

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, August 6, 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 and Mayor Jim Hodges.

Absent: Jim Valentine.

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

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

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

**2. APPROVAL OF THE AGENDA**

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

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

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

a. July 16, 2012 – Regular Meeting

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to approve the regular minutes of the July 16, 2012 meeting as written.

YEA: 4. NAY: 0. ABSENT: 1. 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 and Mayor Hodges.

NAY: 0. ABSENT: 1. (Valentine) MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (07/16/12)

GENERAL FUND	\$164,672.14
MAJOR STREET FUND	4,312.35
LOCAL STREET FUND	2,977.07
HISTORICAL DISTRICT	195.57
DDA FUND	606.54
AIRPORT FUND	2,839.02
WASTEWATER FUND	12,427.68
WATER FUND	15,673.75
CABLE TV FUND	7,500.00
DATA PROCESSING	1,740.85
EQUIPMENT FUND	105.57

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

The following citizens made comments regarding the union negotiations between the City of Lowell/Light and Power and International Brotherhood of Electrical Works (IBEW); Jim Howard (222 N. Jackson), Carly Kermeen (916 Riverside), Chuck Upton (13820 Rolling Creek Dr.), Don Kermeen (916 Riverside), Jeff Phillips (830 Lafayette), Mrs. James Francis (3901 Pratt Lake Avenue, S.E.) and Phillip Hesche (931 N. Monroe).

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe had no new updates at this time.

7. **NEW BUSINESS**

A. **KENT DISTRICT LIBRARY 2011 ANNUAL REPORT**

Charles Myers, Kent District Library Chair, Lance Werner, Kent District Library Director and Kristin Meyer, Englehardt Public Library Branch Manager presented the 2011 Annual Report for the Kent District Library.

B. **SPECIAL EVENT PERMIT – PINK ARROW QUIVER 5K WALK/RUN**

A special event request was received to conduct the Pink Arrow Quiver 5k Walk/Run through the streets of Lowell and the Riverwalk on Tuesday, September 4, 2012. Police Chief Barry Getzen provided the Council with a memo stating he reviewed the request and recommends approval.

Jennifer Post, representing the Pink Arrow Quiver 5K Walk/Run Committee stated they are expecting over 600 runners and/or spectators at this event.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to approve the special event request to conduct the Pink Arrow Quiver 5K Walk/Run through the streets of Lowell and the Riverwalk on Tuesday, September 4, 2012.

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

**C. REVIEW ORDINANCE 09-03 ALLOWING BOW HUNTING**

In 2009 the Lowell City Council approved Ordinance 09-03 allowing bow hunting on certain properties within the City of Lowell. The ordinance required that the Council review it in three years. Statistical information was provided to the Council and public notices were sent to interested property owners. Based on the information received, it is recommended that the ordinance remain intact. If that is the Council's desire, no action is needed.

Matt Silverman, 125 South Division requested the Council consider including crossbow hunting.

After reviewing the information and comments received the consensus of the Council is the ordinance will remain intact.

**D. AMENDMENT TO POVERTY HOMESTEAD PROPERTY TAX EXEMPTION POLICY AND GUIDELINES**

The City Assessor recommended that Council adopt an amendment to the Policy and Guidelines for granting Poverty Homestead Property Tax Exemptions. The amendment will align our guidelines with the Federal Poverty Income Guidelines.

IT WAS MOVED BY ELLISON and supported by HALL to adopt the Resolution Amending the Policy and Guidelines for granting poverty homestead property tax exemptions.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

**E. MDOT CONTRACT NO 12-5346 – BOWES ROAD IMPROVEMENTS**

The City has a project scheduled to improve Bowes Road with a mill and resurface in one section and total reconstruction in another. The project includes \$344,000 in Federal Surface Transportation Funds through the Michigan Department of Transportation. A contract with MDOT is required in order to receive the funds. The local match is \$85,700 which has been budgeted in the Major Streets Fund.

IT WAS MOVED BY SCHRAUBEN and supported by HALL to approve MDOT Contract Number 12-5346 and authorizes appropriate signatures.

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

**F. TOWER RENTAL AGREEMENT – MICHWAVE TECHNOLOGIES**

An agreement has been negotiated with MichWave Technologies to use space on the city-owned tower on Shepard Drive. MichWave Technologies has purchased the equipment previously owned by RedFrog Technology. The term of the contract is for one-year at a rate of \$200 per month.

IT WAS MOVED BY ELLISON and supported by HALL that the Lowell City Council approves the Tower Rental Agreement with MichWave Technologies for a period of one year.

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

**G. PARK USE AGREEMENT – YMCA**

City Manager Howe has negotiated a Park Use Agreement for the YMCA to use Creekside Park for its fall soccer program. The term of the agreement expires at the end of this year at a rate of \$5 per participant.

IT WAS MOVED BY SCHRAUBEN and supported by HALL to approve the Park Use Agreement with the YMCA for a term to expire December 31, 2012.

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

**H. PARK USE AGREEMENT – YOUTH FOOTBALL**

City Manager Howe has negotiated a Park Use Agreement with Lowell Youth Football to use Burch Field for its fall football program. The term of the agreement is for three years with a rate of \$5 per participant during the first year and \$7.50 per year for the next two years.

IT WAS MOVED BY SCHRAUBEN and supported by ELLISION to approve the Park Use Agreement with Lowell Youth Football for a period of three years with a rate of \$5 per participant during the first year and \$7.50 per year for the next two years.

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

**8. COUNCIL COMMENTS**

Councilmember Hall had no comments.

Councilmember Schrauben noted the Airport Board will be meeting tomorrow, August 7. Parks and Recreation will be meeting later this month and will be discussing Park Use Agreements. Lowell Area Recreation Authority will be meeting Wednesday, August 8.

Councilmember Ellison noted the Downtown Development Authority will be meeting on August 9 and the Arbor Board on August 20.

Mayor Hodges noted Light and Power will be meeting Thursday, August 9 and the Lowell Area Chamber of Commerce will meet on Tuesday, August 14. Look Memorial committee met on July 25 and awarded \$54,268 for the following; Lowell Area Schools – WLHS TV for an upgrade, Lowell Area Historical Museum for lap top computers, Lowell Arts to upgrade their restroom to be ADA compliant, Lowell Arts and Lowell Area Chamber of Commerce for sound equipment upgrade and assist in the easy-up tent, tables and table covers for special events, Lowell Area Recreation Authority to develop a plan for the extension of the Phase I Trail from Gee Drive to M-21 along Alden Nash and four grants for the City. The next Look meeting is scheduled for Wednesday, November 15, 2012 at 4 p.m.

Hodges also noted the Pink Arrow Community Days and the kickoff to Pink Arrow season was held on Tuesday, July 31 at Gilda's Club. Hodges also noted he attended the opening ceremony of the 78<sup>th</sup> Kent County Youth Fair on Sunday, August 5.

#### 9. **MANAGER'S REPORT.**

1. City Manager Howe will be submitting a monthly column to the Lowell Ledger to update citizens on city issues. The City is very fortunate to have a community-minded newspaper. If anyone has any ideas for future updates, please let Howe know.
2. With the end of the past fiscal year on June 30, 2012, time has been spent making various closing entries and getting ready for the auditors. So far things are looking somewhat better than anticipated although it is not known for sure until the auditors have completed their work.
3. There will be a Council workshop on August 13 to continue strategic planning efforts.
4. The Community Vision project is starting to gear up with community sessions scheduled in October.

#### 10. **APPOINTMENTS.**

No appointments were made.

#### 11. **CLOSED SESSION**

##### a. Union Negotiations

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to move to closed session at 8:01 p.m. as allowed under the Open Meeting Act MCL 15.268 (c) to discuss union negotiations.

YEA: Councilmembers Ellison, Schrauben and Mayor Hodges.

NAY: 0. ABSENT: 1. (Valentine) MOTION CARRIED.

Council returned to open session at 9:10 p.m.

IT WAS MOVED BY ELLISON to adjourn at 9:11 p.m.

DATE:

APPROVED:

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James W. Hodges, Mayor

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Betty R. Morlock, City Clerk