

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
TUESDAY, FEBRUARY 18, 2014, 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 Deputy City Clerk Susan Ullery and roll was called.

Present: Councilmembers Jeff Altoft, Chris Schwab, Jim Hall, Sharon Ellison and Councilmember Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, Deputy City Clerk Susan Ullery, Police Chief Steve Bukula, Wastewater Treatment Plant Superintendent Mark Mundt, Police Dispatcher Theresa Mundt, Light and Power General Manager Greg Pierce and Lowell Light and Power Boardmember Perry Beachum.

2. APPROVAL OF THE AGENDA.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the agenda as written.

YES: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

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

IT WAS MOVED BY ELLISON and seconded by HALL to approve the regular minutes of the February 3, 2014 meeting as written.

YES: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the closed session minutes of the February 3, 2014 meeting as written.

YES: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

4. APPROVAL OF THE ACCOUNTS PAYABLE.

IT WAS MOVED BY ELLISON and seconded by SCHWAB that the bills and accounts payables be allowed and the warrants issued.

YES: Councilmembers Altoft, Schwab, Hall, Ellison and Mayor Hodges.

NO: 0. ABSENT: 0. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (02/18/2014)

General Fund	\$22,075.88
Major Streets Fund	4,278.10
Local Streets Fund	4,322.62
Downtown Development	92.93
Riverfront Development	532.80
Airport Fund	1,170.57
Wastewater Fund	41,550.37
Water Fund	10,092.80
Data Processing	244.30
Equipment Fund	930.72
Current Tax Collection	109,448.84

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

No comments were received.

6. **OLD BUSINESS.**

A. Strategic Plan Update. City Manager Howe passed out a form for the Councilmembers to complete and return to the next work session meeting. This will help determine priorities.

7. **NEW BUSINESS.**

A. CDBG Grant Resolution and Public Hearing. The Council held a public hearing to consider adopting a resolution authorizing our application to Kent County for CDBG funds. While we are submitting an application for funding, we are also having some discussion with Kent County and MSHDA about removing ourselves from the Kent County consortium in order to be eligible for the MSHDA Rental Rehabilitation Program. We have been advised to proceed with our application to Kent County in the event that our final decision is to stay in the consortium.

IT WAS MOVED BY ELLISON and seconded by HALL to adopt the CDBG Grant Resolution 03-14.

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

B. CDBG Grant Resolution and Public Hearing. Last year we allocated CDBG funds toward planning for a Stony Lake Public Pathway and the Sibley Street reconstruction project. We were not able to use CDBG for the pathway project because it is located in a floodplain. We opted not to use CDBG for the Sibley Street project because it would create additional federal requirements that would have increased the cost of the project.

In the meantime, we expanded the Sidewalk reconstruction project from 2012 to include the Ridgeview Connector trail. We would like to reallocate the 2013 funds toward the balance of the Sidewalk/Ridgeview Connector project.

IT WAS MOVED BY ELLISON and seconded by HALL to adopt the CDBG Grant Reallocation Resolution 04-04.

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

- C. Street Sweeping Bids. We conducted a bid process for street sweeping and received bids from Tri-Us Services of Kent City and Sanisweep, Inc., of Grand Rapids. As part of the process, we asked for bids for a one-year or three-year commitment and for three sweeps throughout the year. The actual bid tabulations include several factors which I am not listing in this memo, however, the tabulations are available for review through the City Clerk. The following illustrates why we are recommending Sanisweep, Inc., for a three-year agreement for city street sweeping services.

	<i>One-Year</i>	<i>Three-Year</i>	<i>Disposal Per Ton</i>
Sanisweep, Inc.	\$18,584	\$18,584	\$21.00 per ton
		\$18,584	\$21.00 per ton
		\$18,584	\$21.00 per ton
Tri-Us Services, Inc.	\$19,800	\$19,800	\$30.00 per ton
		\$20,790	\$32.00 per ton
		\$21,830	\$35.00 per ton

IT WAS MOVED BY HALL and seconded by ALTOFT to approve the bid from Sanisweep, Inc. for a three-year commitment for city street sweeping and authorize appropriate signatures on the agreement.

YES: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

- D. Parks Use Agreement, Lowell Lacrosse. The City has negotiated a new agreement with Lowell Lacrosse for the use of Burch Field for the 2014 and 2015 seasons. The agreement would be for a per participant fee of \$7.50 in 2014 and \$10.00 in 2015. This completes the transition to \$10.00 per participant for all athletic organizations using city fields and coordinates a common expiration date for each of the agreements.

IT WAS MOVED BY ELLISON and HALL to approve and authorize appropriate signatures on the two-season agreement with the Lowell Lacrosse Organization.

YES: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

- E. Arbor Board Recommendation to Remove Library Tree. The Arbor Board and city staff have been working for the past five years to save the Sugar Maple tree located in front of the Englehardt Public Library. We have been working with a certified arborist and have spent a total of \$4,603 on soil treatments and removing dead limbs. At the end of 2012 the arborist estimated the useful life of the tree to be two to five years. During this time, additional trimming will be needed in order to manage the risk at an acceptable level. Considering the cost of continued pruning, the estimated useful life, and the danger to the public, the Arbor Board has recommended removing the tree.

Councilmember Ellison, who also serves on the Arbor Board stated this was a unanimous decision from the Arbor Board.

IT WAS MOVED BY ELLISON and seconded by HALL to accept the recommendation from the Arbor Board and authorize the removal of the Sugar Maple tree at the Englehardt Public Library.

YEA: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

F. City Hall Garage Door replacement/Repair. We have had ongoing trouble with the south garage door at city hall and have recently discovered a problem with a bearing on the north garage door. While we have contracted to have the north door bearing replaced, the door itself may need to be replaced in the next few years.

In the meantime, the south door has collapsed and is no longer operating. Over the years, we have continually rebuilt the motor and various components of the door but it is just not engineered correctly and needs to be replaced with a different type (rollup) of door. We are in the process of obtaining bids and will have them by the time of the meeting with the estimated cost being less than \$10,000. In addition, we have submitted a claim to our insurance carrier and hope that a portion of the replacement cost is covered.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the bid from Raynor Door in the amount of \$7,950 for the replacement of the south garage door at city hall.

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

8. **MONTHLY REPORTS.** No comments were received.

9. **COUNCIL COMMENTS.**

Councilmember Altoft noted the Downtown Development Authority meeting was cancelled. He attended the Parks and Recreation Commission meeting. Altoft applauded the DWP employees for doing a good job keeping the streets cleared of snow. He suggested the idea of allowing street parking.

Councilmember Schwab had nothing to report from the Lowell Area Fire and Emergency Services Authority. Schwab thanked those who have been doing such a good job clearing the streets.

Councilmember Hall had nothing new to report regarding the Lowell Area Recreation Authority. The new Planning Commission Chair is Shannon Hanley and Vice Chair is Rachel Schwab.

Councilmember Ellison stated the LCTV Endowment Board will be meeting next week as well as the Downtown Historic District Commission. The Arbor Board is currently working on the 2014/2015 Comprehensive Tree Plan which will be presented to the City Council during the March, 2014 meeting.

Ellison commented on the tree at the library. This was a difficult recommendation but we do not want to see anyone hurt. Ellison thanked the Mayor for coming to the middle school to help dedicate the portrait of George Washington.

Mayor Hodges stated he had the opportunity to visit the middle school and help dedicate the portrait and flag of George Washington. Hodges wished Karen Hale best wishes as the Hallmark store is closing and she begins her retirement. On Thursday, February 20, 2014 there will be a ground breaking ceremony for the Bio-Digester. Later that evening the Chamber of Commerce will have its annual dinner to recognize people and businesses who are involved in our community. Congratulations will be given to Person of the Year/Greg Canfield, Business Appreciation Award/Laurels of Kent, Best Business to Watch/Ella's, Non-Profit Spotlight/Lowell Rotary Club, Brick Award/Builders Fireplace as well as Vergennes Broad Band.

9. **MANAGER'S REPORT**

1. We are in the process of reviewing and making adjustments to the budget for the current year in the face of a number of issues that have cropped up that we could not have anticipated. Overall we may need to use fund balance in the general fund at the end of the year, primarily because of the fire truck purchase. Otherwise, we should be able to make adjustments and end on a positive note, however, I felt it important to provide you with a snapshot of the several challenges we've been facing:
 - Fire Truck Purchase: With the lack of a long-term capital replacement plan for fire equipment we have not had the ability to set aside funds. The replacement of two vehicles with a single vehicle made sense and we needed to get on a replacement schedule. As mentioned when you were considering this item, it may put us over budget for the year and we will likely need to use fund balance. Our payment for the current fiscal year was approximately \$61,000. In the meantime, we continue to encourage the fire authority to develop a long-term equipment replacement plan.
 - South Garage Door Replacement: This was an item on your current agenda and again the lack of a capital plan for facilities has put us in a position where we have not set aside funds for improvements or major repairs. We will spend approximately \$10,000 repairing both the north and south side doors this year which was not anticipated. In addition, we are developing a capital plan for facilities that would include city hall, the library and other public buildings and facilities.
 - Winter Weather: We have spent more than 80 percent of our budget for winter maintenance so far this year. Fortunately, we were diligent in our efforts to maintain a realistic budget when you adopted it last year but this has been beyond a "realistic" year.
 - Tower Strobe Light: We spent approximately an additional \$2,000 to replace the strobe light at the top of the downtown tower. Again, a facility plan will help us identify how much needs to be set aside each year in order to build reserves for these issues when they come up.
 - Drought, Tree Watering: It may be difficult to remember given the amount of snow we've had this year, but we had near drought conditions last summer which required that we water a number of city trees including several new plantings. The result was approximately \$5,000 in unplanned labor and equipment costs.
 - City Hall HVAC Repair: The heating/cooling system at city hall is aging to the point where more maintenance and repairs are needed. We'll start to factor this into future budgets, however, during the current year there was another \$2,000 in expenses that were unplanned.
2. We submitted the following grant applications to the LCTV Fund:
 - Street Reconstruction, Bowes Road: \$64,518
 - Urban Forest Initiative: \$15,000
 - Riverwalk Amenities: \$6,000
 - Creekside/Stoney Lake Restroom Improvements: \$10,000
 - Downtown Tower Removal/Replacement at New Location: \$25,000
3. While City Clerk Betty Morlock is on extended leave, a number of staff at city hall and the police department have been helping to fill the void and maintain city services. With only five people at city hall, one less person means a 20 percent reduction in the workforce. Please take the time to thank our city staff for the great work that they do, and especially during this time when they are going the extra mile to serve the citizens and taxpayers of Lowell.
4. Michigan's House Tax Policy Committee took testimony on Tax Increment Finance Authorities and Downtown Development Authorities recently. Some of the testimony painted a negative picture of DDA tax capturing although the Michigan Municipal League testified about the positive economic development impact DDAs have had in local communities. Lowell is a perfect example of the success of a DDA where the investment in infrastructure projects such as the original riverwalk, the riverwalk extension, streets, sidewalks and parking have had a significant positive impact on the community.

There may be a time in the near future when we will need to reach out to the elected representatives in Lansing to help them see what a positive difference the DDA has made in helping Lowell become the vibrant core of a thriving community.

5. The freezing temperatures and resulting frost are causing more water service lines to freeze than during a “normal” year. We are working with customers to adjust their water bill if they have to run their water at a trickle in order to avoid freezing lines. The challenge this year is that more people are experiencing this problem and often have to call a plumber to unfreeze their lines. Our ordinance is clear that homeowners are responsible for service lines, however, if a homeowner is able to prove that the line is frozen beyond the curb stop box we have been working with them to cover the cost of unfreezing the line.
6. We have a workshop scheduled for February 24, 6 p.m., at city hall.

10. **APPOINTMENTS**

IT WAS MOVED BY ELLISON and seconded by ALTOFT to appoint Matthew Mayer to the Planning Commission with a term expiring 06/30/2015.

YEA: 5. NO: 0. ABSENT: 0. MOTION CARRIED.

11. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and seconded by HALL to move to closed session at 8:02 p.m. as allowed under the Open Meetings Act MCL 15.268(c) to discuss union negotiations.

YES: Councilmembers Hall, Ellison and Mayor Hodges.

NO: Councilmembers Altoft. ABSTAIN: Councilmember Schwab. (Left at 8:03)

ABSENT: 0. MOTION CARRIED.

IT WAS MOVED BY ELLISON and seconded by HALL Council returned to open session at 8:10 p.m.

IT WAS MOVED BY ALTOFT and seconded by ELLISON to adjourn at 8:11 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Susan S. Ullery, Deputy City Clerk