

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

For the Regular Meeting of **MONDAY, DECEMBER 21, 2009.**

Mayor Hodges explained Jeanne Shores has served as Mayor on two different occasions for many years and has served the community well. We are here conducting what would have been her last City Council meeting. She was elected four years ago, with a term expiring December 31, 2009, with intentions of not running again. Last January 5, 2009, this City Council declared Jeanne Shores, Mayor Emeritus, through a resolution as follows:

**CITY COUNCIL
CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 01 - 09

**RESOLUTION RECONIZING C. JEANNE SHORES
AS MAYOR EMERITUS**

Councilmember Altoft, supported by Councilmember Ellison, moved the adoption of the following resolution:

WHEREAS, C. Jeanne Shores has faithfully served on the Lowell City Council since January, 1994; and

WHEREAS, Councilmember Shores has also held the office of Mayor during the years 2001 to 2005 and 2008 to present; and

WHEREAS, Mayor Shores has faced physical difficulties which inhibited her attendance at City Council meetings.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

C. Jeanne Shores is recognized by Council with the title MAYOR EMERITUS and furthermore retains membership on the City Council, until her term expires in December, 2009; and

The City Council will appoint a new City Councilmember who will serve in Councilmember Shores' absence during this interim period and furthermore;

Mayor C. Jeanne Shores is honored by this title of MAYOR EMERITUS for her faithful diligence in many years of service to the City she so dearly loves. Date: January 5, 2009

Police Chief James Hinton announced "Mayor Hodges, Members of the City Council, Citizens of this great community.....Mayor Emeritus....Jeanne Shores!

The Meeting was called to order by Mayor Emeritus Jeanne Shores and City Clerk Betty

Morlock called Roll.

Shores introduced her daughter Carla and husband Ted as well as grandson Shaun and granddaughter Sidney. Her daughter Nancy from Colorado was also present.

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

Absent: None.

Also Present: City Manager Dave Pasquale, City Clerk Betty Morlock, Police Chief James Hinton, DPW Director Dan DesJarden, Arbor Boardmember, Lowell Light and Power Boardmember and Planning Commissioner Jim Hall, Planning Commissioner Andrew Schrauben and Lowell Light and Power Manager Greg Pierce.

Item #1. **APPROVAL OF AGENDA.**

IT WAS MOVED BY ELLISON and seconded by PFALLER to approve the agenda as written.

YEA: 6. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #2. **APPROVAL OF THE MINUTES OF THE DECEMBER 7, 2009 REGULAR MEETING.**

IT WAS MOVED BY PFALLER and seconded by ELLISON to approve the minutes of the December 7, 2009 regular meeting as corrected.

YEA: 6. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #3. **APPROVAL OF THE ACCOUNTS PAYABLE.**

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

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (12/21/09)</u>	
GENERAL FUND	\$26,340.49
MAJOR STREET FUND	5,849.53
LOCAL STREET FUND	3,669.65

DDA FUND	3,252.87
CITY HALL CONSTRUCTION FUND	35,875.00
AIRPORT FUND	244.65
WASTEWATER FUND	15,782.71
WATER FUND	11,264.65
EQUIPMENT FUND	2,262.45
CURRENT TAX FUND	42,907.36

Item #4. **CITIZENS COMMENTS FOR ITEMS NOT ON THE AGENDA.** No comments were received.

Item #5. **KENT INTERMEDIATE SCHOOL DISTRICT – COLLECTION OF SUMMER PROPERTY TAXES FOR 2010.** As in previous years, the Kent Intermediate School District has requested that the City collect the summer property taxes for the district (4.6903 mills this past year). As part of a continuing resolution, the City collects the KISD property taxes at no fee but is able to keep the interest earned during the bank deposit before distributing these monies.

IT WAS MOVED BY PFALLER and seconded by LAPONSIE to approve the collection of the summer property taxes for 2010 for the Kent Intermediate School District as proposed.

YEA: 6. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #6. **CONSIDERATION OF A THREE YEAR EXTENSION OF THE LEASE AGREEMENT WITH THE ROTARY CLUB OF LOWELL FOR THE SECOND FLOOR CTIY HALL MEETING SPACE.** The Rotary Club has utilized the second floor City Council Chambers for its meetings since July, 2005. Usually needing the room between 11:30 a.m. to 2 p.m. on Wednesday, the Council gave its initial formal approval on November 21, 2005.

There was discussion during the last meeting considering the City tying in audio/visual improvements to the Council Chambers with lease monies which would be provided by Rotary. A general consensus of the Council at the last meeting was this be kept separate and the dollars provided by Rotary would be for the upkeep and maintenance of the room. Therefore, the same basic agreement remains. This would be extending the lease agreement to June 30, 2012.

After reviewing the document, City Manager Pasquale recommends this be approved. In addition, the City is currently seeking monies for audio/visual improvements through the Lowell Area Community Fund and the LCTV Endowment Fund.

Mayor Pro Tem Pfaller had no problem with the proposal and agreement. However, he did notice damage is being done to the door used by the caterers and asked this to be addressed.

IT WAS MOVED BY PFALLER and seconded by ELLISON to accept the three year extension of the lease agreement with the Rotary Club of Lowell for the second floor City Hall meeting space.

YEA: 6. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #7. **FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT – 2009-2010, 2010-2011 ALLOCATIONS OF FUNDS – SET PUBLIC HEARING (1/4)**. Kent County has informed the City that \$25,073.40 remains unallocated in the current 2009-2010 year for Federal Community Development Block Grant funds. Further, \$31,186 will be allocated for projects in the 2010-2011 year starting July 1, 2010.

For the current 2009-2010 year, City Manager Pasquale recommended these funds be directed to the Sibley Street road and sidewalk improvements project to conserve local Street Construction Funds. If approved, the budget for Sibley would be as follows:

Proposed Expenditures		Revenue	
Road	\$184,000	CDBG-R (stimulus)	\$140,000
Walks	<u>39,000</u>	CDBG	25,073
Sub total:	\$223,000	Local Street Construction Fund	<u>101,927</u>
Contingencies			\$267,000
@ 5%	\$ 11,000		
Engineering			
@ 15%	<u>33,000</u>		

The project estimates are conservative and competitive bidding could lower these. If lower, CDBG and Local Street Construction Fund dollars could be reallocated.

With the 2010-2011 CDBG funds, \$6,000 once again would be allocated to North Kent Transit for senior citizens and handicapped riders. The remaining \$25,186 can be directed to either the North West Street sidewalk improvement (total estimate \$30,000) or milling and repaving South Pleasant and South West streets between Bowes and West Main (total estimate \$100,000). It was noted improvements to Sibley west and North Center will require more analysis and added funds.

For advertising a public hearing on Monday, January 4, 2010, the following wording would be:

2009-2010 CDBG funding:

- Sibley Street road and sidewalk improvements between Valley Vista Drive and North Center Street \$25,073.40

2010-2011 CDBG funding:

- North West Street sidewalk improvements \$25,186.00
- or

- Milling and repaving of S. Pleasant and S. West Streets
 - North Kent Transit assistance to senior citizens and Handicapped riders
- \$ 6,000.00
\$31,186.00

IT WAS MOVED BY PFALLER and seconded by ALTOFT to set a public hearing for January 4, 2009 regarding the Federal Community Development Block Grant – 2009-2010, 2010-2011 allocations of funds.

YEA: 6. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #8. **CHANGE ORDER TO THE NORTHEAST RESERVOIR TANK CLEANING AND DRAIN LINE IMPROVEMENTS**. At its October 5, 2009 meeting, the City Council approved a contract with Lee's Trenching Service of Byron Center to pump out sludge from the Northeast Reservoir Tank and transport this to a landfill. Then, the tank would be chlorinated. The drainage structure and valve were to be removed and replaced. An 8" drain line is to be upgraded. The cost approved was \$53,439.40. The change order raises the project amount to \$59,694.60 based on the following:

- Sediment Removal and Disposal added 7,163 gallons of sludge \$2,865.20
 - Tank chlorination deduct -1,260.00
 - Manhole and pipe upgrades as required by the Michigan Department of Environmental Quality 4,200.00
 - Additional depths for two manholes 450.00
- \$6,255.20

Water Distribution Supervisor Bob Robinson and Pasquale recommend this change order be approved.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to approve the change order to the northeast reservoir tank cleaning and drain line improvements for Lee's Trenching raising the total to \$59,694.80.

Councilmember Altoft questioned if this was the final payment. Pasquale responded yes. Altoft asked if any monies would be held to ensure restoration was completed considering the winter season. DPW DesJarden responded an amount of money will be held for at least one year.

YEA: 6. NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #9. **APPROVAL OF 2010 CITY COUNCIL MEETING DATES.** The first and third Monday has been set aside for the 2010 City Council meetings. However, when a holiday falls on a Monday, meetings will be held the following Tuesday.

Mayor Hodges notes meetings to be held on Tuesday would include:

- January – Martin Luther King Day
- February – Presidents Day
- July – Fourth of July
- September – Labor Day

IT WAS MOVED BY ELLISON and seconded by LAPONSIE to approve the 2010 Council meeting dates as presented.

YEA: 5. NAY: 0. ABSTAIN: 1. (Pfaller) ABSENT: 0. MOTION CARRIED.

Item #10. **MONTHLY REPORTS.** Mayor Pfaller asked Council to continue to keep an eye on the difference between the amount of water going through the Water Treatment Plant in comparison to the Wastewater Plant as it was more than 3 to 1 this month.

Item #11. **COUNCIL COMMENTS.** Councilmember Altoft noticed the City was close to completing the sale of the parking lot. He asked if possession had been received. City Manager Pasquale responded no. Altoft questioned the snowplowing of the lot. DPW Director DesJarden stated it is privately owned. Altoft suggested calling the owner to ensure the lot is gets plowed.

Councilmember Ellison stated it was great to have Mayor Emeritus Shores and her family here. She also wished everyone a happy holiday season.

Councilmember LaPonsie also stated it was great to have Shores present. She has been a pioneer for women in the City of Lowell and it is thrilling to be part of the Council with her.

Mayor Pro Tem Pfaller commented he and Shores shared this bench for seven years. He noted the following accomplishments which have taken place while Shores has served:

- Rebuilt Division Street
- Rebuilt a portion of Bowes Road
- Accomplished a couple of major Charter changes
- Decreasing the size of the Planning Commission and increasing the size of the Light and Power Board
- Receive agreements with all the user organizations of the parks
- Reviewed many contracts with vendors
- Able to get City Hall constructed

- Completed a new Master Plan
- Created two inter governmental agencies with Lowell and Vergennes Townships (LARA Board and the Local Fire Board)

Pfaller thanked Shores for her years.

Mayor Hodges wished everyone a happy holiday season. This has been a very good year for our City. Certainly a year of struggles and challenges but he believed the employees and its citizens have held together well. Lowell is a terrific place for all of us to live. He also welcomed Shores backed and noted it was terrific to see her.

Item #12. **MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes are enclosed:
 - Downtown Development Authority meeting of November 5, 2009
 - Chamber of Commerce meeting of November 10, 2009

The City offices will be closed on Thursday, December 24 and Friday, December 25, 2009 for the Christmas holiday and Friday, January 1, 2010 for New Year's Day. The Council will next meet on Monday, January 4, 2010.

Pasquale spoke to Shores and commented how happy he was to have her present. There have been many good and productive times together. It is a delight to see her and he misses her very much. Shores has been a terrific person, Councilmember and Mayor. He is glad to have been a part of her life and hopes to continue it to be that way. He thanked her for everything she has done for him and the community.

Item #13. **APPOINTMENTS.** Mayor Hodges noted there is an opening to serve on the Downtown Development Authority as Bob Ford has chosen not to continue as a member.

Item #14. **RECOGNITION IN HONORING OUT MAYOR EMERITUS C. JEANNE SHORES FOR 28 YEARS OF SERVICE.** Matt McConnon presented a proclamation from Kent County into record:

Proclamation by the Kent County Board of Commissioners:

WHEREAS, C. Jeanne Shores is concluding her 28 years of public service for the City of Lowell in December 2009

and

WHEREAS, C. Jeanne Shores served the City of Lowell residents in the following capacities:

- Planning Citizen Advisory Commission – February 1980 through June 1992
- City Council – January 1994 through December 2009
- City of Lowell Mayor – January 2002 through December 2005
- City of Lowell Mayor – January 2008 through January 2009
- City of Lowell Mayor Emeritus – January 2009 through December 2009
- Board of Review from January 1999 through January 2009

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

That I, Roger C. Morgan, Board of Commissioners Chair, and on behalf of the entire Kent County Board of Commissioners, hereby proclaim December 21, 2009 as C. Jeanne Shores Day in Kent County, and as we celebrate and thank Jeanne for her 28 years of public service and making Lowell and Kent County a better place to live, work and play.

McConnon thanked Jeanne and stated it has been a pleasure knowing her.

State Representative Dave Hildebrand was also present. He stated he grew up in Lowell and has lived here his whole life. But Hildebrand did not get involved in politics or public service until 2004 when he ran for State Representative. Mayor Shores was Mayor at that time and he quickly learned of her passion for this community and the respect she had of this community, love and dedication. Her leadership was instrumental in continuing to make this a special place that we all know.

Hildebrand presented a special tribute from the State of Michigan. He read a portion as follows:

Let it be known that it is a pleasure and a privilege to join in with the people of the Lowell area in commending Mayor Jeanne Shores for her dedicated efforts as a member of the Planning Citizens Advisory Committee, City Council, Board of Review and as Mayor of our City. She has capably served the people of this community for over 28 years and we thank her for effective leadership, hard work and many contributions that will long help this community.

There are many factors that determine the quality of a community and its government. One of the most important is an exemplarily core of public officials. Mayor Shores has demonstrated that she knows the people of the area. She has the courage necessary to make tough decisions and understand the important role that she has played in making Lowell a wonderful place to live, work and raise a family.

A special tribute, this document is signed and dedicated to honor Mayor Shores for outstanding service to the people of this great City.

State Representative Dave Hildebrand

State Senator Bill Hardeman of the 95th Legislature
95th Legislature
December 21, 2009

Mayor Hodges read the following into record which was presented to Shores from the City.

Presented to C. Jeanne Shores, in appreciation for 28 years of service:

- Planning Citizen Advisory Commission – February 1980 through June 1992
- City Council – January 1994 through December 2009
- Mayor – 2002 through 2005 and January 2008 through January 2009
- Mayor Emeritus – 2009 through December 2009
- Board of Review – January 1999 through 2009

Many thanks for making Lowell a better community.

Lowell City Council,
December 21, 2009

IT WAS MOVED BY PFALLER to adjourn at 8:08 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, Clerk