

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL**

For the Regular Meeting of MONDAY, **MARCH 20, 2006**

The Meeting was called to order at 7:30 p.m. by Mayor Myers and City Clerk Betty Morlock called Roll.

Present: Councilmembers Hodges, Pfaller, Shores, and Mayor Myers.

Absent: Mayor Pro Tem Mathews.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Police Chief Jim Valentine, Planning Commissioner Mark Mundt, Lowell Light and Power/Cable TV General Manager Tom Richards and Water Treatment Plant Superintendent George Regan.

IT WAS MOVED BY HODGES and seconded by PFALLER to excuse the absence of Mayor Pro Tem Matthews.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the March 6, 2006 regular meeting as written.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY SHORES and seconded by PFALLER that the bills and accounts payable be allowed and the warrants issued.

YEA: Councilmember Hodges, Pfaller, Shores, and Mayor Myers.

NAY: None. ABSENT: 1. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (03/20/06)</u>	
GENERAL FUND	\$94,301.53
MAJOR STREET FUND	5,653.62
LOCAL STREET FUND	1,497.12
DDA FUND	982.28
BUILDING & SITE	350.00
AIRPORT FUND	27.54
WASTEWATER FUND	34,961.28
WATER FUND	11,300.02
DATA PROCESSING FUND	1,668.51
EQUIPMENT FUND	7,051.17
CURRENT TAX FUND	733,355.04

Item #1. **LOWELL AREA HISTORICAL MUSEUM UPDATE.** Judy Straub, Executive Director of the Lowell Area Historical Museum provided an annual update of the museum.

The museum has impacted more than 6,300 residents and visitors through exhibits and programming. Historical information has been gathered from approximately 30 military veterans and placed on VHS and DVD. Straub noted the "Childhood Dreams" exhibit is wonderful and has created excitement from all ages. This could not have been possible without 4,200 hours of volunteer service.

During 2005, the museum received a partnership award from the Lowell Area School system for a service learning initiative, which involved the oral history project.

Because of the tight operating budget, the museum requested funds from both Lowell and Vergennes Townships. Lowell Township recently approved a budget line item of \$2,500. Vergennes Township has yet to vote on the issue.

In 2005, the museum established an endowment fund of \$50,000, which was created through memorial gifts of over \$1,000 each.

During 2006, the Community will celebrate its 175th anniversary. The museum is working diligently with the Chamber of Commerce to establish a commemoration during the Riverwalk Festival. An antique treasures dinner show and raffle will also be hosted by the museum.

Councilmember Shores noted the volunteers have done an excellent job. She inquired if a rental policy had been established for the period room. Straub said yes and will provide a copy to the City.

Item #2. **WATER AND SEWER COST OF SERVICE STUDY – REVIEW OF FURTHER INFORMATION.** At its March 6, 2006 meeting, the Council reviewed a presentation from Vic Cooperwasser of Tetra Tech on projected water and sewer rates. After comments from Councilmembers, Cooperwasser decided to provide additional information as a direction is sought. Cooperwasser provided an option to more evenly spread the financial adjustments over the five year period.

Councilmember Shores stated there are many individuals who are on fixed incomes within the City of Lowell. She believed it would be best to phase the increase over a five year period of time.

Councilmember Pfaller agreed with Shores regarding the new rate projection. However, he did not agree that township residents should pay the same as City residents. Pasquale explained the rates need to be the same, because these are user based. Pasquale stated he would provide further written documentation from the City Attorney.

Pasquale noted a resolution regarding the rates should be established.

By general consensus, the Council agreed to prepare a resolution recognizing the revised rates. Pasquale will provide a letter, prepared by City Attorney Richard Wendt, regarding the township rates and why these need to be the same.

Item #3. **WATER TREATMENT PLANT EXTERIOR PAINTING.** Water Treatment Plant Superintendent George Regan provided bids for the painting of the plant exterior as well as the lime slaker silo. It was last painted in 2000.

The following bids were received:

- Kooi Industrial Painting Co. \$8,740.
- Dave Cole Decorators, Inc. \$14,400.

Regan recommended the painting project be awarded to Kooi Industrial Painting at a cost of \$8,740 allocated from the Water Fund.

IT WAS MOVED BY SHORES and seconded by HODGES to approve the bid from Kooi Industrial Painting Co. in the amount of \$8,740.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #4. **APPROVAL OF CONTRACT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND THE CITY REGARDING FEDERAL FUNDING REGULATIONS INVOLVING THE GEE DRIVE IMPROVEMENTS PROJECT.** The City will receive federal funds through the Surface Transportation Program to reconstruct Gee Drive from the Creekside Park entrance to 2100 feet west. The City wanted to construct the entire street. However, limitations in federal funding, did not make this possible. There will be an opportunity in 2008 to complete the remainder of the road with federal monies.

City Manager Pasquale stated the estimated cost of the project is \$431,500. The federal funds involved are estimated at \$353,200 with a maximum amount of \$375,000. In order to qualify for these funds, the contract with the Michigan Department of Transportation must be authorized by the Council naming the Mayor and City Clerk as signatories. Council action was therefore requested.

Councilmember Pfaller questioned if the reconstruction would proceed past the Ridgeview extension. DPW Director DesJarden stated it will extend beyond the hill and down toward the Donald Gerard property.

IT WAS MOVED BY HODGES and seconded by PFALLER to approve the contract with MDOT for Gee Drive improvements.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #5. **FACILITATION AND MEDIATION FOR COOPERATIVE LAND USE PLANNING WITH VERGENNES TOWNSHIP.** On Monday, March 13 representatives of the City, Lowell Township and Vergennes Township met with Joe VanderMeulen, Executive Director of the Land Information Access Association to discuss current land use issues and to seek a resolution regarding the Cook property 425 proposal. The estimated cost of this service is \$2,619.76 and will be split between the City and Vergennes.

Councilmember Shores believed this was the only way to resolve the issue. The Boundary Commission seems very supportive of using a mediator.

IT WAS MOVED BY SHORES and seconded by HODGES to accept the estimated cost of \$2,619.76 contingent upon Vergennes Township accepting to split their share of the services.

Councilmember Pfaller questioned if this service involved other issues beside the Cook property of 177 acres. City Manager Pasquale explained there are other issues to consider. However, this is the primary reason.

Pfaller believed this would set a precedent for a larger picture and may benefit Lowell Township greatly.

Mayor Myers questioned where the payment of \$1,300 would be provided. Pasquale responded the General Fund. Myers questioned if it was feasible to have the entire Council involved. Pasquale stated there had been discussion regarding involvement of two Councilmembers. Shores believed it would be more orderly with less individuals involved.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

By general consensus, the Councilmembers agreed upon two representatives.

Item #6. **MONTHLY REPORTS.** No comments were received.

Item #7. **CITIZEN COMMENTS.** Peggy Covert, 982 N. Washington commented on the weed, garlic mustard, which is becoming very evasive. She requested permission to work within the community areas, such as the parks, in an effort to remove the weed. She also requested the City provide yard waste bags. DPW Director DesJarden stated he would do so.

Mayor Myers inquired if such efforts to remove the garlic mustard had been a success from previous years. Covert explained it is difficult to tell because the weed is a bi-annual.

Covert noted the clean up is scheduled for April 19 and 29th.

Item #8. **COUNCIL COMMENTS.** Councilmember Hodges inquired regarding the City room rental policy. Councilmember Shores stated the policy for city hall is near completion.

Councilmember Pfaller questioned why the Local Street Fund is approximately \$41,000 short. City Manager Pasquale explained the funds are from the State of Michigan. He would review the issue with City Treasurer Olin and provide a report at the next meeting.

Pfaller commented on the proposed addition to the fire station. He had reservations with such a project, especially considering the recent proposal from Tom Richards regarding Lowell Light and Power. He believed the City needs to review its buildings and uses. Pasquale explained the City is preparing a report in terms of moving the Public Works Department. It will show various options so that an informed decision can be made. Pasquale wanted the Council to be aware of what is happening with the fire station as well as the Light and Power and DPW buildings.

Pfaller questioned if the Foreman building had structural damage done to the south west wall. DesJarden will review this.

Mayor Myers questioned whether a facilities study being prepared by our staff could be objective enough or should the City hire a consulting firm. Pasquale stated he was trying to save the City some money. However, an engineering study can be completed. Pfaller believed City staff should review the issue first.

DesJarden explained one obstacle with moving the DPW involves the roof beams. Currently, the beams are 20 feet high in order to accommodate the hoist to lift equipment. The new Light and Power building beams sit at 14 feet. DesJarden stated he would provide the Council with a list with concerns.

Councilmember Shores commented on Holwerda Builders providing their employees with a bonus to give to a charity. This year eleven employees donated \$1100 to the TOTS program within the Lowell School district.

Shores stated the Fire Department provides a wonderful Pancake Breakfast.

Item #9. **MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes were provided:
 - Lowell Community Leadership Council meeting of December 15, 2005
 - Parks and Recreation Commission meeting of February 11, 2006
 - Grand Valley Metro Council – Transportation Policy Committee meeting of February 15, 2006
 - Downtown Development Authority meeting of February 16, 2006
 - Chamber of Commerce meeting of February 14, 2006
 - Merchants Committee meeting of March 8, 2006
 - Lowell Light and Power and Cable TV meeting of February 2, 2006

2. The City will be applying for 2008 Federal Small Urban Transportation funds to complete the Gee Drive reconstruction (approximately 1900 lineal feet to Alden Nash). As suggested by MDOT, Bowes Road from Valley Vista Drive about 1950 feet west is a second priority.
3. In concert with Light and Power/Cable TV, Tom Richards and City Manager Pasquale proposed to review the current liability insurance the City has and consider establishing an RFP to receive bids for 2007.
4. The Expo is scheduled for Saturday, March 25 at Lowell High School from 9 a.m. to 3:30 p.m. The pancake breakfast at the Fire station will be held on March 25 from 7 to 11 a.m.

Item #10. **APPOINTMENTS**. None.

IT WAS MOVED BY PFALLER to adjourn at 8:27 p.m.

DATE:

APPROVED:

Charles R. Myers, Mayor

Betty R. Morlock, Clerk