

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, MAY 21, 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, Andrew Schrauben, Jim Valentine and Mayor Jim Hodges.

Absent: Councilmember Jim Hall.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Police Chief Barry Getzen, DPW Director Dan DesJarden, City Treasurer Sue Olin, Wastewater Treatment Plant Superintendent Mark Mundt, Lowell Light and Power Boardmember Perry Beachum, Electric Distribution Manager Tom Russo and Chief Accountant Steve Donkersloot.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to excuse the absence of Councilmember Hall.

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

2. **APPROVAL OF THE AGENDA.**

IT WAS MOVED BY ELLISON and seconded by VALENTINE 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 May 7, 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 SCHRAUBEN that the bills and accounts payables be allowed and the warrants issued.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (05/21/12)

GENERAL FUND	\$25,342.76
MAJOR STREET FUND	6,222.59
LOCAL STREET FUND	4,202.86
DDA FUND	2,429.20
AIRPORT FUND	772.92
WASTEWATER FUND	5,536.15
WATER FUND	26,239.72
CABLE TV FUND	174.46
DDA PROCESSING	857.51
EQUIPMENT FUND	1,275.51
CURRENT TAX FUND	10,956.21

5. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.** Dennis and Eric Daniels, 2433 Irene Street, S.E., Grand Rapids complained that their car was illegally towed on Thursday, May 17, and requested that they be refunded the towing charge of \$170.00. Mayor Hodges stated this should be discussed with Chief of Police Getzen.

6. **OLD BUSINESS**

a. **PENDING COUNCIL PROJECTS UPDATE.**

City Manager Howe informed the Council that the LCTV Endowment Fund Board had recommended approval of a portion of the Sidewalk Replacement Program and if approved by Council, the next steps would be to decide how to proceed and handle the grant funds.

Howe also noted the Legislature has approved the DNR Grant funding the East Riverbank project and it is on the Governor's desk to be signed. This project will proceed into the 2013 construction season.

b. **BIO DIGESTER UPDATE**

Lowell Light and Power Boardmember Perry Beachum, Electric Distribution Manager Tom Russo, Councilmember Schrauben and City Manager Howe gave a brief report on the bio digester project and their recent trip to Germany. A complete report to the community will be presented by the coalition on Tuesday, May 29 at 6 p.m. in the Council Chambers.

7. **NEW BUSINESS**

- a. **GARY ROLLS, KENT COUNTY COMMISSIONER.** Due to unexpected events, County Commissioner Rolls was not able to attend the meeting.

b. **LIGHT AND POWER REFINANCING BOND ORDINANCE**

Light and Power is moving through the process of refinancing outstanding bonds. The attached ordinance authorizes the utility to complete the process. City Manager Howe recommended adoption of the ordinance as presented.

IT WAS MOVED BY ELLISON and seconded by VALENTINE to adopt the ordinance to authorize the issuance of Electric Supply System Revenue Refunding Bonds as proposed.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

c. **LCTV Endowment Fund Board Recommendation for 2012**

The LCTV Endowment Fund Board presented their recommendations for the 2012 LCTV Endowment grants. City Manager Howe recommended approval as presented.

IT WAS MOVED BY ELLISON and seconded by SCHRAUBEN to approve the following 2012 grant applications from the LCTV Endowment Fund as recommended.

Lowell Area Schools	Lowell Music Boosters Band & Choir	\$32,000.00
Lowell Area Historical Museum	Educational Programs for Children	\$1,445.00
Lowell Police Dept.	First Aid & Firearms training and equipment update	\$3,000.00
Lowell Area Fire & Emergency Svs Authority	Remote Controls for Truck Bays	\$1,800.00
Lowell Area Fire & Emergency Svs Authority	Fire Prevention	\$2,000.00
Lowell Charter Twp	Riverfront Park New Soccer/Lacrosse Fields Project	\$24,000.00
City of Lowell	Sidewalk Replacement Program	\$24,500.00
City of Lowell	Burch Field Handicap Accessibility	\$7,500.00
City of Lowell	Urban Forest Initiative	\$10,000.00
LowellArts!	Capital Purchases: Easy-Up Tent, Tables & Table Covers for Special Events	\$6,292.00
	Totals:	\$112,537.00

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

c. **2012-2013 BUDGET – PUBLIC HEARING**

A recommended budget was presented for Council consideration. This will be the first of two public hearings.

