

**LOWELL TOWN COUNCIL MEETING
REGULAR MEETING
JULY 8, 2013**

The regular meeting of the Lowell Town Council was called to order on Monday, July 8, 2013 at 7:00 P.M. by President Edgar Corns. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Craig Earley, Robert Philpot, Donald Parker, Phillip Kuiper, and Edgar Corns. Also present were Director of Public Works Greg Shook, Town Administrator Susan Peterson, Police Chief Erik Matson, Building Official Tom Trulley, Town Attorney Jack Kramer, two members of the media, and eighteen citizens.

APPROVAL OF MINUTES

Councilman Earley made a motion to approve the June 24th regular meeting, study session, and executive session, seconded by Councilman Parker and carried by voice vote.

APPROVAL OF VOUCHERS

President Corns stated he reviewed White Vouchers #1669 - #1727, White-Police #4135 - #4141, Water #2418 - #2459, Waste Water #3349 - #3379, and recommended all of the vouchers for payment. Councilman Parker made a motion to approve the vouchers as listed, seconded by Councilman Earley and carried by voice vote.

MONTHLY REPORTS - June 2013

Councilman Kuiper made a motion to approve the June 2013 monthly reports, seconded by Councilman Parker and carried by voice vote.

STANDING COMMITTEES - Redevelopment Commission

Councilman Kuiper made a motion to instruct Greg Shook, Director of Public Works, and whoever else the Council thinks needs to be involved, to check out the situation of Apple Valley Utilities and the possible purchase, seconded by Councilman Parker and carried by roll call vote. Councilman Kuiper stated he would like to give Mr. Shook some guidance on who should go to the meeting with him. Mr. Shook stated he would at least like one Councilman to go with him. President Corns stated he would volunteer to go.

UNFINISHED BUSINESS

Public Works Department Update - Director Shook stated a couple of weeks ago he gave the

Council a cemetery plan for the State Route 2 curb and sidewalk project. He stated approving that is more or less a formality because we will just be removing the sidewalk and putting it back in the same place. The only change is the little piece that needs to be dug out in order to put the form in. He stated he just needed to get approval for that plan from the Council to show INDOT that we have an approved plan. Mr. Shook stated that Jack Anderson, who is the owner of the parcel in the cemetery we are talking about, has already given approval himself. We have a letter from him that is signed as well. Councilman Kuiper made a motion to approve the cemetery plan, seconded by Councilman Earley and carried by voice vote.

LTC REGULAR MEETING - 7/8/13 - Page 2 of 3

Mr. Shook stated we did receive a response from the Lake County Surveyors Office regarding our project at Powell Ditch. He stated he would like to read a paragraph of the response before he continued. "This project raises concerns. The result of this work would likely be a reduction in the temporary water detention that Powell Ditch currently performs. Possible negative effects downstream ie: added water to the existing flows, could result. As per Lake County Stormwater Management and Clean Water Regulations Ordinance April 2006, Chapter 3, Section 2(d), Page 10 'Due to the potential impacts of flood plain loss on the peak flows and streams and on the environment, disturbance to flood plains should be avoided.'" This does not mean that they will not allow us. We have requested a meeting with the Surveyor's Office so that we can get an idea of where to go. We are looking to propose a maintenance project, rather than a new project. He stated he would like the Council to add the engineering update of Powell Ditch on to the next Council meeting or work session so that Craig Hendricks can be here to explain what we are going to propose to the County. This will also give us the opportunity to invite the property owners that are affected here so they are aware of what is going on. Councilman Parker made a motion to add the item to the study session for the next meeting, seconded by Councilman Kuiper and carried by voice vote.

President Corns asked if the cemetery plan could bow out the sidewalk that is next to the grave about six inches or so. Mr. Shook stated according to Mr. Anderson it is something like sixteen inches, but that is an extreme cautious area according to the letter that was sent from Jack Anderson. He stated he would assume that area will be treated as such when the time comes to bid it. As far as bending it or narrowing it, the answer is no, INDOT probably will not let you. It took us some doing for them to allow us to keep it as is because their rules say when the sidewalk is adjacent to the curb, it is supposed to be six feet, but we do not have that kind of space at the cemetery. We have convinced them to allow us to replace the sidewalks at five feet since that is what our standard calls for.

WWTP Improvement Project - Approve Pay Request #37 - Commonwealth Engineers - \$15,470.33 and forward to SRF for payment - Councilman Parker made a motion to approve

Pay Request #37, seconded by Councilman Earley and carried with five ayes on roll call vote.

Bike Trail Committee - Councilman Earley stated at the June 10th meeting we heard from the Active Transportation Alliance in regards to a proposal that was given to the Town to help develop a bike route throughout the Town, hopefully connecting Liberty Park to Freedom Park. Also, we are looking at the long-term possibility of connecting to other towns as well.

He stated he has talked to the Clerk-Treasurer who has told him that there are funds available if the Council approves the use of them for this matter. Councilman Earley stated if there are no questions, he would like to make a motion to approve this proposal. Councilman Kuiper stated the response has been overwhelming. The community is interested in this, but the only way to find the reality of it is to get involved with Active Transportation and take the first steps of making a plan. Councilman Kuiper seconded the motion. Clerk-Treasurer Judith Walters stated her recommendation would be to take it out of the Town Cum Capital Improvement Fund because the Park Fund does not grow so if something happens in the Park, that is where the money would come from. Councilman Earley revised his motion to use up to \$12,000 from the Cum Capital Improvement Fund Professional Services line item to pay for the plan, seconded by Councilman Kuiper and carried with five ayes on roll call vote.

LTC REGULAR MEETING - 7/8/13 - Page 3 of 3

NEW BUSINESS

Permission to use Recycling Funds to purchase rubberized mulch for Evergreen Park - Councilman Parker made a motion to use Recycling Funds to purchase rubberized mulch for Evergreen Park, seconded by Councilman Philpot and carried with five ayes on roll call vote.

Request from Eastview Terrace Townhome Association - drainage pond - Councilman Parker made a motion to send the request to the Stormwater Management Board and for them to come back with a recommendation, seconded by Councilman Philpot and carried with five ayes on roll call vote.

ANNOUNCEMENTS

President Corns stated the next regular meeting will be Monday, July 22nd at 7:00 P.M., with a Study Session at 6:30 P.M.

A Joint Work Session with the Lowell Volunteer Fire Department and Townships will be held on- Tuesday, July 9th at 7:00 P.M.

MEDIA QUESTIONS/PUBLIC COMMENTS

Nathan Thomas, 2053 W. 172nd Ave., stated that he was there on behalf of his father-in-law, Ron Brown, who would like to extend a donation of \$1,000 for the institution of the bike path. He stated he is very excited about it and hopefully the \$1,000 can get things started. The Council thanked him for the donation. Councilman Earley stated Ron Brown is one of the members who is helping with the bike trail committee as well.

ADJOURNMENT

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

Attest:

Edgar Corns, President

Judith Walters, Clerk-Treasurer

