

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

For the Regular Meeting of **MONDAY, JUNE 2, 2008.**

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

Present: Councilmembers Altoft, Pfaller, Mayor Pro Tem Hodges and Mayor Shores.

Absent: Councilmember Ellison.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, City Treasurer Suzanne Olin, Light and Power General Manager Tom Richards, Arbor Board and Light & Power Boardmember Jim Hall and Planning Commissioner Vance Dimmick.

IT WAS MOVED BY HODGES and seconded by PFALLER to excuse the absence of Councilmember Ellison.

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

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the May 19, 2008 regular meeting as corrected.

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.

<u>BILLS AND ACCOUNTS PAYABLE (06/02/08)</u>	
GENERAL FUND	\$100,782.70
MAJOR STREET FUND	1,497.00
LOCAL STREET FUND	285.02
DDA FUND	1,506.97
AIRPORT FUND	81.52
WASTEWATER FUND	15,716.74
WATER FUND	9,423.45
CURRENT TAX FUND	3,244.66

Item #1. **ADOPTION OF THE 2007 – 2008 BUDGET AMENDMENTS**. As required by State law, the City Council must review and approve final adjustments to the City's operating funds.

Councilmember Pfaller questioned the Local Street Fund winter rentals which increased from \$5,000 to \$25,000. Public Works Director DesJarden explained this is based on employee overtime from this past winter, being a rental from the Equipment Fund. City Treasurer Suzanne Olin explained every time an item of equipment is used it is charged a rental rate.

IT WAS MOVED BY HODGES and seconded by PFALLER to adopt the 2007 – 2008 Budget Amendments as submitted.

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

Item #2. **CONSIDERATION AND ADOPTION OF THE 2008 – 2009 OPERATING BUDGET, SET MILLAGE RATE AND HOLD PUBLIC HEARING**. No public comments were received.

Mayor Pro Tem Hodges suggested the budget have numbered pages.

Hodges noted the millage rate remains the same.

City Manager Pasquale explained an equivalent of one mill has been allocated toward local street construction. Also, the City provided \$10,000 as estimated revenue for the Parks usage agreements. This brings the general fund balance to \$153,054.14.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to adopt the 2008 – 2009 Operating Budget, with the millage rate of 15.83 mills for operating and .25 voted mills for the Lowell Area Historical Museum.

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

NAY: 0. ABSENT: Councilmember Ellison. MOTION CARRIED.

Item #3. **RESOLUTION TO CONSIDER NEW WATER AND SANITARY SEWER RATES**. As provided previously in the operating budget proposal, the water and sanitary sewer rates have been changed to reflect current operating costs.

The water consumption rate will rise from \$1.43 to \$1.45 per thousand gallons per month with the readiness to serve rate to increase from \$23.12 to \$23.68 per month for residential usage. The usages for the larger meters are noted in the resolution primarily for commercial and industrial use.

The sewer residential user rate increases from \$3.26 to \$3.38 per thousand gallons per month. The readiness to serve charges rise from \$19.91 to \$20.10 per residence. Again, the usages for the larger meters are noted in the resolution primarily for commercial and industrial use.

All these rates were based on a study provided by the engineering firm of Tetra Tech which was completed two years ago.

IT WAS MOVED BY HODGES and seconded by PFALLER to adopt the resolution approving the adjusted water and sanitary sewer rates effective for billings after July 20, 2008

YEA: Councilmembers Altoft, Pfaller, Mayor Pro Tem Hodges and Mayor Shores

NAY: 0. ABSENT: Councilmember Ellison. MOTION CARRIED.

Item #4. **STREET SWEEPING OF M-21 – REDUCTION OF MDOT REIMBURSEMENTS.**

DPW Director Dan DesJarden received a press release from the State of Michigan Transportation noting street sweeping reimbursement for M-21 was cut by MDOT because of State wide budget reductions.

Thus, reimbursement for four sweepings will be allowed rather than eight approved by Council.

Councilmember Pfaller questioned the charge per sweep. DesJarden responded \$400 per sweep plus dumping fees. Pfaller suggested asking the DDA if they would be interested in paying for the other four times.

Mayor Shores questioned what was approved for the other streets throughout the City. DesJarden stated the Council approved the M21 for 8 times and 6 times throughout the City. However, with the budget cuts from the State, the City can only afford 4 times with reimbursement from the State.

City Manager Pasquale stated the issue would be brought forth to the DDA at their meeting on June 26, 2008.

No further information was provided.

Item #5. **APPROVAL OF CONTRACT BETWEEN THE COUNTY, CITY AND HOPE NETWORK WEST MICHIGAN (NORTH KENT TRANSIT) JULY 1, 2008 TO JUNE 30, 2009.**

A yearly contract between Kent County, the City and Hope Network which exceeds from July 1, 2008 to June 30, 2009, uses Hope Network/North Kent Transit for transportation services for senior citizens and the handicapped. These are subsidized by Federal Community Block Grant funds. It is required by the U.S. Department of Housing and Urban Development that a contract approved between these agencies.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to adopt the contract between the County, City and Hope Network West Michigan (North Kent Transit) from July 1, 2008 to June 30, 2009.