Mayor Hodges opened the public hearing. No comments were received; Mayor Hodges closed the public hearing.

No action was necessary. The second public hearing and consideration of adoption will be at the June 4, 2012 City Council meeting.

8. **MONTHLY REPORTS.** No comments from materials presented.

9. **COUNCIL COMMENTS.**

Councilmember Schrauben stated the Airport Board is working on tree clearing and obtaining General Utility status. The Parks and Recreation Board met last week and discussed the Community Garden and Little League acquiring three flag poles for Creekside Park ballfields. The Lowell Area Recreation Authority is completing Phase One and working on signage as well as starting to plan Phase Two.

Councilmember Valentine noted the Lowell Area Fire and Emergency Services Authority will be meeting next week.

Councilmember Ellison reported the Arbor Board will be meeting on June 18 and the LCTV Endowment Board was discussed earlier in the meeting. The Downtown Development Authority met on May 17 and discussed the budget and upcoming events.

Mayor Hodges stated Light and Power met on May 17 and the project of running the electric lines under the Flat River is completed.

Mayor Hodges also thanked Mayor Pro Tem Ellison for attending and presenting Laurels of Kent with a proclamation to designate the week of May 13 – 19, 2012 as “National Nursing Home Week”. He also noted that he attended the Legislative Coffee sponsored by the Lowell Area Chamber of Commerce. State Representative Lisa Posthumus-Lyons and Kent County Commissioner Gary Rolls were in attendance.

Mayor Hodges also noted the Memorial Day Parade will be held at 10 a.m. on Monday, May 28, 2012.

10. **CITY MANAGER’S REPORT.**

1. Arbor Day was celebrated on April 27 with a new tree planted at Keiser’s Kitchen.
2. June 4, 2012 was set for a public hearing date for two zoning variances. Information will be distributed prior to the meeting.
3. The West Michigan Bluegrass Music Association held its festival on May 18-20 at the fairgrounds and the West Michigan Stage Three Bicycle Race will be on Saturday, May 20, 2012.

4. Request for proposals have been prepared for the annual city audit. Proposals are due June 8. These will be brought to Council for consideration at the June 18 meeting.
5. Discussion with Cascade Township about contracting for building code inspection services has been initiated. Lowell, Grand Rapids, Ada and Plainfield townships as well as the City of East Grand Rapids already use Cascade. Howe had discussed the process with City Attorney Dick Wendt who advised that a letter needs to be submitted to Imperial Municipal Services to terminate our agreement with them. While the letter does not require council action, the new contract with Cascade Township will need to be approved. I plan to submit the letter to IMS this week and bring the Cascade Township contract to you at your June 4 meeting.

This initiative was necessary because of the trend toward municipal collaboration that will soon be required in order to receive state revenue sharing. We have certainly appreciated the services that have been provided for many years from IMS, however, it is time to move in another direction. In addition, we anticipate that zoning enforcement will be handled in-house, likely through the Police Department, which will result in some budget savings.

6. Just a reminder that there is a budget work session scheduled for 6 p.m. on Wednesday, May 30.
7. The Parks and Recreation Commission had discussed the location for the Community Garden to be placed in the southwest corner of Creekside Park. The issue of water still needs to be addressed but the Council feels that planting could begin.
8. City Manager Howe asked that our thoughts and prayers be with the family of the young man that drowned at Stoney Lakeside Park over the past weekend.

11. APPOINTMENTS.

No appointments were made but it was noted that there is a vacancy on the Lowell Historic Commission due to a resignation received from Judy Straub who has moved out of the City.

12. CLOSED SESSION

- a. Union Negotiations

IT WAS MOVED BY ELLISON and supported by VALENTINE to move to closed session for a personnel matter pursuant to the Open Meeting Act Section 8C at 8:14 p.m.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY ELLISON and supported by VALENTINE to return to open session at 8:43 p.m.

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

IT WAS MOVED BY ELLISON to adjourn at 8:44 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk