

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, APRIL 16, 2012**

1. **CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL**

The Meeting was called to order at 7:00 p.m. by Mayor Hodges and City Clerk Morlock called the roll.

Present: Councilmembers Jim Hall, Andrew Schrauben, Jim Valentine, Mayor Pro Tem Sharon Ellison and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Police Chief Barry Getzen, DPW Director Dan DesJarden, Wastewater Treatment Plant Superintendent Mark Mundt, Light and Power General Manager Greg Pierce, Arbor Board Chair Dana Chase and Brian Wegener, AICP, PCP of Williams and Works.

2. **APPROVAL OF THE AGENDA.**

IT WAS MOVED BY ELLISON and seconded by SCHRAUBEN to approve the agenda as amended.

YEA: 5. NAY: 0. ABSENT: 0. MOTION CARRIED.

3. **APPROVAL OF THE MINUTES**

IT WAS MOVED BY HALL and seconded by VALENTINE to approve the regular minutes of the April 2, 2012 meeting as corrected.

YEA: 5. NAY: 0. ABSENT: 0. MOTION CARRIED.

4. **APPROVAL OF THE ACCOUNTS PAYABLES.**

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

YEA: Councilmembers Hall, Schrauben, Valentine, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: None. ABSENT: 0. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (04/16/12)

GENERAL FUND	\$47,277.11
MAJOR STREET FUND	89.97
LOCAL STREET FUND	20.96
DDA FUND	48,514.73
AIRPORT FUND	77.90
WASTEWATER FUND	7,672.65

WATER FUND	10,907.54
DDA PROCESSING	29.67
EQUIPMENT FUND	1,159.97
TRAILWAY	33,828.93

5. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.** None.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS UPDATE.** City Manager Howe noted the Legislature had not yet approved the funding for the East Riverbank grant so the project will go into the 2013 construction season.

7. **NEW BUSINESS**

a. **TREE CITY USA PRESENTATION.** The City has received a special award for being a Tree City USA for five straight years. Mayor Hodges presented Arbor Board Chair Dana Chase with this award and thanked her and the Arbor Board for their hard work.

b. **ARBOR DAY PROCLAMATION.** The Council was asked for their concurrence on a proclamation by the Mayor establishing the last Friday in April as Arbor Day. This year Arbor Day will be April 27.

IT WAS MOVED BY VALENTINE and seconded by SCHRAUBEN that the Council concurs with the Mayoral Proclamation establishing the last Friday in April of each year as Arbor Day in the City of Lowell.

YEA: 5. NAY; 0. ABSENT: 0. MOTION CARRIED.

c. **LACROSSE PARK USE AGREEMENT.** City Staff is in the process of developing new agreements for the use of athletic fields. The Parks and Recreation Commission has asked that City Manager Howe begin negotiating new agreements to raise enough revenue so that the \$5,000 transfer from the Lee Fund may be used for capital improvements and not maintenance. That will require a substantial increase in the pay per participant rate. However, most of the athletic organizations have already collected money from their participants and are already setting schedules. The Lacrosse season has already started.

Howe's plan is to negotiate renewal agreements on a case-by-case basis and increase the fee over the next year. In some cases, this may mean maintaining the current fee for the current year, but advising the sports teams that the fee will increase next year. Based on that approach, the Council was asked to approve the agreement as presented for Lacrosse for a one-year period.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the Public Park Use Agreement with the Lowell High School Lacrosse Team for a period ending December 31, 2012.

YEA: 5. NAY: 0. ABSENT: 0. MOTION CARRIED.

- d. **WASTEWATER TREATMENT PLANT CAPITAL PROJECT.** Wastewater Treatment Plant Superintendent Mark Mundt had obtained bids for a capital improvement project at the plant. There is a need to replace the waste pump drive units and \$12,000 is budgeted in Capital Improvements for this project. The low bid is from Grandtech, Inc., for \$14,952. A budget adjustment will need to be made to move forward with this project.

IT WAS MOVED BY ELLISON and supported by HALL to approve the bid from Grandtech, Inc., for \$14,952 for replacing waste pump drive units at the Wastewater Treatment Plant and authorize the City Manager to execute any agreements related to the project.

