

PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL

The Meeting was called to order at 7:30 p.m. by Mayor Jim Hodges and City Clerk Betty Morlock called the roll.

Present: Councilmembers Jeff Altoft, Maryalene LaPonsie, Andrew Schrauben, Mayor Pro Tem Sharon Ellison and Mayor Jim Hodges

Absent: None.

Also Present: City Manager Dave Pasquale, City Clerk Betty Morlock, Chief of Police James Hinton and Director of Public Works Director Dan DesJarden.

Item #2. **APPROVAL OF THE AGENDA.**

IT WAS MOVED BY LAPONSIE AND SUPPORTED BY ELLISON to amend the agenda by adding item #5.5 Amateur Radio Week Proclamation.

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

Item #3. **APPROVAL OF THE MINUTES OF THE JUNE 7, 2010 MEETING.**

IT WAS MOVED BY ELLISON and supported by LAPONSIE to approve the minutes of the June 7, 2010 regular meeting as corrected.

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

Item #4. **APPROVAL OF THE ACCOUNTS PAYABLE.** Mayor Pro Tem Ellison questioned the invoices from Bouwhuis Supply for paper towels for the Department of Public Works. She asked was that for all the buildings throughout the City and does it come out from the DPW Budget? Morlock said that is for the summer supply for paper towels and toilet paper for the DPW.

Councilmember Altoft questioned the charge from Light and Power for Repair and Maintenance on Lights listed under the Conferences and Conventions of the City Council. Mayor Hodges stated it was for the APPA Economic Development Conference he had attended in May with Light and Power General Manager Greg Pierce, not for repair and maintenance.

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

YEA: Councilmembers Altoft, LaPonsie, Schrauben, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

| <u>BILLS AND ACCOUNTS PAYABLE (06/21/10)</u> |             |
|--|-------------|
| GENERAL FUND                                 | \$29,394.92 |
| MAJOR STREET FUND                            | 8,864.19    |
| LOCAL STREET FUND                            | 6,575.59    |
| HISTORICAL DISTRICT                          | 2,424.00    |
| DDA FUND                                     | 3,573.75    |
| AIRPORT FUND                                 | 1,012.16    |
| WASTEWATER FUND                              | 35,424.73   |
| WATER FUND                                   | 30,461.61   |
| EQUIPMENT FUND                               | 1,118.03    |
| CURRENT TAX FUND                             | 4,112.09    |
| LEE FUND                                     | 37.80       |

Item #5. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.** No comments were received.

Item #5.5. **PROCLAMATION FOR AMATEUR RADIO GROUP OF YOUTH IN LOWELL'S AMATEUR RADIO WEEK JUNE 21028, 2010.** Al Eckman, representing the Amateur Radio Youth Club and as a member of the Lowell Amateur Radio Club, requested the Council to adopt a proclamation for the upcoming this week end an event which is sponsored by the American Radio Relay League called Field Day. This is to show that Amateur Radio operators have the ability to set up in the field and operate equipment using the emergency power and make contact throughout the United States and Canada. Eckman stated weather permitting the event will take place at Fallasburg Park from 2 p.m. Saturday, June 26 until 2 p.m. Sunday, June 27, 2010 and invited anyone to attend.

Mayor Hodges read the following proclamation:

WHEREAS, Amateur Radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and

WHEREAS, Amateur Radio has continued to provide a bridge between peoples, societies and countries by creating friendships and the sharing of ideas; and

WHEREAS, Amateur Radio operators have also provided countless hours of community services throughout these decades; and

WHEREAS, these Amateur Radio services are provided wholly uncompensated; and

WHEREAS, the State of Michigan also recognized the services that amateurs also provide to our many emergency response organizations; and

WHEREAS, these same individuals have further demonstrated their value in public assistance by providing free communications for local parades, bike-a-thons, fairs, and other charitable events; and

WHEREAS, the City of Lowell recognizes and appreciates the diligence of these "hams" who also serve as weather spotters in the Skywarn program; and

WHEREAS, Amateur radio once again proved its undisputed relevance in the modern world in 2005 by providing emergency communications when other systems failed in the devastation of Hurricanes Katrina and Rita in the USA and in the Tsunami catastrophe overseas; and

WHEREAS, the American Radio Relay League is the leading organization for Amateur Radio in the USA; and

WHEREAS, the ARRL Amateur Radio Field Day exercise will take place June 27<sup>th</sup> and 28<sup>th</sup>, 2010 and is a 24 hours emergency preparedness exercise and demonstration of Radio Amateurs skills to provide self-supporting communications without further infrastructure being required; now

THEREFORE, I Mayor James W. Hodges, of the City of Lowell, do hereby officially recognize the Amateur Radio Group of Youth in Lowell (ARGYL) and designate June 21<sup>st</sup> thru June 28<sup>th</sup> as Amateur Radio Week in the City of Lowell.

By consensus the Council approved the proclamation. Mayor Hodges thanked Al Eckman for all his work and efforts in the community.

Item #6. **PRESENTATION OF THE STATE OF THE CITY ADDRESS.**

STATE OF THE CITY ADDRESS  
MONDAY JUNE 21, 2010

To: Mayor Hodges, Members of the Lowell City Council and Citizens of Lowell,

Prior to the new fiscal year in June, I have the opportunity to address the Lowell community. Our conditions are examined and at times reexamined. Issues are identified and goals established. Thus, courses of action are set.

The events on a state and national scale have overwhelmed many in economic terms. Despite some encouraging signs, plant and business closures, layoffs, bankruptcies and home foreclosures have continued. Dismaying was the loss of a long standing vehicle dealership.

But, the City has resiliency and continues to show signs of economic growth. Attwood Corporation is a prime example.

As noted in previous address, Lowell will strive to maintain and improve as a business friendly City. Financially, the municipality will seek efficiencies in operation of this government.

With the adoptions of the 2010-2011 Budget, the following goals are established and in some cases reestablished.

- Continue to strengthen the General Fund raising the fund balance. The 2010-2011 budget provides \$226,751 balance representing 9.2% of planned expenditures. The goal of \$300,000 balance or 15% of expenditures is established. Whenever feasible, outside sources of revenues will be sought for projects. Past examples include the library reroofing and Creekside Kingdom ground cover upgrade.
- Continue to promote a concerted effort to improve City streets. Over the past several years, significant upgrades have been made through federal funding. To this end \$97,607 has been allocated to improve South Pleasant and South West Streets using General Fund and Community Development Block Grant funds. In addition, \$25,000 is set aside for road maintenance.

Through federal funding, improvements to Bowes Road will be completed. Sibley Street from North Center to Valley Vista will have improvements finished this summer.

- Continue to work closely with the Michigan Department of Transportation and the Lowell Area Chamber of Commerce to provide a clearly communicated process for the public and particularly downtown merchants as the M-21 Flat River bridge reconstruction is completed by October.
- Work cooperatively between the City and the Department of Light and Power to provide efficiencies and cost savings through such projects as joint utility billing.
- Ensure that all municipal facilities and equipment are in good repair and well maintained.
- Sidewalks, particularly school walks, continue to be a priority. Walks in the Amity Street area will be constructed to aid school children going to Bushnell Elementary School and the Middle School.
- Continue to strongly support the Lowell Area Recreation Authority in its efforts to establish a community wide trail system.
- Continue support of the Downtown Development Authority and Downtown Historic District Commission in its efforts to improve the downtown. The improvement to both sides of the riverbank downtown along with upgrading the old amphitheater are priorities.
- Continue to support the Lowell Area Chamber of Commerce in its marketing strategy. The Chamber has been a key component in revitalizing the downtown through such activities as the Riverwalk Festival and Christmas thru Lowell.
- With the establishment of the LCTV Endowment Fund Board, opportunities will be promoted for municipal and non profit projects.

- The formation of the Lowell Area Fire and Emergency Services Authority will give the City, Lowell Charter and Vergennes Townships greater cooperation and sharing of resources for public safety.
- Continue to recognize the Lowell Area Historical Museum, Lowell Area Arts Council, Kent District Library, Lowell Community Wellness and YMCA as important resources to the City's quality of life.
- Support the Airport Board's efforts to attain General Utility status for the Lowell City Airport understanding that safety is the first consideration for improvements.
- Recognizing Lowell-Rockford Ambulance as an integral part of our health community system. This is further enhanced by the Ambulance station completed in 2007.
- Recognizing the work of the City's Arbor Board and the gaining of Tree City USA status to promote the growth and maintenance of trees in our community. This has been further enhanced by the City attaining two Arbor Day Growth Awards.
- Appreciating the service the Lowell Little League, YMCA, Xtreme Softball, Kent County Youth Fair, Lowell Youth Football, Lowell Rugby and Lowell Lacrosse have given to the community's youth.
- Examine the City's waste collection system particularly as it affects the residents. In particular, recycling will be reviewed in terms of options.
- Continue to plan for improvements to the Wastewater and Water Treatment Plants. The infiltration study to the City's wastewater collection system will be completed providing where repairs and upgrades should be located.
- In conclusion, as I approach my 23<sup>rd</sup> anniversary as City Manager, I count it a privilege to work for the City. The goals and projects provided above are a means of giving greater service to our citizens.

