

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

For the Regular Meeting of Monday, **MARCH 19, 2007**.

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, Mayor Pro Tem Mathews and Mayor Myers

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Water Treatment Plant Superintendent George Regan, Planning Commissioner Mark Mundt and Light and Power Boardmember Perry Beachum.

Mayor Myers invited the local Girl Scouts to lead the Pledge of Allegiance. He also asked the Girl Scouts to recite the Girl Scout Promise.

IT WAS MOVED BY SHORES and seconded by MATHEWS to approve the minutes of the March 5, 2007 regular meeting as written.

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

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

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

NAY: None. ABSENT: 0. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (03/19/07)</u>	
GENERAL FUND	\$80,360.79
MAJOR STREET FUND	1,611.22
LOCAL STREET FUND	1,558.94
DDA FUND	44.04
WASTEWATER FUND	32,965.73
WATER FUND	4,945.38
DATA PROCESSING FUND	584.82
EQUIPMENT FUND	6,574.74
CURRENT TAX FUND	654,033.65

Item #1. **APPROVAL OF GIRL SCOUT WEEK PROCLAMATION.** In recognition of the 95th anniversary of Girl Scouts of the USA, Mayor Myers and several local area Girl Scouts read a proclamation which honors this valued community organization. Further, the document was

approved by Council proclaiming the week of March 12 – 17, 2007 as “Girl Scouts Make The World a Better Place Week”.

Item #2. **WATER TREATMENT PLANT FLOOR REPLACEMENT**. Water Treatment Plant Superintendent George Regan received three bids regarding first floor replacement at the plant. Regan recommended Beachum Flooring at a cost of \$7,607.06. Bids were also received from two other local flooring companies. However, each would require the upper level of the plant be completely vacated. This would result in shutting the plant down for as many as five days. The current flooring was placed in 1977. Regan recommended the vinyl slate tiles provided by Beachum.

Perry Beachum of Beachum Flooring noted the flooring has a 20 year commercial warranty.

Councilmember Shores did not want the Water Plant shut down.

IT WAS MOVED BY SHORES and seconded by HODGES to approve the proposal of Beachum Flooring for the first floor replacement of the Water Treatment Plant at a cost of \$7,607.06.

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

Item #3. **RESOLUTION TO CONSTRUCT AN ADDITION TO THE LOOK MEMORIAL FIRE STATION FOR USE BY ROCKFORD AMBULANCE, INC.**. An addition of 2,170 square feet to the Fire Station is planned to accommodate the space needs of Rockford Ambulance. The addition includes space for vehicles, a room for personnel sleeping quarters and a kitchenette area. A site plan was approved by the Planning Commission at its November 27, 2006 meeting as well as a front yard variance secured from the Zoning Board of Appeals at its January 2, 2007 meeting.

The architectural work was undertaken by Fishbeck, Thompson, Carr and Huber, Inc. As part of its share, Rockford Ambulance undertook the cost of all the architectural work.

Bids were received on February 27, 2007 for the construction work. The low bid of \$223,280 (including \$1980 for a fire panel) from Vander Kodde Construction of Grand Rapids is recommended.

Attachments were provided to show detail regarding the entire cost amounting to approximately \$300,000. This included a 15% contingency.

The project is funded through (a) a grant from the Lowell Area Community Fund of \$81,000; (b) Rockford Ambulance contribution of \$81,000; (c) contributions from the City, Lowell and Vergennes townships of \$16,000 each, totaling \$48,000; (d) Look Memorial Fund grant of \$60,000 in contributions of \$12,000 per year.

In order to cover the City's contribution of four payments (\$12,800) and the Look Memorial Fund three remaining payments (\$36,000), Rockford Ambulance would loan these funds (\$48,800) at a rate of 4.5%. To cover the interest, Rockford Ambulance would forego the \$2,000 City contribution for the duration of the loan.

A term sheet has been assembled by City Attorney Richard Wendt which explained the conditions of construction, various shares and the forgoing of payment to Rockford Ambulance during the years of the loan. Also, there would be an extension of the service agreement with Rockford Ambulance to 2012, an additional 5 years.

Councilmember Mathews questioned who would pay the utilities. City Manager Pasquale stated the utilities are metered separately. Roger Morgan of Rockford Ambulance indicated Rockford Ambulance would be responsible for the payment of their utilities.

Morgan thanked the City of Lowell for its leadership. Pasquale and City Attorney Richard Wendt have earned every penny of their salary.

Morgan stated Rockford Ambulance is approaching this as a private/public collaboration. The addition is good for the City of Lowell, surrounding communities and the fire department.

Councilmember Shores noted Rockford Ambulance is good to the citizens as well. The personnel is always courteous and compassionate.

IT WAS MOVED BY HODGES and seconded by SHORES to adopt the resolution to construct an addition to the Look Memorial Fire Station for use by Rockford Ambulance, Inc.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Mayor Myers wanted to clarify the real net cost to the community for response time from Rockford Ambulance is \$16,000 spread over several years.

Item #4. **BOY SCOUT TROOP 102 AND NORTH COUNTRY TRAIL ASSOCIATION PROPOSAL FOR THE CITY OWNED WASHINGTON STREET PROPERTY.** Boy Scout Troop 102 and the North Country Trail Association have proposed to permanently protect the City owned 27 acres on North Washington. Bill Thompson, 720 Hillside Ct, father of two boy scouts presented the proposal as follows:

- A ten year lease of the entire 27 acres to the Boy Scout Troop 102 and the First United Methodist Church
- Trail access easement for the North Country National Scenic Trail
- Community parking area and pavilion
- Added recommendations are included with the proposal

Thompson stated the Boy Scouts have always over seen the land. It is a community piece of property and connected to State land.

The request involves a partnership with the Boy Scouts, North Country Trail and the community in order to protect the lands. North Country Trail wishes to have an access agreement, which would connect their trail system which traverses from New York to North Dakota.

The proposal involved an interpretation of historical sites on the property and enhancement of the area surrounding the Boy Scout cabin. There is a desire to remove the shooting range and continue to clean the area as well as repairing the erosion on the trails. Thompson noted the trail would become part of the North Country Trail System. The evasive plants would be removed and native species plants planted. Appropriate signage for the trails and surrounding area would also be placed.

The Boy Scout Troop 102 and the North Country Trail Association believe the North Washington property offers tremendous benefits to the community as a natural undeveloped area. Both groups fully endorse the proposal. A request is being made to the City Council to issue a formal resolution of approval. Since 1952, the Boy Scouts have been at this location. The property has served the community as a natural park for years.

Thompson explained a new part of the Boy Scout system includes an Adventure Crew. The area is also used by other troops in Michigan. Few troops have land similar to this.

The preference is to receive an easement for the trail to follow the water way. However, there is also a trail use agreement, which is less restrictive for the City.

Mayor Myers questioned what the annual budget is for the Boy Scouts and what future plans are in terms of development and deploying those resources toward the improvements. It was noted the Boy Scouts have very limited budgets between \$3,500 to \$4,000. Thompson said \$1000 of the budget provides insurance for the property and another portion is allocated toward the operation of the building, electric bills, merit badges and programs. Charity donations from the Look Memorial Fund have assisted in the maintenance of the cabin with regard to new plumbing and electric service. The Scouts have raised funds as well through events such as parking cars for the 4H Fair.

Myers questioned the size of Troop 102. Thompson responded there are currently 50 members.

Mayor Pro Tem Mathews noted he, Myers, Thompson, representatives from the Boy Scouts and Clare from the North Country Trail met regarding proposals. He was under the impression the group would meet again before a proposal was brought before the Council.

Thompson noted the group wishes to protect the wooded area.

Mathews stated similar proposals were brought forward earlier. He is still not satisfied with the proposal as there are too many unanswered questions. Also, the Michigan Department of

Environmental Quality (MDEQ) has examined the property and the City may not receive any comments until summer.

Councilmember Hodges appreciated Thompson's leadership. In principle, he liked the idea.

Councilmember Shores stated she could foresee a few homes built, but did not want to see any trees taken down. She noted the Councilmembers have not sat down and had much discussion. The Boy Scout cabin has been "sacred" through the years.

Mathews was saddened that the Council has taken so much "heat". Ever since the Council has known Light and Power is moving out of the building, they have looked at the big picture. The Council has been blasted one way or the other for doing nothing.

There was no further discussion.

Item #5. **MONTHLY COMMENTS**. No comments were received.

Item #6. **CITIZEN COMMENTS**. Sharon Ellison of 407 N. Division participated in the meetings concerning the North Washington property. She agreed the Council has been blasted, which is unfortunate. She wanted to work on a proposal in which everyone can agree. She suggested the Council keep the citizens of Lowell informed. The land is wonderful and should continue to remain as is.

Representing Lowell Little League, Toby Alderink of 13393 Grand River Dr., explained they are interested in placing advertising signs on the ballfield fences at Creekside Park in an effort to raise additional funds for the league. The signs would be placed at the beginning of the season and taken down at the end of the season. He noted the signs are also weather resistant.

Councilmember Pfaller explained the issue was raised due to the recent issues with enforcement of signs in residential neighborhoods. The sign ordinance does not refer to signs in parks. Pfaller was concerned regarding a sign still being up when a business has been gone for many years.

Pfaller stated the Lowell Little League is interested in having two to three year sponsorships. He questioned if an ordinance was necessary. Alderink noted the signs will not interfere with any activities.

Myers suggested the Planning Commission develop an ordinance. It is difficult to administer any enforcement policies without an ordinance. City Manager Pasquale suggested a one year contract.

Pfaller was concerned regarding billboards being placed all over the parks.

Parks and Recreation Commission Chairman Beachum explained the budget is very tight and funds need to be raised. The Commission has recently implemented a \$5 per user/participant

which will begin in 2008. It has been recommended the signs do not exceed 4 X 8 square feet. The signs would be placed at the beginning of the season and taken down at the end.

Myers suggested banners. Beachum stated a banner cost \$30 less, but cheapens the whole appearance.

Myers believed the issue should be presented to the Planning Commission for a recommendation. He was also concerned regarding the economy and businesses spending the money for such signs. Alderink stated he already has 10 businesses who plan to participate.

Myers questioned the length of the season. Alderink indicated practice begins April 9<sup>th</sup> and runs through the last week of school. The fields are used five nights a week, consisting of different age groups.

Myers inquired about the cost of one sign. Alderink responded \$250. If there is a team sponsorship with a three year contract, the cost of a sign is \$500.

Alderink stated he wishes to receive permission to place the signs. Shores asked if the sponsors would still participate if the signs were placed only during the games. Alderink responded the proposal is for the sponsors to be able to see the signs when the fields are being used.

Pfaller did not have a problem with the signage being placed for eight to nine weeks as long as the Little League understands it may have to come down after being reviewed by the Planning Commission. Myers agreed, especially after learning there are already 10 businesses participating. He wanted to ensure the signs will be attached properly so there is no damage done to the fence.

Shores believed the issue should be reviewed by the Planning Commission. However, she felt the Council could approve the issue as a special use this year. Pasquale explained the issue can be brought before the Planning Commission on March 26, 2007 at which time they can review and consider an ordinance for the City Council to review.

Myers noted the Dog Park also has some interest in sign advertising as well as signage for the facility itself.

Myers suggested the Planning Commission develop a plan to follow.

Alderink noted a scheduled agreement would be brought to the City regarding usage of the park.

IT WAS MOVED BY HODGES and seconded by MATHEWS to allow a one time usage of ballfield fencing advertising at Creekside Park for Lowell Little League to expire July 30, 2007.

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

Laurie Summerfield of 802 Shepard Drive commented on the park user fees for 2008. She also referred to the statement made by Mathews referring to the "big picture". She was in favor of

keeping the land on N. Washington as natural as possible. Summerfield also felt it was important to continue the installation of sidewalks.

Kathy Swift of 1001 N. Washington stated the Boy Scout camp is their back yard as well as Oakwood Cemetery being their front yard. She wanted to see the Boy Scout camp stay as is. She was in favor of the proposal presented by Bill Thompson. Swift noted the difficulty for fire truck access on N. Washington. Swift also commented on a bald eagle she saw flying near the Boy Scout camp.

Item #7. **COUNCIL COMMENTS.** Councilmember Pfaller noted that the user agreements were discussed during the Parks Commission meeting for Extreme Softball, Lowell Little League, YMCA and Youth Football. He requested copies of the agreements be given to the Councilmembers to review.

Item #8. **MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes are provided:
  - Airport Board meeting of December 7, 2006
  - Chamber of Commerce meeting of February 13, 2007
2. At the April 2 meeting, a preliminary General Fund budget will be presented.
3. The Expo is scheduled for Saturday, March 24 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 24 from 7 to 11 a.m.

Item #9. **APPOINTMENTS.** By general consensus, Kevin Vezino was appointed to the Airport Board for a term expiring January 1, 2010.

IT WAS MOVED BY MATHEWS to adjourn at 8:55 p.m.

DATE:

APPROVED:

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Charles R. Myers, Mayor

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Betty R. Morlock, Clerk