

PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL

For the Regular Meeting of MONDAY, NOVEMBER 15, 2010.

The Meeting was called to order at 7:30 p.m. by Mayor Jim Hodges and City Clerk Betty Morlock called the roll.

Present: Councilmembers Jeff Altoft, Maryalene LaPonsie, Mayor Pro Tem Sharon Ellison and Mayor Jim Hodges.

Absent: Councilmember Andrew Schrauben.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Police Chief James Hinton, Light and Power Boardmember, Planning Commissioner and Parks and Recreation Commissioner Jim Hall.

IT WAS MOVED BY LAPONSIE and seconded by ELLISON to excuse the absence of Councilmember Schrauben.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #1. **APPROVAL OF THE AGENDA.** Mayor Pro Tem Ellison suggested "Old Business" be moved to Item #6.5 in order for other issues to be discussed prior.

IT WAS MOVED BY ELLISON and supported by ALTOFT to approve the agenda as corrected.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #2. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 1, 2010.**

IT WAS MOVED BY ELLISON and supported by ALTOFT to approve the regular meeting minutes of NOVEMBER 1, 2010 as written.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #3. **APPROVAL OF THE ACCOUNTS PAYABLES.** Mayor Pro Tem Ellison questioned the bill from Wittenbach's regarding maintenance of vehicles. City Manager Pasquale explained there are some issues which involve the warranty of vehicles and require the manufacturer to service. A more detailed report regarding the expenses can be provided at the next meeting when DPW Director Dan DesJarden is present.

IT WAS MOVED BY LAPONSIE and supported by ELLISON that the bills and accounts payables be allowed and the warrants issued.

YEA: Councilmembers Altoft, LaPonsie, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: 0. ABSENT: Councilmember Schrauben. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (11/15/10)</u>	
GENERAL FUND	\$43,148.32
MAJOR STREET FUND	4,324.84
LOCAL STREET FUND	3,574.82
HISTORICAL DISTRICT FUND	4,010.00
DDA FUND	101,823.10
CITY HALL CONSTRUCTION FUND	109,792.50
AIRPORT FUND	66.53
WASTEWATER FUND	4,875.73
WATER FUND	9,856.11
CABLE TV FUND	15,734.79
DATA PROCESSING FUND	1,045.00
EQUIPMENT FUND	9,805.64
CURRENT TAX FUND	9,734.34
LOOK FUND	4,785.00

Item #4. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.** No comments were received.

Item #5. **OLD BUSINESS.** Mayor Pro Tem Ellison proposed the idea of “Old Business” being placed on the agenda as a way to discuss issues which have not been completely resolved yet. The following items were noted for periodic discussion:

- Streets – maintain and repair – wanted to see the plan and what has been updated on a monthly basis
- Sidewalks
- Waste Water Treatment – wanted
- Amphitheatre
- Website
- Consumers Energy – sidewalk repair

Item #6. **PARKS AND RECREATION MASTER PLAN AMENDMENTS – PUBLIC HEARING.** In order to qualify for state grant funding from the Michigan Department of Natural Resources and Environment, riverbank improvements on both the east (Showboat Amphitheater) and west (between main and Elm) are proposed to be included in the Parks and Recreation Master Plan as amendments. At its October 16, 2010 meeting, the Parks and Recreation Commission unanimously approved the Plan as amended.

A letter was received from Greg Canfield stating he met with Mike Sprenger, Bill Wheeler, and Jeff Altoft to discuss the west river bank situation. He is not interested in having his property included in the recreational portion as he feels the board walk would lead to possible problems as it is not visible to public safety officers. He would support the stabilization project for the west river bank in this area, but believes the recreational project is better fit for the public area further north.

City Manager Pasquale read from the Plan Document; Page 24 "Flat River Banks above Main Street." "In April 2010, the west bank of the Flat River between Elm and Main Street was studied to determine the options available to stabilize the bank against erosion. While this initially focused on bank stabilization, the City and the Downtown Development Authority are considering adding recreation amenities to this location to coincide with proposed improvements to the Showboat Amphitheater on the east side of the Flat river. Potential improvements to the west bank may include fishing platforms, a riverwalk or similar public access improvements". Pasquale noted this is stated as an option. If the Council wishes, "riverwalk" can be eliminated all together.

Pasquale stated the following "Goals" which are also noted in the plan document as follows:

- Upgrade showboat amphitheater site and incorporate recreational improvements to the riverbank stabilization efforts of the Flat Rivers west bank between Elm and Main Streets.
- Redevelop the showboat amphitheater site and strengthen utilization of this unique feature as a focal point of the community.
- Incorporate recreational improvements.
- Potential improvements to the west bank may include fishing platforms, a river walk or similar public access improvements.

Councilmember Altoft wanted to leave "riverwalk" in the document and somehow incorporate wording to exclude the first two properties north of Main Street and one along Main Street (Sprenger, Wheeler and Canfield).

Bill Wheeler of 103 Riverside Drive commended the City for wanting to provide more recreational areas for the public. However, he opposed the inclusion of any private property in the proposal. He also has a deck which looks out over the river and questioned what would be done with this in relation to the public access or riverwalk.

Mayor Hodges indicated the area does need work to prohibit any further erosion.

Pasquale suggested the wording "potential improvements to the west bank may include fishing platforms, a riverwalk or similar public access features excluding those properties located at 115 West main, 123 West Main Street and 103 Riverside Drive. The Council accepted these as amended.

IT WAS MOVED BY LAPONSIE and seconded by ELLISON to adopt the 2010 Recreation Master Plan amendments with the above wording regarding Flat River west bank improvements.

YEA: Councilmembers Altoft, LaPonsie, Mayor Pro Tem Ellison and Mayor Hodges.

ABSENT: Councilmember Schrauben. NAY: None. MOTION CARRIED.

Item #7. **RESOLUTION AMENDMENT ESTABLISHING LICENSE TERM AND FEE FOR WASTE HAULER LICENSES AND TERM FOR COLLECTION.** As discussed at the November 1, 2010 Council meeting, the resolution establishing license term and fee for waste haulers is proposed for amendment.

Specifically, the license term for waste haulers is reduced from two to one year in order to keep better track of insurance. Pro rating of the license fee was eliminated to simplify the process.

Thus, City Clerk Betty Morlock, DPW Director Dan DesJarden and City Manager Pasquale recommended the Council adopt the amended resolution involving waste haulers.

IT WAS MOVED BY ELLISON and seconded by ALTOFT to approve the resolution amendment establishing license term and fee for waste hauler licenses and term for collection.

YEA: Councilmember Altoft, LaPonsie, Mayor Pro Tem Ellison and Mayor Hodges.

ABSENT: Councilmember Schrauben NAY: None. MOTION CARRIED.

Item #8. **RESOLUTION AMENDMENT ESTABLISHING LICENSE TERM AND LICENSE FEE FOR SNOW PLOW OPERATORS AND REVIEW OF AMENDED PERMIT APPLICATION.** Also, at the November 1 meeting, the resolution establishing license term and fee had been proposed for an amendment.

The license term was reduced from two to one year for tracking insurance. Again, City staff recommended approval of this resolution amendment.

The application for permit regarding snow plowing was change to include list of customers.

IT WAS MOVED BY LAPONSIE and seconded by ALTOFT to approve the resolution amendment establishing license term and license fee for snow plow operators and review of amended permit application.

YEA: Councilmember Altoft, LaPonsie, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: None. ABSENT: Councilmember Schrauben. MOTION CARRIED.

Item #9. **MONTHLY REPORTS.** No comments were received.

Item #10. **COUNCIL REPORTS AND COMMENTS.**

Councilmember Maryalene LaPonsie commented on the following:

- She did not attend the October Planning Commission meeting.

- Thought was given to canceling the December worksession meeting.
- Discussion was held regarding an introduction meeting being held at the beginning of the year for the new Planning Commission members.
- Barb Brown resigned from the Planning Commission due to health reasons.
- There is a vacancy on the Planning Commission.
- The Lowell Area Fire and Emergency Services Authority Board will meet in December. An issue was brought up at the last meeting regarding the townships paying in a timely manner.

Councilmember Jeff Altoft commented on the following:

- The Board of Review will meet December 22, 2010 – two positions are available to serve.
- The DDA meeting is postponed until December 2, 2010.

Mayor Pro Tem Sharon Ellison commented on the following:

- The Arbor Board met in October and discussed fall plantings.
- The Biggest Tree Contest winner was announced.
- A print may be available for Arbor Day.
- Christmas tree recycling will be at The Wittenbach Center.
- A future cemetery project is being considered. This would include removing some old trees and planting new ones as well as additional landscape.
- The Arbor Board will meet again on January 10, 2010.
- The CATV Endowment Board – grants have been awarded. A couple concerns involve two projects which have had some complications and need to be reapproved. A procedure to do this will be established during the February meeting. The time line has changed. The Board will meet in February, advertise in March and applications would be due in mid April. Selections would be done in May in time for the construction season.
- Dan Brubaker and Sue Simmons terms will expire December 31, 2010.
- Mayor Hodges questioned if there had been any mid term request for monies from the LCTV Endowment Board and is there thought of doing it more than once a year. Ellison stated this has been discussed, but there is not a lot of money like other larger funds.
- There is a change in garbage carriers. Residents can purchase single bags as needed.
- The sidewalks near Bushnell and the Middle schools are coming along. It is nice to have the sidewalks for the safety of the students.
- She thanked the Planning Commission for having AT&T place some landscaping and trees at its service building on North Hudson Street.

Mayor Hodges

- Serves as Council representative to the Lowell Light and Power Board. The Board is working on an employee handbook to update their policies.

- Light and Power is involved in a smart meter pilot project program. It is coming along well.
- Last January, Lowell Light and Power hosted a holiday party at Gilda's Club. This year the City has been asked to host the holiday party.
- He noted he also serves with the Chamber of Commerce Board of Directors. Cutter Phillips, April McClure and Evert Bek were recently nominated once again as their Board of Directors.
- Business After Hours was held at the Lowell Area Historical Museum. The next After Hours will be held on November 17, 2010 at Fountain View of Lowell.
- Christmas through Lowell will be held November 19, 20 and 21st.
- The Santa Parade will be held on December 4, 2010. Chamber Director Liz Baker is looking for people to provide cookies for the visit with Santa, which will be held in the Chamber of Commerce. If the Council wishes, it has been suggested the Council escort Santa through the parade.
- City Manager Pasquale will be lighting the City Christmas tree at 5:45 p.m. on December 4, 2010 in honor of his retirement and serving as City Manager.
- Coffee with Council will also be held on Saturday, December 4, 2010. It has been suggested the Council encourage a theme of the month. This month the Council is looking for thoughts and ideas about the amphitheater area.
- There will be no Coffee with Council on January 1, 2011.

Item #11. **CITY MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes were provided:
 - Airport Board meeting of October 5, 2010
 - Chamber of Commerce meeting of October 12, 2010
2. Pasquale is consulting with Bond Counsel regarding the feasibility of refunding (refinancing) the City's City Hall Building Authority bonds.

This report should be available for the next Council meeting.

Also, proposed spread of MERS allocations for cost of living eligibility was provided. If \$100,000 is required, the General Fund would allocated \$65,000 (based on a biweekly payroll amount).

3. The City offices will be closed on Thursday, November 25 and Friday, November 26 in observance of Thanksgiving
4. The Council will be meeting with Michigan Municipal League facility Bill Baldrige on Monday, November 29 at 7 p.m. in the upstairs Conference Room to initiate the City Manager Search.
5. The next Council meeting is Monday, December 6.

Item #12. **APPOINTMENTS.** The following boards or commissioners positions need appointment or reappointment.

Board of Review		<u>Term Expires</u>
To fill in for Jim Wood's position	appointment	06/30/2010
Alternate Position	appointment	

Also, Barb Brown will be resigning from the Planning Commission due to health issues.

IT WAS MOVED BY ELLISON to adjourn at 8:08 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk