

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
TUESDAY, JANUARY 22, 2013, 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: Councilmembers Sharon Ellison, Jim Hall, Andrew Schrauben, Jim Valentine and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Department of Public Works Dan DesJarden, Police Chief Barry Getzen, Wastewater Treatment Plant Superintendent Mark Mundt and Light and Power General Manager Greg Pierce.

**2. APPROVAL OF THE AGENDA**

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

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

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

A. January 7, 2013 – Regular Meeting

IT WAS MOVED BY HALL and supported by SCHRAUBEN to approve the regular minutes of the January 7, 2013 meeting as corrected.

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

B. January 7, 2013 – Closed Session Meeting

IT WAS MOVED BY HALL and supported by VALENTINE to approve the closed session minutes of the January 7, 2013 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.

BILLS AND ACCOUNTS PAYABLE (01/22/2013)

GENERAL FUND	\$19,762.16
MAJOR STREET FUND	10,335.40
LOCAL STREET FUND	9,971.27
DDA FUND	2,604.35
RIVERFRONT DEVEL	3,912.13
AIRPORT FUND	1,471.34
WASTEWATER FUND	46,578.96
WATER FUND	10,872.46
CABLE TV FUND	25.41
DATA PROCESSING	2,427.35
EQUIPMENT FUND	1,225.52
CURRENT TAX COLL	319,181.07

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

Ken Akers (707 Foreman Road) commented on various issues within the City. He also thanked Councilmember Valentine for all he's done for the Community through his various positions with the Police Department and City Council. Akers also acknowledged the new reporter for the Ledger, Ellen Mork and the great job she is doing.

Greg Canfield (403 N. Washington) thanked Councilmember Valentine for all he has done for the community as patrol officer, Chief of Police and Councilmember.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager gave the following updates:

**East Riverbank Renovations** – A rough draft of the sketch for the plan was presented for discussion. The plan has been developed with the assistance of a task force consisting of councilmembers as well as representatives from the DDA and Chamber.

B. **KENT COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENT RESOLUTUION**

Kent County has submitted an amendment to the Solid Waste Management Plan. A resolution approving Act 451 Solid Waste Management Plan Amendment needs to be adopted.

IT WAS MOVED BY SCHRAUBEN and supported by VALENTINE to adopt the resolution approving Act 451 Solid Waste Management Plan Amendment.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

## 7. NEW BUSINESS

### A. CITY CHARTER AMENDMENTS DISCUSSION

Copies of Section 4.1 and Section 13.3 of the City Charter were distributed for review. There has been some prior discussion about whether or not amendments to these sections should be brought before the citizens for a public vote. City Manager Howe requested direction from Council as to whether or not he should begin the amendment process with the city attorney.

Section 4.1 states in part that the terms of councilmembers shall commence at 8 p.m. on the Monday following the election in which they are elected, which is November. This is somewhat problematic in that final election results may not have been certified by this time. There is also some feeling that terms of office should coincide with the beginning of the New Year when your organizational meeting is held (see Section 5.2). Either way, some charter amendment should be considered so that these dates align.

There was consensus of the Council that Howe should begin working with the City Attorney to draft a proposed amendment changing the beginning of council terms to the beginning of January.

Section 13.3 creates limitations on the council's ability to contract for a period of more than 10 years. This is problematic, for example, when the city leases land for parking and makes a capital investment in the property.

The council asked for more information and examples of when exceptions to the 10-year rule might be necessary.

### B. PARK USE AGREEMENT, LOWELL LITTLE LEAGUE

City Manager Howe has negotiated a new one-year Park User Agreement with Lowell Little League for the use of Creekside Park for the 2013 season. Lowell Little League continues to be a good partner with the City of Lowell and provides a valuable recreational activity for our youth.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to approve a one-year Park User Agreement with Lowell Little League for the use of Creekside Park for the 2013 season.

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

## 8. MONTHLY REPORTS

- A. Councilmember Ellison commented on water produced compared to waste water treated. Wastewater Treatment Plant Superintendent Mark Mundt responded to Ellison's concerns.

## 9. COUNCIL COMMENTS

Councilmember Valentine stated that this was his last meeting as Councilmember and that he had no report but has enjoyed being part of the community for the past thirty years.

Councilmember Hall stated the Planning Commission met last week, which was their new meeting date of the second Monday of the month and Maryalene LaPonsie was elected as Chair.

Councilmember Schrauben stated the Airport Board did not meet this month. The Parks and Recreation Commission met last week and asked that everyone stay off the ice rink at Richards Park when it is warm so that it is not ruined. The Lowell Area Recreation Authority met and is working on Phase II of the trails. Schrauben also noted that there are several openings on City boards and commissions and encouraged residents to get involved; it is a lot of fun.

Councilmember Ellison stated the Arbor Board met and is working on the comprehensive tree plan and the LCTV Endowment Board will be meeting on January 31<sup>st</sup>.

Mayor Hodges stated the Lowell Light and Power Board met and are doing well. A tour of their Chatham Street facility will be scheduled soon. The Lowell Area Chamber of Commerce Board met and the new president is Josh Bruwer of Arrowhead Golf Course, Betsy Davidson of Addorio Technologies, LLC as Vice President and Cutter Phillips of River Valley Credit as Treasurer. Also, the Annual Winter Gathering of the Membership Dinner will be on February 21 at the Grand Volute.

Mayor Hodges also acknowledged a letter from Dave Austin, a Lowell resident, of Williams & Works stating they had just purchased their fourth vehicle in the last three years from a Lowell merchant.

## 10. MANAGER'S REPORT

1. Improvements to the heating and cooling system at city hall will be completed in mid- February. You may recall that we are making changes to the system that will create more efficiency and save money in heating and cooling costs. The project could not be completed without the generous support of the Look Memorial Fund.
2. The Grand Valley Metro Council serves as the regional coordinating agency for state and federal transportation funds. As such, a Transportation Improvement Plan (TIP) is created that identifies upcoming projects over the next three years. The completion of Bowes Road is already included in the TIP plan for 2014. Staff is in the process of identifying other projects that may be eligible for federal funding to include in the TIP plan for future years. Howe is working hard to include Jefferson and Monroe Streets in the federal aid eligible category so that they could be resurfaced using federal funds.

3. Sgt. Steve Bukala coordinated a request for grant funds from the Lowell Area Community Fund to place Automated External Defibrillators (AEDs) in various public locations and vehicles throughout the community. This was a comprehensive collaboration that included the schools, chamber, museum, fire department and other public agencies. We were awarded the grant and have purchased the AEDs which are now being installed. There will also be training for staff and others in the near future.

Howe thanked Councilmember Valentine for his years of service to the City of Lowell.

11. **APPOINTMENTS.**

By general consensus the Council reappointed Maryalene LaPonsie to the Planning Commission to a term that expires June 30, 2015.

11. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and supported by HALL to move to closed session at 7:50 p.m. as allowed under the Open Meeting Act MCL 15.268 (c) to discuss union negotiations.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Council returned to open session at 8:22 p.m.

IT WAS MOVED BY ELLISON to adjourn at 8:23 p.m.

DATE:

APPROVED:

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James W. Hodges, Mayor

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Betty R. Morlock, City Clerk