

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
TUESDAY, JANUARY 3, 2017, 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 City Clerk Susan Ullery.

Present: Councilmembers Greg Canfield, Jim Hodges, Jeff Phillips, Alan Teelander and Mayor DeVore.

Absent: None.

Also Present: City Manager Mike Burns, City Clerk Susan Ullery, Police Chief Steve Bukala and L&P General Manager Steve Donkersloot.

2. **ELECTION OF OFFICERS AND ORGANIZATION.**

a. Mayor

IT WAS MOVED BY HODGES and seconded by TEELANDER to nominate Mike DeVore as Mayor.

Nominations were closed.

IT WAS MOVED BY CANFIELD seconded by TEELANDER to elect Mike DeVore as Mayor.

YES: Councilmember Canfield, Mayor DeVore, Councilmember Hodges, Councilmember Phillips, and Councilmember Teelander

NO: None. ABSENT: None. MOTION CARRIED.

At this time the meeting was turned over to Mayor DeVore.

b. Mayor Pro Tem

IT WAS MOVED BY CANFIELD to nominate Jim Hodges as Mayor Pro Tem.

Councilmember Hodges respectfully declined.

IT WAS MOVED BY PHILLIPS and seconded by DEVORE to nominate Alan Teelander as Mayor Pro Tem.

Nominations were closed.

IT WAS MOVED BY PHILLIPS and seconded by HODGES to elect Alan Teelander as Mayor Pro Tem.

YES: Councilmember Phillips, Councilmember Teelander, Councilmember Canfield, Mayor DeVore, and Councilmember Hodges.

NO: None. ABSENT: None. MOTION CARRIED.

c. Review and Adoption of the Council Rules of Procedure.

IT WAS MOVED BY HODGES and seconded by PHILLIPS to adopt the Council Rules of Procedure with the changes.

YES: Councilmember Teelander, Councilmember Canfield, Mayor DeVore, Councilmember Hodges, and Councilmember Phillips.

NO: None. ABSENT: None. MOTION CARRIED.

3. **APPROVAL OF THE CONSENT AGENDA**

IT WAS MOVED BY TEELANDER and seconded by HODGES to approve the consent agenda as written.

- Approval of the Agenda.
- Approve and place on file the special and closed session minutes of the December 1, 2016 Joint Special City Council/LL&P meeting.
- Approve and place on file the regular and closed session minutes of the December 5, 2016 City Council meeting.
- Authorize payment of invoices in the amount of \$209,094.50.

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

4. **CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA.**

Perry Beachum of 924 Riverside Drive commented on a misprint in the December 21, 2016 issue of the Lowell Ledger which referenced the bio-digester. He noted the misprint was corrected in the December 28, 2016 issue of the Lowell Ledger.

Jim Salzwedel of 505 North Jefferson congratulated Mayor DeVore and Mayor Pro Tem Teelander. Salzwedel commented on the streets in Lowell and hoped that the repaving of North Jefferson Street was still on the agenda for this year. He also questioned the repair and maintenance of City streets in the upcoming year and asked the Council to report back on this.

5. **OLD BUSINESS.**

a. Bio-digester Update.

City Manager Mike Burns stated representatives continue to work with Lowell Energy AD to eliminate the odor.

6. **NEW BUSINESS.**

- a. Authorization of Signatures for City Bank Accounts and Designation of Depository Banks. The Council needs to authorize the signatures on the checks and the people who can access the safety deposit box.

The following designations are recommended:

Authorized signatures:

Mayor
Mayor Pro Tem

City Manager Mike Burns
City Treasurer Suzanne Olin
Police Chief Steve Bukala
Deputy City Treasurer Lori Gerard

Safety Deposit Box:

Susan Ullery
Theresa Mundt
Luanne Wisniewski

Depository Banks:

Comerica Bank-Grand Rapids	(Grand Rapids)
Huntington Banks	(Lowell)
PNC Bank	(Grand Rapids)
Fifth Third Bank	(Lowell, Ada, Grand Rapids)
Macatawa Bank	(Grand Rapids)
Bank of America	(Grand Rapids)
Mercantile Bank of Michigan	(Lowell, Grand Rapids)

IT WAS MOVED BY HODGES and seconded by PHILLIPS to approve the authorization of signatures for City Bank Accounts and designation of depository banks as proposed.

YES: Mayor DeVore, Councilmember Hodges, Councilmember Phillips, Councilmember Teelander and Councilmember Canfield. NO: None. ABSENT: None. MOTION CARRIED.

- b. Grand Rapids Community College – Collection of Summer Property Taxes for 2017. As in previous years, the Grand Rapids Community College has requested that the City collect the 2017 summer property taxes for the district. The City collects the Grand Rapids Community College property taxes at no fee in exchange for retaining earned interest while the monies are deposited in city accounts.

IT WAS MOVED BY HODGES and seconded by DEVORE to approve the request from the Grand Rapids Community College to collect the 2017 summer property taxes for the district at no fee in exchange for retaining earned interest while the monies are deposited in city accounts.

YES: Councilmembers Hodges, Councilmember Phillips, Councilmember Teelander, Councilmember Canfield and Mayor DeVore. NO: None. ABSENT: None. MOTION CARRIED.

- c. Resolution 01 – 17 – Support and Approval of Submission of an Application for Permission to Locate a New Permanent Showboat Structure on Pilings in the Flat River. The City will be submitting a permit request to the Michigan Department of Environmental Quality (MEDQ) and the United States Army Corps of Engineers (USACE) for the Showboat. A resolution of support is necessary to allow the City to move forward with submission of the permit.

IT WAS MOVED BY HODGES and seconded by DEVORE to adopt Resolution 01-17 as presented.

YES: Councilmember Phillips, Councilmember Teelander, Councilmember Canfield, Mayor DeVore and Councilmember Hodges. NO: None. ABSENT: None. MOTION CARRIED.

d. Resolution 02-17 – Performance Resolution for Governmental Agencies.

Chief Steve Bukala was recently informed by the Michigan Department of Transportation (MDOT) that an updated resolution needs to be passed by the City Council in order for MDOT to issue the annual permit to the City needed for the parades, banners and other events that occur along Main Street.

IT WAS MOVED BY HODGES and seconded by PHILLIPS to support Resolution 02-17 as presented.

YES: Councilmember Teelander, Councilmember Canfield, Mayor DeVore, Councilmember Hodges and Councilmember Phillips. NO: None. ABSENT: None. MOTION CARRIED.

e. Bow Hunting on Ten Acres of Private Land – Review Ordinance.

City Manager Burns stated a local resident recently submitted a request to revise Ordinance 13-112. Currently, the ordinance allows for hunting with a bow and arrow on property in the City where the owner possesses 10 acres or more. The ordinance prohibits the use of cross bows at this time. The resident is requesting that the cross bow prohibition be stricken from the ordinance.

Burns discussed this matter with Chief Bukala, who has no concerns. However, Burns wanted to have discussion with the Council on the matter before bringing a change forward.

By general consensus, Council agreed to move forward with the revision.

f. Discussion on Food Trucks.

City Manager Burns stated recently there was an incident where a food truck was at a business in the downtown district. There was concern by some other restauranteurs pertaining to the food truck being able to serve in the district. The biggest concern was that these businesses are coming into the downtown, not paying any city taxes and making a profit in the City. Burns was in agreement with them on this and as he began researching this, he learned the ordinance does not allow this.

Burns wanted to have discussion with the City Council on future direction of this matter. Food trucks are becoming a very important part of vibrant downtowns across the United States.

Burns recommended discussion on the issue and possible reevaluate the ordinance.

Councilmember Hodges suggested seeking input from neighboring communities to see how they handle food trucks. Chief Bukala advised Chamber of Commerce Director Liz Baker is in charge of the food trucks for the Riverwalk Festival. Bukala also provided ordinances from surrounding areas on some of their criteria as far as food trucks.

Roger LaWarre of 681 Birchwood Court, Blair Cahoon of 700 East Main Street, Tyler Velting of 400 West Main, Marty Chambers of 217 West Main, Brian Wade of 12991 Ryan Ridge voiced their opinions of food trucks in the City.

Owner of Patty Matters - Food Truck explained as an owner, one must apply for a transient merchant permit before selling food at specific locations. Each are licensed by the health department and heavily regulated. She noted her food truck has many followers Facebook, which is also good advertising for the City of Lowell.

Councilmember Teelander suggested tabling the issue for further investigation.

7. **BOARD/COMMISSION REPORTS.**

Councilmember Phillips stated the Historic District Commission (HDC) received an application from 312 East Main Street. They wish to install new windows and a door. Councilmember Canfield explained this new business will be called "My Hometown Furnishings". They will occupy approximately 60% of the old Superior Furniture building. Phillips noted the next HDC meeting will be held January 24, 2017 at 6:00 p.m.

Councilmember Hodges noted that the Arbor Board meeting was cancelled. He went on to state the Lowell Cable TV Endowment Board (LCTV) will be accepting applications until February 10, 2017. The Fire Authority Board meeting was cancelled on December 12, however a special meeting was held on December 13, which he was unable to attend. Hodges also commented that Lt. Lynn Ort, who had been a firefighter for 24 years, has retired.

Councilmember Canfield advised that he is newly elected and currently not serving on any boards or commissions. Therefore, he had nothing report.

Councilmember Teelander stated he attended the Lowell Light and Power (LL&P) board meeting. LL&P General Manager Steve Donkersloot provided a brief update of the meeting.

Mayor DeVore had no meetings to attend. He noted Lowell Area Recreation Authority (LARA) will be meeting with City Manager Mike Burns and Department of Public Works Director Rich LaBombard regarding snow removal on the trails.

8. **MONTHLY REPORTS.**

No comments were received.

9. **MANAGER'S REPORT.**

City Manager Burns reported on the following:

- Addorio Technologies has been directed to provide a quote on tablets for the City Council.
- As of January 1st there will be a gas tax increase. Burns commented on how this will affect Lowell.
- On Thursday, January 12th at 6:00 p.m. a representative from the Michigan Municipal League (MML) will speak at the Lowell High School Performing Arts Center on behalf of a series called "Save My City". He encouraged the citizens to attend.

- Dr. Lew Bender will be meeting with the Council on Friday, January 20th from 5:00 p.m.-8:30 p.m. and Saturday, January 21st from 8:00 a.m.-12:00 p.m. at Lowell Light and Power.
- As of December 20th there were changes to the medical marijuana law. A representative from Dickinson and Wright will educate the Council on what can and cannot be done due to the changes in the law at a meeting in February.

10. **APPOINTMENTS**

Expires

Building Authority Vacancy – (Charles Myers currently serving)	01/01/2017
Construction Board of Appeals Vacancy – (Dan DesJarden currently serving)	01/01/2017
Downtown Development Authority Vacancy – (Dr. James Reagan currently serving)	01/01/2017
Vacancy – (Brian Doyle currently serving)	01/01/2017
Downtown Historic District Commission Vacancy – (Todd Cooper currently serving)	01/01/2017
Vacancy – (Ardis Barber currently serving)	01/01/2017

Mayor DeVore noted there are two openings to serve on the Board of Review. Applications are being accepted.

IT WAS MOVED BY HODGES and seconded by PHILLIPS to support the recommendations for appointments.

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

11. **COUNCIL COMMENTS.**

Councilmember Phillips wished everyone a Happy New Year.

Councilmember Hodges congratulated Mayor DeVore and Mayor Pro Tem Teelander and wished everyone a Happy New Year.

Councilmember Canfield stated he believed food trucks would be a good for Lowell. He went on to inquire about “Coffee with the Council” noting he would like to see this start back up again. Hodges offered to organize this again and would ask Chamber of Commerce Director Liz Baker if the Chamber building could be utilized again for this monthly event.

Councilmember Teelander commented on the water shed that runs through Lowell. For those interested, the Kent Conservation District will be having a meeting on Monday, January 16th from 6:30 p.m.-7:30 p.m. at the Main Street Inn. They will be discussing the quality and purity of the water.

Mayor DeVore wished everyone a Happy New Year.

12. **ADJOURNMENT.**

IT WAS MOVED BY HODGES and seconded by PHILLIPS to adjourn at 8:08 p.m.

DATE:

Mike DeVore, Mayor

APPROVED:

Susan Ullery, City Clerk