

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
TUESDAY, FEBRUARY 19, 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 Jim Hall, Andrew Schrauben, Sharon Ellison and Mayor Jim Hodges.

Absent: Councilmember Chris Schwab.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, Department of Public Works Dan DesJarden, Police Chief Barry Getzen, Light and Power Boardmember Perry Beachum and Light and Power General Manager Greg Pierce.

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

YEA: 3. NAY: 0. ABSENT: 1. MOTION CARRIED.

**2. APPROVAL OF THE AGENDA**

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

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

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

A. February 4, 2013 – Regular Meeting

IT WAS MOVED BY HALL and supported by SCHRAUBEN to approve the regular minutes of the February 4, 2013 meeting as corrected.

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

B. February 4, 2013 – Closed Session Meeting

IT WAS MOVED BY ELLISON and supported by HALL to approve the closed session minutes of the February 4, 2013 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 Hall, Schrauben, Ellison and Mayor Hodges.

NAY: 0. ABSENT: 1. MOTION CARRIED.

**BILLS AND ACCOUNTS PAYABLE (02/19/2013)**

GENERAL FUND	\$53,758.30
MAJOR STREET FUND	3,638.39
LOCAL STREET FUND	3,585.88
GENERAL DEBT SER	194,801.00
RIVERFRONT DEVEL	10,624.60
AIRPORT FUND	21.45
WASTEWATER FUND	253.17
WATER FUND	5,090.06
CABLE TV FUND	1,770.00
DATA PROCESSING	8,172.57
EQUIPMENT FUND	2,614.04
CURRENT TAX COLL	66,639.07

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

Perry Beachum (924 Riverside Drive) commented on the February 26, 2013 election, the Laugh Fest on March 17, 2013 and the Lowell Wrestling Team.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe had no new updates at this time but noted that Wastewater Treatment Plant Superintendent Mark Mundt and DPW Director Dan Desjarden have been tracking rain events.

7. **NEW BUSINESS**

A. **SPECIAL EVENT REQUEST, 2013 BICYCLE STAGE RACE, SUNDAY, MAY 19, 2013**

Brian Bangma requested the use of Main Street and Riverside Drive as well as portions of the Riverwalk and city parking lot located north of the 200 block of East Main Street to conduct a bicycle race on Sunday, May 19, 2013 from 7 a.m. to 3 p.m. His request also included that Main Street (M-21) be closed from Hudson east to Jackson from 7 a.m. to 3 p.m. for the race. This event has been held in the city in 2011 and 2012.

IT WAS MOVED BY SCHRAUBEN and supported by HALL to approve the special event request for the 2013 Bicycle Stage race on Sunday, May 19, 2013 from 7 a.m. to 3 p.m.

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

**B. RIVERWALK EXTENSION DESIGN AND CONSTRUCTION SUPERVISION CONTRACT**

The City received a proposal and scope of services from Williams and Works for design and construction supervision for the riverwalk extension project. A portion of the scope of services includes an agreement we have already executed for preliminary engineering at a total cost of \$4,800. A second portion of the scope of services includes work to review and revise the conceptual design at a total cost of \$4,065. Design work is proposed at \$31,900 and construction supervision at \$23,500 for a total cost of design and construction supervision of \$64,265. The total budget for this project is \$450,000 with \$300,000 coming from a Natural Resources Trust Fund grant and \$50,000 each from the Lowell Area Community Fund, LCTV Fund and the Downtown Development Authority.

As an update on our current progress, the DEQ permit has been submitted, a field visit took place on February 8 and we are in the middle of the public comment period. The online database shows our permit in “expedited” status which continues to give hope for my self-imposed deadline of having this project completed before the Riverwalk Festival in July.

IT WAS MOVED BY ELLISON and supported by HALL to authorize the City Manager Howe to enter into an agreement with Williams and Works for design and construction supervision for the riverwalk extension project for \$64,265.

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

**C. SIDEWALK AND PATHWAYS DESIGN AND CONSTRUCTION SUPERVISION CONTRACT**

The City will be replacing a total of 2,085 lineal feet of sidewalks in the City of Lowell this spring. These are sidewalks categorized as “red” which means that they present a potential liability concern to the city. The sidewalks will be replaced through a combination of grant funds \$16,250 from our CDBG allocation, \$24,500 through the LCTV Fund, and \$19,500 either through the Lowell Area Community Fund (grant application pending) or from a 2011-12 fiscal year General Fund surplus. In addition to the sidewalk replacement program, we have identified potential additional funds available through the CDBG program which would be used to pave the pathway that currently leads from Ridgeview north to Gee Drive. This will be an important segment in our overall community trail plans.

A proposal was received from Williams and Works for design and construction supervision for this entire program at a cost of \$14,300. Most, if not all, of this expense could be covered through additional CDBG funds that will be available.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to authorize the City Manager Howe to enter into an agreement with Williams and Works for design and construction supervision of the 2013 Sidewalks and Pathway project at a cost of \$14,300.

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

D. **KENT COUNTY MULTI-JURISDICTIONAL STUDY OF PARKS AND RECREATION SYSTEMS**

A letter was received from Kent County asking for the City's participation in a workgroup that will study the development of an intergovernmental agreement and bylaws for a countywide parks authority. Howe responded to Kent County stating that the City of Lowell is interested in participating in the discussion which means we will need to appoint an individual to represent the city. Councilmember Schrauben had indicated interest in serving in this capacity.

