

**LOWELL TOWN COUNCIL  
REGULAR MEETING  
June 14, 2010**

The regular meeting of the Lowell Town Council was called to order on Monday, June 14, 2010 at 7:00 P.M. by Vice President John Alessia. The Pledge of Allegiance was recited and a moment of silence was observed. Clerk-Treasurer Judith Walters called the roll. Council members present were Donald Huseman, Shane Tucker John Alessia, David Gard. President Phillip Kuiper was absent.. Also present were Town Attorney Gregory Sobkowski, Director of Public Works Greg Shook, Town Administrator Susan Peterson, Director of Community Development Wilbur Cox, Code Official Tom Trulley, Chief of Police John Shelhart, two members of the media, and fourteen interested citizens.

**APPROVAL OF MINUTES**

Councilman Huseman made a motion to approve the minutes from the May 24<sup>th</sup> regular meeting, seconded by Councilman Gard. The motion carried by voice vote.

**APPROVAL OF VOUCHERS**

Vice President Alessia stated President Kuiper had reviewed White Vouchers #1681-1780 White Police Vouchers #4048-4053 Water Vouchers #2313-2364 and Waste Water Vouchers #3284-3329. Councilman Huseman made a motion to approve the vouchers as submitted, there was no second to his motion. Councilman Huseman withdrew his motion. Councilman Gard made a motion to approve the vouchers listed with the exception of Water Voucher #2271 and Wastewater Voucher #2261 to Innovative Homes pending the outcome of damage done to the building. seconded by Councilman Gard. The motion carried by voice vote.

**PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS**

Letter of Resignation - Keith Kilmer, Police Commission - Councilman Gard made a motion to accept the letter of resignation, seconded by Councilman Huseman. Councilman Huseman stated that the commission is down to three members and where do they go from here. Councilman Gard stated that they replaced Mr. Hatch with Mr. Piper and there are four members on the commission right now. The motion carried by voice vote.

Dedication of Replacement of Halsted Family Monuments - Three Creek Historical sent an invitation inviting everyone to the dedication of the replacement of the Halsted Family Monuments on July 27, 2010 at 3:00 at the West Creek Cemetery, a picnic will take place following the ceremony.

**MONTHLY REPORTS**

**Councilman Huseman made a motion to accept the monthly reports from May 10, 2010 as presented, seconded by Councilman Tucker. The motion carried by voice vote.**

**ORDINANCES & RESOLUTIONS**

**2<sup>nd</sup> Reading -Ordinance #2010-02 - Amend Chapter 150 - Contractor Registration (as Amended) - Councilman Gard made a motion to table this until everyone is present as it will need a voice vote, seconded by Councilman Huseman.**

**UNFINISHED BUSINESS**

**Public Works Update - Water Infrastructure Improvement Plan - Director of Public Works Greg Shook asked the Council to approve invoices to Underground Pipe & Valve in the amount of \$157,909.00 and forward to SRF for payment, this is for additional meters for the water meter change out project. Councilman Huseman made a motion to approve the invoices for payment, seconded by Councilman Tucker. The motion carried by voice vote.**

**West Side Sewer Project to New Middle School - Greg Shook asked the Council to approve Pay Request #1 to B & D Sewer in the amount of \$131,488.66. Director of Public Works Greg Shook stated that by the next meeting there should be substantial completion. Councilman Gard made a motion to approve Pay Request #1, seconded by Councilman Tucker. The motion carried by voice vote.**

**Energy Grant - Town Attorney Gregory Sobkowski explained that bids were solicited for HVAC work at three of the Town's buildings under the energy grant and for window and door replacement. Only one company responded for each of the bids and there was some documentation missing from each bids. It is his recommendation that the Council reject all bids and rebid the projects. Councilman Gard made a motion to rebid the project, seconded by Councilman Tucker. The motion carried by voice vote.**

**Announce new grant award - lighting retrofits - \$99,984.00 - Office of Energy Development- Vice President Alessia read a letter from Lt. Governor Becky Skillman informing the Town they had received an energy efficiency grant for lighting retrofits in the amount of \$99,984.**

**Extend real estate agreement to sell the old water plant property - Clerk-Treasurer Judith Walters explained that the real estate agreement was for sixty days and expired and would like the Council to extend it for an additional sixty days. Councilman Tucker made a**

**motion to extend the agreement, seconded by Councilman Huseman. The motion carried by voice vote.**

**NEW BUSINESS**

**Request to waive building permit fee for expired building permit - Lifehouse Homes and Hall Brothers. Todd Harbrecht, representative from Lifehouse Homes asked to waive his building permit fee due to circumstances in Beverly Estates Subdivision, it has been rough for the last two years and he finally sold the house and needs to get final inspections done. Councilman Gard made a motion to waive the fee, seconded by Councilman Huseman and carried by voice vote.**

**Hall Brothers Construction Company, Inc. - No one from that company was present but Director of Community Development Wilbur Cox explained that it was a different subdivision, same circumstance, they just need final inspection. Councilman Huseman made the motion to waive the fee, seconded by Councilman Gard and carried by voice vote.**

**CMAQ Funding - Awarded for two police cars - 20% Town match - Chief Shelhart explained that NIRPC has awarded the Lowell Police Department with grant money to cover the cost of two cars with a maximum of \$18,000.00 each and that would leave the Town responsible for the other 20%. The Town will have to pay the money up front and will then be reimbursed. Clerk-Treasurer Judith Walters asked the council permission to take the funds from the CCD Fund. Chief Shelhart explained that the money will be reimbursed around March of 2011, he went on to say that the cars would not be ordered until around February or March of 2011. Clerk-Treasurer Judith Walters stated that now that she knows the cars won't be purchased until 2011 she does not need a motion, she will appropriate it in the 2011 budget.**

**ANNOUNCEMENTS**

**Town Clean-Up Day - Saturday June 19, 2010 from 9:00am to 2:00pm at the Town Garage**

**Household Hazardous Waste Collection - June 19, 2010 at the Lowell Middle School, 200 W. Oakley Ave from 9:00am to 2:00pm**

**Vice President Alessia announced the next regular meeting will be on Monday June 28, 2010 at 7:00 P.M.**

**MEDIA QUESTIONS/PUBLIC COMMENTS**

**Melanie Csepiga, Times, asked what damage was done to the Towns building by Innovative**

**Homes. Councilman Gard explained that during the process of applying a spray on insulation some spurring strips were screwed from the inside of the building and the screw they used was too long and penetrated the side of the building on at least 41 different locations on the outside, this is a brand new building. He went on to explain that this happened at the new Liberty Water Building. There has been no adequate response from the vendor regarding how they are going to make this repair, they have taken it upon themselves to run matching cap screws to the pole barn metal in an effort to camouflage the holes, it is a wavy looking line of screws that is very unattractive on the south side of the building. Also when the vendor realized what happened they used a hammer to try and pound the screws back out so now there is hammer marks on the new metal. The town has a bid from FBI Builders, who put the building together for \$4,100.00 to make the repairs. The Town has an invoice for about \$2,500.00 from Innovative Energy and the Town is asking them to contact their insurance company so proper repair can be made to this new building. There will also be additional expenses for this repair for mechanicals that will have to be reset on the inside walls plus the insulation will have to be redone.**

**Connie Schrombeck, Lowell Tribune, asked why the tabled agreement with INDOT was not discussed. Director of Public Works Greg Shook explained that they were not ready yet. She also asked for a copy of Mr. Kilmer's letter of resignation and was given a copy. She then asked for the reasoning for tabling the contractors registration and was told that the Council wanted everyone present for a voice vote.**

**Ed Bradbury - W. 171<sup>st</sup> Ave - asked if the Town was going to have to pay 100% for the police cars until next Spring so will the Town earn interest. He was told that the Town was not going to get the cars until budget year 2011.**

**Chief Shelhart stated that he was afraid that is the Council didn't approve the 20% for the new police cars now that it might interfere with the grant. Councilman Gard made a motion to approve the 20%, seconded by Councilman Tucker and carried by voice vote.**

**There being no further business or discussion, Councilman Gard made a motion to adjourn, seconded by Councilman Alessia at 7:18 P.M.**

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**John Alessia, Vice-President**

**Attest:**

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**Judith Walters  
Clerk-Treasurer**