

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, MAY 7, 2012**

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, Jim Valentine and Mayor Jim Hodges.

Absent: Andrew Schrauben.

Also Present: City Clerk Betty Morlock, Police Chief Barry Getzen, DPW Director Dan DesJarden, Fire Chief Frank Martin and Airport Manager Jim Sowle.

IT WAS MOVED BY ELLISON and supported by HALL to excuse the absence of Councilmember Schrauben.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

2. APPROVAL OF THE AGENDA.

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

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

3. APPROVAL OF THE MINUTES

IT WAS MOVED BY ELLISON and seconded by VALENTINE to approve the regular minutes of the April 16, 2012 meeting as written.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

4. APPROVAL OF THE ACCOUNTS PAYABLES.

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

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (05/08/12)

GENERAL FUND	\$41,345.64
MAJOR STREET FUND	360.50
LOCAL STREET FUND	510.00
DDA FUND	2,364.13

AIRPORT FUND	266.21
WASTEWATER FUND	36,344.25
WATER FUND	3,191.01
DDA PROCESSING	2,498.93
EQUIPMENT FUND	478.77
CURRENT TAX C	21.23
LEE FUND	1,500.00

5. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.** Bruce Monroe, (725 Bowes Road) Governor of the Lowell Moose Lodge, requested permission to use a portion of the King Milling parking lot for a chicken barbeque on Sunday, May 20, 2012. This would be in conjunction with the West Michigan Bicycle Stage Race event.

IT WAS MOVED BY HALL and seconded by ELLISON to allow the Lowell Moose Lodge to use a portion of the King Milling parking lot on Sunday, May 20, 2012 contingent on all outstanding information and forms are received by Police Chief Barry Getzen by Wednesday, May 16, 2012.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

6. **OLD BUSINESS**

- a. **PENDING COUNCIL PROJECTS UPDATE.** No updates given.

7. **NEW BUSINESS**

- a. **APPLICATION FOR TEMPORARY AUTHORIZATION TO THE LIQUOR CONTROL COMMISSION.** Matt Horan, General Manager of the Flat River Grill requested a temporary liquor license from the LCC to serve alcoholic beverages on the Showboat during the Sizzling Summer Concert Series and Riverwalk Festival. As in previous years, the Flat River Grill, in conjunction with the Chamber of Commerce, would serve alcoholic beverages at events held at various times between June 14 and August 23, 2012. Police Chief Getzen has reviewed the request and recommends endorsement of the application by the City Council.

IT WAS MOVED BY VALENTINE and seconded by HALL to approve the recommendation and allow the use of public property by the Flat River Grill during the summer concerts and Riverwalk Festival and endorses the application for temporary license from the Liquor Control Commission.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

b. **LOWELL AREA CHAMBER OF COMMERCE**

- i. **PERMISSION FOR FIREWORKS DISPLAY.** Liz Baker, Executive Director of the Lowell Area Chamber of Commerce has requested permission and approval of a permit to

have a fireworks display on Saturday, July 14. As in recent years, the fireworks would be launched from Stoney Lakeside Park. Chief of Police Getzen recommends the Council approve this request.

IT WAS MOVED BY VALENTINE and seconded by ELLISON to give permission and recommend approval to the State for a fireworks display held on Saturday, July 14, 2012 at Stoney Lakeside Park.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED

- ii. **REQUEST PERMISSION TO CLOSE AVERY STREET FROM MONROE STREET TO THE REAR ENTRANCE OF DOLLAR GENERAL BEGINNING ON FRIDAY, JULY 13, 2012 AT 3 P.M. THROUGH 4 P.M. ON SATURDAY, JULY 14, 2012 AND WASHINGTON STREET FROM MAIN STREET TO THE LOWELL AREA SCHOOL PARKING LOT ENTRY ON SATURDAY, JULY 14 FROM 7:00 A.M. UNTIL 4 P.M.** During the 2012 Riverwalk Festival numerous events will take place along Avery Street. This year the car show previously held at the fairgrounds will move to Avery Street also. The number of car owners participating is anticipated to require the 1 ½ blocks of Washington Street north of Main Street as display area also. Police Chief Getzen has worked with the Chamber and event sponsors to plan display areas and access routes. He recommended the Chamber's request to close Avery and Washington Streets as outlined above be approved by the City Council.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the request from the Lowell Area Chamber of Commerce to close Avery Street from Monroe Street to the rear entrance of Dollar General beginning on Friday, July 13, 2012 at 3 p.m. through 4 p.m. on Saturday, July 14, 2012 and Washington Street from Main Street to the Lowell Area School parking lot entry on Saturday, July 14 from 7:00 a.m. until 4 p.m.

YEA: 4. NAY; 0. ABSENT: 1. MOTION CARRIED.

- c. **REQUEST FROM NORTH COUNTRY TRAIL ASSOCIATION, WEST MICHIGAN CHAPTER TO USE RIVERWALK ON JUNE 2, 2012 FROM 10 A.M. TO 2 P.M. FOR A SPECIAL EVENT.** The Jack Post, a volunteer of the North Country Trail Association, stated the Trail Association is planning a family and outdoor enthusiast focused event in celebration of National Trail Day on Saturday June 2 and are requesting it be held on the Riverwalk. Police Chief Getzen has worked with the group to ensure special event requirements are met. He recommends the City Council approve the request to use the Riverwalk on June 2, 2012.

IT WAS MOVED BY HALL and seconded by VALENTINE to allow the North Country Trail Association, West Michigan Chapter to use the Riverwalk on Saturday, June 2, 2012 from 10 a.m. to 2 p.m. for their Special Event.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

- d. **2012-2013 BUDGET – SET PUBLIC HEARINGS (MAY 21 AND JUNE 4, 2012).** Each Councilmember received a copy of the proposed city budget for fiscal year end 2012-2013. In order to be timely with final approvals, the City Council needs to establish two public hearings prior to adoption of the budget on May 21 and June 4, 2012.

IT WAS MOVED BY HALL and seconded by ELLISON to set public hearings for May 21 and June 4 to discuss and consider the 2012 – 2013 budget.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

- e. **CONTRACT FOR PROFESSIONAL SERVICES – ACQUIRE AVIATION EASEMENT FOR PARCEL E-16.** Jim Sowle, Airport Manager, stated the Airport Board has been in the process of negotiating easements for control of tree height around the airport. The project is nearly complete. This contract for professional services will bring the project into the final phase. The Airport Board, at its April 3, 2012 meeting, recommended the City Council approve this contract for professional services.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the contract for professional services of URS Corporation, Great Lakes for approximately \$6,293.50 and authorize the City Manager to execute any agreements related to the project.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

- f. **PRESENTATION ON OPEN BURNING ORDINANCE.** Fire Chief Frank Martin presented information on City Code of Ordinances, Chapter 10, Article III – Open Burning, Sections 10-41 through 10-43. He noted that only clean fire wood can be used and a fire pit can be no larger than 4' x 4'.

8. **COUNCIL COMMENTS.**

Councilmember Hall stated the Planning Commission reviewed site plans for Phase II of King Milling. The Historic District Commission reviewed and approved decorative fencing for the Lowell Area Historic Museum.

Councilmember Valentine noted the Lowell Area Fire and Emergency Services Authority discussed how to address capital projects in the budget as well as cost allocation for services of the secretary and treasury.

Councilmember Ellison reported the Arbor Board will be meeting on June 18 and the Downtown Development Authority will meet on May 17. The LCTV Endowment Board met on May 2 and will be forwarding their recommendation to City Council for the May 21 meeting.

Mayor Hodges stated Light and Power budget is balanced and in good condition thanks to General Manager Greg Pierce.

Lowell Area Chamber of Commerce Girls Night Out on April 19 was successful. 'The Sizzlin' Concerts start June 14 and the Riverwalk Festival is scheduled for July 13 and 14.

Judy Straub has resigned from the Lowell Historic District Commission due to no longer being a city resident.

Mayor Hodges thanked former Councilmember Jim Pfaller for his letter to the Editor regarding the Downtown Development Authority.

9. **CITY MANAGER'S REPORT.**

No report was given but Chief Getzen reminded Councilmember there will be a work session on Monday, May 14th at 6 p.m. regarding the 2012-13 budget.

10. **APPOINTMENTS.**

By consensus of the City Council, Mayor Hodges appointed Tom Grimm to the Airport Board.

IT WAS MOVED BY ELLISON to adjourn at 7:50 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk