

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, JULY 16, 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: Councilmember Sharon Ellison, Jim Hall, Andrew Schrauben, Jim Valentine and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Acting Police Chief Steven Bukala, DPW Director Dan DesJarden and Light and Power General Manager Greg Pierce.

**2. APPROVAL OF THE AGENDA**

IT WAS MOVED BY SCHRAUBEN and supported by ELLISON to approve the agenda as amended.

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

**3. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)**

A. July 2, 2012 – Regular Meeting

IT WAS MOVED BY HALL and supported by ELLISON to approve the regular minutes of the July 2, 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 (07/16/12)</u>	
GENERAL FUND	\$21,385.53
MAJOR STREET FUND	1,398.75
LOCAL STREET FUND	64,546.98
DDA FUND	219.66
AIRPORT FUND	3,818.97

WASTEWATER FUND	5,065.93
WATER FUND	40,361.35
CABLE TV FUND	24,000.00
DATA PROCESSING	411.00
EQUIPMENT FUND	995.58
LOOK FUND	230.53

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

No comments were received.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe stated the Legislature had approved the MDNR grant. Now a grant agreement between the City and MDNR needs to be completed and signed.

7. **NEW BUSINESS**

A. **WASTEWATER TREATMENT PLANT HEALTH AND SAFETY AWARDS**

Mark Mundt, Wastewater Treatment Plant Superintendent stated the Lowell Wastewater Treatment Plant and United Water were awarded the 2012 Health and Safety Award from the Michigan Water Environment Association (MWEA). An application had to be completed in order to be considered for this award. Applications are screened by the MWEA Health and Safety Committee and we were selected as the 2012 recipient.

Because the MWEA Health and Safety Committee felt so favorable about our safety program, they nominated the City for the Water Environment Federation's George W. Burke Health and Safety Award, which we also were awarded. This is a national award.

B. **FIREWORKS ORDINANCE DISCUSSION**

There was some discussion at the July 2, 2012 Council meeting about adopting an ordinance to limit the use of fireworks in the city. This is in response to a change in the state law expanding the sale of fireworks and minimizing local control over fireworks use. The state law allows Councils to ban the use of fireworks other than during the day before, the day of and a day after all federal holidays. It was discussed to totally ban the use of fireworks outside this time frame, or to permit their use during certain hours of the day. An ordinance will be prepared for Council consideration.

C. **CODE OF ORDINANCES UPDATES**

The ordinance books and electronic Code of Ordinances have not been updated since 2008. The following quotes were received:

- Municode \$7,750.
- General Code \$8,500.
- American Legal \$10,800.

City Manager Howe stated the Code of Ordinances has been managed by Municode and we have been generally happy with their service. There are a few electronic options that need to be explored and our plan is to order just a few hard copy books then create additional copies in-house. The hope is to make a transition to greater electronic use of the code and to keep it updated perhaps annually. Based on the additional options I would like to explore, I am requesting authorization to spend up to \$10,000. The money would come from the Data Processing Fund and is part of what has been budgeted for technology upgrades.

IT WAS MOVED BY ELLISON and supported by HALL authorize the City Manager to execute an agreement with Municode for updating the Code of Ordinance at a cost not to exceed \$10,000.

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

**D. RIVERWALK PARK PROJECT, PRELIMINARY ENGINEERING SERVICES AGREEMENT**

The City has received a proposal from Williams and Works to provide Preliminary Engineering Services for the Riverwalk Park Project. The proposal is for preliminary permitting research, a topographic survey and preliminary engineering review of alternatives for the project. There will still need to be a future contract for design and construction supervision services.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to authorize City Manager Howe to enter into an agreement with Williams and Works for Preliminary Engineering Services for the Riverwalk Park Project at a cost not to exceed \$4,800.

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

**E. BURCH FIELD HANDICAP ACCESS**

The City received a grant from the LCTV Fund for creating handicap access to Burch Field. The following bids were received:

- Great Lakes Paving \$ 6,600.
- Superior Asphalt, Inc. \$ 6,972.
- Snyder Asphalt \$ 7,400.

IT WAS MOVED BY ELLSION and supported by HALL to award the contract for the handicap access project at Burch Field to the low bid of \$6,600 from Great Lakes Paving.

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

**F. MSHDA GRANT FUNDS, THIRD PARTY ADMINISTRATOR**

The process of accepting proposals for a Third Party Administrator to coordinate Michigan State Housing Development Authority (MSHDA) Grant Funds which will position the City of Lowell to operate a Rental Rehabilitation program has been completed. The rental rehab program provides financial assistance for owners of downtown buildings to renovate second and third floors for residential use. We received a single proposal from Revitalize, LLC, with the principal owners being Lori Ware and Bruce Johnson. Both individuals come highly recommended.

An interview was conducted on Friday, July 13, with Jim Reagan, Chairman of the Downtown Development Authority and Councilmember Jim Hall participating

IT WAS MOVED BY HALL and supported by VALENTINE to authorize a Third Party Administrator Agreement with Revitalize, LLC, for administering MSHDA grant funds.

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

**8. MONTHLY REPORTS**

The large amount of water pumped this year versus last year is due to a very dry season. Additionally, Lowell Charter Township had maintenance work performed on their water tower this past spring.

**9. COUNCIL COMMENTS**

Councilmember Hall had no comments.

Councilmember Schrauben noted the Airport Board did not meet this month, Parks and Recreation will be meeting on July 17<sup>th</sup> and Lowell Area Recreation Authority had a Recruitment event at Creekside Park to talk about future trails as well as being Friends of the Trails.

Councilmember Valentine had no meetings but congratulated Mark Mundt and United Water on their awards as well as Mark and Theresa Mundt on their ongoing donation of time and energy on various activities throughout the Lowell Community and their Church.

Councilmember Ellison had no meeting updates but commented on the amount of water treated this past month as well as the great success of the Riverwalk Festival this year.

Mayor Hodges congratulated Lowell Light and Power General Manager Greg Pierce upon his appointment of Chairman of the MMEA. Light and Power will be hosting the annual MMEA State Conference the last week of September at the Crown Plaza in Grand Rapids. Hodges also commented on the Lowell Showboat Garden Club dedication of the Blue Star Memorial on Saturday, July 14, 2012.

The Lowell Community Vision met last week, the Look Memorial Committee will meet on July 25<sup>th</sup> and the kick off for the Pink Arrow will be held on Tuesday, July 31<sup>st</sup> from 10 a.m. to 7 p.m. at Gilda's Club with many events going on.

10. **MANAGER'S REPORT.**

1. The Riverwalk Festival was held July 12, 13 and 14. Again, this was s a very positive event for the community.
2. We continue to work out the internal processes for handling zoning inquiries. As we are updating forms we are looking for ways to make it as user-friendly as possible. I have also been talking with our planning consultants at Williams and Works to assist with general questions.
3. The Community Vision process has started. There will be some research activities and early discussion in August and September culminating in a real push during the month of October to engage community members in the discussion.
4. We have upgraded the property and tax information on the web which now includes utility bill information. Residents can look up their property information, see their tax bills and also see their utility bills including history. This is another positive step toward enhancing our electronic web information services.
5. A notice will be placed in the next water and sewer bills to notify users of the rate adjustments that were approved by the council in June. The sewer rate will decrease while the water rate will increase, with the net impact being about three dollars per month for the average customer. We are required to review rates on an annual basis and make adjustments based on costs. Rates have not been adjusted since 2008.

11. **APPOINTMENTS.**

No appointments were made

IT WAS MOVED BY ELLISON to adjourn at 8:03 p.m.

DATE:

APPROVED:

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James W. Hodges, Mayor

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Betty R. Morlock, City Clerk