

**LOWELL TOWN COUNCIL
REGULAR MEETING
JULY 27, 2015**

The regular meeting of the Lowell Town Council was called to order on Monday, July 27, 2015 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 Craig Earley, LeAnn Angerman, Donald Parker, Christopher Salatas, and Edgar Corns. Also present were Town Attorney David Westland, Police Chief Erik Matson, Public Works Director Greg Shook, Building Administrator Tom Trulley, two members of the media, and fifteen citizens.

APPROVAL OF MINUTES

Councilman Parker made a motion to approve the July 13, 2015 regular meeting and work session, seconded by Councilman Corns and carried with five ayes.

APPROVAL OF VOUCHERS

President Salatas stated he had reviewed White Vouchers #1711 - #1768, White-Police #4153 - #4165, Water #2480 - #2505, Waste Water #3392 - #3411, and Stormwater Utility #5099 - #5102. Councilman Corns made a motion to approve the vouchers as listed, seconded by Councilwoman Angerman. Councilman Earley asked if Voucher #1752 to SEH was the most recent bill that has been held for a few weeks. Clerk-Treasurer Judith Walters stated she had sent it to the Council three weeks ago and never heard anything about how to pay it, so it has been listed for their review. Councilman Earley stated he believed there was discussion about having a work session and discussing how this bill should be paid, but that he was more interested in knowing who authorized SEH to do this work. He stated it is itemized that the charges are for the new TIF or Economic Development Area, but he sits on both the Redevelopment and Plan Commission, and does not remember authorizing them to do this work, and for over \$6,000, it needs to be looked in to. Councilman Parker asked Craig Hendrix from SEH if he had any discussions with Clerk-Treasurer Walters about it. Mr. Hendrix stated he had thought that Matt Reardon had spoken with a few people about this since this was his work. Councilman Earley stated the only thing he had heard from Mr. Reardon was that his work was proposed by the Plan Commission, which is the opposite of how the work should be done, as it should go through the Redevelopment Commission, then the Plan Commission, and then to the Town Council. Councilman Parker recommended that the motion be rescinded and a new one be made to approve all of the vouchers except Voucher #1752 for SEH, and that a work session be scheduled to discuss the bill. Councilman Corns rescinded his motion, and Councilwoman Angerman rescinded her second. Councilman Earley made a motion to approve the vouchers as listed, except for Voucher #1752 to SEH, seconded by Councilman Corns and carried with five ayes.

PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

Proclamation - Childhood Cancer Awareness Month - September 2015 - President Salatas read the final paragraph of the proclamation for Childhood Cancer Awareness Month. Councilman Corns made a motion to approve the proclamation, seconded by Councilwoman Angerman and carried with five ayes.

ORDINANCES & RESOLUTIONS

2ND Reading - Ordinance #2015-11 - Additional Appropriation - Freedom Park - \$2,700 - Councilman Parker made a motion to adopt Ordinance #2015-11 by name and title only, seconded by Councilman Corns and carried by roll call vote with five ayes.

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Resolution #2015-09 - Requiring Budgets for review by August 1st - Councilman Parker made a motion to accept Resolution #2015-09, seconded by Councilman Earley. Councilman Corns asked Clerk-Treasurer Walters if August 1st was enough time for her. Clerk-Treasurer Walters stated she would like an earlier date if possible. Councilman Parker rescinded his motion, and Councilman Earley rescinded his second. Councilman Parker made a motion to approve Resolution #2015-09 with the date of on or before July 1st of each year, seconded by Councilman Earley and carried by roll call vote with five ayes.