E. **XTREME SOFTBALL PARK USE AGREEMENT**

City Manager Howe had negotiated an agreement for Xtreme Softball to hold its annual fundraising tournament at Creekside Park.

IT WAS MOVED BY ELLISON and supported by HALL to authorize City Manager Howe to execute a one-year agreement with Xtreme Softball for the use of Creekside Park for its annual tournament.

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

F. **PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT**

A public hearing was advertised for input on the City's proposed use of CDBG funds for the upcoming fiscal year (the CDBG Fiscal Year is October 1, 2013 through September 30, 2014). City Manager Howe is recommending the following allocation of the \$28,181 available to the City of Lowell:

- Stoney Lake Public Pathway planning: \$5,000
- Sibley Street Reconstruction: \$20,181
- North Kent Transit: \$3,000

The Stoney Lake project involves initial planning to create a paved pathway around Stoney Lake. Howe's goal is to take the step necessary to make this a "shovel-ready" project so that if additional grant funds become available we will be in a position to execute the project.

The Sibley Street Reconstruction project will be for total reconstruction, including new underdrain work, for Sibley Street from Valley Vista to Ridgeview. Sibley serves as part of the major connector for the Valley Vista neighborhood. Initial estimates are that the total project will cost \$207,000. Again, the

strategy is to begin the planning and perhaps design phases to get this into the “shovel-ready” stage to take advantage of future grant funds that may become available.

North Kent Transit is our annual allocation that provides public transportation for low-income handicapped individuals and senior citizens.

Mayor Hodges opened the public hearing. After received no comments, the public hearing was closed.

Councilmember Schrauben noted the Parks and Recreation Commission and Lowell Area Recreation Authority support the Stoney Lake project.

IT WAS MOVED BY SCHRAUBEN and supported by ELLISON that the Lowell City Council adopt Resolution 02-13, a Resolution Approving the Community Development Block Grant Funding Application for Stoney Lake Public Pathway Planning, Sibley Street Reconstruction and Assistance for the Elderly and Handicapped through North Kent Transit.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

## 8. **MONTHLY REPORTS**

Councilmember Ellison noted the City of Lowell Wastewater Treatment Plan (United Water) received a Special Service Award for an outstanding record of precipitation and river gauge measurements from the National Weather Service.

## 9. **COUNCIL COMMENTS**

Councilmember Hall stated the Planning Commission met and discussed signage and the Downtown Historic District Commission has not met.

Councilmember Schrauben stated the Airport Board met February 5 and discussed maintenance needs of the facility. Parks and Recreation met and noted in the City Charter that they are to provide an annual report to the Council. They requested Council input on what they would like to see in this report. Lowell Area Recreation Authority met and had a lengthy meeting discussing where the connection to the rail trails should be.

Councilmember Ellison stated the Arbor Board met and are updating the Comprehensive Tree Plan, LCTV Endowment grants are coming in and the Downtown Development Authority is discussing the budget, parking and downtown merchants.

Mayor Hodges stated the Light and Power Board met and things are progressing well, the Chamber of Commerce’s Annual Winter Gathering is this Thursday, February 21<sup>st</sup> at the Grand Volute, the Expo is Saturday, March 23<sup>rd</sup> at the Lowell High School and Gilda’s Club’s Laugh Fest in Lowell is on Sunday, March 17<sup>th</sup>.

Hodges also thanked City Manager Howe for his pro-active approach such as the City newsletter and his column in the Ledger.

10. **MANAGER'S REPORT.**

1. The Steering Committee is reviewing the final reports from the Community Vision process and will be developing a presentation to the community in the near future. More than 1,000 members of the community participated in this process.
2. The early stages of the budget process continue to move along. Early indications are that we will see another year of declining revenue from property taxes. Staff have compiled and turned in their budget requests. The next step will be individual meetings to focus on specific services and your workshop later this month to talk about your priorities for the upcoming year. We have also started to evaluate staff duties, starting with the city manager and leadership team, with the goal of finding more efficiency in service delivery.
3. Howe will be attending an Urban Area adjustment meeting with the Grand Valley Metro Council later this week. The purpose of the meeting is to adjust the urban boundaries based on the newest census information. This is important as Lowell is currently receiving federal money for street repairs under the Small Urban program (about \$375,000 every other year) and we will want to ensure that the boundaries are not adjusted in a way that we lose this funding.
4. A Council workshop is scheduled for February 25 at 6 p.m. to discuss strategic planning and priorities for the upcoming budget.
5. Howe also mentioned that a grant was received from the Lowell Area Community Fund and a private donation for dugouts and netting for the ball fields at Creekside Park.

11. **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 7:37 p.m. as allowed under the Open Meeting Act MCL 15.268 (c) to discuss union negotiations.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

Council returned to open session at 8:03 p.m.

IT WAS MOVED BY ELLISON and supported by HALL to move to closed session at 8:04 p.m. as allowed under the Open Meeting Act MCL 15.268 (d) to consider the purchase of real property.

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

NAY: 0. ABSENT: 1. MOTION CARRIED.

Council returned to open session at 8:17 p.m.

IT WAS MOVED BY HALL to adjourn at 8:18 p.m.

DATE:

APPROVED:

---

James W. Hodges, Mayor

---

Betty R. Morlock, City Clerk