

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

For the Regular Meeting of **MONDAY, MARCH 3, 2008.**

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

Present: Councilmembers Altoft, Ellison, Pfaller, Mayor Pro Tem Hodges and Mayor Shores.

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Police Officer James Hinton, Lowell Light and Power General Manager Tom Richards and Lowell Light and Power Boardmember Jim Hall.

IT WAS MOVED BY HODGES and seconded by PFALLER to approve the minutes of the February 19, 2008 regular meeting as written.

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

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

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

<u>BILLS AND ACCOUNTS PAYABLE (03/03/08)</u>	
GENERAL FUND	\$91,246.96
MAJOR STREET FUND	652.33
LOCAL STREET FUND	205.75
DDA FUND	2,158.63
AIRPORT FUND	57.42
WASTEWATER FUND	33,856.75
WATER FUND	11,572.46
DATA PROCESSING FUND	1,150.39
EQUIPMENT FUND	2,900.21
LEE FUND	350.00
LOOK FUND	1,000.00

Item #1. **CONSIDERATION OF A SNOWPLOW MAILBOX POLICY.** DPW Director Dan DesJarden presented a proposed snowplow mailbox policy. The policy outlines the City's responsibility for mailbox when damaged by snowplows. Replacement or repair would be made only upon direct contact of the mailboxes or support posts with Department of Public Works equipment.

DesJarden explained the DPW has been receiving calls regarding the trucks hitting mailboxes. However, upon investigation, it appears snow coming off of the plow which has hit these mailboxes is the problem.

Mayor Shores believed if the snow is doing the damage and not the vehicle, one could be liable for shoveling around the mailbox.

Councilmember Pfaller questioned the amount of mailboxes damaged by snow this year. DesJarden estimated 10.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the snowplow mailbox policy as presented.

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

Item #2. **RESOLUTION OF SUPPORT FOR CO-LOCATING 63RD DISTRICT COURT.** Over the past several weeks, the City has received communications from Kent County regarding their plans to co-locate both divisions of the 63rd District Court to a location on Knapp, just east of the East Beltline. The move is being carried out to provide greater financial efficiencies for the County and the taxpayer.

A resolution from the City is required since State legislation and a population of more than 3,250 necessitates a "sitting" court within the City unless this is waived.

IT WAS MOVED BY HODGES and seconded by PFALLER to adopt the resolution of support for co-locating 63rd District Court and waiving the right of a "sitting" Court within the City.

YEA: Councilmembers Altoft, Ellison, Pfaller, Mayor Pro Tem Hodges and Mayor Shores.

NAY: None. ABSENT: None. MOTION CARRIED.

Item #3. **TEMPORARY SIGNS ORDINANCE AMENDMENT – RECOMMENDATION FROM THE PLANNING COMMISSION – ADOPT OR SET PUBLIC HEARING DATE (4/7).** After months of review and discussion as well as consultation with merchants, the Planning Commission provided a temporary signs ordinance amendment.

The changes give the display of temporary signs in the C-1, C-2, C-3 and Public Facilities Districts an extension to 60 days (from 21) within a calendar year, while other districts would have a maximum of 21 days.

At its February 25, 2008 meeting, the Planning Commission held a public hearing on the ordinance and unanimously recommended adoption. The Council may adopt the ordinance at the meeting or set a public hearing for the April 7 meeting.

Councilmember Altoft referred the phrase regarding "sandwich board signs" and asked if this had anything to do with those on Main Street. City Manager Pasquale stated the signs downtown are different.

IT WAS MOVED BY HODGES and seconded by ELLISON to set a public hearing for April 7, 2008 regarding the temporary signs ordinance amendment.

