

To: Mayor Hodges and the Members of the City Council

From: David M. Pasquale

SUBJECT: Agenda for Monday, March 1, 2010

1. Call to order, pledge of allegiance, roll call.
2. Approval of the Agenda.
3. Approval of the regular minutes of the February 16, 2010 meeting.
4. Approval of the Accounts Payable.
5. Citizens comments for items not on the agenda.
6. Proposal for pavement management worksession regarding street improvements by Williams & Works – set date. Street improvements have been a priority for the City Council. Dave Austin of Williams & Works has offered to conduct a work session on the basics of pavement management.

At this meeting, a suggested agenda for the worksession along with any items the Council may have will be determined. A date is to be established.

7. Ground cover for Creekside Kingdom. On September 15, 2009, the Lowell Area Community Fund awarded the City \$22,500 to remove and disposal of old wood chips around Creekside Kingdom. Pollution Control Services of Kalkaska carried out this work for \$19,399.14.

The Parks and Recreation Commission at its February 20, 2010 meeting reviewed options for ground cover around Creekside Kingdom. These are:

- | | |
|----------------------|------------------------------|
| • Wood mulch | \$12,024 |
| • Black rubber mulch | \$28,235 |
| • Pea Stone | \$5,580 (quote from Tip top) |

In considering the current financial conditions and limited life of Creekside Kingdom (approximately 15 years old and perhaps ten years remaining), the Parks and Recreation Commission recommended allocating up to \$2500 from the Lee Fund and the remaining \$3100 from the Lowell Area Community Fund (assuming approval of the LACF) to provide pea stone ground cover.

The Lowell Area Community Fund granted its approval last Tuesday, February 23 to utilize these monies for replacement. Thus, the Council is requested to approve this allocation.

8. Lime Slaker Proposal. Water Treatment Plant Superintendent George Regan said the present lime slaker (utilized to soften water) is 33 years old and in need of replacement. He has noted that Siemens Water Technologies Corporation offered to install and set up a new prototype

slaker unit with removal of the existing unit at no cost to the City. This is provided as a model project saving over \$40,000.

A slaker feeder unit is necessary for replacement. This is a specialized purchase and available only for Siemens. Of the two types provided, WTP Superintendent Regan recommends the auger driven feeder at a cost of \$16,000 as allocated from the Water Fund.

9. Amendment of United Water Operation and Maintenance Agreement of the Wastewater Treatment Plant to include an additional United Water employee. As noted in the attached letter of February 25, 2010, Plant Manager Mark Mundt has stated City employee Frank Martin who serves as a Wastewater Treatment Operator at the plant will retire in July.

In order to fill this vacancy, United Water has proposed to have an experienced operator be a United Water employee. There will be a net saving of over \$15,000 to pursue this option.

I recommend the Council approve the amendment with United Water.

10. Unison proposal for perpetual easement of City downtown tower. The proposal from Unison would require that the City give it a perpetual easement for the use of the tower on top of the building where Cable Television was located and require the City assign its rights to receive all rental revenues (currently \$1,900.16 per month) it receives or would be received pursuant to the City's existing agreement with Verizon, any extension of that agreement or any new agreement with Verizon. The tower could never be taken down without Unison's approval (it could, for example, require the City to pay it an amount to obtain that permission). Unison would split rental revenues 50-50 with the City for any new users of the tower, but would let the City keep all the rental revenues it receives pursuant to an agreement with Ameritech (\$335.99 per month) which agreement has expired but Ameritech continues to pay monthly rent. In return, Unison proposes to make a one-time up-front cash payment to the City of \$159,613. Unison has indicated that it determined this amount assuming there would be an agreement with Verizon for a least 7-1/2 years (even though the current agreement expires in November 2010). If the City were to collect the rent for 7-1/2 years based on the rental scale in the current agreement, it would realize over that period a total of \$196,201.54. A present value analysis of that amount based on different interest rates indicates a present value of such amount of between \$138,462 and \$178,156.

Currently, Unison is reevaluating the offer to determine if the offer is still good. Unison had assumed the current Verizon agreement expires in 7 ½ years. But, this ends in November.

If the offer is still viable, City Attorney Richard Wendt will be present at the Council meeting to review the proposal. If not, the issue is dropped.

11. City Manager's Report. Attached.
12. Council Comments.
13. Appointments. The following boards and commission positions need appointment or reappointment.

		<u>Term Expires</u>
Planning Commission	appointment	06/30/2010

Andrew Schrauben (resignation
To assume City Councilmember position)

An appointment is needed for the at-large boardmember of the Lowell Area Recreation Authority.

14. Adjournment

CITY OF LOWELL
MICHIGAN
CITY COUNCIL
AGENDA

FOR THE REGULAR MEETING OF THE LOWELL CITY COUNCIL
MONDAY, MARCH 1, 2010, 7:30 P.M.

AT
LOWELL CITY HALL
CITY COUNCIL CHAMBERS
SECOND FLOOR
301 EAST MAIN STREET

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE, ROLL CALL
2. APPROVAL OF THE AGENDA
3. APPROVAL OF THE REGULAR SESSION MINUTES OF THE FEBRUARY 16, 2010 MEETING
4. APPROVAL OF ACCOUNTS PAYABLE
5. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA
6. PROPOSAL FOR PAVEMENT MANAGEMENT WORKSESSION REGARDING STREET IMPROVEMENTS BY WILLIAMS & WORKS – SET DATE
7. GROUND COVER FOR CREEKSIDE KINGDOM
8. LIME SLAKER PROPOSAL
9. AMENDMENT OF UNITED WATER OPERATON AND MAINTENANCE AGREEMENT OF THE WASTEWATER TREATMENT PLANT TO INCLUDE AN ADDITIONAL UNITED WATER EMPLOYEE
10. UNISON PROPOSAL FOR PERPETUAL EASEMENT OF CITY DOWNTOWN TOWER
11. CITY MANAGER'S REPORT
12. COUNCIL COMMENTS
13. APPOINTMENTS
14. ADJOURNMENT

NOTE: Any person who wishes to speak on an item included on the printed meeting agenda may do so. Speakers will be recognized by the Chair, at which time they will be required to state their name and will be allowed five (5) minutes maximum to address the Council. A speaker representing a subdivision association or group will be allowed ten (10) minutes to address the Council.