

**LOWELL TOWN COUNCIL MEETING
REGULAR MEETING
SEPTEMBER 23, 2013**

The regular meeting of the Lowell Town Council was called to order on Monday, September 23, 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, and Edgar Corns. Councilman Phillip Kuiper was not in attendance. Also present were Town Attorney David Westland, Town Administrator Susan Peterson, Police Chief Erik Matson, Building Official Tom Trulley, two members of the media, and thirteen citizens.

TREASURER'S REPORT - August, 2013

Councilman Earley made a motion to approve the August 2013 Treasurer's Report, seconded by Councilman Parker and carried with four ayes.

APPROVAL OF MINUTES

Councilman Philpot made a motion to approve the September 9, 2013 regular meeting minutes and the September 11, 2013 work session minutes, seconded by Councilman Earley and carried with four ayes.

APPROVAL OF VOUCHERS

President Corns stated he reviewed White Vouchers #1979 - #2036, White-Police #4188 - #4202, Water #2612 - #2635, Waste Water #3499 - #3521, Stormwater Utility #5037 - #5039, and recommended all of the vouchers for payment. Councilman Parker made a motion to approve the vouchers as listed, seconded by Councilman Philpot and carried with four ayes.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

Presentation of Labor Day Parade Winners - Town Administrator Susan Peterson presented the certificates and checks to the 2013 Labor Day winners. She stated that this year the theme for the parade was Dreaming Green and that Lake County Solid Waste sponsored the parade winners. Mrs. Peterson stated that the Grand Prize Overall Winner was the Indiana Fallen Heroes entry. She stated when she contacted their representative, they had told her that they do not accept donations so they were going to give the check to the Vicari Scholarship Fund in memory of Augie Vicari. Grand Prize Winner for best use of recycled material: Lowell Dolphin Swim Club, First Place: Bethany Chapel, Second Place: Providence Baptist Church.

President Corns read aloud the Random Acts of Kindness Day Proclamation from the Gleaner Life Insurance Society for October 12, 2013.

ORDINANCES & RESOLUTIONS

PUBLIC HEARING - Ordinance #2013-07 - Annexing Holm Property - 80 acres - Ordinance #2013-08 - Annexing Kasenga Property - 27 acres - Ordinance #2013-09 - Annexing Umlauf Property - 10 acres - President Corns opened the public hearing. With no one to speak for or against the annexation of the mentioned properties, President Corns closed the public hearing. Financial Planner Greg Guerrettaz stated the fiscal plans were prepared months ago per Ordinance and they will ultimately be forwarded to the DLGF.

1st & 2nd Reading - Ordinance #2013-11 - Amend Chapter 10 - Speed Limit - Ordinance #2013-12 - Amend Chapter 27 - Stop Streets - Councilman Earley made a motion to hold over Ordinance #2013-11 for the second reading, seconded by Councilman Parker and carried with four ayes. Councilman Earley made a motion to hold over Ordinance #2013-12 for the second reading, seconded by Councilman Parker and carried by roll call vote with four ayes. Councilman Earley made a motion to suspend the rules, seconded by Councilman Parker and carried by roll call vote with four ayes. Councilman Earley made a motion to adopt Ordinance #2013-11 by name and title only, seconded by Councilman Parker and carried by roll call vote with four ayes. Councilman Earley made a motion to adopt Ordinance #2013-12 by name and title only, seconded by Councilman Parker and carried by roll call vote with four ayes. Councilman Earley made a motion to set the rules back in to place, seconded by Councilman Parker and carried by roll call vote with four ayes.

UNFINISHED BUSINESS

Public Works Department Update - This item was not discussed.

WWTP Improvement Project - Approve Pay Request #42 to Commonwealth Engineers - \$2,344.03 and forward to SRF for payment - Councilman Parker made a motion to approve pay request #42 to Commonwealth Engineers, seconded by Councilman Philpot and carried by roll call vote with four ayes.

Discussion of 911 PSAP - Councilman Earley explained that there was a meeting in St. John where the St. John Town Manager and President of the Town Council stated that they have set out on there own and are looking in to creating one PSAP in Lake County, which would be based in St. John. They are currently looking in to if this would be legal or not and if it would be financially feasible. There are six or seven communities that may participate in this PSAP. Mr. Earley stated he believed that this option may be something that this Council should at least stay open to. We have not heard from Lake County yet, but we are supposed to be receiving an inner local agreement shortly for our review and approval, but there is no reason to not entertain other options. According to the proposed figures from St. John, we could possibly save somewhere between \$80,000 - \$100,000 compared to the County's figures. Councilman Earley stated that President Corns and Councilman Kuiper were also in attendance at the meeting.

Police Chief Erik Matson stated St. John's plan would include two PSAP sites that would help each other out, rather than one site. He stated that he has a consolidation meeting with St. John on Thursday the 26th, and he would have more of an idea of how the Commission felt about it. Councilman Parker asked if there would be discussion on some of the changes in legislation. Chief Matson stated that is what has to happen to move forward, but St. John feels confident that they will be able to make those changes. Councilman Parker asked what would happen if legislation does not start until January, and we are supposed to implement this by December 31st of 2014. He stated he believed the Sheriff was coming up with a proposal, but asked if we should be thinking about not doing anything until March or April. Chief Matson stated either plan is going to be very hard to get done by the deadline. The inner local is supposed to be ready for signatures soon and there is going to be a meeting with all of the Council heads at the end of October, so that may be a time to express our concerns before we sign anything. Once we actually see the inner locals we can make a more educated decision on which way to go. Councilman Parker stated the concern is going to be the amount of money that each town may lose by the time that this is implemented. If the County does not have this up and running by the time this is mandated, we will all be penalized. He stated he believes if anything needs to be changed, we will have to have legislation. If that starts in January, someone will have to have something that will hit committee in February or March and by then we may be out of time.

Councilman Parker stated from his understanding, what is being proposed will have to have some legislative changes in order to be applicable. Chief Matson agreed. Councilman Earley stated right now the group from St. John is looking in to some legal counsel to find out what they need to do as far as the State requirements. If someone presents something that is legal, we have to at least consider it, especially if it is going to save the Town \$90,000. He stated he believed the Council should wait to see what is presented. President Corns stated he has heard that there have been proposals from the County from \$12 million to \$40 million, which you can assume it will be around \$60 - \$70 million when everything is done. Chief Matson stated he has not heard of a firm number, but is hoping that when the inner local agreements are in front of them for review, they will have a better idea so that they can make educated decisions. Discussion followed.

Councilman Philpot stated he will not be available Thursday for the St. John meeting, but he wanted to forward a concern. He stated in the St. John proposal they have Lake County in their PSAP two, but if PSAP one requests County assistant and goes signal one hundred, that shuts down both PSAPs. He asked if the Sheriff's department in Lake County could somehow split part of their forces in PSAP one and part in PSAP two so this would not happen. Chief Matson stated he did not think that would happen because the PSAPs are made of different frequencies.

They would close their frequency which would keep them a clear channel, but the entire PSAP would not be shut down. He stated he did not think that is how they have it planned. President Corns stated he believed Commissioner Scheub wants to put the Sheriff in with the St. John PSAP. Chief Matson agreed. President Corns stated he did not understand why they would go to East Chicago and build a communications set up and leave it dark with no one maintaining it. That is what is in the County's proposal. Councilman Philpot stated with St.

John, both would be alive and working.

Park Sign - Town Administrator Susan Peterson stated a few weeks ago we discussed a new park sign to replace the one in front of the Fire Station. There was a proposal received by the Parks Department from a company in Florida, but we wanted to look in to some local companies. She stated the only proposal she received back was from Gary Sign Company in Merrillville. We do have to be fairly selective because it does need to be made out of recycled material so we could use the recycling grant funds. She stated we are thinking about moving the sign to Evergreen Park and replacing the current sign that is there with the new one. Tom Trulley and Greg Shook did go out and measure the existing sign at Evergreen Park, and this new sign will fit. Mrs. Peterson stated that the proposal was for \$7,585.00. Councilman Parker asked if Mrs. Peterson felt okay with this proposal. Mrs. Peterson stated that she was, but she did not have any proposals to compare it to. Discussion followed. Councilman Parker made a motion to accept the proposal from Gary Sign Company for \$7,585.00, seconded by Councilman Philpot. Councilman Earley asked about the first proposal that came in because it was about \$3,000 less than this one. Mrs. Peterson stated this sign is different than the one that was proposed from the Florida company. Discussion followed on the differences between the signs. The motion carried by roll call vote with four ayes.

Tabled from previous meetings:

9/9 Thoroughfare Plan - President Corns stated there was a package put together by Town Planner Jim Mandon which stated the cost that the Thoroughfare Plan would not exceed and what was all included. Councilman Philpot made a motion to approve the cost not to exceed, seconded by Councilman Parker and carried by roll call vote with four ayes.

South County Community Services - This item was tabled by President Corns.

Review of joint agreement with Cedar Lake for Law Enforcement - Councilman Parker stated nothing was worked out with Cedar Lake. We met to see how our departments could work together. There has been no follow up with them since then, but then the agreement came up.

He stated he has looked at the agreement and there are a lot of questions and some things that we should not be involved with, but he believed we should sign a mutual aid agreement because there are services that we can help each other out with. Councilman Parker stated the document that came up at the last meeting was not seen previously, but he recommended that they should sit down and talk about figuring out a mutual aid agreement which should go to the Police Chief and the Commission. Councilman Earley stated he had spoken with one of the Cedar Lake Town Council members and when he told him about the agreement that was presented, this Council member had no idea about it and was kind of surprised. This is something that needs further review and it is something that the Police Commission should handle. President Corns asked if that was alright with Chief Matson. Chief Matson stated that was fine.

NEW BUSINESS

Permission to bid out 1-ton trucks for Street, Water Departments - Councilman Earley made a motion to give permission to Public Works Director Greg Shook to go out to bid for 1-ton trucks for the Street and Water Departments, seconded by Councilman Parker and carried by roll call vote with four ayes.

Permission to set additional appropriation hearing - Public Safety Fund - Clerk-Treasurer Judith Walters stated about three years ago we received federal money that was for public safety. Right now there is a balance of about \$4,700 in that account, and permission needs to be given to appropriate that money to spend it and close out this account because we will not be receiving any more money in to that fund. The balance of the money will be spent on equipping one of the new Police cars that we will be purchasing this year, one car will be purchased out of the Cum Fund and one out of the Law Enforcement Training Fund. Councilman Parker made a motion to approve the request for an additional appropriation hearing, seconded by Councilman Earley and carried by roll call vote with four ayes.

Act on favorable recommendation from Plan Commission - Meadows of Cedar Creek - Vacation of Lots 33 - 45 - Councilman Parker made a motion to approve and adopt the Findings of Fact as presented, seconded by Councilman Earley and carried by roll call vote with four ayes.

ANNOUNCEMENTS

Next Regular Meeting - Monday, October 14, 2013 - 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

Building Official Tom Trulley stated the Plan Commission was asking permission to hire SEH to draw up the vacation and have it approved by the Plan Commission because we have not gone through that part of it. Councilman Parker made a motion to authorize the hiring of a surveyor to accomplish the vacation, seconded by Councilman Philpot and carried by roll call vote with four ayes.

Marcia Carlson, 240 W. Main St., asked if the Council could tell her what the Thoroughfare Plan is. Councilman Parker stated it is part of the overall plan for the Town. We will start to look at roads and how you get connectivity of the current streets and any future development for annexed property. For example, we will look at five years from now and how we are going to have east/west roadways. When developers come in for new subdivisions they will know what is needed when we have this plan in place. It is an overall plan for a better flow of traffic over the next ten to fifteen years. Ms. Carlson asked if the plan was available to look at. President Corns stated the plan is not done yet, this was giving permission to start the plan. Ms. Carlson asked if they were planning on another east/west thoroughfare through Town. President Corns stated it would be nice if it can be fit in to the plan. Councilman Parker listed a few examples of what Mr. Mandon was working with the staff on.

ADJOURNMENT

With no further questions or comments, Councilman Earley made a motion to adjourn at 7:43 PM, seconded by Councilman Philpot and carried by voice vote.

Edgar Corns, President

Attest:

Judy Walters, Clerk-Treasurer