

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

For the Regular Meeting of **MONDAY, May 2, 2005**

The Meeting was called to order at 7:30 p.m. by Mayor Shores and City Clerk Betty Morlock called Roll.

Present: Councilmembers Hodges, Mathews, Pfaller and Mayor Shores.

Absent: Mayor Pro Tem Myers.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Planning Commission Chairman Clark Jahnke, Building Inspector Doug Hopkins, and Lowell City Airport Manager Jim Sowle.

IT WAS MOVED BY HODGES and seconded by PFALLER to excuse the absence of Mayor Pro Tem Myers.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

IT WAS MOVED BY PFALLER and seconded by MATHEWS to approve the minutes of the April 18, 2005 regular meeting as submitted.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

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

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (05/02/05)

GENERAL FUND	\$103,218.87
MAJOR STREET FUND	\$509.60
LOCAL STREET FUND	\$77.95
DDA FUND	\$587.73
BUILDING & SITE	\$350.00
AIRPORT FUND	\$3,000.00
WASTEWATER FUND	\$47,017.17
WATER FUND	\$5,348.52
DATA PROCESSING FUND	\$272.43
EQUIPMENT FUND	\$320.62
CURRENT TAX FUND	\$3,374.73
LOWELL AREA TRAILWAY	\$219.39

Item #1. **ZONING BOARD OF APPEALS**

A. **504 LINCOLN LAKE (NORTHWEST CORNER OF LINCOLN LAKE AND HOWARD) – PATRICIA HORN – FENCE HEIGHT VARIANCE – PUBLIC HEARING.** As stated in the last meeting, Patricia Horn has petitioned to have a six foot high fence installed for her residence at 504 Lincoln Lake. Because the portion of property within the Howard Street front yard area, the fence is limited to three feet within this location. She desires the six foot height for safety reasons.

At its meeting of April 25, 2005, the Planning Commission recommended against the variance in a unanimous vote because the Commission determined none to the six required criteria to grant a variance was met.

Zoning Board of Appeals Chairperson Pfaller opened the public hearing. No public comments were received. City Clerk Betty Morlock stated she had received a message from Patricia Horn stating her family would not be attending the meeting and would be building a 3' high fence, due to the results of the Planning Commission meeting of April 25, 2005.

Chairperson Pfaller closed the public hearing.

Commissioner Hodges stated he attended the Planning Commission meeting and felt safety was one of the Commission's main concerns regarding a 6' fence in the front yard because it would obstruct the view of traffic.

IT WAS MOVED BY MATHEWS and seconded by HODGES to deny the variance request from Patricia Horn to construct a 6' high fence in her front yard at 504 Lincoln Lake as recommended from the Planning Commission.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #2. **CONSIDERATION OF RESIDENTIAL SIGN ORDINANCE – RECOMMENDATION FROM THE PLANNING COMMISSION – SET PUBLIC HEARING DATE (5/16).** After several months of review and consideration, the Planning Commission has proposed amendments to the residential sign ordinance. Specifically, exempted signs will be allowed to increase up to three square feet from two. Also, ground signs for residential uses are provided, allowing one per lot up to three square feet in size. The Planning Commission felt making these amendments would basically take care of most situations in residential lots.

Clark Jahnke, Chairman of the Planning Commission, stated this has been discussed for several months and believes this is workable for everyone.

Councilmember Mathews questioned if corner lots are limited to one sign. Jahnke responded yes, one ground sign is permitted per lot.

IT WAS MOVED BY HODGES and seconded by PFALLER to establish a public hearing for May 16, 2005 to consider the ordinance amendments for residential signs as recommended by the Planning Commission.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #3. **APPROVAL OF URS CONTRACT TO SECURE AIR EASEMENTS FOR THE LOWELL CITY AIRPORT.** Jim Sowle, Lowell City Airport Manager and Boardmember requested the City Council approval of URS contract to survey and determine all the trees that need to be trimmed to preserve the air easements into the airport. The total contract cost of \$47,500 will be paid from a 90% State grant and the Airport Board using credits already accrued.

Councilmember Pfaller asked if URS has given any estimates on what the cost would be for the air easements. Sowle responded they estimate approximately \$350,000. The State will pickup 90% and most of the Airport 10% portion is already set aside in an accrual account.

URS has already sent eight letters to residences which are affected by the air easements and have received five back granting permission to come on the property to do the survey of the tree heights and what replacements will be needed. The three other residences have not responded yet. URS will attempt to make a telephone contact to those.

Mayor Shores questioned what is still needed to make the airport qualify in the General Utility category. Sowle responded a fence around the airport, installing a rotating beacon as well as an outside public telephone and these too will be on a 90-10 split with the State.

IT WAS MOVED BY PFALLER and seconded by MATHEWS to approve the contract to URS to secure air easements for the Lowell City Airport.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #4. **2005-2006 BUDGET – PRELIMINARY REVIEW AND ESTABLISH PUBLIC HEARING DATES (MAY 16 AND JUNE 6).** City Manager Pasquale stated the Council will receive a final draft of the budget before the next meeting. Since the last Council meeting the Downtown Development Authority at its April 28 meeting allocated \$128,147 toward the General Fund and the Look Memorial Committee has provided \$15,000 toward the City Hall Police Station Building Authority Bond Issue, which assists the General Fund. Currently, a General Fund balance is estimated to be \$27,027.75, which is still very tight. At this time, no staff cuts are proposed, but it is a very lean budget.

Provided in the packet was a General Fund revenue history. This history showed how in 2002-2003 the City received \$467,000 in State Revenue Sharing as compared to the projected amount for 2005-2006 of \$404,900. Pasquale has been told that the State will not reduce Revenue Sharing further this year, but there are still voices in the Legislature trying to decrease it more. At this time it is

assumed the same amount of money will be received. This report does show where the City stands in terms of revenue and total expenditures.

It is recommended that the Council establishes two public hearing dates of May 16 and June 6, with final adoption at the June 6 meeting.

Councilmember Pfaller questioned when the last payment would be for the library. Pasquale responded March, 2006, which the 2005-2006 budget includes this final payment of approximately \$45,000.

IT WAS MOVED BY PFALLER and seconded by HODGES to set a public hearing date for May 16 2005 and June 6, 2005 for purposes of reviewing and adopting the 2005–2006 budget.

YEA: 4. NAY: 0. ABSENT: 1. MOTION CARRIED.

Item #5. **CITIZEN COMMENTS**. DPW Director Dan DesJarden informed the Council that the City, Lowell and Vergennes Townships are sponsoring the Kent County Household Hazardous Waste collection day for their residents on Saturday, May 21, 2005 from 9 a.m. to 12 noon. Information packets can be picked up at City Hall, 301 E. Main, Department of Public Works, 327 S. Hudson, Lowell Township, 2910 Alden Nash, Vergennes Township, 10381 Bailey Dr., Englehardt Public Library, 200 N. Monroe or Lowell Chamber of Commerce, 113 Riverwalk Plaza. To participate in this program a resident must call the County at 336-3695 or 336-4617 to set up an appointment.

Planning Commission Chairman Clark Jahnke said a Joint Planning Commission meeting with Lowell and Vergennes townships is scheduled for Thursday, May 12<sup>th</sup> at 7 p.m.

Item #6. **COUNCIL COMMENTS**. Councilmember Hodges stated he attended the Spirit of the Community Friday evening.

Mayor Shores reminded everyone to vote tomorrow for Lowell School Board and Grand Rapids Community College Board election.

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

1. The following boards and commission meetings minutes were presented:

- Planning Commission meetings of March 28, and April 11, 2005
- Grand Valley Metro Council-Transportation Policy Committee meeting of March 16, 2005
- Look Memorial Committee meeting of December 15, 2004
- Downtown Development Authority meeting of March 24, 2005
- Downtown Historic District Commission meeting of February 22, 2005

2. A walk to School Day is being held at Cherry Creek Elementary School on Thursday, May 5. The Council is invited to attend.

Item #8. **APPOINTMENTS**. No appointments needed at this time.

IT WAS MOVED BY MATHEWS to adjourn at 8:16 p.m.

DATE:

APPROVED:

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C. Jeanne Shores, Mayor

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Betty R. Morlock, Clerk