

PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL

For the Regular Meeting of MONDAY, NOVEMBER 1, 2010.

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 David Pasquale, City Clerk Betty Morlock, Police Chief James Hinton, DPW Director Dan DesJarden, Light and Power Boardmember, Planning Commissioner and Parks and Recreation Commissioner Jim Hall, Lowell Light and Power Manager Greg Pierce and Airport Manager Jim Sowle.

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

IT WAS MOVED BY LAPONSIE and supported by ELLISON to approve the agenda as presented.

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

Item #2. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 18, 2010.**

IT WAS MOVED BY LAPONSIE and supported by ELLISON to approve the regular meeting minutes of October 18, 2010 as corrected.

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

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

IT WAS MOVED BY ELLISON and supported by LAPONSIE 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 (11/01/10)</u>	
GENERAL FUND	\$47,222.13
MAJOR STREET FUND	4,118.14
LOCAL STREET FUND	19,729.11
DDA FUND	8,430.00
AIRPORT FUND	387.26
WASTEWATER FUND	35,860.17
WATER FUND	14,049.30
CABLE TV FUND	9,310.90
DATA PROCESSING FUND	807.40
EQUIPMENT FUND	244.69
CURRENT TAX FUND	25,349.33

Item #4. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA**. Airport Manager Jim Sowle of 770 Lincoln Lake, presented an update regarding the Lowell Airport and status of the various projects. He informed the Council of the off airport projects, which include the tree clearing at the west end of the facility, is finally coming to an end. In January, the final trees will be removed and the airport will remain open.

There have been a few issues between the engineering firm, URS and MDOT. In one instance, URS provided an incorrect elevation of the airport. Therefore, the agreements needed to be resigned from the affected residents. Also, URS provided the wrong bid and survey costs, at which point MDOT was unsure if they even wanted to continue working with the project. However, the net result has been meeting with the involved landowners and the company clearing the trees to receive insight as to what it would take to have the trees cleared. He noted bids should go out within the next few weeks and the tree cutting should begin in January.

Approximately \$3,000 worth of gravel has been added to the entrance drive as well as reberming. Since then, there has not been a single issue with the road washing out.

Sowle explained FBO Dan Williams works out of the Lowell Airport. He exports two to three airplanes into South America.

The fuel sales have picked up this year as well as airport traffic increasing approximately 30%.

The hangers are all rented except for one or two which are currently being used by individuals as a storage facility. One hanger has a five year lease.

A full time flying school was started by Jeff Ostrander. He bought two airplanes as well as the house which borders the airport on the north side. Ostrander is fully committed to being a part of the Lowell Airport. He also brought a tail dragger plane for acrobatic lessons and a Cessna for conventional flight training.

Sowle ended on a note there has not been one call or complaint this year from a neighbor.

Item #5. **WEBSITE DEVELOPMENT – UPDATE.** One of the goals of the City Council is to upgrade and enhance the City website. To this end, a committee has been formed composed of Councilmembers Schrauben and Ellison, Greg Pierce and Jim Hall from Light and Power along with City Clerk Betty Morlock and City Manager Pasquale. Letters of interest from over ten vendors have been received for website improvements.

AN RFP (Request for Proposal) will be sent to each firm interested. Once received, the committee will provide recommendations.

Councilmember LaPonsie questioned the City's website address and if it could be changed. Schrauben noted this is an option. However, this seems to be a standard format for most of the Cities he has seen.

Mayor Pro Tem Ellison suggested a cover letter be sent to the interested individuals explaining items the City is considering.

Item #6. **LOWELL CHARTER TOWNSHIP SIDEWALK PROJECT – REQUEST FOR ADDED LCTV FUNDS TO ACCOMMODATE PEDESTRIAN BRIDGE.** Lowell Charter Township provided plans for the construction of a sidewalk along the north side of M-21 from the Key Heights Village to Birmingham Street, S.E. near Meijer. The Township received \$4,000 from the LCTV Endowment Fund last year toward the overall cost of \$53,200.

Lowell Charter Township Supervisor Jerry Hale has requested an increase of \$10,000 in LCTV funds to accommodate the added cost of the required pedestrian bridge.

Hale indicated the project has already begun. It is very much needed in the community.

Ellison noted LCTV Board has received three positive responses from Dan Brubaker, Dennis Kent, Barb Barber as well as Ellison herself regarding the project.

IT WAS MOVED BY ALTOFT and seconded by LAPONSIE to increase the LCTV Funds by \$10,000 for the Lowell Charter Township sidewalk project.

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

Item #7. **CITY MANAGER SEARCH – SCHEDULING INITIAL MEETING WITH MICHIGAN MUNICIPAL LEAGUE FACILITATOR BILL BALDRIDGE.** Michigan Municipal League Facilitator Bill Baldrige wished to establish an initial meeting with the Council. A profile for the position will be set up. The recruitment process and timetable for recruitment will be discussed.

Mayor Hodges suggested a meeting be established for Monday, November 29, 2010 at 7:00 p.m. By general consensus, the Council agreed. Hodges noted this would be a worksession meeting. Therefore, open to the public.

Item #8. **REGULATIONS OF OUTDOOR WOOD-BURNING FURNACES – DIRECTION FROM COUNCIL TO THE PLANNING COMMISSION.** At its October 25, 2010 meeting, the Planning Commission discussed possible regulations regarding outdoor wood-burning furnaces. Professional Planner Jay Kilpatrick provided a memorandum on this issue reviewing the background, design elements to consider, regulating structure and permitting and concluding thoughts.

The Commission requested direction from the Council on how this issue should be approached. In particular, the extent on how much the Commission should be involved is asked.

Mayor Hodges understood the Commission believed it could be handled one of two ways. It could be provided as a general ordinance or as being a zoning issue which may be allowed in some districts but not others, giving consideration to the square footage of a lot and or setbacks.

Councilmember Altoft stated most of the industry regulates the stove needs to be 25 feet from any structure. Most cities regulate the stove must be 75 from the lot line which takes care of the densely populated areas.

Altoft also asked if there have been any complaints regarding these stoves which have already been in use for the last 25 years. He noted such a stove can not be used without being inspected.

Mayor Pro Tem Ellison did not believe such stoves should be banned. However, she wanted to ensure there are simple guidelines to provide setbacks.

By general consensus, the Council agreed the issue should be considered under zoning and be kept simple.

Item #9. **COUNCIL COMMENTS.** Councilmember Altoft commented another year has gone by and no road has been seal coated. DPW Director Dan DesJarden stated the City had a contract with a firm to chip seal N. Center Street. The City's crew laid asphalt down in anticipation of this being done. The company has indicated they will honor this year's price and perform the work next spring for N. Center Street. Councilmember LaPonsie asked if a bond could be put in place when a contractor pulls out of a project. DesJarden noted there was no bond in place. However, even if there was, it could not have been used because it is too late in the year to be used.

Altoft also believed the Council needed to meet regarding the vision of the sidewalks and the streets. He suggested a worksession meeting be scheduled on a Saturday rather than a Monday night. Hodges preferred to hold worksession meetings on Monday nights. Mayor Pro Tem Ellison was worried no one would come to the meeting if held on a Saturday.

Altoft suggested the City review the idea of refinancing City Hall.

Atloft commented on the recent approval to increase the retirement plan for Lowell Light and Power employees. He suggested taking a little out of the water/sewer fund so the City's retirees could also have a raise. City Manager Pasquale noted a request would have to be formally made

to the Municipal Employees Retirement System (MERS). Pasquale stated he would provide a scenario which could be used the following year, if possible.

Mayor Pro Tem Ellison asked if anyone had volunteered regarding the storm sewer issue. DesJarden stated he has received no calls or emails. Ellison explained the idea of the study is to find out where the leaks are so a new sewer addition does not have to be built. Volunteers are very much needed.

Item #10. **CITY MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes were provided:
 - Parks and Recreation Commission meeting of September 18, 2010
 - Grand Valley Metro Council-Transportation Policy Committee meeting of August 18, 2010
 - Look Memorial Committee meeting of February 2, 2010
 - Planning Commission meeting of September 27, 2010
 - Downtown Development Authority meeting of September 30, 2010
2. A memo from Light and Power General Manager Greg Pierce regarding electric vehicle charging stations which will be installed downtown this Fall. Pierce explained Light and Power applied for and received a grant to provide electric vehicle stations in Lowell. There is a national campaign going on to get a charging network across America.
3. A memo was provided from City Clerk Betty Morlock and Director of Public Works Dan DesJarden regarding licensing of waste haulers and snow plow operators. The Council asked for a two year contract. Both see an issue with this and request this be changed to annual permits. They made contact with several Clerks who indicated they prefer to go annually. Every year they will be required to give the City a copy of their insurance which typically runs out yearly. The other question that arose is if the City went to a one year would we have to prorate the waste haulers. It was also noted City would have to request a customer list from the snow plow drivers in case a violation was made regarding snow being plowed into the street.

Hodges suggested the issue be brought to the next meeting where it can be addressed.

Altoft suggested removing "prorate" if a license is only going to be given for one year.

4. Do not forget to vote on Tuesday, November 2, 2010.

Item #11. **APPOINTMENTS**. An opening is still available on the Board of Review. Also, it would be good to have an alternate for that position.

IT WAS MOVED BY ELLISON to adjourn at 8:25 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk