

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, FEBRUARY 4, 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, Chris Schwab 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, Light and Power Electric Distribution Manager Tom Russo and Light and Power Board Chair Greg Canfield 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 22, 2013 – Regular Meeting

IT WAS MOVED BY HALL and supported by SCHRAUBEN to approve the regular minutes of the January 22, 2013 meeting as corrected.

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

B. January 22, 2013 – Closed Session Meeting

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to approve the closed session minutes of the January 22, 2013 meeting as written.

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

C. January 22, 2013 – Special Meeting

IT WAS MOVED BY SCHRAUBEN and supported by HALL to approve the special minutes of the January 22, 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 SCHRAUBEN that the bills and accounts payables be allowed and the warrants issued.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

**BILLS AND ACCOUNTS PAYABLE (02/04/2013)**

GENERAL FUND	\$9,981.98
MAJOR STREET FUND	31.68
LOCAL STREET FUND	31.67
HISTORICAL DISTRICT	1,542.00
AIRPORT FUND	189.15
WASTEWATER FUND	14,781.93
WATER FUND	8,835.11
DATA PROCESSING	1,224.26
EQUIPMENT FUND	1,200.23
CURRENT TAX COLL	59,260.77

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

No comments were received.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe had no new updates at this time.

B. **SECOND REVIEW OF CODE OF ORDINANCES; CHAPTER 2 – ADMINISTRATION**

Chief Getzen incorporated changes and other information gathered within the last month. Getzen will send this to City Attorney Richard Wendt to prepare a resolution for Council consideration of adoption.

7. **NEW BUSINESS**

A. **FIRST REVIEW OF CODE OF ORDINANCES; CHAPTER 19 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

Copies of Chapter 19 – Streets, Sidewalks and Other Public Places with revisions were distributed for Council consideration. Comments and suggestions were collected and will be included and brought back to the Council in March.

**B. TOWER RENTAL AGREEMENT**

City Treasurer Olin has been attempting to collect \$3,000 owed to the City of Lowell by REDfrog Technologies for their use of the city’s communications tower. The City Attorney has issued a number of letters to the owners of the company asking for payment. There has been no response. The only recourse is for City Treasurer Olin, working with the City Attorney, to initiate legal action in small claims court.

IT WAS MOVED BY ELLISION and supported by HALL to authorize City Treasurer Olin to initiate legal action to collect \$3,000 from REDfrog Technologies owed to the City of Lowell for rental of the city’s communications tower.

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

**8. COUNCIL COMMENTS**

Councilmember Schwab was glad to see all the snow.

Councilmember Hall had nothing to report.

Councilmember Schrauben stated the Airport Board will be meeting tomorrow, February 5<sup>th</sup>. He also noted his family enjoyed the Winterfest at the Wittenbach Center this past weekend. Schrauben also welcomed new Councilmember Schwab.

Councilmember Ellison stated the LCTV Endowment Board met on January 31<sup>st</sup> and set dates for the 2013 grants and meetings. Ellison welcomed new LCTV Endowment Boardmember Barb Zandstra and new Councilmember Schwab.

Mayor Hodges stated the first City newsletter was included in the February utility bills. The Chamber of Commerce’s Annual Winter Gathering will be on Thursday, February 21<sup>st</sup>. Hodges also mentioned the special meeting and work session on January 28th that dealt with strategic planning. He thanked City Manager Howe and his leadership team for their work on this.

Laugh Fest, sponsored by Gilda’s Club, will be on March 17<sup>th</sup>. Hodges also thanked Councilmember Schwab for being on the City Council and being part of the community.

**9. MANAGER’S REPORT.**

1. A preconstruction meeting was held with the contractor for the removal of lime from the drying beds at the Water Treatment Plant. Work should begin in February as weather permits.

2. The first stage of the upgrade for our internet connection was completed this week. Our connection speed is now quite fast which will help us to make better use of the REGIS system.
3. A draft copy of the Strategic Plan that we have been developing was provided to Council. This will be further discussed at the February workshop and will be looking for adoption of the plan at the first meeting in March. Howe thanked the Council for all their work on the development of the Strategic Plan.

Howe also welcomed Councilmember Schwab.

10. **APPOINTMENTS.**

No appointments were made.

11. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and supported by HALL to move to closed session at 7:30 p.m. as allowed under the Open Meeting Act MCL 15.268 (c) to discuss union negotiations.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Council returned to open session at 7:52 p.m.

IT WAS MOVED BY ELLISON to adjourn at 7:53 p.m.

DATE:

APPROVED:

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James W. Hodges, Mayor

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Betty R. Morlock, City Clerk