

**LOWELL TOWN COUNCIL
REGULAR MEETING
APRIL 25, 2016**

The regular meeting of the Lowell Town Council was called to order on Monday, April 25, 2016 at 7:00 P.M. by President Christopher Salatas. The Pledge of Allegiance was recited, followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Mike Gruszka, LeAnn Angerman, Will Farrellbegg, Christopher Salatas and Edgar Corns. Also present were Town Attorney Nicole Bennett, Town Manager Jeffrey Sheridan, Police Chief Erik Matson, two members of the media, and fourteen citizens.

APPROVAL OF MINUTES

Councilman Corns made a motion to approve the minutes of the April 11, 2016 regular meeting, seconded by Councilman Farrellbegg and carried with five ayes.

APPROVAL OF VOUCHERS

President Salatas stated she had reviewed White Vouchers #1407 - #1456, White-Police #4076 - #4086, Water #2263 - #2284, Waste Water #3232 - #3253, and Stormwater Utility #5044 - #5046. Councilman Farrellbegg made a motion to approve the vouchers as listed, seconded by Councilman Gruszka and carried with five ayes.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

Proclamation - Fibromyalgia Awareness Day - Councilman Farrellbegg read a Proclamation recognizing the needs of chronically ill people and proclaimed May 12th as "Fibromyalgia Awareness Day" in Lowell and urged all citizens to support the search for a cure.

ORDINANCES & RESOLUTIONS

2nd reading - Ordinance #2016-08 - Additional Appropriation - General Fund - Police Grant Hours - \$4126.93 - Councilman Farrellbegg made a motion to adopt Ordinance #2016-08 by name and title only, seconded by Councilman Gruszka and carried by roll call vote with five ayes.

1st reading - Ordinance #2016-09 - an Ordinance affirming parental responsibility for school attendance of their minor children - Attorney Bennett stated this is a revision to Section 101 of the Town Ordinance and how truancy will be enforced through the town court. Councilman Corns made a motion to approve the first reading of Ordinance #2016-09, seconded by Councilman Gruszka and carried by roll call vote with five ayes. President Salatas opened the Public Hearing for public comments. There being no comments, the hearing was closed.

Resolution #2016-08 - opposing the construction of a 278-mile rail line - This item was tabled for Town Manager Sheridan to meet with rail representatives to obtain additional information, on motion by Councilman Farrellbegg, seconded by Councilman Corns and carried with five ayes.

UNFINISHED BUSINESS

Public Works Department Update - Town Manager Sheridan stated the discussion had come up if the Town was willing to waive the building permit fees associated with the pump house and tower project due to them being Town projects. Mr. Sheridan stated, as discussed at the work session, the Council had decided they would not waive the fees, as the town taxpayers and the water ratepayers are two separate entities, and the planning and zoning department needs to receive the fees associated with the building permit fees.

Act on recommendation for hotel/motel tax distribution for 2015 - Councilman Farrellbegg made a motion to approve the recommendation of the distribution of 2015 funds, seconded by Councilman Gruszka and carried

by roll call vote. Councilwoman Angerman stated the following distribution is being made: \$400 to the Lowell Downtown Merchants Association to advertise in the South Shore Convention Guide, \$250 to the Lowell Labor Day Festival for the promotion of the festival, \$600 to the Lowell Park Department for the promotion of 2016 Parade of Lights, \$2,000 to the Lowell Labor Day Parade Committee for the promotion of the 2016 Parade and Fireworks Display, \$1,000 towards signage in the downtown area, and \$475 for the Town of Lowell 100th Labor Day Parade Celebration that is being accumulated.

Tabled from previous meetings:

Resolution #2016-05 - transferring certain property owned by the Town for State Road Curb & Sidewalk Project - Councilman Gruszka made a motion to untable the item, seconded by Councilman Farrellbegg and carried by five ayes. Councilman Corns made a motion to adopt Resolution #2016-05, seconded by Councilman Farrellbegg and carried by five ayes on roll call vote.

Resolution #2016-06 - adopting of Uniform Internal Control Stands - Town Manager Sheridan stated he had received information that the deadline had been extended and is reviewing other policies that are less cumbersome. Councilman Farrellbegg made a motion to have Resolution #2016-06 remained tabled, seconded by Councilwoman Angerman and carried by five ayes.

Act on 2016 Vendor for Park - Town Manager Sheridan stated he had met with both applicants and Mr. Paul Crause indicated he was only interested in Freedom Park and Mr. Robert Eldridge was interested in being in Evergreen Park. He stated had either one wanted both parks and was willing to travel from park to park he would have recommended Mr. Crause, as he has experience as a previous vendor with the Town. Mr. Sheridan recommended awarding two vendors, Mr. Crause at Freedom Park and Mr. Eldridge at Evergreen Park. Councilman Gruszka moved to untable the item, seconded by Councilwoman Angerman and carried with five ayes. Councilman Farrellbegg moved to award the two vendors as recommended, seconded by Councilman Corns and carried with five ayes on roll call vote.

NEW BUSINESS

Act on favorable recommendation from Board of Zoning Appeals:

Special Use Variance - Mommy's Haven, 118 Fremont Street - for a maternity home to house pregnant women in need - Councilman Corns moved to approve the Special Use Variance, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

Special Use Variance - Town of Lowell - approximately 920 Mohawk Drive - to construct a public works garage in a special use - Councilman Farrellbegg move to approve the Special Use Variance, seconded by Councilwoman Angerman and carried with five ayes on roll call vote.

Special Use Variance - Town of Lowell - 17105 Cline Avenue - to construct a new water tower - Councilman Corns moved to approve the Special Use Variance, seconded by Councilman Farrellbegg and carried with five ayes on roll call vote.

Act on favorable recommendation from Plan Commission :

Sign mylar for primary plat approval - Journey Church of God - A motion was made by Councilman Corns, seconded by Councilman Farrellbegg to approve the primary plat approval and sign the mylar. The motion carried with five ayes on roll call vote.

Councilman Farrellbegg made a motion to instruct Mr. Shannahan and Mr. Westland to prepare a Ordinance to refinance the 2005 Sewage Revenue Bonds, as discussed at the work session. The motion was seconded by Councilwoman Angerman and carried with five ayes on roll call vote.

Councilman Farrellbegg made a motion to instruct the Town Attorney to draft a Resolution for the purpose of a sole source aerator for the Water Plant. The motion was seconded by Councilman Gruszka and carried with five ayes on roll call vote.

ANNOUNCEMENTS

President Salatas announced that the next regular meeting would be Monday, May 9, 2016 at 7:00 P.M.

Clerk-Treasurer Walters announced that the Lowell Labor Day Parade has been endorsed as a Bicentennial Legacy Project from the Indiana Bicentennial Commission. The theme of the parade this year will be "Celebrating Indiana's History" in conjunction with Indiana's 200th birthday celebration.

MEDIA QUESTIONS/PUBLIC COMMENTS

Melanie Csepiga, The Times, asked about the water tower project and street garage project. She was told the water tower project would be complete in mid 2017 and the street garage is on hold right now working with funding details.

Kevin Sawaska, 12601 Marsh Landing, Cedar Lake, GMI Recycling, asked if the Town Manager had looked into the current garbage contract and was ready to report back. Town Manager Sheridan stated that he had given an update to the Council during their work session, prior to the regular meeting, and he was still gathering information from area communities. He stated customer satisfaction is almost as important as the fee and will have a report back in May.

ADJOURNMENT

Councilman Farrellbegg made a motion to adjourn at 7:27 P.M., seconded by Councilman Gruszka and carried with five ayes.

Attest:

Christopher Salatas, President

Judith Walters, Clerk-Treasurer