

**LOWELL TOWN COUNCIL
REGULAR MEETING
AUGUST 24, 2015**

The regular meeting of the Lowell Town Council was called to order on Monday, August 24, 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, Assistant Police Chief James Woestman, Public Works Director Greg Shook, Building Administrator Tom Trulley, two members of the media, and twelve citizens.

APPROVAL OF MINUTES

Councilman Corns made a motion to approve the August 10, 2015 regular meeting and work session, seconded by Councilwoman Angerman and carried with five ayes.

APPROVAL OF VOUCHERS

President Salatas stated he had reviewed White Vouchers #1825 - #1884, White-Police #4186 - #4195, Water #2551 - #2576, Waste Water #3445 - #3473, and Stormwater Utility #5113 - #5115. Councilman Parker made a motion to approve the vouchers as listed, seconded by Councilman Corns and carried with five ayes.

ORDINANCES & RESOLUTIONS

2nd Reading - Ordinance #2015-12 - Additional Appropriation - Police Grant Hours - Councilman Corns made a motion to adopt Ordinance #2015-12 by name and title only, seconded by Councilman Earley and carried by roll call vote with five ayes.

PUBLIC HEARING

1st & 2nd Reading - Ordinance #2015-13 - amend Lowell Zoning Ordinance - amend building permit fees to be based on I.C.B.O Building Valuation Data. Councilman Parker made a motion to suspend the rules, seconded by Councilman Corns and carried with five ayes. Councilman Corns made a motion to approve the 1st reading of Ordinance #2015-13 by name and title only, seconded by Councilman Parker and carried by roll call vote with five ayes. President Salatas opened the public hearing. With no one to speak for or against Ordinance #2015-13, President Salatas closed the public hearing. Councilman Corns made a motion to adopt Ordinance #2015-13 by name and title only, seconded by Councilman Parker and carried by roll call vote with five ayes.

PUBLIC HEARING

1st & 2nd Reading - Ordinance #2015-14 - Additional Appropriation - TIF Funds - \$56,500 - Councilman Corns made a motion to approve the 1st reading of Ordinance #2015-14 by name and title only, seconded by Councilwoman Angerman and carried by roll call vote with five ayes. President Salatas opened the public hearing. With no one to speak for or against Ordinance #2015-14, President Salatas closed the public hearing. Councilman Corns made a motion to adopt Ordinance #2015-14 by name and title only, seconded by Councilman Parker and carried by roll call vote with five ayes.

Resolution #2015-10 - Adopting Fiscal Plan for annexation of Russell Farms - Councilman Parker made a motion to adopt Resolution #2015-10 by name and title only, seconded by Councilman Corns and carried by roll call vote four to one with Councilman Earley voting nay.

LTC REGULAR MEETING - 8/24/15 - Page 2 of 4

1st Reading - Ordinance #2015-15 - annexing of real estate - Russell Farms - Councilman Corns made a motion to approve the 1st reading of Ordinance #2015-15 by name and title only, seconded by Councilman Parker and carried by roll call vote four to one with Councilman Earley voting nay. Town Attorney David Westland stated the public hearing would be held at the September 14th meeting.

1st & 2nd Reading - Ordinance #2015-16 - Additional Appropriation - Police Grant Hours - \$5950.50 - Councilwoman Angerman made a motion to approve the 1st reading of Ordinance #2015-16 by name and title only, seconded by Councilman Corns and carried by roll call vote with five ayes. Councilman Earley made a motion to adopt Ordinance #2015-16 by name and title only, seconded by Councilman Corns and carried by roll call vote with five ayes.

1st & 2nd Reading - Ordinance #2015-17 - Amend Section 155.090 - Fence & Wall Standards (recommendation from Plan Commission) - Councilman Parker made a motion to approve the 1st reading of Ordinance #2015-17 by name and title only, seconded by Councilman Corns and carried by roll call vote with five ayes. Councilman Corns made a motion to adopt Ordinance #2015-17 by name and title only, seconded by Councilman Earley and carried by roll call vote with five ayes. Councilman Parker made a motion to set the rules back in to place, seconded by Councilman Corns and carried with five ayes.

Resolution #2015-11 - transfer of funds - Freedom Park - \$1,000 - Councilwoman Angerman made a motion to adopt Resolution #2015-11 by name and title only, seconded by Councilman Corns and carried by roll call vote with five ayes.

UNFINISHED BUSINESS

Public Works Department Update - There were no updates given.

Act on updated personal guaranty for Donald Cripe - Beverly Estates - \$105,000 - Councilman Earley made a motion to approve the updated personal guaranty, seconded by Councilman Corns. Attorney Westland stated he had updated the guaranty to run from May 18, 2015 to May 17, 2017, which is two years from the date that the plans were accepted by the Building Department. The motion carried by roll call vote with five ayes.

NEW BUSINESS

Request to use Recycling Funds for playground equipment at Reservation Park - Councilman Earley made a motion to approve the request to use Recycling Funds for playground equipment at Reservation Park, seconded by Councilman Parker. Clerk-Treasurer Judith Walters explained the recommendations that had been made by the playground equipment salesperson, and the new equipment that would be installed using on hand recycling funds. The motion carried by roll call vote with five ayes.

Request to waive solicitors fees for Barktoberfest at Freedom Dog Park - Lowell Woman's Club & Relay for Life - Belia Farver, 16583 Lincoln St., stated the Lowell Woman's Club & Relay for Life would like to revive the Barktoberfest and asked that the solicitors fee be waived for the vendors. Councilwoman Angerman asked if vendors were already lined up. Ms. Farver stated they had a list of vendors that they were waiting to contact until they had received approval from the Council. Clerk-Treasurer Walters stated we have done this before, and we still go through the process of the vendors filling out the license. She explained that the background check fee is \$15, and for a one day license, it is \$25, so a total of \$40 would be waived per vendor. Councilman Earley asked where the proceeds would go. Ms. Farver stated the proceeds would be split three-ways between the Bark Park, Relay for Life, and the Lowell Woman's

LTC REGULAR MEETING - 8/24/15 - Page 3 of 4

Club. Councilman Earley made a motion to waive the solicitors fees for the vendors at Barktoberfest, seconded by Councilwoman Angerman. Clerk-Treasurer Walters stated because Relay for Life and the Lowell Woman's Club are sponsoring the event, they will need to provide a certificate of insurance to the Town. The motion carried by roll call vote with five ayes.

Approve Park quarterly fees - Councilwoman Angerman made a motion to approve the Park quarterly fees, seconded by Councilman Corns and carried by roll call vote with five ayes.

Act on favorable recommendation from Lowell Plan Commission:

Vacation of Frontage Road - Ken Carey, 17644 Morse Street - Councilman Parker made a motion to approve the vacation of the frontage road, seconded by Councilman Earley. Councilman Corns asked where that frontage road was. Director Shook stated it is the road that you take in to get to the u-locks. The motion carried by roll call vote with five ayes.

Request Zone Change from B-2 to L-1 - McConnel Plaza Parcels - Councilman Parker made a motion to approve the zone change request from B-2 to L-1, seconded by Councilman Earley and carried by roll call vote with five ayes.

Route 2 Overlay Planning - Councilman Parker made a motion to approve the recommendation of a Route 2 Overlay Plan and to have Jim Mandon proceed with creating the plan, seconded by Councilman Earley and carried by roll call vote with five ayes.

Town Manager position - Councilman Parker stated if we are going to move ahead with this and advertise it, there needs to be some discussion about how we are going to and for how long. He stated a national search could be done, but believed that the consensus was to stay local between Indiana, Illinois, and Michigan. We could stay between those three media's, one of them being IACT where we may be able to advertise for free since we are a member. Councilman Parker stated he believed the discussion should be how long they would advertise, where they would advertise, and the attorney reviewing the job description. President Salatas and Councilwoman Angerman agreed that the three states would be good to advertise in, not nationwide. Councilman Corns made a motion to advertise in the midwest for sixty days. Councilman Parker asked if those should be two separate motions. Councilman Corns rescinded his motion. Councilman Parker made a motion to advertise in IACT, and in Michigan and Illinois' version of IACT, seconded by Councilwoman Angerman and carried by roll call vote four to one with Councilman Earley voting nay. Discussion followed regarding the timeline of advertising. Councilman Parker stated they could begin the sixty day period of advertising from the September 14th meeting. He stated this would give us time to get the information together to advertise and to have the attorney create a job description, which would be reviewed and approved at the next meeting. Attorney Westland stated that would make sense since you would be looking at hiring after the 1st of the year anyway. Discussion followed regarding setting a deadline of when applications and resumes needed to be submitted and having a job description ready by the next meeting. Councilman Parker made a motion for President Salatas and Attorney Westland to work on the advertisement to be distributed, and that the position be advertised as applications being accepted up until December 1, 2015, seconded by Councilwoman Angerman and carried by roll call vote four to one with Councilman Earley voting nay.

ANNOUNCEMENTS

President Salatas announced that the 96th Annual Labor Day Parade would be September 7th with a fireworks show on September 6th, and that the festival would be held from September 3rd - 7th.

President Salatas announced that the next regular meeting will be held Monday, September 14, 2015 at 7:00 P.M.

Councilman Earley stated the LP3 will be hosting another bike ride the 29th of August beginning at Buckley Homestead at 8:00 AM.

LTC REGULAR MEETING - 8/24/15 - Page 4 of 4

MEDIA QUESTIONS/PUBLIC COMMENTS

Mary Wilds, The Times, asked for further information about the LP3 Bike Ride. Councilman Earley briefly explained the Bike Committee, and stated that the ride would be fifteen miles long beginning at Buckley Homestead at 8:00 AM, and that there was no cost. He stated information was also on their Facebook page and the Town's website.

Councilman Corns asked if the landfill was officially annexed. Attorney Westland stated it needed to be recorded, but the Council does not need to take any further action. Clerk-Treasurer Walters stated she can record it Wednesday, August 26th.

ADJOURNMENT

Councilman Parker made a motion to adjourn at 7:30 P.M., seconded by Councilman Corns and carried with five ayes.

Christopher Salatas, President

Attest:

Judith Walters, Clerk-Treasurer