surveyor's office and they are trying to set up a meeting with George Van Til, Mr. Gossman, Greg White, Craig Hendricks, and himself on Powell ditch. Mr. Kuiper asked if Mr. Hendricks has looked at any of the information on Powell Ditch. Mr. Shook stated he has brought Mr. Hendricks up to date and right now they are trying to meet with the County to give them an idea of what they are going to propose. We are also hoping to talk to them about the rock dam by the railroad trussel. Mr. Kuiper reiterated that Mr. Hendricks has looked at Powell Ditch. Mr. Shook stated he has and he believes that the box culvert will not be necessary because the reports show that you will only be able to take the rain from a two year event. Once you hit a ten year event the water will start to come out of the

banks because it is in a flood plain area. Mr. Hendricks is saying that we may be able to downsize the box culvert to the point where it will take at least that much water, which would make it small enough to possibly be something that we can install ourselves and save some money.

Shared Ethucs Advisory committee - This item was not discussed during regular business.

Approve Police Commission Bonds - Councilman Earley made a motion to approve the Police Commission Bonds for Keith Kilmer, Sharon Paterson, Marty Freeman, and Alan Fox, seconded by Councilman Parker and carried by a roll call vote.

Tabled from previous meetings:

2/11 - Inter-local Agreement for Consolidation of Emergency Dispatching with Lake County Sheriff's Department - Chief Shelhart stated we are trying to enter in an agreement for consolidation with the County, but since the agreement was not approved at the last Town Council meeting the County has also placed it on hold. He stated we need to move forward with this if the Council is in agreement because we have already notified our employees at the Police Department that we will be merging with the County on March 1<sup>st</sup> and that not all of them would be able to retain their positions. Chief Shelhart spoke about the difficulties he is having by not consolidating, such as employees retiring and the current dispatchers having to work twelve hour shifts due to lack of coverage. He stated it would be difficult to hire someone right now to cover because at best they will be here a year or a year and a half before the full consolidation happens. Chief Shelhart stated he is asking that the Council strongly consider signing the agreement between the Lowell Town Council and the Lake County Sheriff's Department. He stated if this

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agreement does not go through, we have spoken to Lake County's Assistant Sheriff Murchek, and we have discussed the idea of two full-time employees going up to work at the Lake County dispatch center, but they would still be paid by Lowell. The Sheriff has not approved this idea, and this would not be an ideal situation in making the dispatch work.

Councilman Philpot asked if the Sheriff does not agree to take these employees, then what would happen. Chief Shelhart stated we would then have to hire and train additional employees, or we have officers that are trained to operate the dispatch center, but we obviously do not want to take officers off of the street. Councilman

Parker asked if the funding issues had been resolved. Chief Shelhart stated he was not aware of what the issues were because he was out of town during the last meeting. He stated he has had conversations with the Lake County Commissioners and has told them the only thing they need to be concerned about is the contract between the Town and the Sheriff's Department until the full consolidation takes place. As far as the funds that there was concern about, those have nothing to do with the agreement. A discussion followed about what transpired at that meeting and why the County held up the agreement. Councilman Kuiper made a motion to approve the Inter-Local Agreement, seconded by Councilman Earley and carried with five ayes on roll call vote.

## **NEW BUSINESS**

Acting as Board of Finance - cancel outstanding checks over two years old - President Corns listed the checks needed to be canceled from 2010- Regina Buglio, Dawn Paternostro, Duane Fisher, Phil Collins, and Dan Tryban. Councilman Kuiper made a motion to cancel the outstanding checks, seconded by Councilman Philpot and carried by roll call vote.

Permission to use Cumulative Funds to upgrade sound system for meeting room and new phone system for Town Hall - Councilman Parker made a motion to permit the use of the Cumulative Funds, seconded by Councilman Earley and carried by roll call vote.

Act on recommendation for employee to receive full-time credit - Mr. Corns read the letter from Greg Shook regarding Zak Voss in the Sewer Department receiving full-time credit for his hours worked part-time in determining his vacation hours. Mr. Kuiper added that while he was working for the Town, he was also going to college and does have a college degree. Councilman Kuiper made a motion to approve the recommendation, seconded by Councilman Parker and carried by a roll call vote.

Public Input - Tri-Creek School Corp. - Dr. Howe explained she would like to make a power point presentation regarding the Tri-Creek Learning Center. She stated that last year they had started on their strategic planning through student surveys, focus group interviews, and listening posts. She stated they found from parent/student focus groups that they feel they need more access to classroom technology, more career/college preparation, more options for dual college credits, more options for hands-on, relevant learning experiences, and more career and technical options. Dr. Howe explained that there are four dimensions of college readiness; key cognitive strategies, key content knowledge, academic behaviors, and contextual skills and

awareness. She stated the schools have been working hard on content knowledge, but they are learning that all of these dimensions need to be focused on especially when it comes to self awareness, working as a

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team, and good work ethics. Dr. Howe proceeded to review the career readiness key principles and recommendations to fulfill those. She explained the partnership with Ivy Tech and stated what all will be a part of the Tri-Creek Learning Center. Dr. Howe stated the groundbreaking will be sometime in the summer/fall of 2013 with completion in August of 2014.

Jeff Olson, Project Manager for CSO Architects, reviewed the floor plan and site plan for the Learning Center. Mr. Olson explained where the site was located in Town and the shape of the site currently. He also explained the layout of the building itself on the lot.

James Merten, Director, Vice Chairman of the Board, City Securities Corp., stated they have done financing for the schools here for a long time, and for other schools in the area as well. The estimate for this project is \$11,815,000. The School Board has not taken any action yet, but is considering adding classrooms at Lake Prairie and a Transportation Center that will be located more centrally in the district. Those two projects would be a little under three million dollars. He stated construction costs on the new center will be just under fifteen million dollars. We do have Series 2001 Bonds that were issued which we will refinance at a lower interest rate, and when you add in the estimated financing and legal costs, all three projects will be around \$15.3 million. Mr. Merten explained the repayment schedule and that the final payment will be in 2032. He also explained the tax rate will drop and what was still outstanding in bonds for various projects. Mr. Merten went through the project's timeline which included public forums in February; legal requirements March - May; issuance of bonds and construction contracts June - July, groundbreaking in August, and opening in August of 2014.

Todd Roswarski, Vice Chancellor of Academic Affairs, Ivy Tech Community College, Lafayette, stated Ivy Tech's main mission is to be open access. Ivy Tech is also a community-based service and believes strongly in economic development. Mr. Roswarski went over some enrollment statistics for the Spring of 2013 in Region 4. He explained that Ivy Tech plays a large part in the economic perspective. He stated that tax payers and the community benefit from improved lifestyles, a larger economy, lower social costs, and an eased tax burden. Mr. Roswarski proceeded to review the student

perspective, taxpayer perspective, and community perspective in recouping costs. He stated the college has two missions, the educational mission, and our corporate college.

Our corporate college goes in and reviews with corporations what type of training they need for their company. We will create that training and provide it to their workforce. Currently we work with talent development, workforce certification, business consulting, and apprenticeship studies. Mr. Roswarski explained their partnership with different manufacturing companies and their program that helps train students for manufacturing jobs. Their corporate college mission is to help Indiana's employers become more globally competitive and profitable through the training and development of the workforce. He also went on to explain their international programming where students can study abroad. Mr. Roswarski stated they have developed initiatives such as on the spot admissions where students can apply and immediately receive "pre-acceptance" letters via I-Pads that the representatives carry, intense cross-training of staff to better serve the students, individualized academic plans for all degree-seeking students, partnership with local high schools to allow students to earn college credits while at high school, and providing students with the opportunity to attend Ivy Tech college courses so that they may finish college sooner. Councilman Philpot asked if the teachers teaching the dual credit courses are qualified to do so at a college level. Mr. Roswarski stated

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that they were. Mr. Roswarski went on to show statistics about their academic success, highlight their areas of study and possible future areas of study, and also showed where their current locations are and sites for future locations including Lowell.

Dr. Howe stated they will be leasing the building out in Lowell so there will be some money coming back from the center. Also, any student that is enrolled in Tri-Creek School Corporation will be able to take the double-up courses with free tuition. They will need to purchase their books and materials, but there is no tuition costs. Harry Vanbe Velde III, the President of the Legacy Foundation, explained what the Legacy Foundation is and what it has done in South Lake County. He stated this past June they decided to create a South County task force. We now have four board members from South County. He went on to explain a project that they are working on dealing with the food nutrition needs of South County and how they have been working with the food pantries of South County to better provide for this area. He stated that we are here tonight to make sure that the Council understands that they are prepared to work with Dr. Howe and the Ivy Tech team to make sure that the pre-school, child care, adult education, etc. have a means to be fulfilled outside of Ivy Tech and the Tri-Creek School envelope.

Dr. Howe stated tonight they are looking for the Council's verbal support for moving forward. Councilman Kuiper stated they have his full support and that he is excited and feels that this is what the Town needs. President Corns stated he believes this is the best thing to happen for Lowell and not only for the people in Town, but for the people south of the river and over the boarder in to Illinois. Councilman Earley thanked Dr. Howe for allowing him to be a small part of this and stated this project is very important and is a turning point in education for both youth and adults. He also stated this is a great boost to our economy at a time where we are starting to see a lot of things happen around here. Councilman Philpot stated that this project has been a huge eye-opener and this is a great opportunity and advantage for our young students who are looking to receive a college education. Councilman Parker stated that he hoped the young people in Lowell and surrounding areas see what an opportunity this is and that they take advantage of it. Dr. Howe stated all of the partners are very excited and extremely committed to this project.

Act on favorable recommendation from Plan Commission: Approval of Proposed Zoning Ordinance - Councilman Kuiper made a motion to accept the favorable recommendation from the Plan Commission and instruct the attorney to prepare a Zoning Ordinance, seconded by Councilman Parker and carried by a roll call vote.

## **ANNOUNCEMENTS**

President Corns announced the next regular meeting will be Monday, March 11, 2013 at 7:00 P.M., with a Study Session at 6:30 P.M.

## **MEDIA QUESTIONS/PUBLIC COMMENTS**

Don Cripe, 17430 McKinley Place, stated in the last ten days he had walked down Burr Street, and there is debris throughout the field just south of Walgreens. He commended Mr. Shook and his team with the work they do, but stated that we could do much better. He stated the citizens

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could help the Town greatly. He urged the Council to consider a couple of days towards Spring to have citizens clean up their yard and help their elderly neighbors clean up with their permission. Mr. Cripe gave examples of where there is debris and how this hurts our storm water system and shared the idea of getting the press involved to spread the word to citizens to clean up. Town Administrator Susan Peterson

stated a Town Clean-up Day has been scheduled for April 13th

Carl Ferro, 1310 Harrison St., stated he has mentioned before about papers that are thrown on the streets in front of houses and agreed with Mr. Cripe that there is some cleaning up to do. He also commented on a letter that was in the Lowell Tribune.

**ADJOURNMENT**

With no further questions or comments, Councilman Parker made a motion to adjourn at 8:14 P.M., seconded by Councilman Philpot, and carried by voice vote.

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Edgar Corns, President

Attest:

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Judith Walters  
Clerk-Treasurer