

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, DECEMBER 17, 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, City Treasurer Sue Olin, Department of Public Works Dan DesJarden, Police Chief Barry Getzen, City Mechanic Ralph Brecken, Light and Power General Manager Greg Pierce, Light and Power Electric Distribution Manager Tom Russo 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. December 3, 2012 – Regular Meeting

IT WAS MOVED BY ELLISON and supported by HALL to approve the regular minutes of the December 3, 2012 meeting as written.

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

B. December 3, 2012 – Closed Session Meeting

IT WAS MOVED BY HALL and supported by SCHRAUBEN to approve the closed session minutes of the December 3, 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 (12/17/12)</u>	
GENERAL FUND	\$18,002.98
MAJOR STREET FUND	489.80
LOCAL STREET FUND	233.67
DDA FUND	1,266.86
RIVERFRONT DEVEL	1,297.50
AIRPORT FUND	124.78
WASTEWATER FUND	11,101.44
WATER FUND	7,833.31
DATA PROCESSING	4,673.54
EQUIPMENT FUND	417.55
CURRENT TAX COLL	4,891.53

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

Arnold Kimball (202 N. Hudson), Peggy Covert (982 N. Washington), Ken Akers (707 Foreman), Al Mathews (822 Grindle) and Greg Canfield (403 N. Washington) commented on the City of Lowell and Light and Power union negotiations.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe had no new updates at this time.

7. **NEW BUSINESS**

A. **2011-2012 AUDIT PRESENTATIONS**

Kristin Sasper, CPA of Rehmann Robson presented the 2011-2012 fiscal year audit findings for the City of Lowell and Peter Haefner, CPA of Vredevelde Haefner LLC presented the 2011-2012 fiscal year audit findings for Lowell Light and Power.

B. LIGHT AND POWER MERS COST OF LIVING

At their December 13, 2012 meeting, the Light and Power Board approved recommending the City Council to approve a 1.5% cost of living increase to MERS retirees at Light and Power.

IT WAS MOVED BY SCHRAUBEN and seconded by HALL to approve the 1.5% cost of living increase to MERS retirees at Light and Power.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

C. KCDA ADMINISTRATIVE POLICY BOARD APPOINTMENT

The terms of Lowell Police Chief Barry Getzen and Rockford City Manager Michael Young on the Kent County Dispatch Authority will expire at the end of this year. The City Council needs to either reappoint Chief Getzen and City Manager Young or provide KCDA with the name of two individuals to serve on this Authority.

IT WAS MOVED BY VALENTINE and seconded by HALL to reappoint Police Chief Barry Getzen and recommend Rockford's City Manager Michael Young be reappointed to another term on the Kent County Dispatch Authority Administrative Policy Board.

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

D. ORDINANCE UPDATE SCHEDULE

Chief Barry Getzen presented an ordinance review schedule for 2013 for Council discussion and input. The consensus of the Council was to proceed with the schedule as presented.

E. DPW TRUCK PURCHASE

The City purchased two new plows for the pickup trucks that are used to plow city parking lots and assist in clean-up of certain areas on city streets. While removing the old plow from one of the trucks, it was found that the frame was cracked on one side and totally broken on the other side. The new plow cannot be attached to this truck nor can it be safely welded and the damage repaired.

The State of Michigan and Oakland County conduct annual bids for various vehicles including trucks of this type. The winner of the State of Michigan bid was Red Holman Buick GMC of Westland at \$32,586. The City can purchase a truck through this bid which can be delivered in about eight weeks.

Staff had contacted local dealers asking whether or not they are willing to meet the state bid price. A quote was received from Wittenbach Pontiac-GMC of \$32,110.80 with delivery in eight to 10 weeks.

Funding is proposed to come from the 2011-12 General Fund surplus to supplement the Equipment Fund and putting off our next equipment replacement (likely the backhoe) for another year.

IT WAS MOVED BY VALENTINE and supported by HALL to approve the purchase of a 1 ton 4x4 pickup truck from Wittenbach Pontiac-GMC of Lowell for \$32,110.80.

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

8. **MONTHLY REPORTS**

No comments were received from materials presented.

9. **COUNCIL COMMENTS**

Councilmember Hall stated he had no meetings to report on but did note the Planning Commission is now going to meet the second Monday of each month.

Councilmember Schrauben stated the Airport Board met and discussed Capital Improvements and also raised the hangar rental rates which have not been done in several years. The Parks and Recreation Commission will be meeting tomorrow, December 18. He also noted he walked around Stoney Lake and appreciated the bridge that was built by the Department of Public Works. The Lowell Area Recreation Authority met and discussed the signage project. Schrauben also stated he participated in visiting Santa on the Showboat, enjoyed a carriage ride and did the Luminary Hike at the Wittenbach/Wege Agri-Science Center. He also acknowledges a resident on Avery Street that had 29 wooden reindeers in his yard.

Councilmember Valentine stated the Fire Authority meeting was cancelled and Merry Christmas to all.

Councilmember Ellison stated she was unable to attend the DDA meeting this month but was able to attend the Greater Lowell Vision meeting on behalf of the Mayor on December 4th. She thanked Greg Canfield and all those who attended the meeting and wished everyone Happy Holidays.

Mayor Hodges stated the Lowell Light and Power Board met and things are going well and the Lowell Area Chamber of Commerce had their annual Christmas Breakfast on December 12 at Impact Church. He also noted he received a letter from Barbara Barber with concerns and suggestions on the bio-digester project and Union negotiations which he will share with City Manager Howe and Light and Power General Manager Pierce. Hodges wished everyone a joyous Christmas and Happy New Year.

10. **MANAGER'S REPORT.**

1. The bids for lime removal of the drying beds are due December 20 and will be on the January 7, 2013 agenda with recommendation from the city engineers.
2. Positive comments have been received from business owners on the truck traffic flow presented at the previous meeting. There are two home owners, a church, and another business which may be affected

by the plan. Staff will be checking with them as well, however at this point it seems as though we will move forward as planned.

3. Six building owners are interested in the Rental Rehabilitation Program. Bruce Johnston of Revitalize, LLC, will be doing a walk-through of the buildings very soon.
4. During the past week Howe had met with two other property owners outside of the downtown business district who may be interested in expanding their businesses.
5. Howe also thanked the people of Lowell for the time they give to make Lowell a better place to live.

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 8:08 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 9:27 p.m.

IT WAS MOVED BY ELLISON to adjourn at 9:28 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk