

PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL

For the Regular Meeting of June 20, 2011.

The Meeting was called to order at 7:30 p.m. by Mayor 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, DPW Director Dan DesJarden, Police Chief Barry Getzen, Tom Russo and Mark Howe.

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

IT WAS MOVED BY ELLISON and supported by SCHRAUBEN to approve the agenda as written.

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

Item #2. **APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 6, 2011.**

IT WAS MOVED BY ELLISON and supported by LAPONSIE to approve the regular meeting minutes of June 6, 2011 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: None. ABSENT: None. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (06/20/11)</u>	
GENERAL FUND	\$24,006.87
MAJOR STREET FUND	13,964.17
DOWNTOWN DEVELOPMENT FUND	1,116.58
AIRPORT FUND	23.09
WASTEWATER FUND	44,911.81

WATER FUND	191,425.40
CABLE TV FUND	20,000.00
EQUIPMENT FUND	503.32
CURRENT TAX FUND	19,727.48

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

Item #5. **OLD BUSINESS.**

- a. Streets, sidewalks plan – The Council adopted the sidewalks improvements ordinance upon sale of property at the May 2 meeting. Also, Council lifted the moratorium requirement sidewalk improvements at their March 21 meeting.
- b. Wastewater Treatment update – A full report will be provided by the engineering firm of Hubbell Roth and Clark, Inc. in July.
- c. East Riverfront renovations – A Parks and Recreation Master Plan update was completed and approved by the State to qualify for grant assistance. A survey delineating ownership has also been finished. A design charette (getting citizen input) for riverbank improvements was successfully carried out by Design Plus, Inc. on Thursday, January 13. At the Downtown Development Authority meeting of February 17, the Boardmembers recommended purchase of the amphitheater property from Lowell Area Schools for \$25,000. Also, the amphitheater riverfront design was approved along with an allocation of \$50,000 toward the project. At its January 11, 2011 meeting, the Lowell Area Community Fund provided \$50,000 in addition to this task. The Council, at its February 22 meeting approved the purchase of Lowell Area Schools property within the amphitheater area at a cost of \$25,000 as recommended by the DDA. A site visit will be done next Tuesday, June 28.

An application for the Michigan Department of Natural Resources Trust Fund grant of \$300,000 has been submitted to the State. A LCTV Endowment Fund grant application of \$50,000 was completed.

- d. Consumers Energy – sidewalk report – DPW Director DesJarden has contacted Consumers involving necessary sidewalk repairs and is awaiting a response.

Item #6. **PRESENTATION OF THE STATE OF THE CITY ADDRESS.** Over the past several years, I have had the privilege and opportunity to address the Lowell community to the current status of the City. As I close the 24th year of service as Lowell City Manager retiring from this position, it is still important to identify issues and establish goals.

The national and state economic events continue to dominate Lowell. Signs of optimism continue with a number of businesses flourishing. Vacant store fronts though do remain.

I am encouraged with the expansion of Litehouse, Inc. and one planned for King Milling. The employment growth of Attwood Corporation continues to encourage.

Lowell must and will strive to maintain and improve as a business friendly City. In an era of intense competition, Lowell will also continue to operate with greater efficiencies.

With the adoption of the 2011-2012 Budget, the following goals are established and in some cases reestablished:

- Continue the strengthening of the General Fund seeking means to increase the fund balance. The 2011-2012 budget has provided a fund balance of \$208,200 representing 8.3% of expected expenditures. While this falls short of the \$300,000 balance and 15% of expenditures as a goal, the budget has been maintained even though there has been a \$100,000 loss in property tax revenue as well as over \$60,000 decrease in State shared revenues.

Outside sources of revenues should be sought for needed projects.

- Continue to improve City streets. Through federal funding for several major streets and setting aside a mill of property tax revenue to local roads, construction has made significant upgrades. This coming year, federal STP-Small Urban funds are allocated to Bowes Road, while North Center is near completion with Hillside Court planned for rehabilitation. Street maintenance is a must to keep deterioration away from roadways.
- Work cooperatively between the City and the Department of Light and Power.
- Take advantage of the upgraded website so that the City can reach more interested visitors.
- Ensure that all municipal facilities and equipment are in good repair and well maintained.
- Sidewalks, particularly school walks, continue to be a priority.
- Continue to strongly support the Lowell Area Recreation Authority in its efforts to establish a community wide trail system, noting the first phase is under construction.
- Continue support of the Downtown Development Authority and Downtown Historic District Commission in its efforts to improve the downtown. The improvements to both sides of the riverbank downtown are priorities. In particular a DNR Trust Fund grant application of \$300,000 with \$150,000 local funding would greatly improve the east side.
- 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 have promoted for municipal and non profit projects.

- The formation of the Lowell Area Fire and Emergency Services Authority have given 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, YMCA, Lowell Senior Neighbors and Gilda's Club 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 three Arbor Day Growth Awards.
- Appreciating the service the Lowell Little League, YMCA, Xtreme Softball, Backyard Dreams, Kent County Youth Fair, Lowell Youth Football, Lowell Rugby and Lowell Lacrosse have given to the community's youth.
- With a contract to Red Creek Waste Services, the City's waste collection system including recycling will be monitored.
- Continue to plan for improvements to the Wastewater and Water Treatment Plants. The infiltration study to the City's waste collection system will soon be completed.
- In conclusion, as I approach my retirement as City Manager, I know Mark Howe will provide strong administrative leadership as my successor. As mentioned many times, I have counted it a privilege to work for the City.

Respectfully submitted,
David M. Pasquale

Item #7. **RESOLUTION RECOMMENDING THAT A LOWELL AREA HISTORICAL MUSEUM OPERATION AND MAINTENANCE RENEWAL MILLAGE BALLOT PROPOSAL BE SUBMITTED TO THE ELECTORS OF THE CITY AT THE NOVEMBER 8, 2011 GENERAL ELECTION**. At the November 5, 2002 general election (by a vote of 830-448) approved a .25 mill levy to support the maintenance and operation of the Lowell Area Historical Museum for a ten year period ending June 30, 2013.

The Museum requested a ten year renewal ending June 30, 2023 be placed on the November 8, 2011 general election ballot for consideration.

Lowell Area Historical Museum Director Pat Allchin reminded the public how important the museum is to the City and the downtown area as well as the schools. The request is not for more

money, but the same as what is being paid today from the taxpayers. This is important in order to keep the museum open.

IT WAS MOVED BY ELLISON and seconded by LAPONSIE to adopt the resolution to place Lowell Area Historical Museum operation and maintenance renewal millage be on the ballot of November 8, 2011 general election.

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

NAY: None. ABSENT: None. MOTION CARRIED.

Item #8. **KING MILLING COMPANY (115 S. BROADWAY) – APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION**. Mayor Hodges noted his wife is employed with King Milling. Therefore, he would be abstaining from discussion and turn the chairing over to Mayor Pro Tem Ellison.

As noted at the last meeting, King Milling is planning three large capital projects. This totals \$2,700,000 in building improvements and \$8,673,000 in machinery and equipment providing \$11,373,000. This would qualify King Milling for a 50% tax abatement under Public Act 198 for 12 years under the current City policy.

After conducting a public hearing, the Council may consider a recommendation for approval to the State Tax Commission involving the King Milling IFT certificate.

Councilmember LaPonsie thought it was great to see the business expanding. The City wants to see its businesses grow.

IT WAS MOVED BY LAPONSIE and seconded by ALTOFT to approve the application for an Industrial Facilities Exemption Certificate for King Milling Company.

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

NAY: None. ABSTAIN: 1. (Mayor Hodges) ABSENT: None.

MOTION CARRIED.

Item #9. **RESOLUTIONS TO ESTABLISH FEES AND CHARGES FOR TRANSIENT MERCHANTS, PEDDLERS AND IMPOUNDING DOGS AND CATS**. It has been since 1991 that fees and charges were updated for transient merchants, peddlers and impounding dogs and cats.

City Clerk Betty Morlock noted the fees for holding the dogs and cats include rooming and boarding fees. Councilmember LaPonsie asked if other communities had similar charges. Morlock stated the charges were reviewed with City Attorney Richard Wendt and Police Chief Barry Getzen and are comparable to other nearby communities.

Councilmember Schrauben questioned the difference between a transient merchant and a peddler. Getzen stated a transient merchant is based in one location while a peddler can go door to door.

IT WAS MOVED BY ELLISON and seconded by LAPONSIE to approve the resolution revising the fees for the transient merchants.

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

NAY: None. ABSENT: None. MOTION CARRIED.

IT WAS MOVED BY ELLISON and seconded by SCHRAUBEN to approve the resolution revising the fees for peddlers.

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

NAY: None. ABSENT: None. MOTION CARRIED.

IT WAS MOVED BY SCHRAUBEN and seconded by LAPONSIE to approve the resolution revising the fees for dogs and cats.

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

NAY: None. ABSENT: None. MOTION CARRIED.

Item #10. **PROPOSAL FOR NEGOTIATION SERVICES TO REMOVE TREES ON FOUR PARCELS NEAR THE INTERSECTION OF VERGENNES AND LINCOLN LAKE BY THE LOWELL CITY AIRPORT.** In order to assist in completing actions necessary to attain General Utility Status for the Lowell City Airport, the Airport Board has recommended securing the services of Rick Osborn of Homesights, Inc. to negotiate with four property owners involving tree removals near the intersection of Vergennes Road and Lincoln Lake.

The cost will not exceed \$3,000 with the State of Michigan reimbursing 90% of these fees and the Airport Fund providing the remainder.

IT WAS MOVED BY ELLISON and seconded by LAPONSIE to contract with Rick Osborn of Homesights, Inc. to begin negotiations with four property owners near the intersection of Vergennes and Lincoln Lake involving tree removal, regarding the Lowell City Airport, not to exceed \$3,000.

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

Item #11. **LOYAL ORDER OF THE MOOSE – REQUEST USE OF SOUTH END OF THE KING MILLING PARKING LOT AND RECOMMEND APPROVAL TO LCC FOR SERVING TO NON-CLUB MEMBERS FOR THE JULY 4 CELEBRATION.** The Lowell Moose have been planning a Fourth of July celebration. For this purpose, the organization wished to use the south end of the

King Milling parking lot. Also, the Moose desired to secure a temporary liquor license to sell alcoholic beverages to non-members within their building.

The parking lot is owned by King Milling and leased to the City. Brian Doyle, President of King Milling, has no problem with this as long as the City provides approval. It was noted that the Moose are aware of the bicycle race event occurring at the same time.

Police Chief Getzen believes this shouldn't be a problem.

City Manager Pasquale recommended the Council approve usage subject to the Moose having liability insurance which covers the City and King Milling as additional insured. In addition, the temporary liquor license is recommended for approval.

Getzen stated he reviewed the site in relationship to the closing of the west bound of M21. The Moose will still have access into the parking lot as well as exit from the parking lot. Vehicles will have to move to the east and take the detour route to get back to the west. Getzen noted monitors will be placed to ensure alcohol remains inside the building.

Councilmember Schrauben confirmed the organizers did not need the parking lot for any reason. Pasquale responded no.

IT WAS MOVED BY ALTOFT and seconded by SCHRAUBEN to allow Loyal Order of the Moose to use the south end of the King Milling parking lot.

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

IT WAS MOVED BY LAPONSIE and seconded by ALTOFT to recommend to the Michigan Liquor Control Commission that they are able to use their liquor license to serve non members.

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

Item #12. **MONTHLY REPORTS.** Mayor Hodges questioned the police report. He asked if assisting to other agencies included mutual aid issues. Police Chief Barry Getzen responded yes.

Item #13. **COUNCIL REPORTS AND COMMENTS.** Councilmember Altoft congratulated City Manager Pasquale on his retirement.

Councilmember LaPonsie stated a Lowell Area Fire and Emergency Services Authority Board meeting was held earlier. There has been an increase in the number of calls. Therefore, the salary budget will increase to approximately \$113,000.

LaPonsie also noted St. Patrick's Church will be having their annual festival the weekend of June 24, 2011.

LaPonsie was sorry to see Pasquale retiring. He has been such an institution in the City. She encouraged him to enjoy his well deserved time off.

Councilmember Schrauben noted all the hangars at the airport are full.

The Parks and Recreation Commission met last weekend. They are looking at ways to reduce the noise of the skateboard ramps. A swimming area at the dog park is being established. Signage and lights need to be installed.

The construction for LARA is ongoing. Updates are available on the website.

Schrauben thanked Pasquale for all his work and everything he has done for the community. He commented on his amazement when he attended his MML Conference. It seemed Pasquale knew every fourth person who walked by. He seemed to know who they were and knew a great deal about them. This was very impressive and the City has benefited.

Mayor Pro Tem Ellison stated the Arbor Board will have a booth at the Riverwalk Festival and will be selling the print from the contest held.

Ellison was concerned regarding the property being rented from the City on N. Washington Street. There are concerns regarding general maintenance and painting. Ellison suggested the issue be added to the worksession meeting to see what can be done to maintain the property.

Ellison also thanked Pasquale for his patience with her when she was new on the Council. He never made her feel like she was asking a silly question. Pasquale was very respectful. She appreciated all he has done and wished him well.

Mayor Hodges stated Lowell Light and Power met on June 9, 2011. Things are going very well and are ready for the summer season.

The Chamber of Commerce Board of Directors met last week. There will be a golf outing for the Ivan K. Blough Scholarship Fund.

Also, there will be a meet and greet with the new Lowell City Manager, date pending.

Relay for Life will be held the weekend of June 24 as well as the Grand River Water Festival, which will be held at the Fairgrounds. Also, the Riverwalk Festival will be held July 7, 8 and 9th.

The Look Committee met on June 8, 2011 and distributed \$35,910 as follows:

- Lowell Area Fire Department received \$5,000
- Lowell Showboat Garden Club received \$3,000
- The City of Lowell received \$15,000
- The Lowell Music Boosters received \$3,300
- The Lowell Area Historical Museum received \$1,250
- Friends of the Englehardt Public Library received \$160
- Lowell Area Arts Council received \$8,200

Last Friday evening, the Lowell Area Arts Council had their annual Art Attack. There was much activity and it was announced that the Lowell Area Arts Council will be renamed Lowell Arts! The new website is lowellartsmi.org. Things are going well.

The Summer Concert Series kicked off last Thursday. Hodges encouraged everyone to attend.

A reception will be held for Dave Pasquale on Wednesday, June 29, 2011 from 4 to 6 p.m. in the Council Chambers. Both he and his wife Anne have contributed much to the community.

Item #14. **CITY MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes are provided:
 - Airport Board meeting of May 3, 2011
 - Downtown Development Authority meeting of May 5, 2011
 - Look Committee meeting of October 20, 2010
 - Chamber of Commerce meeting of May 20, 2011
 - Grand Valley Metro Council meeting of April 20, 2011
2. In recognition of Independence Day, the City offices will be closed on Monday, July 4. The Council will next meet on Tuesday, July 5.
3. This is the last Council meeting serving as City Manager for Pasquale and Thursday, June 30 will be his last day in the office. Pasquale noted he is looking forward to the transition. There are a couple opportunities which may be available for him, which he will share at a later time. He wished Lowell all the best. He and his wife Anne have lived in Lowell 24 years. Anne has been very active with the library, Arts Council and church. There is so much going for Lowell.

Item #15. **APPOINTMENTS.** The following boards or commissioners positions need appointment or reappointment. By general consensus, the Council agreed.

		<u>Terms Expires</u>
Board of Review		
Alternate Position	appointment	
Leah Vredenburg	reappointment	6/30/2014
Planning Commission		
Shannon Hanley	reappointment	06/30/2014
David Cadwallader	reappointment	06/30/2014
Board of Light and Power		
Andy Johnston	reappointment	06/30/2014
Arbor Board		
Diane LaWarre	reappointment	06/30/2014

Local Officers Compensation Commission
Teresa Beachum
Patricia Horn

reappointment
reappointment

06/30/2016
06/30/2016

IT WAS MOVED BY ELLISON to adjourn at 8:23 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, City Clerk