UNFINISHED BUSINESS

Public Works Department Update - Public Works Director Greg Shook stated he was talking with Councilwoman Angerman about an issue that was brought up on Facebook regarding Reservation Park. Mr. Shook stated staff has been working on Evergreen Park because we consider it to be our premier park since it sits right on the main drag going through Town., but are aware that there are issues at Reservation Park that need to be taken care of, and they are starting on that this week. Director Shook listed some improvements that will be made at Reservation Park. He asked the public that if there is an issue they would like to get across to us to please call the Town Hall or go through the Town website and send it by email. Director Shook stated he does not read Facebook so the best way to get our attention is to call the Town Hall, and we will do our best to take care of it. Councilwoman Angerman asked if she was correct in saying that all of the parks are closed from dusk until dawn. Director Shook stated if you look at the park hours that were approved a few years ago by the Town Council, once dusk comes along, no one is supposed to be in the park. Director Shook stated we have also had a lot of issues with vandalism not only at Reservation Park, but Evergreen as well, so if you seen someone you should call the Police. A discussion followed regarding looking in to security cameras and possibly removing the fence and other improvements around Reservation Park.

Councilman Parker stated he had a call from John Russell regarding his voluntary annexation request he had submitted a while ago. He asked Clerk-Treasurer Walters the date in which the landfill annexation would be complete. Clerk-Treasurer Walters stated she can record it with the County and the State around August 24th. Councilman Parker stated he spoke with Mr. Russell regarding the possible increase in taxes due to the municipal rate, but that the Town could come to an agreement with him to reimburse him the difference between what he is paying now to the County and what he would be paying once he is annexed. Councilman Parker made a motion to direct the attorney to create an Ordinance to be ready for a first reading by August 24th to annex the Russell property. Councilman Earley asked if the Ordinance was to include the reimbursement of taxes. Councilman Parker stated once we start the process the attorney can get with Mr. Russell to work out those details. He stated right now he would just like the ordinance to be ready. The motion was seconded by Councilman Corns and carried four to one by roll call vote with Councilman Earley voting nay.

NEW BUSINESS

Memorandum of Understanding - SRO Officer - Tri-Creek School Corporation - Police Chief Matson stated this memorandum is the same as the one that was signed last year, we are just looking for approval to continue the program. Councilman Earley made a motion to approve the memorandum of understanding, seconded by Councilwoman Angerman. Councilman Corns asked if the memo that was received by Clerk-Treasurer Walters would change the memorandum. Clerk-Treasurer Walters stated she was informed that the grant is in place for two years, so although the rate for an officer has changed since last year, the school only has the amount that has been approved for the grant to put towards the salary. The motion carried by roll call vote with five ayes.

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Accept TIF Annual Report - Lowell Redevelopment Commission - Clerk-Treasurer Walters explained the Annual TIF Report that had been approved at the last Redevelopment Meeting. The report shows income received in the TIF areas and must be reported to the Town Council by August 1st. Councilman Earley made a motion to approve the 2015 Annual TIF Report, seconded by Councilman Corns and carried by roll call vote with five ayes.

Permission to advertise additional appropriation hearing - Redevelopment Commission - Clerk-Treasurer Walters stated since the Redevelopment Commission is now receiving TIF funds, they would like to spend it, so now an additional appropriation needs to be done. She explained how the Commission would like the money to be appropriated for the last six months, \$25,000 in professional fees, \$30,000 for the facade program and \$1,500 for the HSA bond fee, which totaled \$56,500. Councilman Corns made a motion to approve the advertisement for an additional appropriation hearing for the Redevelopment Commission, seconded by Councilman Earley. Councilman Earley asked how much money the Council has approved in their professional services to be forwarded to the Redevelopment Commission to cover their professional expenses. Clerk-Treasurer Walters stated there is a line item in the General Fund of \$10,000 to cover professional fees for the Redevelopment Commission that cannot be covered with TIF money, and the Council has transferred an additional \$10,000 out of the Town Council budget to the Redevelopment Fund. Discussion followed regarding possible reimbursements from the TIF funds to the Town Council for bills that have been previously paid out of the General Fund. Councilman Parker stated at the next meeting we need to know how to proceed in outlining procedures for the Redevelopment Commission to use for expenditures and other items. Councilman Earley stated he agreed with Councilman Parker and stated that there needs to be some discussion on those procedures. Discussion followed. The motion carried by roll call vote with five ayes.

