

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, AUGUST 20, 2012, 7:00 P.M.**

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: Councilmember Sharon Ellison, Jim Hall, Andrew Schrauben, Jim Valentine and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Acting Police Chief Steven Bukala, DPW Director Dan DesJarden, Light and Power Boardmember Perry Beachum and Light and Power Board Chair Greg Canfield.

2. APPROVAL OF THE AGENDA

IT WAS MOVED BY ELLISON and supported by HALL to approve the agenda as presented.

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

3. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

A. August 6, 2012 – Regular Meeting

IT WAS MOVED BY SCHRAUBEN and supported by ELLISON to approve the regular minutes of the August 6, 2012 meeting as written.

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

B. August 6, 2012 – Closed Session Meeting

IT WAS MOVED BY HALL and supported by VALENTINE to approve the closed session minutes of the August 6, 2012 meeting as written.

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

4. APPROVAL OF ACCOUNTS PAYABLE

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

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (08/20/2012)</u>	
GENERAL FUND	\$33,364.41
MAJOR STREET FUND	87.99
LOCAL STREET FUND	149.70
DDA FUND	930.71
AIRPORT FUND	1,840.14
WASTEWATER FUND	57,631.69
WATER FUND	35,658.89
DATA PROCESSING	3,793.15
EQUIPMENT FUND	4,034.76
CURRENT TAX FUND	161,565.36

5. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA**

Ken Akers (707 Foreman) commented on the 1% administration fee on the tax bill.

Loren Barton (1216 Jane Ellen), Ray Jones (Segwun Avenue), Don Kermeen (916 Riverside Drive) and Nathan Phillips (3502 Pratt Lake) commented on City of Lowell and Light and Power union negotiations.

Perry Beachum (924 Riverside Drive), Light and Power Boardmember, thanked the Community for their support of the Pink Arrow banners and event and commented on Light and Power employees benefits.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe reported on the following:

Streets, Sidewalk Plan - The streets and sidewalks plan was discussed at a recent workshop and information is being gathered to determine which sidewalks are the worst of the worst. This information should be available by the end of August.

Wastewater Treatment Update - Water levels were measured at strategic manholes around the system during the month of July when we were experiencing drought conditions and the water table was low. We had a recent heavy rain event and sent the crews to these same manholes to measure the water levels again. There was apparently some confusion over the fact that we wanted actual measurements again so we do not have any rain event data to compare to drought condition data. We will wait for another rain event and send crews out to take measurements again.

East Riverbank Renovations – A pre-application meeting was held with the Michigan Department of Natural Resources (DNR) to talk about the options relative to the riverbank. We have learned

that we will not be able to continue the steel sheet piling that was installed in the south portion of the riverwalk. The working group will be meeting later this month and will be discussing options that will be acceptable to the DNR. Also, a letter was received from the DNR stating that grant funding was approved by the legislature and that we should receive a grant agreement by the end of the month.

7. **NEW BUSINESS**

A. MICHIGAN MUNICIPAL LEAGUE ANNUAL MEETING DELEGATE AND ALTERNATE

A voting delegate and alternate to the Michigan Municipal League Annual Meeting (October 3 -5) needs to be selected.

IT WAS MOVED BY ELLISON and seconded by SCHRAUBEN to appoint Mayor Hodges as the Voting Delegate at the Michigan Municipal League Annual Meeting.

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

IT WAS MOVED BY HALL and seconded by VALENTINE to appoint Councilmember Ellison as the alternate voting delegate to the Michigan Municipal League Annual Meeting.

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

B. REVIEW FIRE AUTHORITY ROLES & RESPONSIBILITIES

Earlier this year the Fire Authority developed a list of roles and responsibilities for the board, fire chief, firefighters, local municipalities and others. It has been requested that Council review these roles and responsibilities and provide any feedback that they may have to Howe by Monday, August 27.

C. BOWES ROAD WATER MAIN VALVE REPLACEMENT

Two bids were secured to replace water main valves along Bowes Road in conjunction with the construction project that will occur this fall. The bids were as follows:

- Lee's Trenching: \$10,705
- C&L Trucking: \$16,815

Staff recommended that the low bid of \$10,705 from Lee's Trenching be approved.

IT WAS MOVED BY HALL and supported by VALENTINE to accept the low bid from Lee's Trenching for \$10,705 for replacement of water main valves on Bowes Road.

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

D. ZONING BOARD OF APPEALS

IT WAS MOVED BY SCHRAUBEN and supported by VALENTINE to enter into Zoning Board of Appeals at 7:33 p.m.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

I) 721 OTTAWA – VARIANCE FOR REAR AND SIDE YARD SETBACKS ON A CORNER LOT. Zoning Board of Appeals Chair Hall opened the public hearing for a variance for the rear and side yard setbacks on a corner lot of 721 Ottawa. Dan Hula, owner, stated the variances are needed due to being an odd shaped lot. No other comments were received so Chair Hall closed the public hearing.

The Zoning Board of Appeals reviewed the memo from Planners Brian Wegener and Jay Kilpatrick of Williams & Works that addressed the six criteria of the variance and the following motion was made.

IT WAS MOVED BY ELLISON and supported by VALENTINE to approve the rear and side yard setback variances for 721 Ottawa based on meeting the six criteria required.

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

IT WAS MOVED BY HODGES and supported to SCHRAUBEN to return to the City Council meeting at 7:39 p.m.

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

8. MONTHLY REPORTS

No comments were received on materials presented.

9. COUNCIL COMMENTS

Councilmember Hall had no comments.

Councilmember Schrauben stated the Airport Board is working on obtaining General Utility status, Parks and Recreation meeting this month was cancelled and Lowell Area Recreation Authority had their Kick Off meeting with Friends of the Trails last week.

Councilmember Valentine had no comments.

Councilmember Ellison stated the Arbor Board meeting was cancelled and the Downtown Development Authority met and discussed the budget and community events. She also congratulated

Brian Vander Meulen who has been at the Wastewater Treatment Plant 2 years and has successfully passed his Michigan Class “C” wastewater certification.

Mayor Hodges stated Lowell Light and Power met last week and ground breaking for the bio-digester is scheduled for October. The Lowell Area Chamber of Commerce Board met and discussed Christmas and marketing. A Vision meeting will be held at the Lowell Charter Township Hall on Tuesday, August 21st at 7 p.m. Hodges also noted that he and City Manager Howe had met for breakfast at the Kent County Youth Fair and had breakfast with Junior Queen Judy Reagan.

City Manager Howe noted he was also honored to have lunch with Junior Queen Judy Reagan at the Rotary meeting on Wednesday, August 15 at the King building.

10. **MANAGER’S REPORT.**

1. The following grant applications were submitted to the Lowell Area Community Fund:

- Wayfinding Signage Project, \$53,500
- Library Fire Alarm System, \$1,000
- Community Wide AED Project, \$30,000

Howe thanked Acting Chief of Police Bukala for his work on writing the Community Wide AED Project grant.

2. A working group that is developing a master plan for the Fred Meijer River Valley Trails which run from Greenville to Lowell then to Ionia was held at City Hall last week.
3. Last Friday Howe learned that there may be some transportation funds available for shovel-ready projects that must be obligated by September 30. He inquired as to whether or not the final phase of Bowes Road, which is slated for 2014, could be considered and whether or not we could add it to our current project.
4. During the work session on Monday, August 13 the dates of September 10 and October 8 were set as work sessions for the remainder of the year.
5. Howe also noted that the Tax Tribunal ruled for the petitioner, Valley Vista Owner, LLC, 1800 West Main Street, Lowell and may stand to lose \$10,207 in the current year with a total loss of approximately \$38,000 over three years in tax revenue.

11. **APPOINTMENTS.**

No appointments were made

12. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and supported by HALL to move to closed session at 7:48 p.m. as allowed under the Open Meeting Act MCL 15.268 (c) to discuss union negotiations.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Council returned to open session at 8:41 p.m.

IT WAS MOVED BY ELLISON to adjourn at 8:42 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk