

**LOWELL TOWN COUNCIL MEETING
REGULAR MEETING
MARCH 10, 2014**

The regular meeting of the Lowell Town Council was called to order on Monday, March 10, 2014 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, Public Works Director Greg Shook, Police Chief Erik Matson, Building Official Tom Trulley, SEH representatives Craig Hendrix, two members of the media, and nineteen citizens.

TREASURER'S REPORT - February 2014

Councilman Kuiper made a motion to approve the February 2014 Treasurer's Report, seconded by Councilman Parker and carried with five ayes.

APPROVAL OF MINUTES

Councilman Kuiper made a motion to approve the February 24, 2014 regular meeting minutes, and the March 3rd and March 5th work session minutes, seconded by Councilman Earley and carried with five ayes.

APPROVAL OF VOUCHERS

President Corns stated he reviewed White Vouchers #1188 - #1236, White-Police #4039 - #4050, Water #2140 - #2186, Waste Water #3107 - #3142, Stormwater Utility #5024 - #5028, 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 five ayes.

MONTHLY REPORTS - February 2014

Councilman Parker made a motion to approve the February 2014 monthly reports, seconded by Councilman Philpot and carried with five ayes.

SPECIAL COMMITTEES - Annexation

Councilman Parker made a motion to approve the application from Steve King for the Annexation Committee, seconded by Councilman Philpot. Councilman Earley asked if there were any other applications, or if we were still accepting applications. Clerk-Treasurer Judith Walters stated we did advertise again, and this is the only application that we have received. The motion carried with five ayes.

ORDINANCES & RESOLUTIONS

PUBLIC HEARING -

1st & 2nd Reading - Ordinance #2014-02 Additional Appropriation - Cum Sewer Fund - \$157,739.48 - This was to appropriate funds that had not been spent last year. Councilman Parker made a motion to approve the first reading of Ordinance #2014-02 by name and title only, seconded by Councilman Philpot and carried with five ayes. President Corns opened the public hearing. With no questions or comments from the public, President Corns closed the public hearing. Councilman Parker made a motion to set the rules aside, seconded by Councilman Philpot and carried with five ayes. Councilman Parker made a motion to adopt Ordinance #2014-02 by name and title only, seconded by Councilman Philpot and carried with five ayes. Councilman Parker made a motion to set the rules back in place, seconded by Councilman Philpot

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and carried with five ayes.

1st Reading - Ordinance #2014-03 - amend 2014 Salary Ordinance to include Firefighter - Councilman Kuiper made a motion to approve Ordinance #2014-03 by name and title only, seconded by Councilman Earley and carried by roll call vote with five ayes. Clerk-Treasurer Walters stated in your packet there is a sample of a job description that the firefighters have given us that they have seen, and also a sample of one of our job descriptions for the water department to compare. She asked the Council who they would like to prepare a job description. Councilman Parker stated he would like to authorize Clerk-Treasurer Walters to contact a firm that does this to make sure that our job descriptions comply with ADA requirements, and then have the staff review the description. Councilman Earley asked if we were just discussing the firefighter description. Councilman Parker stated the firefighter description would be included. We need to make sure that the entire Town's job descriptions comply with the ADA requirements. Discussion followed regarding looking in to a firm and the cost involved. Councilman Parker made a motion to allow Clerk-Treasurer Walters to contact various companies and gather quotes to see how much it would be to have someone come in and review our current job descriptions, and help prepare a job description for the firefighter. The motion was seconded by Councilman Philpot and carried by roll call vote with five ayes.

1st & 2nd Reading - Ordinance #2014-04 - Appropriation for General Fund - Police Grant - Clerk-Treasurer Walters explained that this would allow for a line item in the General Fund that would cover anytime a police officer worked grant hours. She explained that the reimbursement check that was just received in February was actually for hours that were worked in September and October of last year. With this line item, we will be able to reimburse the officers quicker for their hours and every time they work these hours, you will see an Ordinance for an additional appropriation in that line item. Because it is for a reimbursement for grant hours, it does not require a public hearing or DLGF approval. Councilman Earley made a

motion to approve the first reading of Ordinance #2014-04 by name and title only, seconded by Councilman Kuiper and carried by roll call vote with five ayes. Councilman Kuiper made a motion to set the rules aside, seconded by Councilman Parker and carried by roll call vote with five ayes. Councilman Parker made a motion to adopt Ordinance #2014-04 by name and title only, seconded by Councilman Earley and carried by roll call vote with five ayes. Councilman Kuiper made a motion to set the rules back in place, seconded by Councilman Parker and carried by roll call vote with five ayes.

UNFINISHED BUSINESS

Public Works Department Update - Public Works Director Greg Shook stated now that the snow is melting off and we are seeing all of the potholes, we are going to reassess the streets for paving. Once we have put together a priority list, we will come back to the Council regarding putting the paving job out for bid. He stated on Powell Ditch, we still do not have the IDEM and Army Corp approval. In the mean time, we have decided to apply for a General Permit which would allow us to move forward with changing the piping this spring.

SR2 Curb & Sidewalk Project - Approve pay request for engineering from Commonwealth Engineers - \$54,164.00 and forward to INDOT for 80% reimbursement - Director Shook stated the re-survey and re-engineering has been done for this project. We are now in the phase of right-of-way acquisition, which should be done by the end of this year, and then construction will begin next year. Councilman Philpot made a motion to approve the pay request from Commonwealth Engineers for \$54,164.00, seconded by Councilman Parker and carried by roll call vote with five ayes.

NEW BUSINESS

Enter into agreement with SEH for Sanitary Collection System Master Planning - Councilman Parker made a motion to approve the agreement, seconded by Councilman Philpot. Councilman Earley asked why this

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agreement is being made. Director Shook stated we have done the land use of the annexation areas, Mr. Mandon is working on the thoroughfare plan, and we are in the midst of doing the master water study for the distribution system to find out what will be needed for the future annexed areas. Sewer is the same way. In order to know what we need to provide if we annex out west, it takes some engineering. SEH Representative Craig Hendrix stated it is very similar to the water study that is being done. We are going to create a model of everything west of the interceptor for the Town. We will have to survey, create a base model in GIS, and we will be able to use the same usage data that we created from the water study. We will analyze the Town first, and then everything west to Route 41 and north to where the Illiana toll road is planned to be. Discussion followed. Councilman Earley asked where the money would come from to pay for this. Clerk-Treasurer Walters stated it will come out of the Sewer Fund.

The motion carried by roll call vote four to one with Councilman Earley voting nay.

Annexation of C&D Landfill - Councilman Parker stated he would like to recommend that the Council proceed with further discussions with Republic regarding the proposal to annex the C&D Landfill. He also recommended that a committee be formed including himself and Planning Consultant Jim Mandon that would meet with Republic and the attorneys if need be. Councilman Philpot stated he would like to see three people on that committee and asked if Councilman Kuiper or Councilman Earley would be interested. Councilman Kuiper asked what this would be exactly. Councilman Parker stated it would be to sit down with them and see what they are looking at and what would be needed if we were to decide to annex them. Councilman Kuiper stated if it is going to have to do with the terms of the eighty acre expansion, we should consider having Jeff Langblen of the Lake County Solid Waste District involved since he knows more about landfills than anyone else in the state of Indiana. Councilman Parker stated he would have no problem with Mr. Langblen being involved. Town Attorney David Westland agreed and added whether you have one or two Councilmen on it, that is your call. Councilman Parker asked if Councilman Kuiper would like to sit on the committee. Councilman Kuiper agreed to. Councilman Parker made a motion to create a committee including himself, Councilman Kuiper, Jim Mandon, and Jeff Langblen to discuss terms with Republic and the attorneys. The motion was seconded by Councilman Philpot and carried by roll call vote with five ayes.

ANNOUNCEMENTS

President Corns announced that the next regular meeting will be held Monday, March 24, 2014 at 7:00 P.M.

President Corns asked the Council to study the packets that were given to them by Congressman Visclosky regarding the expansion of the railroad. Councilman Kuiper made a motion to invite Mr. Visclosky to one of the meetings, seconded by Councilman Philpot and carried by roll call vote with five ayes.

MEDIA QUESTIONS/PUBLIC COMMENTS

Melanie Csepiga asked how much the contract was for the SEH project. Councilman Kuiper stated it was for \$58,600.00. Ms. Csepiga asked who the descending vote was. Councilman Kuiper stated that Councilman Earley was.

ADJOURNMENT

Councilman Parker made a motion to adjourn at 7:30 P.M., seconded by Councilman Philpot and carried with five ayes.

Attest:

Edgar Corns, President

Judith Walters, Clerk-Treasurer