Councilman Corns stated the Lowell Labor Day Festival Committee was wondering if the Council could take some of their budget and cover the water costs for the three day festival. It would amount to about \$60 - \$70, comparing to year's past. Clerk-Treasurer Walters asked how he wanted to do that because you cannot give away water. She asked if he was asking to give a donation to the committee to pay their water expenses. Councilman Corns stated yes, if that is possible. Clerk-Treasurer Walters stated there is a line item for Community Relations, but in order for the Town to donate money, she thought they had to be a 501-3C. Councilman Corns stated they are not a 501-3C yet and asked if there was any way the Town could do it. Clerk-Treasurer Walters stated the Town could pay the water bill. Discussion followed. Councilman Parker made a motion that the Town pay the water bill, not to exceed \$100, seconded by Councilwoman Angerman and carried four to one by roll call vote with Councilman Earley abstaining.

Councilman Corns stated he would like to put a banner at the "Y" on Commercial and Washington, and that he is asking the Town's permission so that everyone else cannot do it. He stated he did not see why it would be an issue since the Christmas star is always set there. Councilwoman Angerman asked what type of banner it was. Councilman Corns stated it would be three feet by seven feet on two posts. Building Administrator Tom Trulley stated the Ordinance currently states that if you are not putting a banner on your property, you must have written permission from the person who's property you are placing it on. He stated we have utility rights for that property, but we do not have land use rights to that property, that is railroad property. Discussion followed. Councilwoman Angerman stated she believed it was a good cause, but did not agree with voting against the Town's ordinance. Councilman Corns asked who gave permission to put the star there every year. Councilman Earley stated we may not be able to do that any longer since it has been brought up.

ANNOUNCEMENTS

President Salatas announced that the next regular meeting will be held Monday, August 10, 2015 at 7:00 P.M., and that there will be a work session held Thursday, July 30, 2015 at 4:30 PM.

MEDIA QUESTIONS/PUBLIC COMMENTS

Melanie Csepiga, The Times, asked if they could know how much the TIF brought in. Clerk-Treasurer Walters stated they currently have \$75,687.03 in the TIF fund, and a balance of \$6,542.41 in the TIF HSA fund which is the medical building that we have a bond outstanding for.

Sandra Cortilloni, 441 Tomahawk Trail, stated she was with the Lowell Women's Club and they have been working on improving Reservation Park. She stated they had brought some safety concerns to the Town last October and have been trying to work on finding ways to receive grants for playground equipment, etc. She described some issues they had noticed and mentioned that they would like to see the fence stay in place due to safety issues, and that they would be more than happy to help with further work. Discussion followed regarding work that has been done at the park by volunteers, and Councilman Earley and President Salatas expressed their appreciation for that help.

Amanda McKay, 761 Cheyenne St., stated she has recently found a product that is non-toxic and it is supposed to be able to remove spray paint and permanent marker. She stated she realized all of the work has to be approved through the Town, but believed she could find the volunteers to help to remove the graffiti that has been spray painted on the park equipment. Ms. McKay also expressed her concern regarding the lack of lighting at Reservation Park and suggested that if work is going to be done at the Park, to install better lighting so others can see if there are kids there late at night.

John Cluver, 517 Cheyenne St., stated how wonderful it was to see this group of people come forward understanding that there are budgets and limitations, but still offering their help and asking what they can do. Mr. Cluver explained that he was on the Park Board in the 1970's, and gave examples of similar situations in the past and how they were dealt with. He asked that the Town not give up on this area because it still could be a wonderful park.

ADJOURNMENT

Councilman Earley made a motion to adjourn at 7:55 P.M., seconded by Councilman Parker and carried with five ayes.

Attest:

Christopher Salatas, President

Judith Walters, Clerk-Treasurer