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

Item #6. **TALL GRASS ISSUE – OFFER BY PLANNING COMMISSION TO PROVIDE A RECOMMENDATION.** At its May 27 meeting, the Planning Commission has offered to provide a recommendation to the Council regarding enforcement of tall grass.

Mayor Pro Tem Hodges stated there has been some discussion on this as well as a proposal from Charlie Bernard of Ace Hardware to have the City consider the idea of not cutting grass in certain areas. An email was received from Jim Hall who suggested the City consider a one year moratorium and leave vacant areas untouched. After discussing this with others, Hodges believed while some of these ideas may benefit such as a savings in gas and the hassle for individuals, it may be best to continue with the current ordinance and policy of enforcing grass cutting. Perhaps, an opinion from the Planning Commission is not necessary.

Mayor Shores agreed. It is important to keep the City neat and groomed. The City needs to take pride in how our property looks. Shores believed it would be fine to keep the ordinance as is.

Councilmember Altoft agreed 100%. This is an ordinance and should remain. However, it should be enforced.

Councilmember Pfaller believed one needed to determine where such an ordinance is enforced. He challenged the fact that we, as a City, have several acres of property which has not been mowed over the last several years. Until the City can abide by our own ordinances, this is unfair to the business community to require them to abide by an ordinance in which the City does not. Hodges agreed.

Shores inquired regarding how busy the RSVP is. Police Chief Valentine stated they are limited. Currently, the process is being worked out between the Police Department and City hall. A local lawn cutting firm has been contacted to cut lawns which have not responded to the notices.

Altoft asked if consideration should be given to mowing 50 feet from the sidewalk. Hodges suggested the Council request an opinion from the Planning Commission.

IT WAS MOVED BY PFALLER and seconded by ALTOFT to have the Planning Commission review the tall grass issue.

YEA: 3. (Councilmember Altfof, Pfaller and Mayor Shores) NAY: 1. (Mayor Pro Tem Hodges)

ABSENT: 1. (Councilmember Ellison) MOTION CARRIED.

Valentine wanted to clarify the Council was referring to all properties. There are acres of grass along Grand River Drive which the City has never mowed. The main focus includes the residential areas and then moving into the other more visible areas. However, now in hearing the direction from the Council, it is the letter of the law not the spirit. Thus, it will be across the board, city wide property, which will be pursued. Valentine was asking for direction because the department will then be confronted by those who do have vacant land and will be pointing their fingers at other vacant land.

Shores confirmed complaint basis, bring it to the Planning Commission and then present to the Council. Pasquale responded yes.

Item #7. **REQUEST TO ALLOW UPRIGHT MARKERS OR BENCHES IN THE VACATED SECTION OF OAKWOOD CEMTERY.** City Clerk Betty Morlock explained a letter of request was received from an individual who bought a couple gravesites in the old part of the cemetery. Back when it was approved to sell the east/west walkway lots, there was one condition on that section having the City allow flush mounted markers only to save the historic look.

The individual has requested the City allow an upright marker. Morlock noted most of the markers in the old section are uprights. There are many lots which are not in the walk way and previously bought where any type of marker is allowed.

Morlock believed the flush mounted sites are actually more modern looking. Therefore, she requested the Council reconsider and provide direction.

Councilmembers Hodges and Altoft believed this would be fine and an upright should be allowed.

IT WAS MOVED BY ALTOFT and seconded by HODGES to allow upright markers or benches in the vacated section of Oakwood Cemetery.

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

Item #8. **CITIZEN COMMENTS.** Planning Commissioner Vance Dimmick of 944 Grindle was concerned with the appearance of the M21 corridor. He walked the property in question and paced it off and compared it to what he has to mow. Dimmick can mow twice as much on one tank of gas. He did not believe it was a hardship for this particular property to be kept mowed. This is where people drive through town and lawns should be kept neat and trimmed. Mayor Shores stated the Council enjoys the Planning Commission's opinion very much.

Item #9. **COUNCIL COMMENTS.** Councilmember Altoft noted there is a section of grass along Riverside Drive which gets missed.

Altoft also noted he had a great time in Hastings at the Mayor Exchange.

Mayor Pro Tem Hodges stated it was a good time in Hastings and he learned a lot. Those are some fine people. It was an interesting City to visit and great deal of information was received which will help the City of Lowell. Hodges also noted Hastings is awfully jealous of the Lowell Police Department.

Hodges reminded the public "Coffee with Council" will be held this Saturday, June 7, 2008 at the Chamber of Commerce offices from 8 a.m. until 10 a.m.

Mayor Shores stated the trip to Hastings was very nice. She plans to go back and see more of their town and visit the Mayor.

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

1. The following boards and commissions meetings minutes are provided:
 - Downtown Development Authority meetings of April 24 and May 1, 2008
 - Parks and Recreation Commission meeting of April 19, 2008
 - Arbor Board meeting of April 21, 2008
 - Planning Commission meeting of April 28, 2008
2. In response to Councilmember Pfaller's inquiry, the Wastewater Treatment Plant bonds are fully paid on February 1, 2012 and the Water Treatment Plant bonds are complete on May 1, 2019.

Item #11. **APPOINTMENTS.** None.

IT WAS MOVED BY HODGES to adjourn at 8:07 p.m.

DATE:

APPROVED:

C. Jeanne Shores, Mayor

Betty R. Morlock, Clerk