

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

For the Regular Meeting of Monday, **NOVEMBER 19, 2007.**

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, Mayor Pro Tem Mathews and Mayor Myers.

Absent: Councilmember Shores.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, Police Chief Jim Valentine, Lowell Light and Power Board Member Jim Hall, Councilmembers Elect Jeff Altoft and Sharon Ellison.

IT WAS MOVED BY HODGES and seconded by MATHEWS to excuse the absence of Councilmember Shores.

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

IT WAS MOVED BY PFALLER and seconded by HODGES to approve the minutes of the November 5, 2007 regular meeting as corrected.

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

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

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

NAY: None. ABSENT: Councilmember Shores. MOTION CARRIED.

<u>BILLS AND ACCOUNTS PAYABLE (11/19/07)</u>	
GENERAL FUND	\$115,087.24
MAJOR STREET FUND	275.75
LOCAL STREET FUND	275.75
DDA FUND	96,907.79
BUILDING AND SITE FUND	113,167.50
AIRPORT FUND	553.48
WASTEWATER FUND	6,568.88
WATER FUND	8,579.27
LOWELL CABLE TV FUND	20,195.97
DATA PROCESSING FUND	655.00
EQUIPMENT FUND	963.28
CURRENT FUND	22,901.78
LEE FUND	9,740.00

Item #1. **ELECTION OF MAYOR AND MAYOR PRO TEM TO FIRST MEETING IN JANUARY, 2008.** The City Council, through two resolutions, proposed a charter amendment which formally establishes the election of the Mayor and Mayor Pro Tem during the first meeting in January. The Charter had prescribed this for the first meeting following the November City election.

As required by the Michigan Attorney General, the charter amendment was revised to include a transitional term for these offices covering the period from the first meeting after the November, 2007 City election to the first meeting of the Council on January 7, 2008.

IT WAS MOVED BY HODGES and seconded by PFALLER to nominate Charles Myers as Mayor until the first meeting of Council in January, 2008.

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

IT WAS MOVED BY PFALLER and seconded by HODGES to nominate Alan Mathews as Mayor Pro Tem until the first meeting of Council in January, 2008.

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

Item #2. **CONSIDERATION OF PROPERTY SALE – 50' X 208' CITY OWNED PARCEL ON NORTH WASHINGTON**. At its meeting of October 15, 2007, the City Council voted to advertise for sale a 50' x 208' parcel of City owned property located on North Washington Street. This was initiated at the request of neighboring property owner Ken Gregersen of 938 N. Washington. At the request of Council, City Assessor Jim Marfia determined the estimated value of the land to be \$12,500.

On Wednesday, November 7, the City received one bid from Ken Gregersen totaling \$1,250 for the purchase. The Council may accept or reject the offer.

Councilmember Pfaller believed the bid was inadequate and should not be accepted.

Mayor Pro Tem Mathews stated he contacted City Manager Pasquale to ensure Gregersen received the information from City Assessor Jim Marfia. Pasquale responded yes. With this, Mathews agreed with Pfaller. The bid was not acceptable.

Councilmember Hodges stated he would support this particular bid. He believed it best serves the City and would place the property back on the tax roll as well as solve Mr. Gregersen's problem.

Mayor Myers believed 10% of the assessed value is more of an easement bid than a property purchase bid and would not be in support of it.

IT WAS MOVED BY PFALLER and seconded by MATHEWS to not sell the 50' x 208' property on North Washington because the bid submitted was inadequate.

YEA: 3. NAY: 1. (Councilmember Hodges) ABSENT: 1. MOTION CARRIED.

Item #3. **RESOLUTION ESTABLISHING POLICY AND GUIDELINES FOR GRANTING POVERTY HOMESTEAD PROPERTY TAX EXEMPTIONS – REVISED INCOME GUIDELINES.**

Public Act 390 of 1994 requires poverty exemption guidelines adopted by the local governing body for the Board of Review to use in granting such requests concerning homestead properties.

The resolution prepared by City Attorney Richard Wendt updates income guidelines to match current federal standards.

IT WAS MOVED BY PFALLER and seconded by MATHEWS to adopt the resolution bringing the City to federal standards on the granting of homestead property tax exemptions list under Public Act 390.

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

NAY: None. ABSENT: Councilmember Shores. MOTION CARRIED.

Item #4. **INSTALLMENT PURCHASE FINANCING FOR TWO POLICE VEHICLES.** At its September 4, 2007 meeting, the Council approved the purchase of two 2008 Impalas as police cruisers from Good Chevrolet.

The lowest quote was provided by First Bank at 4%. The accumulating interest would be \$1900.80 for the lease purchase with a total principal amount of \$39,600 for the two vehicles.

City Treasurer Sue Olin, City Manager Pasquale and City Attorney Richard Wendt all recommend First Bank.

IT WAS MOVED BY PFALLER and seconded by HODGES to adopt the resolution for the purchase of the two police vehicles with financing over three years for \$39,600 at an interest rate of 4% provided by First Bank.

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

NAY: None. ABSENT: Councilmember Shores. MOTION CARRIED.

Item #5. **MONTHLY REPORTS.** Mayor Myers noted the monthly fire report indicates there were eight City calls and six township calls between Lowell and Vergennes. There were 17 medical calls within the City limits and 32 township calls. This represents the townships are being served well with emergency fire and medical service. City Manager Pasquale mentioned meetings have been held with the townships regarding an updated fire services agreement. Currently, it is being forwarded to the townships and will be given to the City Council soon.

Myers questioned the activity report for the police department. Police Chief Valentine explained a statute came into affect in January, 2007 requiring the fingerprinting of all school employees. The records are maintained by the State.

Item #6. **CITIZEN COMMENTS**. Ken Gregersen of 938 North Washington questioned if there was any further action which can be taken on the property requested for purchase. City Manager Pasquale explained he could apply for a permanent easement, which would allow access to his garage. Mayor Myers stated he was fine with an easement. Gregersen believed the price was ludicrous for an undeveloped area. It is asinine. Myers explained this would have become the assessed value of the property for tax purposes had Gregersen bought it. Mayor Pro Tem Mathews was offended by Gregersen's comment. Mathews believed if Gregersen was offering \$1250 he should have proposed it as an easement. It has already been shown tonight Gregersen has no respect for this board. Mathews suggested letting the issue go. He has been using the property for years and there has not been a problem. Let the new Council handle what should happen to the property.

Councilmember Pfaller explained if Gregersen wants to seek an easement, he needs to take the initiative and present the Council with a proposal.

Item #7. **COUNCIL COMMENTS**. Councilmember Hodges was grateful to the LPD.

Councilmember Pfaller commented on the recent Parks and Recreation Commission meeting. Williams and Works presented a preliminary draft recreation plan which was taken by the firm through the Wege Land Proposal. Pfaller reviewed the plan and found a few changes. He hoped the plan would be complete by the end of January.

Pfaller also noted the cement has been poured at the Richards Park ice skating rink. Hopefully a proposal can be presented during the December meeting regarding the maintenance of the ice which will be formed on the pad.

The minutes from the recent Light and Power Board meeting indicated Light and Power had adjusted their stump policy. All stumps are now being ground, not just the ones in the right of way. He commended Light and Power and believed the right decision was made.

A time line was also provided regarding the removal of the substation in Stoney Lakeside Park.

Pfaller mentioned a letter received from Assistant City Treasurer Lori Gerard regarding late water bill payments. Pfaller believed there should be additional notification to the residents besides a notice being placed on the water bill. He suggested an actual shut off notice be sent. Hodges agreed. Pasquale said this would be done.

Lowell Light and Power Manager Tom Richards stated his office handles late payments by sending out a letter 10 days prior to the termination of the utility. There is also a system in place which makes a telephone call to the number listed alerting the resident that there is a problem with their account and it should be dealt with promptly.

Mayor Pro Tem Mathews referred to a tree which was being taken down on N. Hudson and asked

if the County was responsible for removing the stump. City Manager Pasquale responded yes.

Mathews also suggested a "deer crossing" sign be placed along Main Street near the rail road tracks. Mathews also referred to placement of the sign "children playing" near his home. There are many children in the neighborhood.

Mayor Myers stated he has a family commitment and would not be present at the next Council meeting.

Item #8. **MANAGER'S REPORT**. City Manager Pasquale reported on the following:

1. The meeting minutes for the following boards and commissions were provided:
 - Light and Power Board meeting of October 4, 2007
 - Chamber of Commerce meeting of October 9, 2007
2. City offices will be closed on Thursday, November 22 and Friday, November 23 in observance of Thanksgiving.
3. The concrete has been poured at the new ice skating rink at Richards Park. Landscaping and the installation of three benches will come.

Item #9. **APPOINTMENTS**. Mayor Myers indicated with the voter approval of the Charter Amendment two additional members will be added to the Lowell Light and Power Board.

IT WAS MOVED BY MATHEWS to adjourn at 8:01 p.m.

DATE:

APPROVED:

Charles R. Myers, Mayor

Betty R. Morlock, Clerk