

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, OCTOBER 15, 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: Councilmembers Sharon Ellison, Jim Hall, Andrew Schrauben, Jim Valentine and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, DPW Director Dan DesJarden, Police Chief Barry Getzen and Light and Power General Manager Greg Pierce.

2. **APPROVAL OF THE AGENDA**

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

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

3. **APPROVAL OF MINUTES OF PREVIOUS MEETING(S)**

A. October 1, 2012 – Regular Meeting

IT WAS MOVED BY ELLISON and supported by HALL to approve the regular minutes of the October 1, 2012 meeting as written.

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

B. October 1, 2012 – Closed Session Meeting

IT WAS MOVED BY ELLISON and supported by HALL to approve the closed session minutes of the October 1, 2012 meeting as written.

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

4. **APPROVAL OF ACCOUNTS PAYABLE**

IT WAS MOVED BY HALL and supported by VALENTINE 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 (10/15/12)</u>	
GENERAL FUND	\$14,487.73
MAJOR STREET FUND	1,907.03
LOCAL STREET FUND	1,036.37
DDA FUND	136.18
AIRPORT FUND	4,606.82
WASTEWATER FUND	1,373.30
WATER FUND	19,736.69
CABLE TV FUND	1,877.40
DATA PROCESSING	3,260.89
EQUIPMENT FUND	2,363.20
CURRENT TAX COLL	125,231.40

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

No comments were received.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager gave the following updates:

Streets, Sidewalks Plan – Following is a brief summary of our discussion on this topic at a recent council workshop: Sidewalks were inspected and placed into three categories (Red, Yellow and Green). Red represents sidewalks that could present a liability concern on the part of the city, yellow are those that are not a safety hazard but are beginning to deteriorate, and green are sidewalks that are adequate for safe pedestrian passage. Sidewalk needs in the Red and Yellow categories were also divided by the CDBG grant eligible area and the Non-CDBG eligible area. There are enough CDBG grant funds to replace sidewalks in the Red category in the CDBG area, however, grant funds from the LCTV Fund fall short of completing “Red” sidewalks in the Non-CDBG area. We will begin preparing a grant request for the additional grant funds in order to complete replacement of the sidewalks in the “Red” area in the spring. In addition, we will develop a process to inspect sidewalks annually and notify property owners when they have sidewalks in the Red and Yellow categories. We also discussed holding a community meeting to talk about this process with interested members of the community.

East Riverbank Renovations – We are in the process of selecting a landscape architect to assist us with developing an overall plan for the area. In addition, I am working on a project schedule and will submit it to you when completed.

B. ORDINANCE AMENDMENT: FIRE PREVENTION AND PROTECTION

Roger Reed of the Lowell Area Fire Department suggested that the City update their Fire Prevention and Protection section of the City Code of Ordinances to reflect the latest version of the fire code. An ordinance amendment reflecting this update was presented for Council consideration.

IT WAS MOVED BY VALENTINE and supported by HALL to adopt the Ordinance to Amend Sections 10-1, 10-2, 10-3 and 10-4 of Article I of Chapter 10, "Fire Prevention and Protection," of the Code of Ordinances of the City of Lowell as presented.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

7. NEW BUSINESS

A. AMBULANCE SERVICE AGREEMENT

The City's current ambulance services agreement with Rockford Ambulance allowed for a five-year extension at the option of Rockford Ambulance. A letter was received indicating that Rockford Ambulance would like to exercise this extension. In the meantime, the current agreement has language that is no longer needed relating to the construction of a building to house ambulance services. City Attorney Wendt prepared a revised agreement eliminating this language but continuing the City's agreement with Rockford Ambulance for the next five years.

IT WAS MOVED BY ELLISON and supported by HALL to approve the Resolution approving and authorizing the execution of an ambulance service agreement between the City of Lowell and Rockford Ambulance Service, Inc.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

8. MONTHLY REPORTS

No comments were received from materials presented.

9. COUNCIL COMMENTS

Councilmember Hall had no comments.

Councilmember Schrauben stated the Parks and Recreation Commission will be meeting on Tuesday, October 16th at City Hall at their new time of 6 p.m. Lowell Area Recreation Authority met last week and had a cleanup day for the trails this past Saturday.

Schrauben also noted he participated in the Harvest Hustle and thanked the Lowell Police Department for their assistants with traffic. Schrauben attended the Michigan Municipal League Conference at Mackinaw Island this month and it was very informative and well worth his time.

Councilmember Valentine had no comments.

Councilmember Ellison stated the Arbor Board met today at noon and discussed the fall plantings, the Christmas tree, the Biggest Tree Contest and tree in front of the library. Ellison also noted she attended the Greater Lowell Community Vision Café on October 10th at the Lowell High School Freshman Cafeteria. The turnout was a little small but lots of great ideas were discussed. There will be two more sessions; Tuesday, October 23rd and Thursday, October 25th at 6 p.m. at Lowell High School Freshman Cafeteria.

Ellison asked Chief of Police Getzen what are the designated hours for Trick or Treating? Getzen replied 5:30 p.m. to 8:00 p.m.

Mayor Hodges encouraged everyone to attend the Community Vision Café on Tuesday, October 23rd or Thursday, October 25th. The Harvest Festival went well considering the rain. Light and Power provided hot dogs and buckets rides as part of the Harvest Festival.

Hodges attended the Lowell Light and Power Board meeting and reported there is going to be a slight delay on the bio-digester project. The Look Memorial Committee will be meeting on November 7th and he, Ellison, Schrauben and City Manager Howe attended the Michigan Municipal League Conference this past week and it was very good.

10. **MANAGER'S REPORT.**

1. Staff is continuing to explore options regarding the lime drying beds at the Water Treatment Plant. Howe has asked Superintendent Brian VanVeelen to contact other similar systems and gather information about how they have disposed of lime, their costs, and other information about the method they used. Short-term options to divide the current large bed into two sections by creating a berm and removing half of the material are also being considered. I have been looking at options for disposing of this reduced quantity of material and have discovered that there is more than a single operator with experience in farmland application. It has also been discovered that landfill disposal may be more cost effective than what we were originally led to believe.
2. Howe is looking at dates in November to present the rental rehab program to prospective building owners in the downtown. During our initial planning session with Bruce Johnson of Revitalize, LLC, we identified several small and large potential projects.
3. Lowell Area Schools has had some initial discussion with community organizations about the riverside property between Monroe Street and the amphitheater. The City needs to start thinking about our goals and desires for this critical part of the downtown and riverfront area.

4. Our Code of Ordinances has been updated to reflect changes that have been made during the past four years. We have a limited set of hard copies. The changes should be reflected on the web site, but please use the link from the home page for now.
5. The Leadership Team had an all-day work session today at the Main Street Inn to discuss the budget, purchase orders, purchasing policies and the Code of Ordinances. Howe thanked the Leadership Team for all their hard work.

11. **APPOINTMENTS.**

No appointments were made.

11. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and supported by HALL to move to closed session at 7:28 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 7:42p.m.

IT WAS MOVED BY ELLISON to adjourn at 7:43 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk