

PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL

For the Regular Meeting of MONDAY, APRIL 19, 2010.

The Meeting was called to order at 7:30 p.m. by Mayor James Hodges and City Clerk Betty Morlock called the roll.

Present: Councilmembers: Jeff Altoft, Maryalene LaPonsie, Andrew Schrauben, Mayor Pro Tem Sharon Ellison and Mayor Jim Hodges.

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Chief of Police James Hinton, City Assessors Jeff and Debra Rashid and Lowell Light and Power Boardmember and Planning Commissioner Jim Hall.

Item #1. **APPROVAL OF THE AGENDA.**

IT WAS MOVED BY ELLSION and supported by LAPONSIE to approve the agenda as written.

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

Item #2. **APPROVAL OF THE MINUTES OF THE APRIL 5, 2010 MEETING.**

IT WAS MOVED BY SCHRAUBEN and supported by LAPONSIE to approve the minutes of the April 5, 2010 regular meeting as written.

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

Item #3. **APPROVAL OF THE ACCOUNTS PAYABLE.** Mayor Pro Tem Ellison questioned the invoice from Williams and Works regarding Post Office Alley reconstruction under the Downtown Development Authority. City Manager Pasquale explained this invoice is for engineering work performed by Williams and Works for the widening of the alley between the Post Office and Lowell Ledger/Buyers Guide. The work will be done when easements are received from the Post Office. DPW Director Dan DesJarden is working with the Chicago office of the Post Office for approval.

IT WAS MOVED BY ELLISON and supported by ALTOFT that the bills and accounts payable be allowed and the warrants issued.

YEA: Councilmembers Altoft, LaPonsie, Schrauben, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (04/19/2010)</u>	
GENERAL FUND	\$10,800.47
MAJOR STREET	345.83
LOCAL STREET	105.00
DDA FUND	23,932.11
AIRPORT FUND	22.01
WASTEWATER FUND	86,772.45
WATER FUND	4,442.91
DATA PROCESSING FUND	93.49
EQUIPMENT FUND	2,552.56

Item #4. **CITIZENS COMMENTS FOR ITEMS NOT ON THE AGENDA.** Pete Roth, P.E. of Hubbell, Roth and Clark Consulting Engineers stated the firm is presently doing business with City and have undertaken projects with the City and Village of Lowell on and off since the 1930's. He searched their archives and discovered an historic ink on linen drawing of Lowell's original sewer system. Roth had this mounted, framed and presented it to the City as an expression of their appreciation for the continued business with the City. Also, a disk of all the historical documents the firm has on file of Lowell was given.

Mayor Hodges thanked Mr. Roth and Hubbell, Roth and Clark, Inc. stating this was very thoughtful of them.

Item #5. **APPLICATION FOR TEMPORARY AUTHORIZATION TO THE LIQUOR CONTROL COMMISSION – FLAT RIVER GRILL – SUMMER CONCERT SERIES AND RIVERWALK FESTIVAL.** The Flat River Grill is requesting temporary liquor licenses to the LCC to serve alcoholic beverages during the Summer Concert Series and Riverwalk Festival events with the Lowell Area Chamber of Commerce and the River Revelry event with the Lowell Area Arts Council. The dates are as follows:

June 17	July 8	July 22	August 19
June 24	July 9	July 29	August 26
July 1	July 15	August 5	August 27

All events will be held on the Showboat. Police Chief Hinton has recommended the requests.

Chris West of Flat River Grill stated basically this is the same request as the last eight years. They will be providing this with the Riverwalk Festival and the Summer Concerts on Thursday nights. The exception of one date will be for the Lowell Arts Council's River Revelry event.

Liz Baker, Director of the Lowell Area Chamber of Commerce stated the Flat River Grill is not making a big profit from this, but is using it as a marketing tool for the restaurant as well as for the Summer Concerts. It is a great asset to have this at the Chamber's convenience.

Mayor Hodges also felt this is a wonderful amenity to the Summer Concerts series.

Mayor Pro Tem Ellison noted this is a good partnership and it is working.

IT WAS MOVED BY ELLISON and supported by ALTOFT to approve the application from Flat River Grill for temporary authorization to the Michigan Liquor Control Commission to serve alcoholic beverages during the Summer Concert series, Riverwalk Festival and River Revelry on the dates as noted.

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

Item #6. **REQUEST FROM DORLA WEST TO USE CITY OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF FRONT AND SOUTH JACKSON FOR A PLANT SWAP – MAY 8, 2010.** As requested and held in previous years, Dorla West of 525 Front Street wished to utilize the City owned field across the street (southwest corner of Front and South Jackson) for a plant swap. This event is scheduled for Saturday, May 8, 2010 from 9 a.m. to 12 noon.

City Manager Pasquale said the plant swap has been very successful and he recommended the Council approve this request.

IT WAS MOVED BY LAPONSIE and supported by SCHRAUBEN to allow Dorla West to use the City owned property located at the southwest corner of Front and South Jackson for a plant swap on Saturday, May 8, 2010 from 9 a.m. to 12 noon.

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

Item #7. **RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A PROPERTY TAX ASSESSOR EMPLOYMENT AGREEMENT BETWEEN THE CITY AND JEFFREY AND DEBRA RASHID.** City Manager Pasquale stated Jim Marfia, who has served as City Assessor since January, 1988, was involved in a serious automobile accident last September. Pasquale was informed that Marfia will not be able to return to his position. Last fall Jeff and Debra Rashid were contacted to serve in an interim capacity for the City which they had done from October to now. The Rashids have carried out their work very well.

The proposed agreement recognized the Rashids as part-time employees with no benefits except for allowance of vacation. The salary would be \$36,000, which is approximately what the previous Assessor was paid and the agreement would extend to June 30, 2012.

Pasquale recommended the Council approve the resolution as submitted for the Assessor Agreement.

Mayor Hodges noted the wonderful job in picking up the pieces and moving on in helping our City become much better in terms of property taxation.

Councilmember Altoft had worked with the Rashids during the Board of Review and felt they provided more training than previous years.

IT WAS MOVED BY ALTOFT and supported by ELLISON to approve the resolution approving and authorizing the execution of a property tax assessor employment agreement between the City and Jeffrey and Debra Rashid.

YEA: Councilmembers Altoft, LaPonsie, Schrauben, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #8. **SET WORK SESSION TO FINALIZE 990 N. WASHINGTON LEASE; REVIEW 2010-2011 BUDGET.** City Manager Pasquale stated in the meeting with Mayor Hodges and Councilmember Schrauben, it was felt that it would be in everyone's best interest to have a work session on April 27, 2010 at 7:00 p.m. to discuss the 990 N. Washington lease. Pasquale noted that Gary Dietzel and Sandy Bartlett would be invited so there could be an exchange of comments regarding the lease.

Also, Mayor Pro Tem Ellison had mentioned the need of a work session for further review of the upcoming budget.

Mayor Hodges recommended that each item would be held to an hour with the lease agreement from 7 p.m. to 8 p.m. and review of the budget would be from 8 p.m. to 9 p.m. on Tuesday, April 27, 2010.

IT WAS MOVED BY LAPONSIE and supported by ELLISON to establish a work session on Tuesday, April 27, 2010 to spend an hour each on the 990 N. Washington lease agreement and the 2010-2011 budget.

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

Item #9. **MONTHLY REPORTS.** Mayor Pro Tem Ellison stated the Waste Water Plant is still treating three times the water which is being provided from the Water Plant. Where is the City with the meters which were to be installed to pinpoint where the problems are? City Manager Pasquale stated he would look into this and give a report at the next meeting.

Chief of Police James Hinton stated that he and City Manager Pasquale are still working with City Attorney Richard Wendt regarding the Medical Marijuana issue. Also, Hinton had been notified by Williams and Works that the Bowes Road construction project is scheduled for May 3 through June 18 and there will be additional detours and road closures and this will be posted on Nixle to keep the community informed.

City Manager Pasquale stated when Bowes Road is completed work on Sibley will start.

Item #10. **CITY MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes are provided:
 - Airport Board meeting of February 2, 2010
 - Arbor Board meeting of March 8, 2010
 - Chamber of Commerce meeting of March 9, 2010
 - Downtown Development Authority meeting of March 4, 2010
 - LCTV Endowment Fund Board meeting of July 21, 2009

2. The City received Tree City USA recognition for the third year and also, a Growth Award for demonstrating progress in its community forestry program.
3. On March 7, 2010, the City of Lowell has become 50 years old. The voters of the Village of Lowell in March 7, 1960 passed a Charter becoming a City. Part of the City Charter was the formation of a Council-Manager form of government. To commemorate this, a resolution from the International City/County Management Association was received recognizing the City of Lowell for its 50-year history of efficient, effective, responsive, and exemplary professional management.

Mayor Hodges noted two of the original Charter Committee members are still residing in the City and they are David Coons and Dr. Robert Reagan.

Item #11. **COUNCIL COMMENTS**. Councilmember Schrauben mentioned last Wednesday he attended with Mayor Pro Tem Ellison, City Clerk Morlock and City Manager Pasquale the Michigan Municipal League Legislation Conference in Lansing. He found it very informative and enjoyed meeting people from other communities of various sizes.

Mayor Pro Tem Ellison questioned the status of the joint billing of the City and Light and Power utilities. Pasquale responded a memo from Mary Sawka of Light and Power was provided at the April 5, 2010 meeting stating they are hoping to have it completed by July.

Councilmember Altoft asked the status of licensing trash haulers. Also he noted the sidewalks on the South side of Main Street by the construction area need to be swept. Chief Hinton will contact MDOT regarding this at the meeting that is held on every Wednesdays at 1 p.m. at the Chamber of Commerce and the public is welcomed.

Altoft also stated concerns with people walking their dogs that do not carry a trash bag to clean up their dog's messes. Chief Hinton stated there is an ordinance that addresses this.

Councilmember LaPonsie noted the Lowell Community Wellness group is starting the registration of the 100 Miles in 100 Days program. Registration forms can be picked up at the Englehardt Public Library.

Mayor Hodges stated last Thursday, April 18th was Girls Night Out in Lowell and he and his wife walked the business district and enjoyed the event.

He also noted many years ago when his son, Jimmy was 15 years old when he joined the Lowell Fire Department Explorer group through the Boy Scouts and moved on to chase his career dream to be a Fire Fighter. Last Thursday, Jimmy Hodges was selected as the Rookie of the Year for the Indianapolis Fire Department. Jimmy Hodges has worked for the Cascade Township and the City of Ann Arbor Fire Departments and now at Indianapolis and his family is very proud of him.

Mayor Hodges also stated that Tuesday, April 20th will be his 60th birthday.

Item #12. **APPOINTMENTS.** Councilmember Schrauben, who represented the City elected official on the Lowell Area Recreation Authority, stated the LARA Board is seeking formal approval for the appointment of Gray Goff as the Community Member-at-Large. Goff will be replacing Dan Edwards who resigned from the Board because of a job transfer.

IT WAS MOVED BY HODGES and supported by LAPONSIE to approve the appointment of Gary Goff as the Community Member-at-Large for the Lowell Area Recreation Authority.

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

IT WAS MOVED BY ELLISON to adjourn at 8:01 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk