

**LOWELL TOWN COUNCIL MEETING  
REGULAR MEETING  
JUNE 10, 2013**

The regular meeting of the Lowell Town Council was called to order on Monday, June 10, 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 Director of Public Works Greg Shook, Police Chief Erik Matson, Building Official Tom Trulley, Town Attorney David Westland, two members of the media, and twenty citizens.

**MAY TREASURER'S REPORT**

Councilman Kuiper made a motion to approve the May 2013 Treasurer's Report, seconded by Councilman Parker and carried by voice vote.

**APPROVAL OF MINUTES**

Councilman Parker made a motion to approve the June 10<sup>th</sup> regular meeting and study session, seconded by Councilman Kuiper and carried by voice vote.

**APPROVAL OF VOUCHERS**

President Corns stated he reviewed White Vouchers #1597 - #1668, White-Police #4123 - #4134, Water #2390 - #2417, Waste Water #3327 - #3348, Stormwater Utility #5006 - #5007, and recommended all of the vouchers for payment. Councilman Kuiper made a motion to approve the vouchers as listed, seconded by Councilman Philpot and carried by voice vote.

**ORDINANCES & RESOLUTIONS**

Public Hearing - 1<sup>st</sup> & 2<sup>nd</sup> reading - Ordinance #2013-06 - Additional Appropriation - General, MVH - President Corns read Ordinance #2013-06. President Corns opened the public hearing. Councilman Kuiper stated he understood what the professional services was for, but asked about the comprehensive insurance. Clerk-Treasurer Judith Walters stated it is for the general liability and workman's comp coverage. Councilman Kuiper asked if this appropriation for the professional services will get us through the year. Mrs. Walters stated she believed it will for the Town Council, but she is not sure about the Redevelopment professional services. At this point, the Redevelopment Commission does not have their own budget. We had budgeted \$7,500 for the Redevelopment Commission, but to date, they have spent over \$9,000 and we have another \$1,900 bill tonight. Councilman Kuiper asked if the annexations were coming through the Redevelopment

Commission. Mrs. Walters stated it is normally through the Town Council budget, but it can be shared with the water and sewer if that property is bringing in water and sewer. The three we are doing tonight are being shared with water and sewer. Councilman Kuiper asked if the Redevelopment charges were mainly for engineering and consulting. Mrs. Walters stated it is mostly for consulting for the economic development and Jim Mandon. With no further questions or comments, President Corns closed the public hearing. Councilman Parker made a motion to suspend the rules, seconded by Councilman Earley and carried by roll call vote. Councilman Kuiper made a motion to adopt Ordinance #2013-06 by name and title only, seconded by Councilman Philpot and carried with five ayes on roll call vote. Councilman Kuiper made a motion

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to set the rules back in to place, seconded by Councilman Earley and carried by roll call vote.

Mrs. Walters asked if some direction could be given to the Redevelopment Commission. She stated some of the \$70,000 that the Town Council is getting could go to the Redevelopment Commission if that is what you would like to do. President Corns stated that he will get in contact with Doug Niksch, President of the Redevelopment Commission.

Resolution #2013-07 - Adopting Fiscal Plan - Holm Property - President Corns read Resolution #2013-07. Councilman Earley made a motion to adopt Resolution #2013-07, seconded by Councilman Parker and carried by roll call vote.

Resolution #2013-08 - Adopting Fiscal Plan - Kasenga Property - Councilman Parker made a motion to adopt Resolution #2013-08, seconded by Councilman Kuiper and carried by roll call vote.

Resolution #2013-09 - Adopting Fiscal Plan - Umlauf Property - Councilman Kuiper made a motion to adopt Resolution #2013-09, seconded by Councilman Parker and carried by roll call vote.

Resolution #2013-10 - Transfer of Funds - Freedom Park Budget - President Corns read Resolution #2013-10. Councilman Philpot made a motion to adopt Resolution #2013-10, seconded by Councilman Earley and carried by roll call vote.

1<sup>st</sup> Reading - Ordinance #2013-07 - Annexing Real Estate - 80 Acres - Holm Property -  
1<sup>st</sup> Reading - Ordinance #2013-08 - Annexing Real Estate - 27 Acres - Kasenga Property -  
1<sup>st</sup> Reading - Ordinance #2013-09 - Annexing Real Estate - 10 Acres - Umlauf Property -  
President Corns read Ordinance #2013-07. Councilman Kuiper made a motion to hold Ordinance #2013-07, #2013-08, and #2013-09 for a second reading, and to schedule a public hearing for those Ordinances. The motion was seconded by Councilman Parker.

Attorney David Westland stated the public hearing cannot be scheduled any sooner than sixty days after the notice has been published and the letters have been sent out, which should put you around late September or October. The motion carried with five ayes on roll call vote.

Councilman Kuiper asked if there were more fiscal studies out there on more properties, and if there are he would recommend that those be put on hold until these three are complete. We all know annexation is not cheap, and until these are covered, we should hold off on any others going on and maybe prioritize to keep us from having to appropriate more money. Councilman Parker asked where we were at with the Novak property. Mr. Westland stated we are still pursuing that one. Mr. Novak has hired Paul Rossi as his attorney and we are close to moving forward with the annexation. Mr. Westland stated there has been discussion of other fiscal plans. Mrs. Walters stated there has been a fiscal plan done for the water and wastewater treatment plants, but those have been put on hold. Councilman Kuiper made a motion to suspend any new annexations until these three properties and the Novak property is complete, and then we can see where we are at. Councilman Earley seconded the motion. Councilman Parker stated he would vote no on that motion because we are not sure of what will come up. We should look at the finances when something does come up and decide from there. Councilman Earley stated his issue is that we are spending all of our professional money on annexation and engineering, but there are some other things that could be possibilities for the rest of the community as well. Councilman Parker stated when those things come up, they can be put up for a vote. The motion died with Councilman Earley voting yes,

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Councilman Philpot voting no, Councilman Parker voting no, Councilman Kuiper voting yes, and Councilman Corns voting no.

**NEW BUSINESS**

Request for Cumulative Funds for Upgrading Lock System at Police Station - Councilman Philpot made a motion to approve the request for Cumulative Funds to upgrade the lock system at the police station, seconded by Councilman Parker. Councilman Kuiper asked if we have the money, and where is it coming from. Mrs. Walters stated you would take it out of the Cum Capital Development Fund. You have \$65,000 appropriated that can be used for any type of equipment for the Town. Chief Matson stated the locks are something that absolutely need to be done, they have been the same locks for about twenty years. The motion carried with five ayes on roll call vote.

Act on Quotes for Annual Bulk Chemicals - President Corns listed the recommendations from Dan Myers regarding the quotes - from Alexander Chemical - chlorine - \$72.00/cylinder, sodium hypochlorite - \$12.00/case, and sodium silicate - \$377.08/drum. Carmeuse Lime

-hydrated lime- \$188.63/ton and from Airgas North Central carbon dioxide-CO2 - \$0.07/lb. Councilman Kuiper made a motion to approve the recommendations from Mr. Myers, seconded by Councilman Earley and carried with five ayes on roll call vote.

## **ANNOUNCEMENTS**

President Corns announced the next regular meeting on Monday, July 8, 2013, and 7:00 P.M., Study Session - 6:30 P.M.

## **MEDIA QUESTIONS/PUBLIC COMMENTS**

Melanie Csepiga, The Times, asked how much the upgrading of the locks was going to cost. President Corns stated \$3,937.05.

Councilman Earley stated he has gotten together with the EMS Director Charlie Scott, and the Fire Chief, Clint Gorboll to discuss the needs for the fire department. He stated they were basically the same things that were discussed with the Fire Territory except for the maintenance that is needed on the building. Everything that is on the list will require some sort of financial funding. He stated he would like to sit down with financial consultant, Greg Guerrettaz, to explore some proposals before he sits down with the individual townships, but that would require using more money for professional services. Councilman Earley made a motion to meet with Greg Guerrettaz regarding financial proposals for the fire department, seconded by Councilman Kuiper. The motion died with Councilman Earley voting yes, Councilman Philpot voting no, Councilman Parker voting no, Councilman Kuiper voting yes, and Councilman Corns voting no.

Councilman Parker stated he would like to go back and visit the possibility of getting the cap off. Councilman Earley stated to increase the volunteers, you would have to increase the funding. It would cost anywhere from \$2,500 - \$3,500 for gear alone and then you would have to train them which could take up to four months before they are certified to answer calls. The cap has been established by the townships due to their funding, which is currently at thirty-five volunteers. He stated he has already sat down with the townships once and they were not able to come up with more funding, which is why he would like to review what the Town is able to do, and then go to the

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townships with some sort of proposal. Councilman Parker stated he would like to have a conversation with the townships first because the ambulance is a private entity. If it were to be any other entity other than Tri-Creek, that entity would not be letting their people respond to fire calls. One of the first steps we need to do is to increase the pool of

volunteers. The people need to sit down and realize that we have people from a private entity that are servicing an ambulance responding to fire calls because our fire department is short handed. He stated he knew it was all time consuming, but we could probably get this resolved in the time it would take to go to Mr. Guerrettaz.

Councilman Earley stated the Council had asked him to approach this, and he has. He stated he cannot go to the townships with an idea of how to come up with more money without talking to Mr. Guerrettaz. We just need an hour or two to try and come up with some sort of plan. Discussion followed. Councilman Parker stated with talk of sending out bids for a new ambulance service, there is a desperate need to address the fire situation to make sure that we have adequate people to respond to fire calls, and the townships need to be made aware of this. Councilman Earley stated the townships are aware and have been for the past two years. Councilman Earley stated he would like to know how to move forward with this. Councilman Parker stated he would like to come up with a plan and a cost on how to raise the cap to forty or forty-five people. We can have a joint meeting with the trustees if we need to. Councilman Earley stated it will take about \$40,000, and asked where they are going to get that money from. Councilman Parker stated it is not a matter of asking where they get it, there is a need that has to be provided and they need to provide it. Councilman Earley stated he will schedule a joint work session with the township trustees and their advisory boards. Councilman Kuiper stated in the past when we have gotten in to predicaments, we did go to our financial consultant. He stated he understood what Mr. Earley was saying, but did not think that the other Council members did. Maybe the townships will come up with some money this time, even though they have not before.

## **ADJOURNMENT**

With no further questions or comments, Councilman Philpot made a motion to adjourn at 7:37 P.M., seconded by Councilman Kuiper and carried by voice vote.

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Attest:

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Edgar Corns, President

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Judith Walters, Clerk-Treasurer

