

**LOWELL TOWN COUNCIL
REGULAR MEETING
AUGUST 10, 2015**

The regular meeting of the Lowell Town Council was called to order on Monday, August 10, 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, Building Administrator Tom Trulley, Public Works Director Greg Shook, two members of the media, and fifteen citizens.

TREASURER'S REPORT - July 2015

Councilman Corns made a motion to approve the July 2015 Treasurer's Report, seconded by Councilman Earley and carried with five ayes.

APPROVAL OF MINUTES

Councilman Parker made a motion to approve the July 27, 2015 regular meeting and work session minutes, July 30, 2015 work session minutes, and the August 6, 2015 executive session and work session minutes, seconded by Councilwoman Angerman and carried with five ayes.

APPROVAL OF VOUCHERS

President Salatas asked for approval of White Vouchers #1769 - #1823, White-Police #4166 - #4185, Water #2506 - #2550, Waste Water #3412 - #3444, and Stormwater Utility #5103 - #5112. Councilman Corns made a motion to approve the vouchers as listed, seconded by Councilwoman Angerman and carried with five ayes.

MONTHLY REPORTS- July 2015

Councilman Earley made a motion to approve the July 2015 Monthly Reports, seconded by Councilman Corns and carried with five ayes.

ORDINANCES & RESOLUTIONS

1st reading - Ordinance #2015-12 - Additional Appropriation - Police Grant Hours - \$9060.66 - Clerk-Treasurer Walters explained this is to appropriate money to pay off duty officers who have worked Grant Hours during the month of July. Councilman Corns made a motion to approve Ordinance #2015-12 by name and title only, seconded by Councilman Earley and carried by roll call vote with five ayes.

UNFINISHED BUSINESS

Public Works Department Update - No report was given.

Act on personal guaranty for Don Cripe - Beverly Estates - \$105,000 - Councilman Earley made a motion to approve the personal guaranty from Mr. Cripe, seconded by Councilman Corns. Attorney David Westland stated this personal guaranty is in lieu of him providing a letter of credit or a bond. He stated in keeping with some history with this particular developer, he was instructed to prepare a personal guaranty. Typically you would have a surety bond or a letter of credit from the bank, but you

have agreed with Mr. Cripe to take this personal guaranty. The motion carried by roll call vote with five ayes.

Approve use of Cum Cap Development Fund for Fire Department for new phone equipment and building repairs - Public Works Director Greg Shook asked that the Council approve the use of the CCD Funds for the new phone equipment and the building repairs at the Fire Department. He stated he had received two proposals to repair the drains, the lowest coming in at around \$20,600. The other item was the heaters for the buildings. The two quotes that were received are not comparable because one company quoted five heaters, the other quoted six with some extra add-ons. Director Shook asked the Council to approve the use of the CCD Funds for the phone system and equipment repairs, not to exceed \$42,000. Councilman Parker made a motion to approve the use of the CCD Funds for the new phone system and building repairs at the Fire Department, not to exceed \$42,000, seconded by Councilman Earley and carried by roll call vote with five ayes.

NEW BUSINESS

Councilman Parker stated after the outcome of the meeting that was held earlier, he would like to make a motion to direct Attorney Westland to write a letter to Apple Valley Utilities expressing interest in discussing taking over the Wastewater Utilities. Councilman Earley seconded the motion. Councilman Earley asked if the OUCC needed to be copied on that letter. Councilman Parker asked that they be carbon copied. The motion carried by roll call vote with five ayes.

ANNOUNCEMENTS

President Salatas announced that the next regular meeting will be held Monday, August 24, 2015 at 7:00 P.M. He stated a public hearing would also be held in order to discuss the Building Permit Fees. Building Administrator Tom Trulley stated he had been asked by the Council to look in to the current fees. At this time, they have been re-adjusted and a proposal will be handed to Council at the public meeting. Councilman Parker asked Mr. Trulley if he had heard anything from the Commissioner. Mr. Trulley stated the Commissioner had just gotten back in to town and that he would have the item hand delivered to him by Wednesday so it could be forwarded to the attorney.

MEDIA QUESTIONS/PUBLIC COMMENTS

Mr. Cripe stated he just wanted to clarify with the attorney and Mr. Trulley that the personal guaranty will run for two years. Attorney Westland stated the way it is now, it does not limit you to two years. After some discussion, it was decided that the personal guaranty needed to be amended to include a two year time frame.

ADJOURNMENT

Councilman Corns made a motion to adjourn at 7:12 P.M., seconded by Councilman Angerman and carried with five ayes.

Christopher Salatas, President

Attest:

Judith Walters, Clerk-Treasurer

