

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, OCTOBER 6, 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, Sharon Ellison, Jim Hall, Matt Mayer and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager Mark Howe, Deputy City Clerk Susan Ullery, Chief of Police Steve Bukala and Lowell Light and Power General Manager Greg Pierce

2. **APPROVAL OF THE AGENDA.**

IT WAS MOVED BY ALTOFT and seconded by MAYER to list "Council Comments" after "Manager's Report".

YES: 2. (Councilmembers Altoft and Mayer)

NO: 3. (Councilmember Ellison, Hall and Mayor Hodges)

ABSENT: 0. MOTION FAILED.

IT WAS MOVED BY HALL and seconded by ELLISON 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 September 15, 2014 meeting as written.

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

Councilmember Altoft questioned the procedure for approval of the request from Whites Bridge Historical Society regarding a Charitable Gaming License. He wanted to make sure this was done correctly. City Manager explained the process, noting it was correct.

IT WAS MOVED BY ELLISON and seconded by HALL to approve the work session minutes of the September 17, 2014 meeting as written.

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

IT WAS MOVED BY HALL and seconded by ELLISON to approve the work session minutes of the September 29, 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 ALTOFT that the bills and accounts payable be allowed and the warrants issued.

Councilmember Mayer commented on the difficulty of reading the figures of the accounts payable. He wanted a user friendly format. Altoft agreed. There should be a beginning and ending balance in every department. Howe explained approval of the accounts payable is for the bills that have been paid since the last Council meeting. Each month financial reports are provided showing the beginning and ending balance for each fund and every department.

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

NO: None. ABSENT: None. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (10/06/2014)

General Fund	\$44,583.66
Major Street Fund	6,405.88
Local Street Fund	31.74
Downtown Development	3,846.89
Airport Fund	2,052.32
Wastewater Fund	1,961.48
Water Fund	5,577.56
Data Processing Fund	925.00
Equipment Fund	1,114.57
Current Tax Collection	1,827,632.46

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

No comments were provided.

6. **OLD BUSINESS.**

- A. **Strategic Plan Update.** An updated report was provided. City Manager Mark Howe stated we promoted the fact that MDOT has made adjustments to the timing of the lights at Main Street and Hudson Street and asked for public input on our face book page.

We discussed the progress being made on the Street Asset Management Plan at your September 17 workshop and also discussed in detail why a plan is important to make the most efficient use of available resources to extend the remaining service life of the street system. The street rating process has been completed by GVMC who is working with Williams & Works to identify estimated costs for appropriate mix of fixes that can be applied to our plan. The next step will be to use RoadSoft to model a plan over a 10 year period. Howe provided a list of the street projects that have been completed.

Prein & Newhoff presented its report at the September 29 workshop regarding the Inflow & Infiltration Mitigation. The Council asked what impact the project could have on rates. Howe will be preparing those calculations. We expect to come to you in the next month or so for discussion and a decision at a regular council meeting about whether or not to proceed with the project.

The second Valley Vista Trailer Park clean-up project is being coordinated along with the October 11 Community Clean-Up.

The Pilot Leaf Disposal Project was discussed at the September 17 workshop with a consensus that we have explored this sufficiently but that this is not a project we are able to accomplish. This item is completed.

B. Pending Council Projects Report.

Downtown Tower Removal – We have issued a Request for Proposals to have the downtown tower removed and sold. The deadline for submitting proposals is October 17. We hope to bring a recommendation to you at your October 20 meeting and expect to have the tower removed by the end of November.

Lime Disposal – Our engineering firm has been in contact with the DEQ and has been informed that lime application on agricultural land is being handled by the Department of Agriculture effective September 16. We are working with both departments to determine how to proceed.

Underground Electrical Lines – During your early September workshop you asked that I convey to Light & Power that you would like to have a report back to the council by your second meeting in October. Greg Pierce responded to my email stating that he would have something prepared for your October 20 council meeting.

Trash Ordinance Update – We have completed drafts to make improvements to the trash ordinance and have also developed rules to go along with the ordinance. This will be an agenda item at a future workshop.

Right of Way Ordinance – You have asked that I contact the city attorney to begin a discussion about a right-of-way-ordinance.

7. **NEW BUSINESS**

A. Light & Power MERS Retiree COLA. The Light & Power Board is recommending that you approve a 1.69% Cost of Living Adjustment (COLA) for Light & Power retirees.

IT WAS MOVED BY HALL and seconded ELLISON to accept the recommendation of the Light & Power Board and approve adoption of the Flexible Benefit E option for retirees with a 1.69% COLA increase for 2014.

City Mechanic Ralph Brecken asked if the City would follow this increase with its City employees. Mayor Hodges stated this would be discussed as part of the budget review.

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

- B. Underground Wires Ordinance. During a recent workshop the Council discussed putting the standards for burial of underground wires by Light & Power into an ordinance. The Council asked that this item be placed on the next regular meeting agenda. Mayor Hodges explained City Attorney Richard Wendt has indicated this would be considered a policy rather than an ordinance.

Altoft did not believe Light & Power was following their policy.

Councilmember Hall stated the Charter calls for Light & Power to be independent with its own board.

Peggy Covert of 982 N. Washington was concerned as a rate payer.

City Manager Howe stated the Light & Power Board has had discussion on this issue. They can change this policy and also create exceptions to that policy. The appropriate level of discussion is with the Light & Power Board.

Councilmember Mayer noted the conduits are short in areas and action needs to be taken.

Councilmember Ellison stated the Council is aware of the issue and has requested a report from Light & Power. The City Council is following the proper procedure. Howe noted at the last workshop meeting, the Council requested such a report be provided sometime during the month of October.

Covert read from Section 16.3 of the City Charter it reads “subject to the general direction of the council”. She has asked the Council to direct them to get this fixed.

- C. New Underground Wires Ordinances. During a recent workshop the Council discussed requiring new power lines to be installed underground. The Council asked that this item be placed on the next regular meeting agenda.

Councilmember Altoft stated he would like to see all new wires placed underground. Councilmember Hall believed this would be costly and did not favor the idea. Councilmember Ellison liked the idea but also believed it would be expensive.

Hodges suggested a worksession with the Light & Power Board.

- D. LCTV Fund. During a recent workshop the Council discussed using interest during the next year from the LCTV Fund toward street improvement projects. The Council asked that this item be placed on the next regular meeting agenda for further discussion.

Councilmember Altoft stated he would like to see 100% of the money dedicated to street funds. Councilmember Hall agreed. The City and the residents have indicated streets are a priority. He suggested this be reviewed annually, when the budget is being prepared. Councilmember Ellison also agreed as well as Councilmember Mayer. Mayor Hodges suggested 50% of the interest be designated toward streets.

Don Schneider of 521 Elizabeth Street spoke in regards to a section of sidewalk missing on the corner of Elizabeth and Amity.

IT WAS MOVED BY ALTOFT and seconded by HALL to use 100% of the LCTV Fund interest toward local street improvement projects for 2015. The funds should be reviewed annually during the first part of May when the budget is being prepared.

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

8. **COUNCIL COMMENTS.**

Councilmember Mayer stated the Fire Authority Board will be meeting on October 20th.

Councilmember Altoft stated the last workshop agenda consisted of discussing the budget of the police department, not to contract them out. Therefore, he requested the police department budget be added to a future workshop agenda. Altoft also commented on the contract with the Wastewater Treatment Plant, as it is expiring soon. He suggested this be added to the strategic plan as a #1 priority.

Altoft made note that Smith Street has not been upgraded yet as was requested as part of the bio-digester agreement.

Altoft believed it was time to resolve the union contracts.

Altoft requested a beginning and ending balance for every department in the City. He wants to know all the capital expenditures we have and how much of the equipment fund was spent and on what. He also questioned where the money is coming from to pay for the fire truck and where it came from last year.

Councilmember Hall stated the Planning Commission will meet on October 13, 2014. LARA will be meeting on October 8, 2014. The Planning Commission had a joint meeting with Lowell and Vergennes Township. These are annual meetings and worthwhile. He suggested the Parks Commission meet with the Lowell Township Parks Commission.

Councilmember Ellison stated neither the Arbor Board nor LCTV Committee met. The Historic District Commission discussed signage and received updates on grants.

Ellison stated at the last worksession meeting the Council discussed odd/even parking. However, it has been determined it would not be best to pursue at this time.

Mayor Hodges stated Lowell Light and Power will meet on Thursday, October 9, 2014. The Chamber of Commerce will host the Harvest Festival this coming weekend. A community cleanup will be held at the fairgrounds. The Look Memorial Fund met on September 24, 2014. Various personnel changes may take place over the next year as Dr. Gerard is looking at stepping down. There is an investment strategy with the Grand Rapids Foundation being reviewed. Approximately \$29,202 will be available for grants. The applications for the Look Fund are due October 31 and the Committee will meet November 19 to review. Hodges also noted there will be an open house at the Fire Station from 6 p.m. to 8 p.m. on October 8 to celebrate Fire Awareness Week. It was also noted there was a great picture in the Grand Rapids Press referring to the Lowell Area Historical Museum.

9. **MANAGER'S REPORT**

1. Construction has begun for the O'Reilly's Auto Parts store on Main Street near Valley Vista. In addition to construction of the building, the contractor is also responsible for installing new water and sewer mains from the southwest corner of the Ace Hardware lot to the intersection at Valley Vista.

2. We worked with MDOT to have changes made to the timing of the lights at Main and Hudson Streets which has improved some of the traffic backups since the new left turn signals were installed. We also posted this information on our Facebook page and will be forwarding citizen comments to MDOT.
3. We are meeting with the Grand Rapids Foundation to discuss the potential of depositing several endowment funds (Look, Lee and Carr) with them to improve investment returns.
4. A group is making a field trip to Grand Rapids to visit Blue 35 to see if that concept can be brought to Lowell in some way. Check out Blue 35 at the following link: <http://blue35gr.com/>.
5. During the workshop meeting it was brought up to place LCTV Fund on one agenda and to have the city attorney create a resolution that could be decided at a future meeting.
6. The Smith Street upgrade is scheduled for next week. Also, there has been discussion to patch Chatham Street at the same time.
7. Howe appreciated receiving the strategic plan comments from the City Council. This is how priorities are set. He still needs the completed worksheet from one councilmember.
8. Howe provided a picture of how all trash cans throughout the City will look when sandblasted and repainted

10. **APPOINTMENTS.**

None.

11. **CLOSED SESSION**

A. Union Negotiations

IT WAS MOVED BY ELLISON and seconded by HALL to move to closed session at 8:15 p.m. as allowed under the Open Meetings Act MCL 15.268(c) to discuss union negotiations.

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

NO: 0. ABSENT: 0. MOTION CARRIED.

IT WAS MOVED BY ELLISON and seconded by HALL to return to open session at 8:50 p.m.

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

DATE:

APPROVED:

James W. Hodges, Mayor

Susan S. Ullery, Deputy City Clerk