

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

For the Regular Meeting of **MONDAY, JULY 21, 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, and Interim Light & Power General Manager Greg Pierce.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the July 7, 2008 regular meeting as corrected.

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 (07/21/08)</u>	
GENERAL FUND	\$169,361.90
MAJOR STREET FUND	369.18
LOCAL STREET FUND	63,211.25
DDA FUND	2,348.71
AIRPORT FUND	3,193.00
WASTEWATER FUND	46,222.30
WATER FUND	1,601.98
LOWELL CABLE TV FUND	351,719.63
DATA PROCESSING FUND	178.00
EQUIPMENT FUND	1,324.87

Item #1. **APPROVAL OF THE 14TH ANNUAL MOTORCYCLE TONY'S TOY RUN AT THE FAIRGROUNDS.** Bob and Chris Warner were present to request approval of the 14th annual Tony's Toy Run on September 7, 2008 starting at 1 p.m. using the Fairgrounds. The toys are brought to the area hospitals at Christmas.

Warner requested the parade of the run be changed and travel down West Main Street.

He noted there will also be a Christian rock band playing.

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the 14th Annual Toy Run at the Fairgrounds on Sunday, September 7, 2008 with the route through town being coordinated with Police Chief Valentine.

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

Item #2. **ORDINANCE AMENDMENT TO LIMIT ON STREET PARKING PROHIBITION BETWEEN 2 A.M. TO 6 A.M. FROM NOVEMBER 15 TO APRIL 15 – SET PUBLIC HEARING DATE (8/4).** Police Chief Jim Valentine explained in the non winter hours there are many concerns from residents who no longer have enough driveway to park their vehicles. Valentine proposed limiting the prohibition between 2 a.m. to 6 a.m. from November 15 to April 15, accounting for the winter months with snow removal.

The current ordinance gives Valentine the authority to establish a parking permit process. Therefore, during the summer months when people explain a hardship, they receive a temporary parking permit. This is extremely restricted during the winter months.

IT WAS MOVED BY HODGES and seconded by PFALLER to establish a public hearing for August 4, 2008 regarding an ordinance amendment to limit on street parking prohibition.

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

Item #3. **RESOLUTION TERMINATING THE PRACTICE OF REQUIRING THE ISSUANCE OF BUILDING PERMITS FOR CERTAIN REROOFING AND SIDING PROJECTS.** At the last Council meeting, the issue of requiring a building permit for reroofing and siding projects was discussed. Approximately 20 years ago, the Council passed a motion stating the need for permits when there would be residing and reroofing jobs. This is not part of the State code, but rather a local option. The resolution provides that the permits are no longer required for reroofing. If there are structural problems, then a building permit would be required.

The proposed ordinance was prepared by City Attorney Richard Wendt.

Mayor Shores noted she has had new siding and roofing replaced at her house and both contractors were surprised that a permit was necessary.

Councilmember Ellison stated the projects involve maintenance issues rather than a structural issues.

IT WAS MOVED BY ELLISON and seconded by ALTOFT to approve the resolution terminating the practice of requiring the issuance of building permits for certain reroofing and siding projects.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #4. **MONTHLY REPORTS.** No comments were received.

Item #5. **CITIZEN COMMENTS.** Ivan Blough, 623 N. Jefferson, requested the Council to set a public workshop for the purpose of discussing the resolution concerning the administration and distribution of the Cable funds. It seems there is a dispute of how these are being handled. Many individuals feel there should at least be some discussion.

Mayor Pro Tem Hodges and Councilmember Ellison will be meeting with Kate Luckert Schmid from the Grand Rapids Community Foundation in the near future. It may be possible to provide a proposal at the next Council meeting and to set a worksession for Monday, August 11, 2008.

Blough suggested meeting with City Manager Pasquale regarding the issue as well.

From Councilmember Pfaller's perspective, he would like to have the information prior to the meeting in order to review.

Blough stated the group will meet Wednesday, July 23, 2008 and will then provide a proposed resolution change.

Councilmember Altoft asked if a public hearing was necessary. City Manager Pasquale responded no, it is a resolution. Altoft noted there are others involved beside the group presenting the proposal. Councilmember Pfaller agreed with Altoft. There should be a public hearing, before another vote is taken.

Pasquale stated the next agenda can include the comments and proposals with a chance to review. However, there does not need to be a decision until one is ready to do this.

Mayor Shores inquired who the Chairperson of the group was. Blough stated he is currently acting as chairperson, due to Ryan Pawloski stepping down from the position. Barb Barber is acting as Secretary. Approximately 20 individuals attend the meetings.

Item #6. **COUNCIL COMMENTS.** Councilmember Ellison stated the Riverwalk Festival turned out very well. She also attended the Skateboard Park concert. The band did a great job. Councilmember Pfaller said the group reported approximately \$200 to the Parks and Recreation Commission. City Clerk Morlock noted the group will also be doing a presentation at the Rotary meeting.

