

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

For the Regular Meeting of MONDAY, **DECEMBER 18, 2006**

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

Present: Councilmembers Hodges, Pfaller, Shores, Mayor Pro Tem Mathews and Mayor Myers.

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Police Chief Jim Valentine, Planning Commission Chairman Clark Jahnke and Planning Commissioner Mark Mundt.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the December 4, 2006 regular meeting as corrected.

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

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

YEA: Councilmember Hodges, Pfaller, Shores, Mayor Pro Tem Mathews and Mayor Myers.

NAY: None. ABSENT: None. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (12/18/06)</u>	
GENERAL FUND	\$87,990.41
MAJOR STREET FUND	3,258.03
LOCAL STREET FUND	37.42
DDA FUND	8,516.81
CITY HALL CONSTRUCTION FUND	48,687.50
AIRPORT FUND	4,750.00
WASTEWATER FUND	31,650.99
WATER FUND	11,995.02
DATA PROCESSING FUND	2,739.66
EQUIPMENT FUND	4,808.79
CURRENT TAX FUND	29,839.19
LOOK FUND	1,085.72

Item #1. **KENT INTERMEDIATE SCHOOL DISTRICT – COLLECTION OF SUMMER PROPERTY TAXES FOR 2007.** As in previous years, the Kent Intermediate School District has requested the City collect the summer property taxes for the district (4.6903 mills last year). As part of a continuing resolution, the City collects the KISD property taxes at no fee, but is able to keep the interest earned during the bank deposit before distributing these monies.

IT WAS MOVED BY HODGES and seconded by PFALLER to adopt the resolution for the Kent Intermediate School District for the collection of the summer property taxes in 2007.

Mayor Myers inquired if City Attorney Richard Wendt has ever reviewed this. City Manager Pasquale replied yes noting this is the same resolution supplied to other municipalities as well over the past several years.

YEA: Councilmembers Hodges, Pfaller, Shores, Mayor Pro Tem Mathews and Mayor Myers.

NAY: None. ABSENT: None. MOTION CARRIED.

Item #2. **COMMUNITY DEVELOPMENT BLOCK GRANT – 2007 – 2008 ALLOCATION OF FUNDS – SET PUBLIC HEARING DATE (1/2).** Kent County has informed the City an estimated \$56,554.83 in Federal Community Development Block Grant funds is available for various community projects beginning July 1, 2007.

In noting the attachments provided by the County, Block Grant funds are limited primarily to neighborhoods on the west side. DPW Director Dan DesJarden assembled a listing of sidewalk needs for these neighborhoods. After a review, City Manager Pasquale recommended the completion of sidewalks on South Pleasant, South Center and South West Streets between West Main and Bowes. This would finish sidewalk construction for this immediate area. Further, the Downtown Development Authority has allocated \$7,020 to provide 390 feet of walk on South West and South Center within its district.

Monies once again have been proposed to North Kent Transit for assisting senior citizens and handicapped riders totaling \$6,000.

For advertisement of a public hearing, Pasquale recommended the following projects:

- South Pleasant, South Center and South West Streets both sides sidewalk from West Main to Bowes \$50,554.83
- North Kent Transit assistance for senior citizens and handicapped 6,000.00
\$56,554.83

Pasquale recommended a public hearing be held at the next City Council meeting of January 2, 2007.

IT WAS MOVED BY SHORES and seconded by HODGES to set a public hearing for January 2, 2007 regarding the Community Development Block Grant – 2007–2008 allocation of funds.

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

Item #3. **PROPOSED LOWELL AREA RECREATION AUTHORITY AGREEMENT AMENDMENT REGARDING TERM LIMITS.** The Lowell Area Recreation Authority within its agreement, limits the amount of service that a board member can serve to 4 ½ years. The present board believes that each governmental unit should have the flexibility for longer appointments, noting needed experience in carrying out projects.

Councilmember Pfaller stated many of the boardmembers' terms expire in two years. He explained they are currently working on a long term trails project.

IT WAS MOVED BY SHORES and seconded by PFALLER to amend the agreement establishing the Lowell Area Recreation Authority to abolish boardmember term limits.

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

Item #4. **AIRPORT BOARD RECOMMENDATION TO THE CITY COUNCIL REGARDING AIRPORT BOUNDARY EXPANSION.** During the past several weeks, the Airport Board had meetings concerning the tree and air easement issues as well as the boundary expansion of the airport. At its December 7, 2006 meeting, the Airport Board provided a motion which states "for the foreseeable future, there are no plans to expand the boundaries of the Lowell City Airport".

IT WAS MOVED BY PFALLER and seconded by SHORES to approve the statement of the Lowell Airport Board regarding the statement of "no plans to expand the airport at this time".

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

Item #5. **NORTH WASHINGTON STREET CONCEPT PLAN – PROPOSAL FROM THE NORTH COUNTRY TRAIL ASSOCIATION.** Clare Cain, Director of Trail Management for the North Country Trail Association, presented a preliminary concept plan for the property at the end of N. Washington Street. They wish to work with the City and preserve the land. The proposal suggests the Boy Scouts remain stewards of the property and be awarded another 15 year lease. The North Country Trail Association is also willing to lease the property, but would prefer to see the Boy Scouts do this. Cain stated another element of the plan involves a trail easement on the property.

City Manager Pasquale explained two issues were primarily discussed and involved a permanent trail easement and the entire undeveloped portion of the property being leased to the Boy Scouts. Cain stated she found out the Boy Scouts were interested in holding the parcel of property where the pole barn is. She would support this idea if they want to do some development of their own. Pasquale stated this is another issue. The area with the pole barn and the house needs to have some clarification as far as which direction should be taken.

Councilmember Pfaller questioned the width of the easement. Typically the City asks for a 50 foot easement for a 10 foot trail. Pfaller questioned the 250 foot width. Cain stated 250 feet is average in the national scenic trails world. They are trying to preserve a corridor.

Mayor Myers questioned the trail route. Cain explained the south trail travels from town. The Association is still working on the trail along N. Washington Street which will travel through the property and into the game lands.

Pasquale noted this is an initial concept plan.

Assistant Scout Master Tim VanderWulp stated they were asking for a renewal of the lease and to include the existing structure on the property in order to store their equipment. The Scouts have been part of the community for some time now and have been a good tenant of the property.

Councilmember Shores questioned what was included in with the current lease. Pasquale responded it includes the cabin and the area around the structure.

Pasquale noted DPW Director Dan DesJarden has assembled bid specifications for the removal of the storage building.

Shores inquired regarding the house located on the property. It is costing the City money. Pfaller was unsure of the rent. He noted the house should be appraised.

Councilmember Mathews commented on the 50 foot easement which was requested by Ken Gergerson (938 N. Washington). The Council had stated this one piece would be placed for bid. Mathews believed the building was too big for the Boy Scouts to use. If others are interested, the City should continue with the bid.

Pfaller asked if the well house could be taken down by the DPW. DesJarden stated the well house could be taken down, but there are a number of buildings there.

Myers questioned if the building has ever been used in a way where there may be some environmental issues. Pasquale stated a phase one environmental review would need to be completed. Pfaller stated he wanted to see testing done immediately, in case there are problems.

DesJarden stated City Assessor Jim Marfia put a value on the house of \$95,000 to \$99,900 if one were to put up for sale. The property is roughly 17,000 square feet.

Pasquale asked if the Council wanted to consider selling the house. By general consensus, the Council responded yes.

Item #6. **APPROVAL OF 2007 CITY COUNCIL MEETING DATES.** The following meeting dates were approved by the City Council:

Lowell City Council
2007 City Council meeting dates

January	2 16	(Tuesday) (Tuesday)	July	2 16	
February	5 20		August	6 20	
March	5 19		September	4 17	(Tuesday)
April	2 16		October	1 15	
May	7 21		November	5 19	
June	4 18		December	3 17	

IT WAS MOVED BY PFALLER seconded by HODGES to adopt the 2007 Council meeting dates as presented.

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

Item #7. **MONTHLY REPORTS**. No comments were received.

Item #8. **CITIZEN COMMENTS**. Gary Dietzel of 990 N. Washington wanted to publicly shame the City. He has lived in this house for the past 28 years and not one person from the City approached him about the dwelling.

Item #9. **COUNCIL COMMENTS**. Councilmember Shores wished everyone a Merry Christmas and a Happy New Year. Mayor Myers also wished everyone a Merry Christmas and a Happy New Year.

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

1. The following boards and commissions meeting minutes are enclosed:

- Airport Board meeting of November 2, 2006
- Lowell Light and Power and Cable TV meetings of November 2, 2006
- Lowell Area Recreation Authority meeting of November 8, 2006
- Downtown Development Authority meeting of September 28, 2006

2. For the Council's information, a proposal was provided from the Lowell Boy Scout Troop 102 regarding the use of property located on North Washington Street.
3. The City offices will be closed on Friday, December 22 and Monday, December 25, 2006 for the Christmas holidays and Monday, January 1, 2007 for New Years Day. The Council will meet on Tuesday, January 2.

MERRY CHRISTMAS AND HAPPY NEW YEAR!

Item #11. **APPOINTMENTS**. None.

IT WAS MOVED BY MATHEWS to adjourn at 8:05 p.m.

DATE:

APPROVED:

Charles R. Myers, Mayor

Betty R. Morlock, Clerk