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

Item #4. **REPORT FROM THE LOCAL ELECTED OFFICERS COMPENSATION COMMISSION.** Local Elected Officers Compensation Commission member Teresa Beachum of 924 Riverside Drive, explained the committee met on February 25, 2008 to review the actions taken at the last meeting held in December, 2005. They reviewed the past years activities of the Council and recognized the Compensation review has not been updated since December, 2006. The Commission also reviewed the compensation levels of nine other municipalities with populations similar to Lowell. The rates varied in range from \$20 to \$100 per meeting.

The Compensation Commission wished to recognize the commitment, dedication and the quality of leadership which has been given to this City through the present Mayor and members of City Council. It was recognized that their service arises out of deep concern and love for the community.

The Compensation Commission recommended a \$3 per meeting increase with a maximum annual compensation based on 35 meetings fiscally. The Mayor and the Council addresses new challenges in this growing City. There are sometimes additional meetings.

The Compensation Commission believed this modest increase is in order. To recap, the Mayor would receive \$43 per meeting for up to 35 meetings fiscally to a maximum of \$1505 per year. Each Councilmember shall receive \$38 per meeting for up to 35 meetings fiscally to a maximum of \$1330.

Mayor Shores appreciated the Commission in taking the time to review the compensation. This is one more example of volunteers the City has.

City Manager Pasquale reviewed the Local Officers Compensation Commission was initiated by ordinance of the City Council over 20 years ago. This ordinance was allowed through State Legislation. The Charter had mentioned a fixed rate. However, communities run into situations where salaries need to be updated.

The City Council has two ways in which they can pursue. First, it can accept the decision by no action at all. If there is no action within 30 days after receipt by the City Clerk, the new compensation stands. On the other hand, if the Council felt it is not appropriate then there can be a motion not to accept it. This needs to be done within 30 days.

Beachum explained the Commission came to the conclusion of the modest \$3 price salary increase per month, also based on history. It had been 10 years prior to 2005 that the Council and the Mayor has not had any increase in their monthly meetings.

Councilmember Pfaller stated he was uncomfortable accepting the \$3 per meeting increase. City staff has been held at a 2% increase the last two years. However, he would accept the increase in the maximum number of meetings in which the Council would get paid.

Beachum explained the Commission came to this conclusion because of the very small increases over the years and also wanting to attract others to serving on the Council.

Pasquale believed the Council needed to either accept or reject the recommendation. He would confirm with City Attorney Richard Wendt.

Mayor Shores thanked everyone for the work done. It is much appreciated.

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

Item #6. **COUNCIL COMMENTS**. Councilmember Hodges commented the last "Coffee with Council" was very nice. He reminded all it is held the first Saturday of each month at the Chamber of Commerce office from 8:00 a.m. to 10:00 a.m.

Mayor Shores noted the skating rink is still being used.

Item #7. **MANAGER'S REPORT**. City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes are provided:
 - Planning Commission meeting of January 28, 2008
 - Parks and Recreation Commission meeting of January 19, 2008
 - Arbor Board meeting of January 21, 2008
 - Lowell Light and Power Board meetings of January 3 and January 24, 2008
2. Two worksessions are scheduled as follows:
 - CATV Endowment Fund – proceeds usage and organizations options – Kate Luckert Schmid, Grand Rapids Community Foundation – facilitator – Monday, March 10 at 7 p.m.
 - Quarterly worksession with Lowell Light and Power Board on Thursday, March 13
3. A memo from Police Chief Valentine was provided concerning the issue regarding January Traffic Enforcement.
4. The preliminary General Fund budget will be presented at the March 17 meeting.
5. Pasquale also noted his wife Anne, is retiring from the Kent District Library on March 15, 2008. She has been a Lowell Library employee for the past 16 ½ years. She made the

transition from the Graham Building site over to the new library. Pasquale congratulated her.

Item #8. **APPOINTMENTS**. Mayor Shores stated there is still an opening on the Parks and Recreation Commission.

IT WAS MOVED BY HODGES to adjourn at 8:00 p.m.

DATE:

APPROVED:

C. Jeanne Shores, Mayor

Betty R. Morlock, Clerk