Councilmember Pfaller asked if any research has been done on Pat Sandro's request regarding the water meter charge. DPW Director Dan DesJarden responded a letter of explanation will be provided at the next Council meeting.

Pfaller commented on the proposed gazebo, which has been included in the Capital

Improvements Plan for Stoney Lakeside Park, ever since he began serving on the Parks and Recreation Commission six years ago. Funds have not been available due to monies being used to subsidize the operating budget. With the collection of the \$5 fee for the athletic groups using the field, there is a goal to build such a gazebo this year using volunteer labor. The cost estimate for the cement work and materials is just under \$6,000, which had been budgeted for the project. Because it is more than a \$2,000 expenditure, Council approval is necessary.

IT WAS MOVED BY ALTOFT and seconded by HODGES to allocate \$6000 from the Lee Fund to build a gazebo with volunteer labor at Stoney Lakeside Park, subject to acquiring a building permit as well as a DEQ permit.

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

Mayor Pro Tem Hodges stated he received a few comments regarding the parking issue on streets between 2 a.m. and 6 a.m. He encouraged citizens to let the Councilmembers know their feelings on it.

Hodges also noted the Riverwalk Festival was great. He congratulated the Chamber of Commerce for all their hard work.

Councilmember Altoft stated the street and the parking lot on the other side of the river is all done. It looks very nice. However, next time a similar project is done, there should be a greater amount of planning and much more information provided. There was no time or date set and he as a business owner, as well as the other business owners, agree a two days notice is not enough time to inform customers they will not be able to get to a business easily. The businesses were fortunate to have use of the parking lot across the street. However, there was no time to inform customers.

Altoft also commented on the problems with the project and noted the job was not done correctly. Is there any repercussions? He noted on the amount of extra gravel which was needed.

DPW Director DesJarden stated the timing of the project involved the availability of the milling machine. The milling machines are in high demand right now. If he did not allow the work to be done at this time, it would have been delayed another month or so. The DPW received a new price list from asphalt companies three days prior to confirm asphalt prices as of August 1, 2008 will increase 45% to 47%. DesJarden also noted the job took longer because the street work was not originally done correctly. He explained when bids go out they take the blue prints of the original job, show the contractors the cross section of a road, which indicates the amount of sand, how many inches of gravel and how many inches of asphalt. Then they determine how many yards of asphalt needs to be removed. If there is the proper amount of road gravel, the company can fine grade and repave over. This is what should have happened on the project. However, when the milling machine went down the center of the road, the tracks on the machine turned up sand. There was not eight inches of road gravel on the road.

DesJarden referred to Councilmember Altoft's question concerning any type of recourse. If the

Council wishes for this to be pursued further with City Attorney Richard Wendt.

DesJarden noted the project is costing the City a few thousand dollars more due to additional road gravel. The project needed to be done correctly.

Councilmember Pfaller believed there should be some recourse if it was not done correctly. Pasquale stated he would discuss this with City Attorney Richard Wendt.

Councilmember Pfaller noted the project was funded through the Downtown Development Authority. The Parks and Recreation Commission would like to thank the DDA for taking all the millings down and placing the top surface on the parking lot down at the Recreation Park softball field.

Altoft believed the City should look into evaluating all the streets in town. DesJarden stated there is an inventory of every street. He is receiving prices on seal coating some of the very bad streets to hold them together for possibly another year or so until a plan is in place. He is looking at tentative prices between \$18,000 to \$20,000 in which will cover one mile of street at 24 feet wide. The very first one would be Sibley in order to try and hold it together through the winter. The other streets include Hillside Court and Shepard Drive.

Mayor Shores stated the Riverwalk was a great success. The vendors had many nice things to say about Lowell.

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

1. The following boards and commissions meetings minutes are provided:
 - Grand Valley Metro Council meeting of June 5, 2008
 - Chamber of Commerce meeting of June 10, 2008
2. At its July 15 meeting, the Michigan Economic Growth Authority granted a high tech MEGA state tax credit to Attwood Corporation valued at \$452,000 over seven years. Attwood will provide 50 direct jobs with 87 jobs created in the community.

Mayor Shores and Pasquale along with City Clerk Betty Morlock and Chief of Police Jim Valentine were present at the MEGA meeting to show the City's support for Attwood.

3. The Riverwalk Festival held last weekend was a success!
4. Please note that the final payment from Comcast (\$352,719.63) was received by the Grand Rapids Community Foundation to the LCTV Endowment Fund.

Item #8. **APPOINTMENTS**. None.

IT WAS MOVED BY HODGES to adjourn at 8:35 p.m.

DATE:

APPROVED:

C. Jeanne Shores, Mayor

Betty R. Morlock, Clerk