

**LOWELL TOWN COUNCIL MEETING
REGULAR MEETING
OCTOBER 22, 2012**

The regular meeting of the Lowell Town Council was called to order on Monday, October 22, 2012 at 7:00 P.M. by President Phillip Kuiper. The Pledge of Allegiance was recited followed by a moment of silence. Town Administrator Susan Peterson called the roll. Members present were Craig Earley, Robert Philpot, Phillip Kuiper, Donald Parker and Edgar Corns. Also present were Town Attorney Gregg Sobkowski, Director of Public Works Greg Shook, Police Chief John Shelhart, Building Official Tom Trulley, two members of the media, and twenty one citizens.

TREASURER'S REPORT - September 2012

Councilman Philpot made a motion to approve the September 2012 Treasurer's Report, seconded by Councilman Earley and carried by voice vote.

APPROVAL OF MINUTES

Councilman Parker made a motion to approve the October 8th regular meeting, work session, and executive session, seconded by Councilman Corns and carried by voice vote.

APPROVAL OF VOUCHERS

President Kuiper stated he reviewed White Vouchers #2178 - #2245, White-Police #4185 - #4196, Water #2616 - #2641, and Waste Water #3540 - #3558 and recommended them for payment. Councilman Earley made a motion to approve the vouchers as listed, seconded by Councilman Corns and carried by voice vote.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

Presentation of Labor Day Parade Trophies - President Kuiper announced the winners of the 2012 Labor Day Parade - Best Color Guard: South Lake Michigan Chapter of

MVPA, Best Organizational Float: Three-Creeks Historical Association, Best Business Entry: Harvest Time Pumpkin Patch, Best Marching/Walking Unit: Lowell High School Cheerleaders, Best Union: Boilermakers Local 374, Best Motorized Entry: Wally Huseman Drive to End Alzheimer's, Best Overall: Mi Ranchito, and Best Entry Depicting the Theme of the Parade: Outcast Thunder Baseball Team.

Proclamation - Police Commission Member John Ammons - President Kuiper read the proclamation extending condolences over his passing, and appreciation for his service to our community.

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ORDINANCES & RESOLUTIONS

1st reading - Ordinance #2012-21 - amending Chapter 31 Collection of Town Court Obligations - Councilman Philpot made a motion to approve the first reading of Ordinance #2012-21, seconded by Councilman Corns and carried by voice vote.

Resolution #2012-24 - transfer of funds - Adult Probation Fund - Councilman Corns made a motion to approve Resolution #2012-24, seconded by Councilman Parker and carried by voice vote.

UNFINISHED BUSINESS

Public Works Department Update - Mr. Shook stated that Nichols Street was paved and they are checking on prices for striping.

Tabled from 8/27 - Ordinance #2012-12 - Annexation - Area #6 - Novak - President Kuiper stated a motion should be made to let it die. Mr. Sobkowski stated in order to get it off of the table, a motion needs to be made. Councilman Earley made a motion to remove Ordinance #2012-12 from the table, seconded by Councilman Philpot and carried by voice vote.

NEW BUSINESS

Act on favorable recommendation from Board of Zoning Appeals - Special Exception on B-3 zone for nursing home - Lowell Nursing Campus - President Kuiper stated at a regularly scheduled Board of Zoning Appeals meeting on October 11, 2012, the Board

of Zoning Appeals forwarded a favorable recommendation for a Special Exception on a site zone B-3 per Section 155.046 to build a nursing home. Councilman Parker made a motion to accept the recommendation, seconded by Councilman Philpot and carried by voice vote.

Permission to hold Car Show on Mill Street for 2013 - Lowell Lion's Club - President Kuiper made a motion to hold the 2013 Car Show on Mill Street, seconded by Councilman Earley and carried by voice vote. A representative from the Lowell Lion's Club handed out flyers for the "2013 Mill Street Car Cruise" to the Council.

ANNOUNCEMENTS

Halloween Trick or Treat Hours - Wednesday, October 31st - 5:00 P.M. - 7:00 P.M.

Due to the Veteran's Day holiday, the next regular meeting will be held on Tuesday, November 13th at 7:00 P.M.

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MEDIA QUESTIONS/PUBLIC COMMENTS

Ms. Csepiga, Times, asked what the zoning for the nursing home was about since she does not attend BZA meetings. Mr. Trulley stated currently the property is zoned B-3 for business, but under a Special Exception, nursing homes are allowed. Ms. Csepiga asked where the nursing home was going to be located. Mr. Trulley answered behind Walgreens on Burr Street.

Mr. Corns asked about progress on the Powell Ditch. Mr. Shook stated he spoken with Commonwealth Engineers who has not heard back from the Army Corp.

Mr. Corns asked about progress on the old grade school. Mr. Sobkowski stated at the hearing on October 5th, the property owner objected to petition for a tax deed. That objection has been set for a hearing on December 14th at 11:30 A.M. Mr. Trulley stated we are proceeding with demolition and advertisements for the bids will be in the October 23rd's paper.

ADJOURNMENT

With no further questions or comments, Councilman Parker made a motion to adjourn at 7:19 P.M., seconded by Councilman Corns and carried by voice vote.

Phillip Kuiper, President
Attest:

Susan Peterson
Town Administrator