

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

For the Regular Meeting of **TUESDAY, JANUARY 17, 2006**

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

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

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Public Works Director Dan DesJarden, Police Chief Jim Valentine, Planning Commissioner Mark Mundt, Lowell Light and Power/Cable TV General Manager Tom Richards, Lowell Police Officers Brandon Robinson and Scott VanSolkema.

IT WAS MOVED BY PFALLER and seconded by SHORES to approve the minutes of the January 17, 2006 regular meeting as written.

YEA: Councilmember Hodges, Pfaller, Shores, Mayor Pro Tem Mathews and Mayor Myers.

NAY: None. ABSENT: None. MOTION CARRIED.

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

YEA: Councilmember Hodges, Pfaller, Shores, Mayor Pro Tem Mathews and Mayor Myers.

NAY: None. ABSENT: None. MOTION CARRIED.

BILLS AND ACCOUNTS PAYABLE (1/17/06)

GENERAL FUND	\$88,599.30
MAJOR STREET FUND	1,804.79
LOCAL STREET FUND	190.95
HISTORIC DISTRICT FUND	225.00
DDA FUND	487.77
AIRPORT FUND	5,039.45
WASTEWATER FUND	33,892.29
WATER FUND	4,068.11
DATA PROCESSING FUND	232.72
EQUIPMENT FUND	2,778.90
CURRENT TAX FUND	88,411.06

Item #1. INTRODUCTION OF NEW FULL TIME POLICE OFFICERS. Police Chief Jim Valentine introduced Brandon Robinson (hired full time March 27, 2005, part time hired December 17, 2002). Robinson is a graduate of the Grand Rapids Community College Police Academy. Prior to being hired by the Lowell Police Department, he worked part time for the Allegan County Sheriff's Department. In addition to law enforcement, he also processes skills in the heating and cooling trade. He is married to his wife Heather. After completing the field training program when he was hired in early 2003, Robinson worked a total of 2740 hours before attaining full time status with the Lowell Police Department.

Scott VanSolkema (hired full time October 20, 2005, part time hired October 29, 2004) is also a graduate of the Grand Rapids Community College Police Academy. Prior to being hired, he was a seasonal police officer with the Greenville Police Department. In addition, he is also a certified fire fighter and is a paid on call with the Ada Township Fire Department. Scott is married to Jessica. He has worked approximately 1700 hours before being hired full time.

Valentine stated he is extremely proud of the clerks, part time and full time officers. The new officers are very thorough in their investigations and their reports are outstanding.

Item #2. COMMUNITY DEVELOPMENT BLOCK GRANT 2006 – 2007 ALLOCATION OF FUNDS – PUBLIC HEARING. Upon receiving further information from the County, it was determined there will not be \$39,000 to spend as of July 1, 2006. A letter was received from the County which provided the yearly allocation, however the monies which were already provided regarding previous sidewalk work, was not included. At present, there is \$19,694.23 available on unprogrammed and available funds. In consultation with Tom Tilma of the County Community Development Department, there were several options the Council could pursue as follows:

Funds must be programmed within 2 years and spent within 3 years. Thus, the City could bank a part or all of these funds.

Assuming a \$6,000 allocation to North Kent Transit, South Pleasant sidewalk could be undertaken. With 1.043 feet to be installed from sidewalk at \$18 a lineal foot, the cost is estimated to be \$18,774. The difference of \$5,080 could be allocation from next year's funding with County approval.

The ice skating/skateboard rink has been determined to be a regional rather than a neighborhood activity. Thus, such a project would be very questionable for Block Grant funding and it is recommended the City does not pursue such funds.

Councilmember Pfaller believed the City should support the North Kent Transit assistance at \$6,000 and deposit the remaining in the bank. Councilmember Hodges agreed.

IT WAS MOVED BY PFALLER and seconded by HODGES to allocate Community Development Block Grant for 2006 – 2007 in the amount of \$6,000 for North Kent Transit assistance with the remaining balance of \$13,694.23 be unprogrammed.

