

**LOWELL TOWN COUNCIL
REGULAR MEETING
SEPTEMBER 8, 2008**

The regular meeting of the Lowell Town Council was called to order on Monday, September 8, 2008 at 7:00 P.M. by President Phillip Kuiper. The Pledge of Allegiance was recited and a moment of silence was observed. Clerk-Treasurer Judith Walters called the roll. Members present were Donald Huseman, Shane Tucker, John Alessia, Phillip Kuiper and David Gard. Also present were Town Attorney Greg Sobkowski, Director of Public Works Greg Shook, Town Administrator Sue Peterson, Director of Community Development Wilbur Cox, Police Chief John Shelhart, Park Superintendent Tom Sullivan, and one member of the media and twenty three interested citizens.

APPROVAL OF MINUTES

Councilman Gard made a motion to approve the minutes from the August 25th regular meeting, seconded by Councilman Tucker. The motion carried by voice vote.

APPROVAL OF VOUCHERS

President Kuiper stated that he had reviewed White Vouchers #1907-1960, White Police Vouchers #4109-4118, Water Vouchers #2510-2552 and Waste Water Vouchers #3419-3440 and recommended them for approval. Councilman Huseman made a motion to approve the vouchers as listed, seconded by Councilman Gard. The motion carried by voice vote.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

Letter of resignation from Historical Commission - President Kuiper read a letter of resignation from the Historical Preservation Commission from Elaine Anderson. Councilman Gard made a motion to accept the letter of resignation, seconded by Councilman Tucker. The motion carried by voice vote.

Proclamation - Constitution Week - September 17-23 - President Kuiper read a proclamation naming September 17-23 as Constitution Week.

Proclamation - President Kuiper stated this is a very special proclamation and that they are privileged to have Sue Sutphen, a 30-year employee of the Town of Lowell at the meeting. He read the proclamation honoring Sue Sutphen for her service to the town and recognized a number of people in attendance that have worked with Sue over the years, including retired Clerk-Treasurer Marcia Carlson, retired Building Department Administrative Assistant Dorothy Jansen, former Town Council member Lloyd Donnelly and co-worker Debbie Earley. Sue thanked everyone for coming and thanked Marcia Carlson for having confidence in her so many years ago. President Kuiper invited the audience to stay after the meeting to share cake.

MONTHLY REPORTS

Councilman Tucker made a motion to approve the monthly reports from August, 2008 as submitted, seconded by Councilman Gard. The motion carried by voice vote.

UNFINISHED BUSINESS

Lowell Utilities Update - Nothing was reported for any of the following items: WWTP JMOB Requests, Water Infrastructure Improvement Plan, East Side Sewer Easements.

Street/Sidewalks - Director Shook gave an update on the Burr Street/Route 2 Project. He reported that the project was scheduled for a bid letting on September 4th by INDOT, it has been pushed back and re-scheduled for October 1st.

Tabled from previous meetings:

7/14 Release Letter of Credit for engineering for water main extensions - KM&N
8/25 Ordinance #2008-19 - Repealing Chapter 111 - Commercial Window Covering Requirements

ANNOUNCEMENTS

President Kuiper commended the Labor Day Harvest of Fun Committee for a job well done.

President Kuiper announced the next regular meeting will be held on Monday, September 22, 2008 at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

A member of the media asked for copies of the two proclamations that were read earlier in the meeting.

LeAnn Angerman, 208 Timbersprings Rd., read a statement that was directed to Councilman Alessia regarding his comments made at a previous meeting. She noted his comments made about a letter to the editor that was signed by a false name and spoke about freedom of expression and the right to a person's opinion whether popular or not. She said that since Councilman Alessia commented about family members speaking up and since she was the only family member to have spoken up, she assumed he was referring to her. She said the 13-point complaint that she filed against Chief John Shelhart had been signed by eleven people and if she perceived that wrong-doing was continuing, she would continue to speak out about it. She said that she had the right to her own opinion and that if Councilman Alessia felt that was an unwelcome distraction that he should re-consider his position as a public servant.

Councilman Alessia responded by making three points. First, he said his upset feelings about the letter to the editor were because someone slammed Police Commission member Kilmer and then did not use their correct name. He said he did not go to any great lengths to find that person. He made one phone call to check the voter rolls and property tax rolls. Second, he felt it should be

obvious why his home phone number is not listed in the phone book since he is the principal of the middle school with 900 students. He has made his cell phone number public for people to contact for town communication, which a number of people have done. Finally, he said that people do have a right to be heard. His issue is that Ms. Angerman continues to bring up the same things. He understood that she may be dissatisfied with the decisions that have been made but he felt it was a lack of progress to keep talking about the same things month after month. He noted that it was his understanding that the Federal government, and State Police had been contacted and did not pursue it. He understood that the County Police had done an investigation to some degree and found nothing of merit. The matter is over and to keep going over the same thing is not productive.

President Kuiper commented that while he did not read it himself, he heard he was also criticized for not having his phone number in the phone book. He said he was very upset when he found he was left out of the 2007 local phone book. He did not know why his information had been left off as it had never been left out previously. He had his home phone number printed on the utility bills so people would have it available and announced it at Town Council meetings. He said he is back in the 2008 local phone book.

Marcia Carlson, former Clerk-Treasurer, commented on how much she appreciates living in Lowell. She said so many times you read about communities where family members of newly elected officials replace existing staff following elections. She said that has not happened here in Lowell, as was ably demonstrated by being able to honor a 30-year employee. She said she thinks we have a lovely community and she is proud to be part of it.

There being no further questions or comments from the media or public and no further business or discussion, Councilman Gard made a motion to adjourn, seconded by Councilman Alessia at 7:20 P.M.

Attest:

Phillip Kuiper, President

Judith Walters, Clerk-Treasurer