

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

For the Regular Meeting of **MONDAY, MAY 5, 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 Chief Jim Valentine, City Treasurer Suzanne Olin, Light and Power Manager Tom Richards and Arbor Board & Light & Power Boardmember Jim Hall.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the April 21, 2008 regular meeting as corrected.

Councilmember Pfaller requested a corrected version of a printed resolution be provided when changes are made.

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

IT WAS MOVED BY HODGES and seconded by PFALLER 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 (05/05/08)</u>	
GENERAL FUND	\$100,208.86
MAJOR STREET FUND	755.33
LOCAL STREET FUND	257.09
DDA FUND	3,722.73
AIRPORT FUND	62.72
WASTEWATER FUND	32,895.07
WATER FUND	8,109.29
DATA PROCESSING FUND	855.08
EQUIPMENT FUND	229.52
CURRENT TAX FUND	1,530.78

Item #1. **RESOLUTION RATIFYING AND CONFIRMING THE VACATION OF A PORTION OF WATER STREET.** Approximately ten years ago, the City vacated Water Street one block south of West Main Street. This occurred in August, 1998. The property was then deeded over to King Milling Company, which is the adjoining owner. In noticing the Council action, there was not a precise description given of this street vacation. It was requested by King Milling to have this completed. A resolution was prepared along with a map.

Mayor Pro Tem Hodges abstained from voting because his wife works for King Milling Company.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to approve the resolution confirming the legal description of the vacation of Water Street one block south of Main Street.

YEA: 4. NAY: 0. ABSENT: 0. ABSTAIN: 1. (Hodges) MOTION CARRIED.

Item #2. **MASTER PLAN MAP AMENDMENTS – FURTHER REVIEW AND COUNCIL APPROVAL TO DISTRIBUTE.** As noted previously, the City Council at its March 17, 2008 meeting directed the Planning Commission to have the City owned North Washington Street property minus the rental house and surrounding three acres as park for preservation purposed.

The Planning Commission at its March 24, 2008 meeting noted the property in question would be changed from public to parks and recreation designation in the future land use plan. Also, the existing land use is altered from semi public to park and recreation.

Upon further investigation, the western portion of Stoney Lakeside Park would also be redesignated from utility to park and recreation in the existing land use map. Further, Stoney Lakeside Park is to be classified from public to parks in the Future Land Use Map.

At its April 7 meeting, the City Council directed these added properties be included for master plan map amendments as noted below. The Parks and Recreation Commission gave its review at their April 19 meeting.

- Upper Bridge Park (north side of Grand River Dr., east of Division Street)
Existing land use – from vacant to park and recreation
Future land use – from flood plain to park
- McMahon Park (Shepard Drive)
Future land use – from single family 1 to public (utility)
- Recreation Park
Future land use from public to park
Wastewater Treatment Plant – public
- Moose and Rogers property (east side of Flat River north of Grand River)
Future land use – public to park
- Three islands in the Flat River south of Main Street to park as future land use

During the April 28 meeting, the Planning Commission approved all the above amendments and recommended distribution for comment.

Mayor Shores asked what happens to the property where the house is if it is ever removed. City Manager Pasquale stated at this point it is in Vergennes Township. There is a residential zone to it.

IT WAS MOVED BY HODGES and seconded by ELLISON to direct the proposed Master Plan Map amendments be submitted to the Planning Commission for distribution.

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

Item #3. **2008 – 2009 BUDGET – SET PUBLIC HEARING DATES (5/19 AND 6/2) – FURTHER PRELIMINARY REVIEW.** As an update for the General Fund, the fund balance is projected to be \$159,638.14. This is after \$96,000 which has been allocated to the Local Street Construction Fund.

The DDA provided an allocation to the General Fund for the assistance of the City Hall Construction Bond Fund increasing this to \$140,000 from \$128,000.

Mayor Pro Tem Hodges stated he heard from a citizen that the City would reduce the number of employees who cut grass from three to one. City Manager Pasquale stated this has been considered. The staff is considering reallocating the hours, but still keeping the same number of employees. Public Works Director DesJarden stated the grass will be cut. Hours have just been reallocated.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to set public hearings for reviewing the 2008 – 2009 operating budget on May 19, 2008 and June 2, 2008.

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

Mayor Shores thanked City staff for increasing the fund balance.

Item #4. **RESOLUTION APPROVING CHARGES FOR LOTS OR GRAVE SPACES THAT DO NOT HAVE PERPETUAL CARE AT OAKWOOD CEMETERY.** City Clerk Morlock explained there are many individuals who bought cemetery lots in the late 1800's, early 1900's and never paid perpetual care. When Lowell became a City, the cemetery changed from annual billing to lot owners paying for perpetual care.

After discussion with City Attorney Richard Wendt, he suggested a resolution in which the City Council sets a rate in which can be charged. Wendt suggested a percentage of the current cost of a lot.

Mayor Shores believed this was a good item to get taken care of. She questioned if every grave site is now sold with perpetual care. Morlock responded yes.

IT WAS MOVED BY ALTOFT and seconded by PFALLER to approve the resolution charging 50% of the current cost for lots or grave spaces that do not have perpetual care at Oakwood Cemetery.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #5. **CITIZEN COMMENTS.** Dave Thompson, resident of Vergennes Township invited the Council to take part in the Memorial Day service at Oakwood cemetery on Monday, May 26, 2008. Also, the annual Memorial Day Parade will begin at 10:00 a.m. with a stop at the Veterans' Memorial for a brief ceremony before proceeding onto the cemetery. This is a short and serious parade. The purpose is to honor the veterans from Lowell as well others who have served in the military defending our country.

Thompson noted on Thursday, May 15, 2008 a number of veterans will meet at 9:00 a.m. in the cemetery to place approximately 480 flags in the cemetery.

Thompson praised the City's care of the cemetery and downtown area.

Thompson commented on the article in the Grand Rapids Press under "A-Z" which stated the Council has some concerns regarding park equipment which has been discussed by Lowell Rotary for Richards Park. Thompson informed the Council, Rotary has briefly discussed two or three grant type projects. However, there has been no decision made at this time. Further discussion will be held during the upcoming general membership meeting.

Mayor Shores asked if the parade would begin at the Fairgrounds. Thompson responded yes.

Item #6. **COUNCIL COMMENTS.** Councilmember Altoft inquired regarding the status of two property owners air easements near the airport. City Manager Pasquale mentioned Paul Baron and Dale Fegal approached the City Council in December. The airport, through the State Aeronautics Division, has been in the midst of acquiring air easements for both of the properties. There was some initial concern on the part of the property owners regarding some very restrictive federal standards which would be applied to their properties. However, these federal standards are not necessary because the airport will never qualify as a federally funded airport. The alternative requests that state standards be enforced for both properties. Both owners recently sent proposals, and have not been analyzed.

Altoft also commented on the dinner held at the new banquet facility located on Lincoln Lake in Vergennes Township

Mayor Pro Tem Hodges stated he threw out the first pitch at the Lowell Little League ceremonies. It was an honor to serve in Mayor Shore's place. It was impressive to see all the kids involved.

Hodges also had the opportunity on Saturday at 9:00 p.m. to do some observation of local lighting with Jerry Persha from Optec, Inc. Lighting was measured at various service stations, car lots and other street lighting around the community.

Hodges also noted the last "Coffee with Council" went very well. The next one will be on June 7th from 8:00 a.m. to 10:00 a.m. Anyone who would like to speak with the Council on an informal basis is welcome.

Mayor Shores thanked Hodges for throwing the first pitch for Lowell Little League.

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

1. The following boards and commissions meetings minutes are provided:
 - Arbor Board meeting of March 17, 2008
 - Downtown Development Authority meeting of March 20, 2008
 - Parks and Recreation Commission meeting of March 15, 2008
 - Planning Commission meeting of March 24, 2008
 - Airport Board meeting of April 1, 2008
 - Light and Power Board meeting of April 3, 2008
 - Grand Valley Metro Council meeting of April 14, 2008
2. Mark Mundt, on behalf of Earth Tech, had detailed the need to clean out the wet well at the main lift station. Four companies were contacted, but only Pollution Control Services responded. The cost of the work is approximately \$8,000 based on 12 hours of work.
3. Mayor Exchange with the City of Hastings is scheduled here on Thursday, May 15 and at Hastings on Wednesday, May 21.

Item #8. **APPOINTMENTS**. Mayor Shores noted the vacancy on the Planning Commission due to the resignation of Garland Berry. She hoped to have the position filled by the next Planning Commission meeting.

IT WAS MOVED BY HODGES to adjourn at 8:02 p.m.

DATE:

APPROVED:

C. Jeanne Shores, Mayor

Betty R. Morlock, Clerk