

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

For the Regular Meeting of **MONDAY, JULY 7, 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, Arbor Board and Light & Power Boardmember Jim Hall Lowell Light and Power Boardmember Greg Canfield, and Interim Light & Power General Manager Greg Pierce.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the June 16, 2008 regular meeting as corrected.

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

IT WAS MOVED BY HODGES and seconded by ELLISON to approve the minutes of the June 16, 2008 closed session 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 (07/07/08)</u>	
GENERAL FUND	\$185,616.84
MAJOR STREET FUND	3,643.78
LOCAL STREET FUND	3,156.67
DDA FUND	3,409.04
AIRPORT FUND	76.55
WASTEWATER FUND	48,290.82
WATER FUND	17,450.92
DATA PROCESSING FUND	249.38
EQUIPMENT FUND	970.82
CURRENT TAX FUND	2400.40

Item #1. **ATTWOOD CORPORATION – APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE UNDER P.A. 198 – PUBLIC HEARING AND CONSIDERATION OF RESOLUTION.** As noted at the last meeting, Attwood Corporation will be consolidating its

Lancaster, Texas operation to the Lowell facility. This will increase the manufacturing and assembly operation to include the marine pedestal products. A total of 43 new jobs will be added to the 116 employee base as a result.

The cost of the machinery and equipment of their project is \$1,007,060. Under current City policy, this qualifies for 12 years of tax abatement under Public Act 198, which Attwood seeks under the provided application. An impact of proposed abatement has been prepared by City Assessor Jim Marfia.

The project is contingent upon approval by the Michigan Economic Development Corporation for a MEGA tax credit as well as the 198 application. After conducting the public hearing, the resolution of approval will be considered and forwarded to the State Tax Commission.

Dave Austin of 908 Lincoln Lake congratulated both the City and staff and thanked Attwood for their commitment to this community. All communities in Michigan are struggling.

IT WAS MOVED BY HODGES and seconded by PFALLER to approve the resolution for the approval of the Industrial Facilities Exemption Certificate for Attwood Corporation involving 12 years of tax abatement encompassing \$1,007,060 of machinery and equipment.

YEA: 5. (Councilmembers Altoft, Ellison, Pfaller, Mayor Pro Tem Hodges and Mayor Shores)

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #2. **RESOLUTION TO ADOPT CITY PARKS AND RECREATION PLAN – PUBLIC HEARING**. The Parks and Recreation Commission have spent a number of meetings reviewing the document. The document provides a total inventory of resources the City has within the park system. It also refers to the adjoining systems such as the schools recreation property. The document then provides an opportunity for improvements.

Dave Austin of Williams and Works has spent much time assembling the plan. Many of the projects have been identified, including an RV park. The document provides a comprehensive approach to the parks. However, it does not consider acquiring any additional park property, but enhancing facilities.

Councilmember Pfaller explained the plan was funded from the Lowell Area Community Fund in part for the research and feasibility study on the Wege property on Alden Nash. In order for the City to qualify for DNR funding through grants, the plan needed to meet certain specifications.

Councilmember Ellison commented on what the citizens would like, such as walking trails. She noted the City also added the North Washington property to the parks system. At one point North Country Trail Association was going to put trails through there. Is this something that should be added? City Manager Pasquale stated North Country Trail was identified in the document. The association is a separate entity from the City. The City is supportive, but is not involved directly with the funding of the trail system.

Pfaller thanked Pasquale and Williams and Works for all the revisions. There were many changes which were made from the original document.

IT WAS MOVED BY PFALLER and seconded by ELLISON to approve the resolution to adopt the City's Parks and Recreation Plan.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #3. **APPROVAL OF THE PARKS USE AGREEMENT POLICY.** Councilmember Pfaller stated Sergeant James Hinton provided a letter to the Commission regarding better definitions within the parks use agreement policy. He suggested the issue be tabled until the Parks and Recreation Commission has a chance to review it.

Mayor Shores indicated Hinton has stressed he is not opposed to a fee. Councilmembers may contact him with questions or concerns.

Police Chief Valentine clarified Hinton should be referred to as Mr. James Hinton. Sergeant Hinton implies the action is originating out of the police department. He is doing this as a citizen in the community and also his involvement with Xtreme Softball.

Shores noted Hinton was unable to attend tonight's meeting because of a softball game.

City Manager Pasquale stated the next Parks and Recreation Commission meeting will be held on July 19, 2008 at Creekside Park and will be addressed at this time.

IT WAS MOVED BY HODGES and seconded by ALTOFT to table the approval of the Parks Use Agreement Policy.

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

Item #4. **ADOPTION OF THE CAPITAL IMPROVEMENTS PLAN 2008 – 2013.** The Capital Improvements Plan has been updated and reviewed by the Planning Commission at its last meeting. The Commission recommended its approval to the City Council.

Pasquale noted the projects are similar to what has been done in previous years. Each have been divided into capital improvements, capital facilities, which include an addition to the Water Treatment Plant, a storage building for the Public Works Department, resurfacing of the main road into the cemetery and a cemetery office maintenance building. There is also a listing of improvements to the Lowell City Airport, which was approved by the Lowell Airport Board at its last meeting. The plan also provides for a water distribution needs list, which includes upgrades to the water main system. Street improvements have also been included. A federal grant has

been received for a portion of the improvements to Bowes Road. The plan also shows, Grindle, and Sibley as the priorities. Park improvements have also been provided and include fencing at Burch Field, one pavilion for Stoney Lakeside Park, road improvements at Stoney Lakeside Park, and a sprinkling system at Richards Park. Most of the parks improvement will be undertaken by the Lee Fund.

Councilmember Pfaller questioned the statement regarding the Water Treatment Plant which states "additionally, a supply well would be necessary to meet the demands of an expanded water treatment plant wellhead protection program". Should this statement be included? Pasquale stated it can be eliminated.

Pfaller inquired regarding the extension of runway 304 at the Lowell Airport. Pasquale corrected it is runway 30. Pfaller questioned if this was the paved runway. Pasquale responded yes. However, no additional acquisition of property is necessary. The Airport Board recommended this.

Mayor Shores inquired what needs to be done in order for the airport to receive a general utility rating. Pasquale responded primarily the air easements and tree clearing, which is near completion. Much tree clearing has been accomplished which has helped provide the proper air easements and glide slopes into the airport. The Board's goal is to have the work completed by next year.

Shores asked if SMAT was completely out of the airport. Pasquale responded they will be by the end of August. However, SMAT will still lease a building at the Airport. They plan to utilize the airport from time to time for student training. There is also an individual who is interested in being a fixed base operator and have an aviation business at the airport. A number of individuals are already interested in him for mechanical work. Shores believed SMAT is an asset to the airport and is happy to see a presence remain.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to adopt the Capital Improvements Plan 2008 - 2013 as presented.

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

Item #5. **AUDIT SERVICES PROPOSAL FOR YEAR ENDING JUNE 30, 2008.** The City has completed a three year agreement for auditing services with Biggs, Hausserman, Thompson and Dickinson (Council approval – July 18, 2005). Light and Power is finishing the final year of an auditing contract with Vredeveld Haefner.

City Treasurer Sue Olin and City Manager Pasquale proposed to extend the Biggs Hausserman contract one year. This would leave it in line with Light and Power so both audits could be bid at this time. Note the cost is only slightly higher. Consideration can be made using one firm to undertake the auditing for both City and Lowell Light and Power. A proposal of \$11,250 was provided from Steve Thompson for auditing services. This will include the insertion of the Lowell Light and Power information. Pasquale believed this was reasonable pricing.

IT WAS MOVED BY HODGES and seconded by ELLISON to extend the City auditing contract with Biggs Hausserman, Thompson and Dickinson for one year (audit ending June 30, 2008).

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

Item #6. **BOWES ROAD RECONSTRUCTION PROJECT – SURVEYING**. The City is a recipient of a Federal Small Urban Transportation Grant for the recommendation of Bowes Road from Valley Vista Drive to 1950 feet west. With construction proposed for the summer of 2009, survey work is recommended for the entire length of Bowes. As noted in Dave Austin's letter, this will help minimize engineering costs for the road construction.

City Manager Pasquale recommended the Council allocate \$3,900 for surveying Bowes as proposed from Williams and Works.

Austin referred to the Lowell Light and Power survey for the transmission of line work. Using some of this information, his firm was able to expedite the completion of the survey and lower the cost significantly.

Shores asked if curbs would be placed. Pasquale responded yes.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to approve the proposed survey of Bowes Road by Williams and Works for \$3,900.

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

Item #7. **CITIZEN COMMENTS**. Pat Sandro of 528 Worcester, Grand Rapids was present to discuss the way in which water and sewer is billed to rental properties on Valley Vista Drive. He raised concerns regarding the readiness to serve charges for each unit. The meter rate results in an average cost of \$43.03 a month per meter, which is not even there. Typically, there is one meter for each occupant in which their consumption can be based. Sandro believed it was discriminatory to pay a phantom meter charge when they can't use it to charge a consumption of water and sewer costs to the rental occupant. It results in a rate which is four times the rate of anywhere around Grand Rapids.

Sandro believed there were three possible resolutions. The first would be for the Council to provide one meter and consumption of water. Then, the sewer bill will be consistent across Lowell. The other option would be to raise the rent of each of the occupants, and the other solution would be to go before the Public Service Commission, ask for an investigation for what he considers to be basic unfairness.

Councilmember Pfaller clarified there is one meter per building but the City is charging for four. Sandro responded yes. However, if the meters are there, he would like permission to use these

to measure consumption for each unit so each individual tenant can be billed and pay exactly for what they have used.

Mayor Shores stated the Council will review and then respond back to Sandro.

Lowell Light and Power Boardmember Greg Canfield introduced Greg Pierce as the Interim Acting General Manager for Lowell Light and Power. He previously worked as the Deputy Director in Traverse City for a larger electric municipal utility.

Canfield also noted it was great to see the City will be able to use Lowell Light and Power's survey of Bowes Road and benefit from the dollars already spent. It is great to see departments working together.

Ivan Blough of 623 N. Jefferson commented on the informal meeting on Saturday June 1, 2008 during "Coffee with Council". Blough questioned if a worksession had been set to discuss the distribution of the Cable TV funds. Shores stated a meeting date will be established during the first meeting held in August.

Item #8. **COUNCIL COMMENTS**. Councilmember Altoft did not agree with the building codes being enforced on a complaint basis. This creates problems with one neighbor reporting on another neighbor. He was also concerned regarding a building project not being completed in a timely manner. City Manager Pasquale stated the one problem with roofing and siding is a number of contractors do not realize the City requires a permit for roofing and siding. Councilmember Pfaller did not believe a permit should be required for replacement of a roof or siding.

Mayor Shores suggested the issue be placed on the next agenda for further review.

Mayor Pro Tem Hodges reminded the Council that "Love Our Skateboard Park" group received approval to use Richards Park.

Councilmember Ellison commented on the flooding on Main Street in front of Hungry Howies. DPW Director Dan DesJarden noted MDOT has been contacted.

Ellison also thanked DesJarden for the tour of the City. She was amazed at the work they do with a small staff.

Councilmember Pfaller reminded everyone regarding the LARA Board meeting which will be held at Lowell Township Hall at 6:00 p.m., this Wednesday, July 9.

Mayor Shores stated the Council will be in the Riverwalk Parade. Councilmembers are invited to her house for cookies and coffee prior to the start of the parade.

Shores also noted she will be in the flush tank as well as City Manager Pasquale, Representative Dave Hildenbrand, Superintendent of Lowell Schools Greg Pratt and Chamber of Commerce Director Liz Baker.

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

1. The following boards and commissions meetings minutes are provided:
 - Arbor Board meeting of May 19, 2008
 - Lowell Community Leadership Council meeting of March 20, 2008
 - Parks and Recreation Commission meeting of April 19, 2008
 - Planning Commission meeting of May 27, 2008
 - Downtown Development Authority meeting of May 29, and special meeting of May 1, 2008
 - Airport Board meeting of June 3, 2008
 - Light and Power Board meeting of April 30, and special meeting of May 21, 2008
2. Recently, the City received a payment of \$351,719.63 from Comcast as part of the purchase agreement of Lowell Cable. Pasquale understood this payment will be transferred to the LCTV Endowment Fund, managed by the Grand Rapids Community Foundation. This would total \$2,775,598.24 contributed to this Fund. The Council concurred with this action.
3. At its June 26, 2008 meeting, the Downtown Development Authority approved to allocate up to \$1,800 for street sweeping of m-21. There will be four sweepings from the MDOT funding and four from the DDA.

The DDA also has provided approval to mill and resurface Riverside from Main Street up to the Light and Power and also the adjoining parking lot will be milled and resurfaced. This also includes the alley way between Larkin's and the post office. Key Construction provided the low bid for this.
4. The Riverwalk Festival will be held on Friday, July 11 and Saturday, July 12.
5. In order to more fully examine the issue, the Planning Commission has proposed a joint work session with the City Council on Monday, July 14 at 7 p.m. to discuss tall grass. A tour of the community is being planned after the work session to gain a better understanding.

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

IT WAS MOVED BY PFALLER to adjourn at 8:34 p.m.

DATE:

APPROVED:

C. Jeanne Shores, Mayor

Betty R. Morlock, Clerk