

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, JULY 21, 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 Mayor Hodges and roll was called by Deputy City Clerk Susan Ullery.

Present: Councilmembers Jeff Altoft, Jim Hall, and Mayor Jim Hodges.

Absent: Councilmember Ellison.

Also Present: City Manager Mark Howe, Deputy City Clerk Susan Ullery, Police Chief Steve Bukala, DPW Director Dan Desjarden and Lowell Light and Power Manager Greg Pierce.

2. **EXCUSE OF ABENCE(S).**

IT WAS MOVED BY HALL and seconded by ALTOFT to excuse the absence of Councilmember Ellison.

YES: 3. NO: 0. ABSENT: 1. MOTION CARRIED.

3. **APPROVAL OF THE AGENDA.** A suggestion was made to discuss the street closure request first under "New Business".

IT WAS MOVED BY HALL and seconded by ALTOFT to approve the agenda as corrected.

YES: 3. NO: 0. ABSENT: 1. MOTION CARRIED.

4. **APPROVAL OF MINUTES OF THE PREVIOUS MEETING(S).**

IT WAS MOVED BY HALL and seconded by ALTOFT to approve the regular minutes of the July 7, 2014 meeting as written.

YES: 3. NO: 0. ABSENT: 1. MOTION CARRIED.

5. **APPROVAL OF THE ACCOUNTS PAYABLE.**

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

YES: Councilmembers Altoft, Hall and Mayor Hodges.

NO: 0. ABSENT: Councilmember Ellison. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (07/21/2014)</u>	
General Fund	\$12,350.58
Major Streets Fund	597.00

Local Streets Fund	495.00
Downtown Development	15,018.20
Riverfront Development	18,063.33
Airport Fund	2,021.52
Wastewater Fund	39,893.76
Water Fund	7,434.41
Data Processing	200.08
Equipment Fund	1440.82

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

Dick Johnson, 1575 Sibley, voiced his concerns with the sidewalk replacement program and the quality of work the contractor is doing.

Greg Canfield, 403 N. Washington, mentioned the City does not have enough public parking. He added this is something that should be brought before the community to vote upon.

Debra Duiven-Dunning, 203 N. Jefferson, stated her concerns regarding the lighting of fireworks.

7. **OLD BUSINESS.**

A. Strategic Plan Update. An updated report was provided. City Manager Mark Howe stated the second Valley Vista Trailer Park clean-up project is postponed for now.

The Downtown Development Plan held its first stakeholder meeting on July 15 and it was a great start to this project. We estimate that nearly 50 people attended. We look forward to having this completed by the end of the year.

8. **NEW BUSINESS**

A. Street Closure Request.

An application was submitted from Rocky Eickhoff to close a portion of Division Street from Front to Kent Street for the purpose of holding a fund raising block party to assist in rebuilding a home was damaged by flooding. Police Chief Steve Bukala has reviewed the application and has recommended approval.

IT WAS MOVED BY ALTOFT and seconded by HALL to approve the request to close Division Street from Front Street to Kent Street on August 9 from 10 a.m. to 10 p.m.

YES: 3. NO: 0. ABSENT: 1. MOTION CARRIED.

Rocky Eickhoff of 222 S. Division inquired about barricades. DPW Director Dan DesJarden stated these can be provided.

B. FEMA Grant Agreements.

We have received an addendum to our grant agreement with the State of Michigan whereby we received federal funds to reimburse for expenses relating to the record flood in April, 2013. The federal funds covered 76 percent of our expenses (which were about \$85,000). This addendum will provide state

funding to provide reimbursement for 12.5 percent of our expenses. We estimate the total to be approximately \$10,700 in reimbursement.

IT WAS MOVED BY HALL and seconded by ALTOFT to approve the addendum to the State of Michigan grant agreement, DR-4121-MI.

YES: 3. NO: 0. ABSENT: 1. MOTION CARRIED.

9. **MONTHLY REPORTS.**

No comments were received.

10. **COUNCIL COMMENTS.**

Councilmember Altoft commented on the sidewalk inspections being done annually.

Altoft also commented on Main Street and the DDA. He questioned why the City clears snow from the sidewalk in the immediate downtown area but does not in other areas. City Manager Howe explained the City is under contract with MDOT to clear the bridges during the winter. Therefore the snow is plowed while traveling to the bridge. This also prevents the snow from getting packed down and turning to ice. Altoft suggested this be explained better to the public.

Altoft inquired about the red pickup that belongs to the City but is used by the Wastewater Treatment Plant employees. Do expenses for this truck come from the sewer budget? Howe stated he would review and let Altoft know. Altoft raised this concern because these are subcontractors using a City owned vehicle.

Altoft was happy to see so many individuals using the kayak launch.

Mayor Hodges stated the Light and Power Board met last week. The bio-digester is underway and progress is moving along. Light and Power has also updated their 2015 Strategic Plan. Along with their current bill, they also provided information regarding a “residential energy efficiency program” which gives many helpful ideas on saving energy.

Hodges noted Susan Maxwell-Stevens, who writes the newsletter, was recently in an accident. Best wishes in her recovery.

Hodges commented on the change in the Charter which was voted upon at the last Council meeting. It is too late to bring before the voters at the November, 2014 election but can be considered for another election.

Hodges referred to the fireworks. The police chief is working on this. However, there are State statutes which must be followed allowing fireworks on a holiday and the day before and the day after.

11. **MANAGER'S REPORT**

1. Two tanks have been installed at the bio-digester project and much of the interior work is in full swing. We are tentatively planning to tour the site on August 14 in the evening with the Light & Power board. I will let you know when this is confirmed and the time, but please mark your calendars for now.

2. The newly installed kayak launch has been a real success. The Rotary Club of Lowell used it for a float-in on Friday night during the Riverwalk Festival. Also, the picnic tables are getting a lot of use and we are looking at purchasing Adirondack chairs for the one space left.
3. Bids were due last Friday for the trim work repair at City Hall. We will review the bids in hopes of bringing a recommendation to you at the next meeting.
4. The airport has been working with the State, contractor and Vergennes Township with regards to creating an airport zoning ordinance, which would then be incorporated into the city's ordinance. This would create a process that would provide airspace protection.
5. At the last meeting, a motion was declared defeated by the City Council with regards to a charter amendment. Prior to the meeting, the City Attorney indicated the vote on the charter amendment would require a super majority which means it must pass with a vote of four to five. However, a question was then asked if it is going to the voters for a decision, does it really require a super majority. Howe then referred back to the city attorney and was told the requirement comes from the "Home Rules City's Act". This states in order to amend the City Charter, there must be a three fifths vote or super majority of the City Council. In this case, we have five councilmembers and three out of five councilmembers would be enough to put the issue on the ballot. However, referring to the last meeting, the vote was declared as failed. In order to put the amendment on the ballot it would have to be motioned to be reconsidered by anyone who had voted in the majority and then again pass on a three fifths vote.

Howe stated we will continue to review ideas of how a parking lot can be constructed behind the 200 block of Main Street.

6. Howe stated he will be contacting Dick Johnson regarding his sidewalk concerns.

12. **APPOINTMENTS.**

Historic District Commission Vacancy –	01/01/2017
Planning Commission Vacancy –	06/30/2016

Applications will be accepted for the City Council position until noon on July 25, 2014.

IT WAS MOVED BY HALL to adjourn at 7:30 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Susan S. Ullery, Deputy City Clerk