YEA: 5. NAY: 0. ABSENT: 0. MOTION CARRIED.

- e. **ZONING BOARD OF APPEALS**

IT WAS MOVED BY ELLISON and seconded by SCHRAUBEN to recess the City Council meeting and convene as the Zoning Board of Appeals at 7:12 p.m.

YEA: Councilmembers Hall, Schrauben, Valentine, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: None. ABSENT: None. MOTION CARRIED.

- i) **Public Hearing: Variance Request, King Milling for 115 South Broadway.** Boardmember Hodges noted his wife works for King Milling and he abstained himself from the discussion and left the room at 7:13 p.m.

The second phase of the King Milling expansion project will require that the Zoning Board of Appeals consider variance requests for lot coverage and landscaping. Williams and Works had provided a staff memo outlining the issues with recommendations.

Chair Hall opened the public hearing. No comments were received. Chair Hall closed the public hearing.

IT WAS MOVED BY ELLISON and supported by VALENTINE to approve the variance requests regarding lot coverage and landscaping because both variances meet the six (6) criteria for granting a variance.

YEA: 4. NAY: 0. ABSTAIN: 1(Hodges) ABSENT: 0. MOTION CARRIED.

IT WAS MOVED BY ELLISON and seconded by VALENTINE to adjourn the Zoning Board of Appeals and return to the City Council meeting at 7:27 p.m.

YEA: 4. NAY: 0. ABSTAIN: 1(Hodges) ABSENT: 0. MOTION CARRIED.

Mayor Hodges returned to the meeting at 7:28 p.m.

- f. **ORDINANCE TO AUTHORIZE THE ISSUANCE OF WATER SUPPLY SYSTEM REVENUE REFUNDING BONDS.** City Manager Howe requested the City Council consider adopting an ordinance to authorize the issuance of Water Supply System Revenue Refunding Bonds, Series 2012. This would provide an annual savings of approximately \$25,000 and total savings of more than \$150,000. By taking this action the City would be taking advantage of the lower interest rates.

IT WAS MOVED BY ELLISON and seconded by HALL to adopt the ordinance to authorize the issuance of Water Supply System Revenue Refunding Bonds as proposed.

YEA: Councilmember Hall, Schrauben, Valentine, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: None. ABSENT: None. MOTION CARRIED.

8. **MONTHLY REPORTS.** No comments from materials presented.

9. **COUNCIL COMMENTS.**

Councilmember Hall had no comments.

Councilmember Schrauben stated the Airport Board met last week and discussed tree trimming. The Parks and Recreation Commission and Lowell Area Recreation Authority will meet later this week.

Councilmember Valentine had no comments.

Mayor Pro Tem Ellison reported the Arbor Board met earlier today and discussed the Arbor Day activities and location to plant a tree. The LCTV Endowment Board will meet on April 24 and she has nothing to report for the Downtown Development Authority.

Mayor Hodges stated City Council and the Light and Power Board will have a joint meeting on Tuesday, April 24, 2012 at 5:30 p.m. to discuss the trip to Germany in May regarding the proposed bio-digester. Those going are City Manager Mark Howe, Councilmember Andrew Schrauben, Light and Power Boardmembers Perry Beachum and Maryalene LaPonsie, Light and Power General Manager Greg Pierce, Electric Distribution Manager Tom Russo and city resident Rachael Schwab. Hodges also noted that Michigan State University is also investigating this type of bio-digestion system.

Lowell Area Chamber of Commerce Board of Directors met last week and reported the Expo was successful and Girls Night Out is Thursday, April 19.

9. **CITY MANAGER'S REPORT.**

1. The Grade Inspection meeting for the Bowes Road project was held on Friday morning. We anticipate proceeding with that project this fall, approximately mid-September.
2. Six proposals were received from consultants to assist in developing a community vision. A working group is reviewing the proposals in addition to submitting an application for grant funding from the Lowell Area Community Fund.
3. As noted on your agenda, we are beginning the process of negotiating new agreements with the various athletic organizations that use public parks.
4. The city received notice that our CDBG grant for sidewalks was approved.

10. **APPOINTMENTS.** No appointments were made.

IT WAS MOVED BY ELLISON to adjourn at 7:37 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk