

**LOWELL TOWN COUNCIL MEETING  
REGULAR MEETING  
AUGUST 25, 2014**

The regular meeting of the Lowell Town Council was called to order on Monday, August 25, 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, Building Administrator Tom Trulley, Police Chief Erik Matson, two members of the media, and twenty-four citizens.

**APPROVAL OF MINUTES**

Councilman Parker made a motion to approve the August 11, 2014 regular meeting minutes and the August 11, 2014 executive session, seconded by Councilman Earley and carried with five ayes.

**APPROVAL OF VOUCHERS**

President Corns stated he had reviewed White Vouchers #1802 - #1853, White-Police #4160 - #4168, Water #2584 - #2606, Waste Water #3462 - #3478, and Stormwater Utility #5087 - #5090, and recommended all of the vouchers for payment. Councilman Earley made a motion to approve the vouchers as listed, seconded by Councilman Parker and carried with five ayes.

**ORDINANCES & RESOLUTIONS**

Ordinance #2014-16 - additional appropriation - Police Grant Hours - President Corns read Ordinance #2014-16. Councilman Parker made a motion to hold Ordinance #2014-16 for a seconding reading, seconded by Councilman Philpot and carried by roll call vote with five ayes.

Resolution #2014-08 - Temporary Loan - President Corns read Resolution #2014-08. Councilman Kuiper made a motion to approve Resolution #2014-08, seconded by Councilman Parker. Clerk-Treasurer Judith Walters explained that the loan is for the Parks Department's Operating Fund because they have not received their tax draw. The motion carried by roll call vote with five ayes.

Resolution #2014-09 - Determining and Certifying to the DLGF the adjustment of 2015 Levy due to PSAP - Councilman Earley made a motion to approve Resolution #2014-09, seconded by Councilman Parker. Clerk-Treasurer Walters stated when you approve this, you are recognizing that the General Fund levy will be cut by \$193,232.00 out of the Police budget due to the county wide dispatching. "While the Police Chief and I agree that this is what it is costing to run our

radio dispatching, we have to realize that we may have a cost involved in 2015.” She stated we do not know if all of those dispatchers will receive a job at the County, so there may be unemployment costs involved of up to \$50,000. Discussion followed regarding the employees that will still be needed at the local police department and how the expenses would be funded. Attorney David Westland stated you have already signed an agreement that has obligated you to cut the \$193,000. If you decided not to do it, you would have to amend the agreement, which does not look like it would happen. The motion passed four to one by roll call vote with Councilman Kuiper voting nay.

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### **UNFINISHED BUSINESS**

Tabled from previous meetings:

Interlocal Agreement to support the Extension and Improvement of Commuter Rail Services from Congressman Visclosky - Act on Resolution #2014-07 - Attorney Westland stated he had reviewed the interlocal agreement and prepared the resolution to reflect the percentage that has been pledged for the extension of the commuter rail service. Councilman Parker made a motion to un-table the item, seconded by Councilman Philpot and carried by roll call vote with five ayes. Councilman Parker made a motion to approve Resolution #2014-07, seconded by Councilman Kuiper. Councilman Earley stated he has opposed this pledge from the beginning due to the discussions about needing more police officers and firefighters, but not having the funding to do so. He stated he has all of the respect in the world for Congressman Visclosky, but even he has said that we have to take care of ourselves first, and we will be giving away close to \$1 million over the next thirty years, which Mr. Earley believes is not what the citizens of Lowell want. This is not the right choice for Lowell at this time. The motion passed four to one by roll call vote with Councilman Earley voting nay.

Public Works Department Update - Public Works Director Greg Shook stated we are going to be having a public hearing on September 4<sup>th</sup> at 7:00 PM for the curb and sidewalk project for State Road 2. Even though it is a public hearing, it will also be an informational meeting where drawings will be available. This project puts curbs and sidewalks on both sides of the road from Burr Street to Fremont Street. Craig Hendrix, SEH Representative, stated the Powell Ditch project has been put out to bid and there was a pre-bid meeting earlier today. Bids are due back by September 5<sup>th</sup>, will be opened by the Clerk-Treasurer and Director Shook, and a recommendation will follow at the September 8<sup>th</sup> meeting. Following bid requirements, the bid was solicited for five quotes, and three companies have picked up the bid package so far. The second project is the street resurfacing project. There are plans and specifications together for the project, which includes fifteen streets that are of priority. The Town’s budget is right around \$800,000, and we would expect that the bids would come in higher than that. He stated we have also selected a few other projects that they can bid on to add some flexibility to the bids. This way the Town can choose which projects would be of priority. The bids are due

by September 15<sup>th</sup>, and there will be a special meeting following to award the bid that night. The Fire Station is not in the plans, but there are estimates for that work. Those can be provided as well if you would like to set a certain amount aside to repair the Fire Station. Councilman Earley stated we are getting late in to the year, which is concerning. Mr. Hendrix stated we have given them forty-five days to complete the work, which would put you at mid-November. He stated he was confident that the contractors would be able to get the work done. For the paving project, there is also a wage hearing as well on September 2<sup>nd</sup>.

Mr. Hendrix stated we have also prepared a number of chapters for the water study including the water projections for the town and for the future areas. He stated he met with the planning staff, including Jim Mandon, and a few tweaks will be made based on comments from the staff. They suggested that we also make a presentation to the Plan Commission to show that we are following the Future Land Use Plan and the Town's Development Plan.

Memo of Understanding with Tri-Creek School on School Resource Officer - Attorney Westland stated there is nothing additional to report other than a brief telephone conversation with Attorney Bushemi who asked that the conversation be summarized in an email and sent to him. Mr. Westland stated he did that, but has not received any sort of response, "He was encouraging about the idea, but had not spoken with the Sheriff yet, and did not want to commit to anything until he spoke with the Sheriff. We will hopefully receive a response within the next two weeks, but if the Council wants to approve this, and this would be a question for the Chief of Police, maybe the officer can spend more time at the high school until we hear back from Mr. Bushemi."

Councilman Earley stated he felt there was not a conflict of

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interest or an issue with jurisdiction. In cooperation with the schools, we should go ahead and approve the SRO. Councilman Earley made a motion to un-table the item, seconded by Councilman Kuiper and carried four to one by roll call vote with Councilman Parker voting nay. Councilman Earley made a motion to approve the memorandum of understanding with the Tri-Creek School Systems, seconded by Councilman Kuiper. Councilman Parker asked if that included the middle school. Councilman Earley stated it did. The motion carried four to one by roll call vote with Councilman Parker voting nay.

### **NEW BUSINESS**

Accept street map to certify increase in road miles to INDOT - Councilman Kuiper made a motion to accept the street map, seconded by Councilman Parker and carried by roll call vote with five ayes.

Swearing In Ceremony of Newly hired Firefighter - Matt VanDrunen - Clerk-Treasurer Walters swore in the new firefighter, Matt VanDrunen. Council members and the audience applauded and congratulated Mr. VanDrunen on being appointed the first full time firefighter in Lowell.

**ANNOUNCEMENTS**

President Corns announced that the 95<sup>th</sup> Annual Labor Day Parade and Festival would be held August 28<sup>th</sup> - September 1<sup>st</sup>, and that the next regular meeting will be held Monday, September 8, 2014 at 7:00 P.M.

**MEDIA QUESTIONS/PUBLIC COMMENTS**

A member of the media asked what time the roads would close on Labor Day for the parade. Police Chief Erik Matson stated they would be closing at 9:30 AM.

Melanie Csepiga asked for a biography from Matt VanDrunen. President Corns stated she could get with Mr. VanDrunen after the meeting.

**ADJOURNMENT**

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

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Edgar Corns, President

Attest:

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Judith Walters, Clerk-Treasurer

