

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, SEPTEMBER 18, 2017, 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 Mike DeVore and City Clerk Susan Ullery called roll.

Present: Councilmembers Greg Canfield, Marty Chambers, Jim Hodges, Jeff Phillips, and Mayor DeVore.

Also Present: City Manager Mike Burns, City Clerk Susan Ullery, City Attorney Richard Wendt, and Police Chief Steve Bukala

2. **ELECTION OF MAYOR PRO TEM.**

IT WAS MOVED BY HODGES and seconded by DEVORE to elect Councilmember Greg Canfield as Mayor Pro Tem.

YES: Mayor DeVore, Councilmember Hodges, Councilmember Phillips, Councilmember Chambers, and Councilmember Canfield.

NO: None. ABSENT: None. MOTION CARRIED.

3. **APPROVAL OF THE CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the closed minutes of the September 5, 2017 City Council meeting.
- Authorize payment of invoices in the amount of \$1,730,808.40.
- Request from Lowell Light and Power to Close Broadway Street on October 14, 2017 for the Harvest Festival

IT WAS MOVED BY PHILLIPS and seconded by CANFIELD to approve the consent agenda as written.

YES: Councilmember Hodges, Councilmember Phillips, Councilmember Chambers, Councilmember Canfield, and Mayor DeVore.

NO: None. ABSENT: None. MOTION CARRIED.

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

There were no comments.

5. **OLD BUSINESS.**

There was no old business.

6. **NEW BUSINESS.**

- a. Ordinance 17-03 – Amending Chapter 4, General Provisions. City Manager Mike Burns stated the Planning Commission spent several months reviewing the ordinances and modifying areas so that it is more adaptable to current trends in Planning and Zoning.

IT WAS MOVED BY HODGES and seconded by PHILLIPS to approve Zoning Ordinance 17-03 amending Chapter 4, General Provisions.

YES: Councilmember Phillips, Councilmember Chambers, Councilmember Canfield, Mayor DeVore, and Councilmember Hodges.

NO: None. ABSENT: None. MOTION CARRIED.

- b. Ordinance 17-04 – Amending Chapter 2, Definitions and Chapter 17, Special Land Use.

IT WAS MOVED BY HODGES and seconded by CHAMBERS to approve Zoning Ordinance 17-04 amending Chapter 3, Definitions and Chapter 17, Special Land Use.

YES: Councilmember Chambers, Councilmember Canfield, Mayor DeVore, Councilmember Hodges, and Councilmember Phillips.

NO: None. ABSENT: None. MOTION CARRIED.

- c. Resolution 26-17 – To Reestablish a Public Hearing to Consider Approving the Application of Big Boiler Brewing, LLC. for an Industrial Facilities Exemption Certificate and Approving and Authorizing Execution of a Related Property Tax Abatement.

IT WAS MOVED BY DEVORE and seconded by CANFIELD to reestablish a Public Hearing for October 2, 2017 to consider approving an Industrial Facility Tax Credit for Big Boiler Brewing, LLC for five years with the option to reapply for the remaining years as well as approving and authorizing execution of a related property tax abatement agreement.

YES: Councilmember Canfield, Mayor DeVore, Councilmember Hodges, Councilmember Phillips, and Councilmember Chambers.

NO: None. ABSENT: None. MOTION CARRIED.

- d. 109 Riverside Drive – Utility Repair.

The occupant at 109 Riverside Drive has a history of complaints about sewer backups at their business. The Department of Public Works investigated the complaint and determined the service was crushed, which caused sporadic sewer backups.

Approximately ten years ago, a contractor working on Riverside Drive damaged the sewer lateral serving 109 Riverside Drive. The contractors repaired the damage, but installed a pipe of inferior quality. Based on video inspection, the repair has deformed over the course of the years to the point of failure and is in need of replacement.

IT WAS MOVED BY HODGES and seconded by CANFIELD to approve Groundhawk Excavating and Landscaping, LLC of Cascade, Michigan to repair the damaged utility for a cost not to exceed \$9,750.00.

YES: Mayor DeVore, Councilmember Hodges, Councilmember Phillips, Councilmember Chambers, and Councilmember Canfield.

NO: None. ABSENT: None. MOTION CARRIED.

e. Neptune Water Meter Purchase.

The Department of Public Works is requesting approval to purchase 70 water meters. Approximately 60 meters are replaced throughout the City of Lowell on an annual basis and there are only 18 meters remaining in inventory.

IT WAS MOVED BY CHAMBERS and seconded by PHILLIPS to approve the purchase of Neptune water meters from Ferguson Waterworks at a cost not to exceed \$14,630.00.

YES: Councilmember Hodges, Councilmember Phillips, Councilmember Chambers, Councilmember Canfield, and Mayor DeVore.

NO: None. ABSENT: None. MOTION CARRIED.

f. New Underground Utilities at James and High Streets.

Sable Homes is developing three properties within the City of Lowell at the southeast intersection of James and High Streets. The new build sites will require water and sanitary services installed to the property lines where they don't currently exist.

IT WAS MOVED BY HODGES and seconded by DEVORE to approve Groundhawk Excavating and Landscaping, LLC of Cascade, Michigan to install underground sewer services for a cost not to exceed \$7,250.

YES: Councilmember Phillips, Councilmember Chambers, Councilmember Canfield, Mayor DeVore, and Councilmember Hodges.

NO: None. ABSENT: None. MOTION CARRIED

IT WAS MOVED BY HODGES and seconded by DEVORE to approve Lee's Trenching Service, Inc. of Byron Center, Michigan to install new water services in Lowell for a cost not to exceed \$5,000.

YES: Councilmember Chambers, Councilmember Canfield, Mayor DeVore, Councilmember Hodges, and Councilmember Phillips.

NO: None. ABSENT: None. MOTION CARRIED.

g. Resolution 27-17 -Appointment of Councilmember Chambers to the City of Lowell Planning Commission.

IT WAS MOVED BY HODGES and seconded by CANFIELD to approve Resolution 27-17 appointing Councilmember Chambers to the City of Lowell Planning Commission.

YES: Councilmember Canfield, Mayor DeVore, Councilmember Hodges, Councilmember Phillips, and Councilmember Chambers.

NO: None. ABSENT: None. MOTION CARRIED.

7. **BOARDS AND COMISSION REPORTS.**

Councilmember Phillips stated the Historic District Commission meeting will be on September 26, 2017 at 6:00 p.m.

Councilmember Hodges advised he was unable to attend the Fire Authority meeting last week.

Councilmember Chambers advised the Planning Commission met and discussed City Housing Data and Short Term Rentals.

Chambers also advised the Light and Power Board met and discussed the new rate. The new stand-by generator to run the two turbines will be on site next week. The Board is looking for an amendment to start an economic development rate. Chambers also advised Light and Power sent a three man crew, a boom truck and a support truck to Fort Pierce, Florida to help with power outages from Hurricane Irma.

Councilmember Canfield advised LARA met on September 13th and they reviewed the bids for the trails from Gee Drive to M-21. The Board accepted the bid from Ryan Excavating. LARA will be starting Phase 1 this fall and if the funding comes in and weather allows them to continue, they will move forward.

Mayor DeVore had no reports.

8. **MONTHLY REPORTS.**

There were no questions or discussions.

9. **MANAGER'S REPORT.**

City Manager Burns reported on the following:

- Return of Chief Bukala on September 12th.
- Community Clean-up will be held on September 30th from 8:30-12:30.
- At the last DDA meeting, Burns spoke about taking a new look at the Downtown Plan that has not been finalized. He and DPW Director Rich LaBombard will be meeting with Williams and Works Engineer Dave Austin to go through the Plan and make any administrative changes, if needed. A public meeting has been suggested.
- Hope to have a proposal from Williams and Works at the next City Council meeting to assist with the Wayfinding grant we received.
- Welcomed WRWW from the Lowell High School who will be broadcasting the Council meetings live.
- Lowell EMS contract to be presented at the next City Council meeting for approval.
- Received one iPad and hopefully the others will be here soon.

10. **APPOINTMENTS.**

Mayor DeVore listed the following vacancies. Applications will be accepted until September 14, 2017 at noon.

- Zoning Board of Appeals Chair (Council)

By general consensus, the Council appointed Councilmember Marty Chambers as Chair of the Zoning Board of Appeals.

- City Council Liaison for the Downtown Development Authority

City Manager Burns explained that by State Statute, the Mayor is the City Council Liaison for the Downtown Development Authority.

- Two vacancies on the Planning Commission
- Vacancy to serve on the Lowell Light and Power Board

Alan Teelander of 802 Hunt Street advised he submitted an application for the position on the Light and Power Board and would like to withdraw since there was another qualified applicant.

IT WAS MOVED BY DEVORE and seconded by CANFIELD to appoint Jeff Dickerman to the Light and Power Board.

YES: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

11. **COUNCIL COMMENTS.**

Councilmember Phillips welcomed Marty Chambers to the Council. Phillips also thanked City departments and staff for all their hard work and dedication.

Councilmember Hodges welcomed back Chief Bukala.

Councilmember Chambers welcomed back Chief Bukala. Chambers also congratulated Councilmember Canfield on the position of Mayor Pro Tem.

Councilmember Canfield thanked the Lowell Light and Power guys for going to Florida. Canfield also welcomed Lowell High School Radio. Canfield also encouraged citizens to give input to the Council to help them make their decisions. Canfield also welcomed back Chief Bukala.

Mayor DeVore also welcomed back Chief Bukala.

12. **ADJOURNMENT.**

IT WAS MOVED BY HODGES and seconded by CHAMBERS to adjourn at 7:25 p.m.

YES: 5. NO: NONE. ABSENT: NONE. MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk