

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, MAY 20, 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 Chris Schwab, Jim Hall, Andrew Schrauben, Sharon Ellison and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, City Clerk Betty Morlock, City Treasurer Sue Olin, Department of Public Works Director Dan DesJarden, Police Chief Barry Getzen, 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 amended.

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

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

A. May 6, 2013 – Regular Meeting

IT WAS MOVED BY HALL and supported by SCHRAUBEN to approve the regular minutes of the May 6, 2013 meeting as written.

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

B. May 6, 2013 – Closed Session

IT WAS MOVED BY ELLISON and supported by SCHWAB to approve the closed session minutes of the May 6, 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 Schwab, Hall, Schrauben, Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (05/20/2013)</u>	
GENERAL FUND	\$18,929.94
MAJOR STREET FUND	380.00
LOCAL STREET FUND	380.00
DOWNTOWN DEVELOP	3,705.71
GENERAL DEBT SERV	188,022.51
AIRPORT FUND	211.98
WASTEWATER FUND	5,887.89
WATER FUND	17,773.16
CABLE TV FUND	120.00
DATA PROCESSING	1,863.81
EQUIPMENT FUND	1,383.84

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

No comments were received.

6. **OLD BUSINESS**

A. **PENDING COUNCIL PROJECTS REPORT**

City Manager Howe reported there were no new updates at this time.

B. **PUBLIC HEARING: 2013-2014**

Howe stated a recommended budget was presented at an April council meeting reflecting priorities developed through the Strategic Plan, which was adopted by the council in March, 2013. A workshop was held and council discussed the budget at the previous the meeting. The four major modifications in the proposed budget are:

- A modest millage rate reduction.
- A 21 percent increase in the General Fund transfer to Streets.
- A six-percent decrease in the Police budget while maintaining 24/7 coverage.
- An adjustment to water/sewer rates amounting to an increase of less than three percent for the average residential user.

Copies of the proposed budget were available at City Hall, on the city website, and at the Englehardt Public Library.

Mayor Hodges opened the public hearing. No comments were received; Mayor Hodges closed the public hearing.

C. **2013-14 BUDGET RESOLUTION**

A resolution to adopt the 2013-14 Budget and set rates and fees for the upcoming fiscal year was provided.

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN that the Lowell City Council approve the resolution adopting the City of Lowell Annual Budget for Fiscal Year 2013-14, approving millage levies, schedule of rates and fees, and other matters related thereto.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

7. **NEW BUSINESS**

A. **FOP LABOR COUNCIL TENTATIVE AGREEMENT**

A Tentative Agreement has been reached with the Fraternal Order of Police Labor Council representing five full-time police officers. This agreement must be ratified by both parties before a contract can be drafted and signed. It has already been ratified by the employees.

IT WAS MOVED BY ELLISON and supported by SCHRAUB that the Lowell City Council approve the April 23, 2013, Tentative Agreement with the Fraternal Order of Police Labor Council and authorize signatures on a final three-year bargaining agreement reflecting the Tentative Agreement.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

B. **PUBLIC HEARING: SINGLE CONTRACT FOR CITY WIDE RESIDENTIAL TRASH COLLECTION**

The Council is currently reviewing various sections of the Code of Ordinances. Before reviewing the Trash Ordinance, and given the fact that the current contract for trash hauling expires this fall, Council felt it would be beneficial to hold a public hearing to take citizen input on the current system as well as the potential for a single citywide hauling contract or no contract at all. Council set this meeting for a public hearing which was advertised.

Mayor Hodges opened the public hearing. No comments were received; Mayor Hodges closed the public hearing. No action was taken at this time

8. **MONTHLY REPORTS.**

No comments were received from materials presented.

9. **COUNCIL COMMENTS**

Councilmember Schwab noted the Lowell Area Fire and Emergency Services Authority met this afternoon and discussed a new versus used pumper, insurance issues and the Affordable Health Care Act.

Councilmember Hall noted the Planning Commission will have a special meeting on Tuesday, May 28<sup>th</sup> to review a site plan for Dollar Tree at 1120 West Main Street. A public hearing regarding signs will be held at the June 10<sup>th</sup> Planning Commission meeting. The Downtown Historic District Commission did not meet.

Councilmember Schrauben noted the Airport Board met on May 7<sup>th</sup> and discussed maintenance of the taxiway. The Parks and Recreation Commission will be meeting tomorrow, May 21<sup>st</sup> and will be discussing a Capital Improvement Plan. Lowell Area Recreation Authority met and further discussed the pros and cons of various routes proposed for Phase II. Schrauben also noted the Kent County Parks and Recreation Workgroup will be setting another meeting date.

Councilmember Ellison noted the Arbor Board did not meet but had photos taken of the planting of a tree at Builders Fireplace at 521 West Main for Arbor Day. The Downtown Development Authority met and discussed the budget. Ellison also attended the Light and Power Board meeting in behalf of Mayor Hodges. She noted they too were working on their budget. Ellison also sends her thoughts and prayers to tornado-stricken Oklahoma.

Mayor Hodges thanked Ellison for attending the Light and Power board meeting on his behalf. He also stated the Chamber of Commerce met on May 14<sup>th</sup> and noted the Riverwalk Festival will be held on July 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup>. The Look Memorial Fund met on May 15<sup>th</sup> and awarded grants to the Lowell Area Historic Museum and the Flat River Outreach Ministries. The Memorial Day Parade will be on Monday, May 27<sup>th</sup> at 10 a.m. and invited the Council as well as their friends from Lowell and Vergennes townships to walk in the parade.

10. **MANAGER'S REPORT.**

A. Representatives from the Federal Emergency Management Agency (FEMA) were in Lowell on two occasions to conduct initial damage assessments. The first was for an Individual Assessment (IA) in which private and non-profit damage was reviewed. The second was for a Public Assessment (PA) in which damage to public infrastructure and facilities was reviewed. The City is working closely with Kent County to give rough estimates of the individual and public damage. The county works with the state, and the state works with FEMA to submit information that will eventually go to the President for consideration of an emergency declaration.

Howe thanked everyone for their help during and after the flood but wanted to give a special thank you to Carol Briggs who organized and handled the assessment/damage survey reports for the area.

B. A volunteer who was helping clean the showboat expressed some concerns about the structural integrity of the showboat to our building inspector. At the same time the city was working with the

insurance agent to submit an insurance claim and so added the showboat to the claim. An insurance adjuster was assigned and inspected the showboat along with other flood damage to city streets and sewer lines. The insurance adjuster recommended the city have a structural engineer examine the showboat and recommended that it not be open for public use until that time. The insurance adjuster has secured the services of a structural engineer who will perform the inspection in the very near future (if not by the time of your meeting). It is certainly hopeful that these concerns can be put to rest and have the showboat open soon as the spring/summer season is upon us.

11. **APPOINTMENTS.**

No appointments were made.

12. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and supported by HALL to move to closed session at 7:38 p.m. as allowed under the Open Meeting Act MCL 15.268 (c) to discuss union negotiations and personnel issue.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Council returned to open session at 8:50 p.m.

IT WAS MOVED BY ELLISON to adjourn at 8:51 p.m.

DATE:

APPROVED:

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James W. Hodges, Mayor

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Betty R. Morlock, City Clerk