Respectfully submitted,  
David M. Pasquale

Item #7. **APPROVAL OF A LABOR AGREEMENT BETWEEN THE LOWELL POLICE OFFICERS ASSOCIATION AFFILIATED WITH THE MICHIGAN FRATERNAL ORDER OF POLICE AND THE CITY.** City Manager Pasquale stated over the past few months discussions have been held between City administration and the Lowell Police Officers Association. It is important to note that the Association has changed affiliations from the Police Officers Association of Michigan (POAM) to the Michigan Fraternal Order of Police (FOP).

The following key points of the agreement are:

- The City's willingness to hire an additional Police Officer as part of this agreement and noted in the recently adopted City budget.

- Continuation of the prior union contract except:
  - Reduce work cycle from 84 hours in a two week period including four hours of compensatory time to no more than 80 hours eliminating compensatory time.
  - The work schedule established by the Chief of Police so that employees are scheduled for no more than 80 hours. The compensatory time provision is eliminated.
  - While employees shall select a shift they desire based on time in grade or as mutually agreed by the Association and the City, the Chief of Police has the authority to select an officer of a lesser grade to a certain shift without approval of the officer or association.
  - In fiscal year 2010-2011, the pay rates are frozen. For the next two years, any pay increase within the bargaining unit shall be the same positive pay increase granted other City employees.
  - The contract is extended to June 30, 2013.

Chief Hinton stated the Union recognized that concessions were needed and by reducing the amount of work hours with scheduling flexibility and FTO pay reduction will better the position of the City forecasting expenses.

Mayor Hodges stated in talking with some of the Police Officers they are very pleased with job security built into this.

IT WAS MOVED BY LAPONSIE and supported by SCHRAUBEN to approve the labor agreement between the Lowell Police Officers Association (Michigan Fraternal Order of Police) and the City extending the contract to June 30, 2013.

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

Item #8. **RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A RESIDENTIAL LEASE AGREEMENT WITH GARY C. DIETZEL AND SANDRA BARTLETT RELATED TO CITY-OWNED PROPERTY LOCATED AT 990 N. WASHINGTON.** City Manager Pasquale stated there have been two prior leases involving 990 N. Washington and there are some changes which are highlighted:

- Ten year housing lease from July 1, 2010 to June 30, 2020.
- From its current \$350 per month, the rent will rise \$10 per month per year starting as of July 1, 2010.
- The house will have a yearly inspection performed by the City's Building Official.
- Termination clause by either party with 30 days notice.
- A new name may be added or deleted to the tenant list.
- The block building has been removed from the site drawing. The brick pump house is dependent on an engineer's review and needed upgrades.

Gary Dietzel had the following comments on the lease:

- include in Map exhibit A the triangle noting the septic tank
- retain area where block building is removed for their use
- security deposit as referenced has been removed

- want elimination of the sentence not using “Old Pump House Brick” until examined by licensed structural engineer and repaired. This is under consideration and believes not needed.
- noting his sole cost, he questioned regarding relationship involving materials and labor for repairs in the future. Dietzel wanted more direction from City and how to deal who is responsible.

Mayor Hodges stated it was his understanding that the tenants being Gary Dietzel and/or Sandra Bartlett. There is not to be any other names added to the lease. Therefore in the lease item #14, Assignment and Subletting should be shorten to “Tenant shall not assign the Lease in whole or in part (for security or otherwise) or sublet all or any portion of the Premises” period and strike the rest of the paragraph.

Gary Dietzel, 990 North Washington, stated one person can not maintain the property and that was their reason for changing. Mayor Hodges responded it is the Council's understanding is the lease is for you and Sandy and if one of you should leave for any reason, the other is able to stay for the remainder of the lease.

IT WAS MOVED BY SCHRAUBEN and supported by ELLISON to adopt the resolution approving and authorizing execution of a residential lease agreement with Gary C. Dietzel and Sandra Bartlett related to City-owned property located at 990 N. Washington as amended.

YEA: Councilmembers Altoft, LaPonsie, Schrauben, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #9. **APPROVAL OF CONTRACT BETWEEN THE COUNTY, CITY AND HOPE NETWORK WEST MICHIGAN (NORTH KENT TRANSIT) JULY 1, 2010 TO JUNE 30, 2011.**

The City has utilized Hope Network – North Kent Transit for transportation serves involving senior citizens and the handicapped utilizing Federal Community Development Block Grant funds. As required by the U.S. Department of Housing and Urban Development, a contract between Kent County, the City and Hope Network must be approved as submitted. City Manager Pasquale recommended the Council do so.

IT WAS MOVED BY LAPONSIE and seconded by ALTOFT to approve the contract between the County, City and Hope Network West Michigan (North Kent Transit) July 1, 2010 to June 30, 2011 for transportation services involving the elderly and handicapped.

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

Item #10. **MONTHLY REPORTS.** Mayor Pro Tem Ellison commented that since the Police Department numbers for this June are down from last June for traffic stops cited and traffic stops warned the complaints that have been recently made do not seem to be substantiated.

Item #11. **COUNCIL COMMENTS.** Councilmember Altoft noted how nice Main Street looks and thanked City Manager Pasquale and DPW Director DesJarden for their work on keeping track of it. Altoft also stated he talked to DPW Director DesJarden regarding the cement work Consumers Energy did last winter and they will be taking care of it.

Councilmember LaPonsie mentioned when the Council went to Greenville they toured the composting facility and she was really impressed with it. However, she was concerned with finding an appropriate location for Lowell as well as start up cost.

Mayor Pro Tem Ellison would like to address the Cemetery rules at the next meeting. Also, she had attended the Parks and Recreation Commission's planning meeting and was very impressed with the quality of work the Commission had done. Ellison also toured Greg Canfield's building on West Main and is excited about the project. There is much positive happenings in our Community.

Mayor Hodges read a thank you note from Mayor Ken Snow of Greenville regarding their Mayor Exchange Day visit to Lowell. Also enclosed with the note was a newspaper clipping from their daily newspaper regarding our visit to Greenville.

Item #12. **CITY MANAGER'S REPORT.**

1. The following boards and commissions meetings minutes are provided:
  - Chamber of Commerce meeting of May 11, 2010
  - Grand Valley Metro Council-Transportation Policy Committee meeting of May 19, 2010
2. As was raised at the last meeting, a memo details the net decrease in General Fund expenditures which increased the fund balance to \$226,751 was attached.
3. At its May 11, 2010 m meeting, the Lowell Area Community Fund granted the following:
  - \$22,337 to enhance the operability of law enforcement communications (radio and computer) between the new Kent County Sheriff Department Dispatch and the Lowell Police Department with the purpose of increased citizen/office safety.
  - \$25,000 to continue program of historic preservation of Lowell Downtown buildings.
  - \$10,334 to provide a skateboard park at Stoney Lakeside Park.
  - \$10,000 for City trees
4. In recognition of Independence Day, City offices will be closed on Monday, July 5. The Council will next meet on Tuesday, July 6.
5. Chief James Hinton reported on the following:



- Informed the Council that Mark Ritzema had resigned from the Lowell Police Department as a Part Time Patrol Officer due to other job commitments. After retiring from the Kent County Sheriff Department in 2001, Mark joined our Police Department and served 9 years.
- As City Manager Pasquale mentioned, a grant from the Lowell Area Community Fund will be used to purchase a radio repeater needed to connect with the Kent County Sheriff's Department in October, 2010. New computers for the cars as well as modems and the software are needed for this project. This will allow the Department to go forward with electronic tickets and accidents reports within the cars. Also there will be monies to purchase tasers and various training equipment.
- Hinton also noted he had applied for the COPS grant. Of the 6,000 agencies that applied for the grant only 500 will receive any monies. If we are successful the Department would obtain \$190,000 over three years. It should be announced by the end of September.

Item #13. **APPOINTMENTS.** None.

IT WAS MOVED BY ELLISON and supported by LAPONSIE to adjourn to Closed Session at 8:15 p.m.

YEA: Councilmembers Altoft, LaPonsie, Schrauben, Mayor Pro Tem Ellison and Mayor Hodges.

NAY: 0. ABSENT: 0. MOTION CARRIED.

IT WAS MOVED BY ALTOFT to adjourn at 10:23 p.m.

DATE:

APPROVED:

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James W. Hodges, Mayor

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Betty R. Morlock, City Clerk