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

Item #3. REPORT FROM THE LOCAL OFFICERS COMPENSATION COMMISSION. On December 29, the Local Officers Compensation Commission held their bi-annual meeting to consider salary adjustments for the Mayor and the City Council. Boardmember Barbara Zandstra of 423 King St. explained the Commission reviewed the information and discovered there has been no increase since 1991. The board believes the Council consists of competent individuals who are committed to their jobs. There is a love for the community which can not be compensated to the extent.

The Commission has decided to increase the compensation for the Mayor from \$30 to \$40 per meeting and a maximum of \$720 to \$1,000 a year. The Councilmembers salary are proposed to be raised from \$25 to \$35 per meeting to a maximum of \$625 to \$875 a year.

Commissioner Hodges questioned who the individuals are serving on the Local Officers Compensation Commission. Zandstra noted the individuals serving on the Commission include Roger LaWarre, Barb Vezino, Patricia Horn, Theresa Beachum, and herself.

City Manager Pasquale explained the Commission was formed in response to an initiative passed by the State Legislature allowing

cities a Commission to determine for elected boards. It is important to note this has already been filed with City Clerk Morlock on January 8, 2006. According to the ordinance, the salaries become effective 30 days after filing. The Council can reject the salary increase if a resolution is adopted by two-thirds (4) of the elected Councilmembers serving on the City Council.

Councilmember Shores thanked the Commission and Chairman LaWarre. Much research has been done regarding the recommended increase.

By general consensus, the Council agreed to accept the increase adjustments for the Mayor and City Council as recommended by the Local Officers Compensation Commission.

Item #4. EXTENSION OF WATER AND SANITARY SEWER RATES. At its June 20, 2005 meeting, the City Council approved new water and sanitary sewer rates for six months, depending the conduct of a rate study. The Council on November 7, 2005 approved Vic Cooperwasser of Tetra Tech to complete such a study.

The study is near completion and recommendations will be forwarded to Council soon. The staff has proposed to extend current rates to the February billing allowing enough time to review and consider the rate study.

IT WAS MOVED BY HODGES and seconded by MATHEWS to approve the extension of the water and sanitary sewer rates to the February 2006 billing.

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

NAY: 0. ABSENT: 0. MOTION CARRIED.

Item #5. COUNCIL APPOINTMENTS. The following City Council appointments were made.

Chairman, Zoning Board of Appeals
Councilmember Pfaller

Representative to Fire Board
Councilmember Hodges

Representative to Chamber of Commerce
Mayor Myers

Representative to Light and Power and Cable TV Boards
Councilmember Mathews

Councilmember Shores stated it is very important for the Council representative to attend the Light and Power and Cable TV Board meetings. Myers agreed.

By general consensus, the Council agreed to the reappointments and appointments.

Item #6. PURCHASE OF NEW COMPUTER SOFTWARE AND EQUIPMENT. As noted in Betsy Davidson's (Addorio Global Innovations) letter, the City's present computer server has been in place for over five years. Davidson has recommended the purchase of a complete new package along with coordination from CMI, who supplies the City's financial software. The total purchase of \$14,302 would be allocated from the Data Processing Fund.

Due to the age of the server, the software has become obsolete and Micro Soft no longer provided support as of December 31, 2004. A few weeks ago, Micro Soft Exchange also indicated their lack of support.

Davidson recommended the following updates:

Dell PowerEdge 1800 Server		\$3,276.00
Symantec AntiVirus 10.0 Business Pack 25 – user		\$1,563.00
Group Calendar (15 user license)		495.00
CMI Installation		\$5,298.00
Addorio Installation (Hourly not to exceed)		\$3,670.00
	Total	\$14,302.00

Iserve hosting email: 49.95 per month

Option: Comparison Gateway E922OT Server \$3,279.00

Mayor Myers questioned Davidson's hourly rate. Davidson responded \$60 per hour. She will also hire a Windows 2003 certified technician with an hourly rate of \$125.

Myers questioned the type of backup program the City has for the main server. Davidson stated the City has a multi tape backup which runs every night as well as having fire proof cabinets.

IT WAS MOVED BY HODGES and seconded by MATHEWS to invest \$14,302 in new data equipment and software with the allocation from the Data Processing Fund.

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

Item #7. MONTHLY REPORTS. Councilmember Pfaller commented on the issue of pursuing regional planning with adjacent townships. He reviewed the monthly report as well as the annual report on the capacity of the plant. There were several times during the month of January and June where the City was well above the design flow of the plant. Pfaller questioned if an expansion of the plant was necessary. Waste Water Treatment Plant Superintendent Mark Mundt indicated he was comfortable with the current capacity of the plant. He believed plant expansion would be driven by outside the boundaries. The City has clearly indicated to its neighbors the need to keep the plant informed if surrounding townships see growth. Mundt noted this can not be an issue the City hears about six months ahead of time.

Myers appreciated the work City staff places into preparing the monthly reports.

Item #8. CITIZEN COMMENTS. No comments were received.

Item #9. COUNCIL COMMENTS. Councilmember Shores commented on the fee schedule for the use of City Hall. Also, there was discussion regarding a fee schedule for the Showboat. Has this ever been completed? City Manager Pasquale stated the issue still needs to be addressed.

Councilmember Pfaller stated he and Councilmember Hodges met a week ago regarding possible charter changes. He suggested the Council review the proposed changes.

Mayor Myers referred to a letter from Dr. Jim Reagan. It discusses the benefit of fluoride in the City's water treatment plant.

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

The following boards and commissions meetings minutes were provided:

- Airport Board meeting of December 6, 2005
- Chamber of Commerce meeting of November 8, 2005

On Wednesday, January 11, City Manager Pasquale had the opportunity to discuss State Boundary Commission issues with

Vergennes Township Supervisor Tim Wittenbach and Lowell Charter Township Supervisor John Timpson. From these discussions, the following framework was agreed upon:

Determine an urbanized area in Vergennes where property owners could secure a 425 agreement. Outside of this area, the City would consider an extension of water and sanitary sewer services with Vergennes as a wholesale customer.

Provide the detail for a 425 agreement regarding the Cook property. In particular, issues regarding zoning (housing density) and final say need to be resolved. Utilities also require further consideration since Lowell Charter Township is involved.

Appoint a negotiating committee from the affected jurisdictions (no more than 2 per)

Have a mediator involved utilizing Dr. Lynn Harvey (retired professor from Michigan State who is an expert on 425 agreements) and/or Mark Wyckoff from the Michigan Planning and Zoning Center (planning/zoning expert).

Councilmember Pfaller questioned why the discussion was limited to just an urbanized area in Vergennes Township and did not include Lowell Township. Pasquale explained there is less possibility with Lowell Township because they are already a sewer and water customer. Without a 425, Lowell Township would question why this needs to be done. Currently, there is already an agreement. Pfaller believed an overall plan needs to be established. Pasquale stated he would provide an update.

Shores stated she was in favor of having a mediator come.

3. Dates for Mayor Exchange with the City of Coldwater have been proposed as follows:
Tuesday, May 16 in Coldwater
Tuesday, May 23 here

Pasquale is working on providing a preliminary agenda to the Councilmembers on a Wednesday or Thursday prior to the Council meeting.

Item #11. APPOINTMENTS. Mayor Myers proposed the following reappointments for the respective boards and commissions:

Airport Board Term Expires

Jim Myaard	reappointment	01/01/2009
Jerry Hale	reappointment	01/01/2009

Parks and Recreation Commission

Don Green	reappointment	01/01/2009
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Downtown Development Authority

Bob Ford	reappointment	01/01/2010
Carolyn Price	reappointment	01/01/2010

Building Authority

David Pasquale	reappointment	01/01/2009
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Construction Board of Appeals

Dan DesJarden	reappointment	01/01/2008
Ray Zandstra	reappointment	01/01/2008
Greg Canfield	reappointment	01/01/2008

Downtown Historic District Commission

Stephen Doyle reappointment 01/01/2009

Local Officers Compensation Commission

Roger LaWarre reappointment 60/20/2010

Myers noted Michael Blough has turned in his resignation to the Downtown Historic District Commission.

By general consensus, the Council agreed to reappoint the above individuals.

IT WAS MOVED BY PFALLER to adjourn at 8:37 p.m.

DATE:

APPROVED:

Charles R. Myers, Mayor

Betty R. Morlock, Clerk