

**LOWELL TOWN COUNCIL MEETING
REGULAR MEETING
APRIL 8, 2013**

The regular meeting of the Lowell Town Council was called to order on Monday, April 8, 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, Interim Police Chief Erik Matson, Building Official Tom Trulley, Town Administrator Susan Peterson, one member of the media, and fifteen citizens.

APPROVAL OF MINUTES

Councilman Kuiper made a motion to approve the March 25th regular meeting and study session, and the March 28th executive session, seconded by Councilman Philpot and carried by voice vote.

APPROVAL OF VOUCHERS

President Corns stated he reviewed White Vouchers #1312 - #1358, White-Police #4063 - #4070, Water #2198 - #2233, and Waste Water #3165 - #3194 and recommended all of the vouchers for payment. Councilman Earley made a motion to approve the vouchers as listed, seconded by Councilman Kuiper and carried by voice vote.

MONTHLY REPORTS - March 2013

Councilman Philpot made a motion to approve the March 2013 monthly reports, seconded by Councilman Earley and carried by voice vote.

STANDING COMMITTEES - Annexation Committee

Councilman Parker asked if there had been any updates on the Novak property. Mr. Westland stated there has been contact with his attorney who is stating that they would like to have a sit down to discuss the possibility of annexation. Mr. Parker asked if that will happen by this time next month. Mr. Westland stated he hoped it would happen by the next meeting, if not, then by this time next month.

Councilman Parker made a motion to give the attorney permission to start the

annexation process on the 80 acres at the southeast corner of Austin and Route 2, the 27 acre parcel on the east side of Route 2 that the Kasenga's own, and the parcel that Richard Umlauf owns. He stated he spoke to the Kasenga's and the Umlauf's and they were both very receptive to the idea. Councilman Kuiper seconded the motion. Councilman Earley asked where we stood with Mr. Holm. Mr. Parker stated he spoke with Mr. Holm today and he would like to speak with the attorney to find out the benefits to him and his family of being annexed. The motion carried by a roll call vote.

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ORDINANCES & RESOLUTIONS

Resolution #2013-03 - Authorizing an Interlocal Cooperation Agreement for Ethics, Training, and Administrative Services - Councilman Philpot made a motion to approve Resolution #2013-03, seconded by Councilman Parker. Mr. Westland stated there was an e-mail sent on April 3rd to the Council showing a copy of the minutes that state the amounts that Mr. Bellamy spoke about at the meeting. Councilman Earley stated he has an issue signing an agreement that does not clearly state what they are actually agreeing to. Councilman Kuiper stated he is abstaining from voting because of the confusion he feels towards the agreement. He stated if you read some of the e-mails, they almost seem uncooperative. Mr. Kuiper stated he did not feel right spending the citizens money on something that states that we will pay a higher price than what was originally said. The motion passed by roll call vote with three ayes, Craig Earley voting no, Robert Philpot voting yes, Donald Parker voting yes, Phillip Kuiper abstaining, and Edgar Corns voting yes.

2nd Reading - Ordinance #2013-03 - adopting Code of Shared Ethics and Values of the Shared Ethics Advisory Commission - Councilman Philpot made a motion to adopt Ordinance #2013-03, seconded by Councilman Parker. The motion carried with three ayes on roll call vote with Craig Earley abstaining, Robert Philpot voting yes, Donald Parker voting yes, Phillip Kuiper abstaining, and Edgar Corns voting yes.

UNFINISHED BUSINESS

Public Works Department Update - Director fo Public Works Greg Shook stated we will be receiving the report back by the end of May that Councilman Parker had asked about at the last meeting regarding the study that was conducted on the piezometer wells at

the water plant. By the end of May, we will have our six options to look at, and the Council can decide where to go from there. He stated that Geo-Span will be going around Town this week video taping the streets and intersections. After we get this data we will be able to further look in to the ADA requirements, and we will also be able to use the GPS. Councilman Earley asked if that will include locations of traffic signs. Mr. Shook stated it will. He listed some examples of what geographical information the data will be used for.

WWTP Improvement Project - Approve Pay Request #32 - Commonwealth Engineers - \$32,050.41 and forward to SRF for payment - Councilman Kuiper made a motion to approve Pay Request #32, seconded by Councilman Parker and carried with five eyes on roll call vote.

Approve Pay Request #3 to Chem Check - \$21,375.00 and forward to Lake County for payment - Old Grade School Demolition - Councilman Earley made a motion to approve Pay Request #3, seconded by Councilman Philpot and carried with three eyes on roll call vote.

Town Ward Map - Clerk Treasurer Walters explained that there is an area on Lincoln Street and Union Street that is a census block where part of the citizens fall under Ward 2 and the other part in Ward 5. She stated that she has been told by the Lake County Election Board that the Council needs to decide if they would like that area to go under Ward 2 or Ward 5, because you can't cross a census block MS4 Coordinator Greg White reviewed the map and according to what he

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looked at, it should go in to Ward 5 because that has the lesser population. Councilman Kuiper made a motion to make the changes per Greg White's recommendation, seconded by Councilman Parker and carried by five eyes on roll call vote.

NEW BUSINESS

Approve Quarterly Fees for Park Department - Councilman Parker made a motion to approve the quarterly fees for the Park Department, seconded by Councilman Philpot and carried with five eyes on roll call vote.

Approve Memorandum of Understanding with Lake County for liquid asphalt purchase - Councilman Kuiper made a motion to approve the Memorandum of Understanding with

Lake County, seconded by Councilman Parker. Mr. Shook stated in the past we have bought the asphalt liquid, stored it, and sold it to the County. Now, they will order and pay for their own liquid asphalt and we will store it at ten cents per gallon for them. The motion carried with five ayes on roll call vote.

Act on hotel/motel tax requests - President Corns stated the committee recommends that \$250 go to the Three Creeks Historical Association, \$900 to the Lowell Downtown Merchants Association, \$900 to the Lowell Chamber of Commerce, \$600 to the Lowell Parks Department for the promotion of the 2013 Christmas "Parade of Lights", and \$2,000 to the Lowell Labor Day Committee for the promotion of the 2013 Festival and Parade. He also stated that Sharon Speichert had applied for money to refurbish the alley that leads to the south parking lot, and they recommended \$400 be disbursed to her for that project from the Community Relations Fund. Councilman Kuiper made a motion to approve the hotel/motel tax money disbursement along with Ms. Speichert's request for money towards the refurbishing project, seconded by Councilman Parker and carried with five ayes on roll call vote.

Request from Freedom Park Dog Committee - President Corns read a letter from the secretary of the Freedom Bark Park Committee asking to use some of the Town's recycling money to purchase two or three benches for the park. Councilman Earley asked what else that money can be used for. Mrs. Walters stated anything that is made out of a portion of recycled material. A discussion followed on what has been purchased for the Town using the recycling money. Councilman Parker made a motion to approve the request from the Freedom Park Dog Committee, seconded by Councilman Philpot and carried with five ayes on roll call vote.

ANNOUNCEMENTS

President Corns announced the next regular meeting will be held on Monday, April 22nd at 7:00 P.M., with a Study Session at 6:30.

The Town of Lowell Clean-Up Day and Household Hazardous Waste Collection will be held on Saturday, April 13th - 9-2 at Lowell Street Department. Councilman Kuiper stated the Lake County Recycle paint department in Hobart will be here on April 13th selling their recycled paint for \$3 per gallon at the Street Department.

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Councilman Parker stated he met with Mr. Trulley earlier in the day and discussed a

couple of subdivisions in Town that have not followed through on some contingencies that were placed on their final approval. He stated he is going to be bringing it up to the Plan Commission that we cannot be giving final approvals with so many contingencies because things fall through the cracks. Mr. Shook stated a lot of it is contingent upon their engineer agreeing with our engineer and since we do not have a full-time engineer, some things do fall through the cracks. Mr. Parker stated he would like to get our engineer with Mr. Trulley, Mr. Shook, and himself to go over some of the things that need to be done for these developers to be in compliance.

MEDIA QUESTIONS/PUBLIC COMMENTS

Councilman Earley asked Mr. Cooper, the new commander at the American Legion, to speak about some of their needs to see if there is anything that the Town can do to help. Dan Cooper, 565 Indiana Street, stated they are trying to expand the American Legion by possibly opening an after school program for children and we are looking for supplies to help with that. He stated he is remodeling the third floor to house this after school program. Mr. Earley stated that maybe some of the recycling money can go towards some of those supplies. Mr. Kuiper asked if there was a list of items needed. Mr. Cooper stated that he has posted flyers around Town and there has been an article in the Lowell Tribune as well.

Angie Fletcher, Lowell Tribune, asked if she could get the names and property descriptions of the areas that the Town is going to be annexing. Mr. Corns stated Mr. Trulley could provide her with that.

Ray Raszewski, 17701 Downing Drive, stated in Saturday's paper there was an article about a gentleman in Valparaiso who plays Taps every morning on his balcony. He stated in that article they spoke of a few towns along with the Lake County Parks Department that are looking in to purchasing equipment to play Taps around the parks on occasion. He asked if this was something the Town would be interested in doing maybe once a week since there is a directional siren at the Police Station with a built-in PA system. The only cost would be a CD that has Taps on it and a CD player to hook up to the system. Councilman Earley stated it would be a great idea.

ADJOURNMENT

With no further questions or comments, Councilman Kuiper made a motion to adjourn at 7:33 P.M., seconded by Councilman Parker and carried by voice vote.

Edgar Corns, President

Attest:

Judith Walters
Clerk-Treasurer