

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, OCTOBER 21, 2013, 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 Chris Schwab, Jim Hall, Andrew Schrauben, Sharon Ellison and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Department of Public Works Director Dan DesJarden, Chief of Police Barry Getzen, City Treasurer Sue Olin, Light and Power Boardmember Perry Beachum, Light and Power General Manager Greg Pierce and Attorney John R. McGlinchey.

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 THE PREVIOUS MEETING(S)

IT WAS MOVED BY SCHRAUBEN and supported by HALL to approve the regular minutes of the October 7, 2013 meeting as written.

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

IT WAS MOVED BY HALL and supported by SCHRAUBEN to approve the closed session minutes of the October 7, 2013 meeting as written.

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

4. APPROVAL OF THE 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 Schwab, Hall, Schrauben, Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (10/21/2013)

General Fund	\$4,021.06
Major Streets Fund	34.76
Downtown Development	59.39
Designated Contr.	28,465.40
Riverfront Development	102,660.86
Airport Fund	825.00
Water Fund	791.96
Equipment Fund	741.38
Current Tax Coll	34,571.61

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

Greg Canfield (403 N. Washington), Jason Engle (1376 Sibley), Phil Hesche (931 N. Monroe) and Peggy Covert (982 N. Washington) expressed concerns about who is selected as the chief of police for Lowell. John Francis commented on him being part of the community.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECT REPORT**

The sidewalk project is nearing completion. The city has replaced over one (1) miles of sidewalk with grant dollars.

7. **NEW BUSINESS**

A. **RESOLUTION 19-13 – MDOT CONTRACT NO. 13-5586 – BOWES ROAD IMPROVEMENTS**

The city has scheduled a project to improve Bowes Road from West Main Street to approximately 2,950 feet west of Valley Vista Street. The total project is estimated at \$200,200 with a local match of \$36,900. A contract with MDOT is required in order to receive \$163,300 in federal funds. The local match has been anticipated in the current budget as part of the capital improvement plan.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN that the Lowell City Council approve Resolution 19-13 - MDOT Contract No. 12-5346 and authorize appropriate signatures.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

B. CARPET BIDS FOR CITY HALL

The city applied for and received a grant of \$12,500 from the Look Memorial Fund for new carpet at city hall. Bids were solicited for new carpet and installation in the front hallway and inside hallway of the main floor of city hall. The bids are as follows:

Beachum Flooring (Lowell)	\$11,273.53
Sobie Company (Dutton)	\$12,295.00

IT WAS MOVED BY HALL and supported by SCHRAUBEN that the Lowell City Council approve the low bid from Beachum Flooring of \$11,273.53 for purchase and installation of new carpet at city hall.

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

C. FENCE BIDS FOR THE WATER TREATMENT PLANT

Bids were solicited for the purchase and installation 1,250' of 6' high chain link fence with 3 strands of barbed wire and one set of 6' high 14' wide double drive gates with 3 strands of barbed wire for the south side of the Water Treatment Plant property. This project was anticipated in our capital improvement plan for the current fiscal year. The bids are as follows:

Alto Fencing Services	\$19,907.50
Ottawa Fence Works	\$20,000.00
Out Back Casual Light & Fence	\$20,849.00
Cedar Springs Fence	\$21,900.00

IT WAS MOVED BY HALL and supported by SCHRAUBEN that the Lowell City Council approve the low bid from Alto Fencing Services of \$19,907.50 for purchase and installation of chain link fence on the south side of the Water Treatment Plant property.

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

D. LABOR NEGOTIATIONS UPDATE

Attorney John McGlinchey spoke about the Michigan Employment Relations Commission's (MERC) decision and the city plans to appeal.

Peggy Covert (982 N. Washington), Jason Engle (1376 Sibley), Shawn Egan (918 Benjamin), Barb Barber (318 King), Mark Telgar, Sr. (516 1/2 W. Main), Philip Hesche (931 N. Monroe), Jim VanHeulen (410 Kent), Cheryl Malai (612 Lincoln Lake), Ralph Brecken (Union Representative), John Francis, Gerald Phillips (13379 Vergennes), Don Kermeen (916 Riverside Dr.), Joe Baker (1015 Lincoln Lake) and Barb Montgomery (13815 Rolling Creek Dr.) stated concerns on the union negotiations, the city's

plan to appeal Michigan Employment Relations Commission (MERC) decision, and the hiring of a new police chief for the city.

Perry Beachum (924 Riverside Dr.) stated his support to the City Council, City Manager and Light and Power Manager and his concerns regarding the article on the Michigan Employment Relations Commission (MERC).

8. **MONTHLY REPORTS**

No comments were received from materials presented.

9. **COUNCIL COMMENTS**

Councilmember Schwab stated the Fire Authority did not meet, however a meeting will be held next month.

Councilmember Schrauben attended the last Airport Board meeting. He also mentioned discussion was held regarding the Boy Scout Cabin during the Parks and Recreation Commission. A couple scouts were present during the meeting. This area is underutilized.

Schrauben added LARA is working on Phase II of the trail and trying to coordinate plans with Lowell Township. They are looking at a way to tie the trail with a bridge over the Grand River or Flat River for Phase II between the rails and trails. Work is still being done to build the pavilion at the school property on Foreman Road.

Schrauben commented on the negative comments toward City Manager Howe. Howe is a great guy and is genuine and cares. Schrauben went on to state he was one of the founding members of the VOICE. He believes the Council is doing right by the City. He urged the community to respect the process. In the end we are still a great community and still have a great City staff.

Councilmember Hall stated the Planning Commission will be reviewing the ordinance in regards to pets and other animals within the City. Citizens' comments can be forwarded to Sue Ullery at City Hall.

Councilmember Ellison stated the Arbor Board did not meet. The Downtown Development Authority met and discussed the parking lot expansion on the south side of the river.

Ellison pointed out that not all the City employees have joined the union, just a few. The Council is listening to citizen comments. She also noted that she read the entire 157 page deposition and did not see many of the things the judge mentioned in his ruling. This is why she supports initiating the appeal process. It is not easy making decisions because they need to consider all the residents of the city. The City Manager is doing a good job and until someone proves to her that he is not, she is behind him 100%. When you look around Lowell, you will see the streets are being repaired, the taxes were lowered slightly, and the Riverwalk project is almost complete. We are trying to recruit new businesses and are working on many projects to improve the city of Lowell. There are several vacancies on boards and commissions for any citizen who would like to get involved in making Lowell a better city and place to live.

Mayor Hodges stated Lowell Light and Power met last week. Updates on the biodigester were received. He also commented on the event Light and Power held at the Harvest Festival. The Chamber of Commerce Board of Directors met last week. Also, Girls Night Out was a great success last week. The next event is Christmas through Lowell and then the Santa Parade. Look Memorial Fund will meet on November 20, 2013.

Hodges said it was an honor to represent the City of Lowell before the Friday night football game by presenting "a key to the City" to Dr. Donald Gerard. He has offered 50 years as a doctor to the Lowell sport teams.

Hodges commented he has faith in Mark Howe and he is a great City Manager. He follows Dave Pasquale who served our community for 24 years. This is a change from Pasquale but Howe is giving the City new ideas and fresh approaches. Howe has Hodges support.

Schrauben mentioned the Harvest Festival and the Harvest Hustle. He noted there were four fire fighters running the 5K in full gear. He also noted a girl who wore a U of M football outfit with helmet for the first half of the race. This is a great event.

10. **MANAGER'S REPORT**

- A. We have selected a top candidate for the position of police chief. Our committee consisted of the chiefs from East Grand Rapids, Zeeland and Montague as well as the city attorney and myself. There was a strong committee consensus for the top candidate. Next step will be a structured dialog with the Mayor and Mayor Pro Tem, after which we anticipate making an offer of employment pending a successful background check.
- B. We have received proposals for the Downtown Development Plan and the Riverwalk Plaza and Showboat Plan. I will be discussing the proposals with the steering committees and we hope to begin moving forward on both projects this fall.
- C. Standard & Poor's affirmed its rating for the City of Lowell as AA/Stable for our outstanding Michigan Transportation Fund bonds. Good news from the rating agency given the uncertainty in Michigan and nationally.
- D. Howe noted that he values all city employees and first time contracts are always hard and take time.

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 8:22 p.m. as allowed under the Open Meetings Act MCL 15.268(c) to discuss union negotiations.

YEA: Councilmembers Hall, Schrauben, Ellison and Mayor Hodges. NAY: 0. ABSENT: 0.

ABSTAIN: 1. (Schwab –was informed that a yea or nay vote is needed, Schwab indicated a nay vote)

MOTION CARRIED.

Council returned to open session at 9:48 p.m.

IT WAS MOVED BY ELLISON to adjourn at 9:49 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk