

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

For the Regular Meeting of **MONDAY, JUNE 1, 2009.**

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

Present: Councilmembers Altoft, Ellison (arrived at 8:12 p.m.), LaPonsie, Mayor Pro Tem Pfaller and Mayor Hodges.

Absent: None.

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Police Chief James Hinton, City Treasurer Suzanne Olin, Planning Commissioner Andrew Schrauben, Lowell Light and Power General Manager Greg Pierce, Lowell Light and Power Generation Power Plant/Safety Director Tom Russo, Parks and Recreation Commissioner and Lowell Arbor Boardmember Jim Hall and City Mechanic Ralph Brecken.

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

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

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

IT WAS MOVED BY LAPONSIE and seconded by PFALLER to approve the agenda as written.

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

Item #2. **APPROVAL OF THE MINUTES OF THE MAY 19, 2009 REGULAR MEETING.**

Mayor Pro Tem Pfaller questioned Item #6 on page 6 regarding "Safe Routes to School". It indicates a walking path will be provided along Gee Drive from Alden Nash to Cherry Creek. He confirmed this project ended at Creekside Park. City Manager Pasquale stated there is a linkage to Cherry Creek Elementary School. The idea is to create a path which would proceed from Alden Nash to the school. Pfaller was fine with the way it was written.

IT WAS MOVED BY PFALLER and seconded by LAPONSIE to approve the minutes of the May 19, 2009 regular meeting as written.

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

Item #3. **APPROVAL OF THE ACCOUNTS PAYABLE.**

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

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

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

<u>BILLS AND ACCOUNTS PAYABLE (06/01/09)</u>	
GENERAL FUND	\$117,401.59
MAJOR STREET FUND	565.89
LOCAL STREET FUND	33.58
DDA FUND	1,275.34
AIRPORT FUND	4,380.00
WASTEWATER FUND	37,453.80
WATER FUND	4,444.34
DATA PROCESSING FUND	408.03
EQUIPMENT FUND	509.83
CURRENT TAX FUND	545.28
LEE FUND	1,351.00

Item #4. **CITIZENS COMMENTS FOR ITEMS NOT ON THE AGENDA.** Garland Berry of 407 Foreman questioned Police Chief James Hinton regarding garage sale sign violations being made at the corner of Hudson and M21. He noted several signs were placed there over the weekend. He questioned if such signs would be removed? Hinton stated the Lowell Police Department and Department of Public Works make every effort to clear signs off poles and right of ways throughout the City every day.

Item #5. **PRESENTATION OF THE KENT DISTRICT LIBRARY ANNUAL REPORT.** Kent District Library Executive Director Martha Smart presented the 2008 annual report. Included is a report regarding the Englehardt Branch Library and information regarding the Kent District Library Endowment Fund.

Smart presented a promotional video which combines traditional themes such as the old fashion card catalogue cards as well as libraries are a place for discoveries and using one's imagination.

There are 18 branch libraries throughout Kent County as well as 26 townships and villages which are also served within the county. There is a millage which supports the library. At the end of 2007, Kent District Library (KDL) began an Endowment Fund along with an annual Giving Fund in order to enhance revenue. The goal is to enhance the quality of life for individuals and provide great services and resources such as books, movies, music and

programs, classes for all ages and technology services. In 2008 KDL circulated almost 6 million items and hosted 5,000 programs. The vision for KDL is to be the cornerstone of literate society. This is done by leveraging its strengths, looking for opportunities and working closely with the communities being served.

The KDL is far more than books and includes many resources such as e-books, portable audio players, video games and graphic novels. KDL is always adding new and exciting things to the collection. Last year Wii video games were added, Play Away, and IPOD compatible audio books. There is tremendous growth in program with attendance being up 40% from the previous year. KDL recognizes the need to be more than just books.

Everyone is aware of the current economic situation in Michigan and within its communities. It is affecting businesses and individuals. In times of economic hardship, it is well known that public library use increases tremendously. Whether or not it is directly linked to economic conditions, KDL is seeing growth in every measurable area.

Smart shared a story of when a library patron finally obtained a job after a long search. The computers at the library assisted him in his search. He was very grateful and happy. Another story involves an adult student who was tutored through Literacy of West Michigan for six years. The student moved from reading a second grade level to being enrolled in college. Another patron mentioned she first learned to use a computer by taking classes at the library and now has a computer based business. She credits the library with giving her the confidence she needed. As a library system, it is critical to help our communities succeed.

Englehardt Branch Manager Jane Aronson discussed the Pokemon Club. Every other week this group meets to trade cards and has a great time.

Mayor Pro Tem Pfaller questioned the percentage of other jurisdictions using the Englehardt Library. He noted the Council will be reviewing a City budget which has a \$54,000 plus line item for the library and maintenance of the building as well as capital improvements. The outside townships pay a millage. However, the citizens of Lowell pay another \$55,000 on top of this. He questioned the percentage of the usage from the City.

Aronson stated KDL is very grateful to the 18 communities within the County who have provided a library within its community. It is a very large expense.

Charles Myers of 1019 E. Main and KDL Boardmember stated anyone who has a KDL card can use it at any of the libraries. He stops into many other libraries and uses their facilities as he is traveling around the county. All the municipalities own and maintain the buildings and then the library system provides all the staffing, materials and technology. Myers noted KDL is very committed to staying up with technology and listening to what is important to its patrons.

Mayor Hodges thanked everyone for being present. The City appreciates all the work done by Aronson who has served the Lowell area for 20 years.

Item #6. **STATE TRUNKLINE MAINTENANCE CONTRACT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION (2009 – 2014).** The current maintenance contract with MDOT involving M-21 expires this year. After reviewing the proposed five year extension expiring September 30, 2014, City Manager Pasquale recommended the Council approve the contract designating the City Manager as Maintenance Superintendent and authorizing the Mayor and City Clerk to sign the agreement.

IT WAS MOVED BY PFALLER and seconded by LAPONSIE to adopt the contract with the Michigan Department of Transportation (2009 – 2014).

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

NAY: 0. MOTION CARRIED.

Item #7. **ZONING BOARD OF APPEALS.**

A. **430 N. Monroe (southwest corner of N. Monroe and North Streets) – Dan Phillips – setback variance to accommodate an enclosed porch – set public hearing date (7/6).** Dan Phillips wishes to construct an enclosed porch from his home located at the corner of North Monroe and North Streets. The porch will be on the North Street side, which is the secondary front yard. (The principal front yard is the narrowest of lot width's Section 2.13). Thus, 15 feet of front yard setback is required (R-2 district) off North Street or one-half of the principal front yard.

Phillips would construct an enclosure within ten (10) feet of the North Street right of way. He notes that the house is only fifteen (15) feet from the right of way. Thus, a five foot variance has been requested.

At its May 26, 2009 meeting, the Planning Commission reviewed the variance request as judged against the six criteria to grant such action. By a vote of 4-1, the Planning Commission recommended the variance be approved by the ZBA based on the criteria being met.

A public hearing needs to be established for the July 6, 2009 meeting.

B. **925 W. Main – Self Serve Lumber – Sign variance – set public hearing date (7/6).** Self Serve Lumber wishes to utilize the existing pylon used Stock Lumber (and previously Erb) in establishing their business at 925 W. Main. As noted in the application, the sign is 128 square feet with a 32 square foot reader board.

According to the sign ordinance, a freestanding (pylon) sign in the General Business District is limited to one hundred (100) square feet in area per sign (Section 20.08). No nonconforming sign may be reestablished or continued after the activity, business, or use to which it applied has been discontinued for 90 days or longer. (Section 20.10). It has been well over a year since Stock Lumber closed. Thus, a variance has been

requested.

At the May 26, 2009 meeting of the Planning Commission, the variance request was reviewed. Rather than consider the size of the sign, the Commission concentrated on the duration of reestablishing the business.

The Planning Commission unanimously recommended a variance to allow a reestablishment of the non conforming sign including the reader board for up to two years at 925 West Main Street. The application has been changed to reflect this.

The ZBA should set a public hearing date of July 6, 2009 to consider the variance.

IT WAS MOVED BY HODGES and seconded by ALTOFT to set public hearings on July 6, 2009 to consider a five foot secondary front yard setback variance to accommodate an enclosed porch at 430 N. Monroe and a sign variance allowing two years for a nonconforming structure for Self Serve Lumber at 925 W. Main.

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

Item #8 BOW AND ARROW HUNTING ORDINANCE – CONTINUED DISCUSSION WITH SGT. DAVE SHAW, DNR CONSERVATION OFFICER. Police Chief James Hinton stated with the discussion of the Bow and Arrow Hunting Ordinance, there were some questions as it relates to safety distances, in reference to discharging a bow within the City of Lowell. Therefore, Hinton asked Sgt. Dave Shaw, DNR Conservation Officer if he could be present during this meeting to address any concerns.

In the beginning of May, a meeting was held with Shaw to discuss the ordinance drafted by City Attorney Richard Wendt. Shaw was impressed with the ordinance even though it may be a little restrictive as far as the footage distance requirements. Shaw liked the aspect of the acreage requirement. He felt as though the footage requirement was redundant to State law and it would be odd to duplicate both the State law and a local ordinance.

Shaw commended the City of Lowell for addressing what is called Urban Wildlife Management. He has been directly involved with the City of Grand Haven, City of Holland and PH Hoffmaster State Park. Shaw stated he has been a Conservation Officer with the Michigan Department of Natural Resources for almost 23 years. The majority of his time has been in West Michigan. He has been a Sergeant for the past six years and supervises Kent, Ionia, Muskegon and Ottawa Counties. Part of the job of a Conservation Officer includes being a designated State Police Officer who specializes in resource management/natural resource enforcement. Much of the time is also spent toward Recreational Safety.

When reviewing an ordinance, public safety is always a priority. It appears much time went into the ordinance in question. He believed 10 acres was a good idea as it is less of a safety factor and more on an ethical issue. It alleviates potential problems with recreational trespassing or the possibility of an individual wounding an animal and it traveling onto another

individual's property. Shaw believed Section #6 of the proposed ordinance was too restrictive. There is already a State Law which designates safety zone while hunting (not just discharge) of 450 feet from any occupied dwelling, without written permission from such owner. The State law only pertains to hunting when referring to the safety zone issue and does not pertain to hunting or target shooting.

Shaw believed this was a good, sound ordinance. If one is considering public safety within the community, increase in deer herd does pose a danger, not only to the property but also car/deer accidents.

Councilmember LaPonsie questioned what procedures the City of Grand Haven and the City of Holland have taken. Shaw stated the City of Grand Haven brought in USDA federal sharp shooters for a controlled hunt. The first day, 32 deer were shot using high powered rifles with sound suppressors. He noted the City of Lowell would be allowing its citizens to harvest animals on their own property, which is during hunting season throughout the State of Michigan. Hoffmaster State Park opened up a hunt by permit only. This was very successful and they are going on their fifth year.

LaPonsie questioned if any cities similar to the size of Lowell have allowed hunting. Shaw stated the City of Walker allows hunting in their City limits with some restrictions. He also believed Ionia did as well.

He noted cities can not regulate hunting, but can only regulate the use of a fire arm or bow and arrow.

LaPonsie asked if deer management would be effective in the City of Lowell considering the State game area runs north of the City and Ionia County is nearby. Many deer may migrate in from these areas. Shaw believed the City of Lowell would always have deer. He noted deer are very productive. However, there will be an impact on the destruction of an individual's property. The places where one would be allowed to hunt are primarily where deer will concentrate. Also, most City limits have some agricultural production within their City limits, which will elevate crop damage. Harvest Management is actually the only way to manage deer.

Pfaller requested Shaw go through the comments he made several weeks ago with regard to the setback from the public street. Pfaller believed Shaw had stated it is better to have people sitting closer to the street shooting to the center of the property. He also requested Shaw present his beliefs regarding elevated stands. Shaw explained when a setback is placed from a road or sidewalk, it arbitrarily takes a hunter off the property line. Instead of shooting into the property, one is shooting out of the property and hunting the travel lanes back towards the public street or sidewalk. Archery is a close up type of hunting with a maximum average range between 20 to 40 yards. Therefore, if hunters are backed up toward a street or sidewalk, they will be hunting away from that and hunting into the property. In most cases, hunters will isolate themselves where the animals are. Shaw believed raised platforms do make shooting with fire arms and archery equipment safer because of the angle of projector. However, the most dangerous activity in the State of Michigan is climbing up and down from a tree blind. Many

officers have seen fatalities or life long injuries to people who have fallen out of tree blinds. Requiring raised platforms brings in a degree of risks.

Shaw did not remember an individual shooting another individual with a bow and arrow in his 22 years of experience. However, the State of Michigan has 12 recorded incidences in a 21 year period. But 10 out of the 12 occurred during illegal hunting hours after dark. A law was enacted making it illegal to process an arrow notched on the bow string outside of the legal hunting hours. In 2008, there were no incidences where a person shot another person with a bow and arrow statewide.

There were 35,392 resident archery licenses, 3,376 senior archery licenses, 3,394 junior archery licenses, 2,573 non resident archery licenses and close to 900 apprentice licenses issued in the State of Michigan for archery only. This totals to approximately 45,000 archery only licenses in the State of Michigan for a season which goes from October 1 to January 1 and have zero accidents. This does not account for a combo deer license which allows one to also hunt with firearm. Many archery hunters buy a combo license because it allows two tags.

DesJarden referred the cities Shaw mentioned and asked if this was deer management hunting or archery hunting. Shaw indicated deer management is for the City of Grand Haven.

Shaw also referred to the many protected animals throughout the State of Michigan under State law. A very small percentage are actually considered game animals. Another category of animals include nuisance animals such as raccoons, coyotes and crows. A private owner in the State of Michigan is allowed to kill these animals without a license.

Dan Phillips of 430 N. Monroe asked if it could be mandated that one must wear a safety harness. Shaw responded yes because it would be considered a local ordinance. He noted it is important to keep in mind a local ordinance is not enforceable by a State Police Officer. He can only enforce State acts. Municipalities can make their regulations more restrictive than State law.

Shaw commended the City Council for addressing the issue of wildlife within the City limits.

LaPonsie noted the State safety zones apply to hunting but not target practice. Hinton explained the archery ranges would be regulated by the LPD. This does not allow people to establish a target and begin shooting.

Councilmember Ellison asked if the City's mentioned have been effective in controlling the deer and making the town safer. Shaw responded check stations are run. He works closely with biologist Sarah Schaffer and the Flat River office. This information is available after one season. The idea to keep in mind is many archery hunters have the ability to take a doe or a buck. He noted nearly every doe in southern Michigan will have twin fawns, creating a serious problem. Urban deer management is an issue and wildlife populations are exploding. There are black bear in Kent County on a routine basis.

Pfaller asked if cracker shells work as a deterrent. Shaw responded to a degree. They haze

the animals. The shells work best if the times are alternated throughout the day. However, the animals can become acclimated.

LaPonsie asked what could be recommended to deter the deer from gardens. Shaw suggested contacting the biologist. There are different commercial products available.

Hodges asked if the State has ever considered extending any of the seasons. Shaw noted currently antlerless deer management units are considering to include four or five counties under one deer permit rather than just one county.

There is also an increase in the number of antlerless deer one can shoot to the point where it is unlimited on private property. Shaw noted the cross bow will be legal in all of southern Michigan throughout the archery season.

Ellison wanted to see how effective it is to harvest deer on a few properties in the City of Lowell before a permanent ordinance is established. Pfaller questioned what a fair time limit would be. Ellison responded three years. Shaw stated anytime an experimental season is in place, it is a period of three years to get a handle on statistics.

DesJarden stated the City keeps track of the car/deer accidents and Hinton provided a record of the last four years. Could the Council mandate property owners to report the number of deer harvested from their property at the end of the year? The City could then compare where the car/deer accidents were. Hinton suggested a voluntary mailing survey if one wants to report a deer. Shaw noted there is a mandatory deer check for chronic wasting disease. It is a misdemeanor if a deer is not checked within 72 hours.

LaPonsie stated she would support placing a three year limit, but not necessarily regarding deer management rather for public safety. Concerns have been raised by citizens and maybe this would provide reassurance. Pasquale stated he would have to check with the City Attorney as this would be the first time there is a time limit.

Pfaller stated he would like to see Item #6 struck under 13-112 regarding the setback. He noted it is already covered by State law. He also wanted another public hearing set for July 6, 2009. The issue could be reviewed again in January, 2013 allowing for three seasons.

IT WAS MOVED BY PFALLER and seconded by LAPONSIE to hold a public hearing on July 6, 2009 regarding the deer ordinance.

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

Item #9. **ADOPTION OF THE 2008 – 2009 BUDGET AMENDMENTS.** As required by State law, the City Council must review and approve final adjustments to the City's operating funds. City Treasurer Sue Olin provided a list of each affected fund.

Councilmember Ellison questioned the attorney fees doubling. Olin responded much of the fees may pertain to the fire board authority.

IT WAS MOVED BY PFALLER and seconded by ELLISON to adopt the 2008 – 2009 budget amendments as submitted.

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

Item #10. **CONSIDERATION AND ADOPTION OF THE 2009 – 2010 OPERATING BUDGET, SET MILLAGE RATE AND HOLDING PUBLIC HEARING.** Mayor Hodges noted the budget is available at the library, City Hall and on the City's website. The following public concerns were raised:

Garland Berry of 407 Foreman noted there was approximately \$65,000 shown for maintenance on the library. Councilmember Pfaller stated these are projects being reviewed for further funding options. The total Library budget is \$54,826, but there are future projects listed on the explanation. City Manager Pasquale stated he considered potential projects which need to be considered. However, these particular items are not budgeted. LaPonsie suggested the wording be changed to say projects being reviewed for future funding. Pasquale stated this can be changed. Councilmember Altoft noted the roof at the library has leaked year after year.

Berry also questioned the employee raise of 2%. He noted the economy and the fact that many are not working. Maybe the City should hold off on the raise.

He also questioned the \$700 a month lease payment on the pickup for the cemetery. City Treasurer Sue Olin stated this is a 5 year a lease. Berry believed this was expensive. Pasquale stated this also includes a plow truck. Olin noted the cemetery truck payment is \$8,400 a year. Olin added the truck has a dump box.

Berry did not believe a three week period of time was enough for citizens to be able to review the budget. Olin noted the budget process begins in January. Prior to May, a draft has been available at City Hall. Pfaller also explained one mill was allocated to the Local Street Fund and to the Equipment Fund to buy the truck. The Local Street Fund shows a line item for \$18,500 with principal payments for the plow truck. This money is returning to the Local Street Fund from the Equipment Fund. It was noted the Local Street Fund receives the interest instead of the bank.

Pasquale mentioned at the last meeting the General Fund was reviewed and a consensus from the Council was to provide 7% of expenditures for the fund balance. The staff reviewed various items which all together would be a difference of \$34,000. There were some greater than anticipated revenues from the Kent County Youth Fair, passports, police fines and OUIL

finances. A savings was also reviewed while still providing greater deductibles for employee health insurance, lesser insurance data rentals and computer software updates, less tree removals at cemetery, less police uniform expense and reduction of R&M police, and also to defer energy efficient lights. This would move the general fund balance to \$176,705.50 and then this would give us slightly over 7% as requested by the City Council.

LaPonsie inquired regarding the change of insurance deductibles for employees. Olin noted it is not a huge increase. Pasquale stated the Council approved a two year increase as part of the Police Contract wage reopener last year. Therefore, some employees would receive an increase while others would not.

Pfaller had no problem with allowing a 2% wage increase for employees. In previous years, Council has not been close to allowing a cost of living raise. It has only been a portion.

Pasquale stated the Water and Wastewater Bond Schedule was also included as well as the payoff dates for the plant bonds.

DPW Director DesJarden provided an update on the sewer infiltration. The City has been working on the sewer maintenance for the last six years. The entire system has been reviewed. However, there is still a high infiltration during the rainy system. A proposal will be made to place flow meters within the system. The man holes in the flood area will be inspected.

Councilmember Altoft questioned the winter maintenance on page 45 of the budget. Last year \$31,000 had been budgeted. He questioned if the City spent \$47,000 on winter maintenance. Olin explained \$33,000 was spent last year. It depends on the winter. DesJarden explained there has been record snow falls the last two winters. Toward the end of the season last year, two employees worked at night while two worked during the day. This should lower the overtime rate.

Altoft referred to pages 21 – 23 of the budget regarding police department. He believed the City needed to save every dime and was unsure about replacing the cruisers. Chief Hinton noted the two due for replacement are 2005 cruisers. One is exceeding 90,000 miles and the other is approaching 90,000. Hinton stated these vehicles are emergency response units and called upon to do many tasks. Other agencies are still replacing cruisers at 85,000. Walker, Rockford, East Grand Rapids are all replacing their vehicles between 80,000 and 90,000. He spoke with the Insurance Underwriter who provided documentation stating the vehicles are encouraged to be replaced at 100,000. He also spoke with the Michigan Municipal League who encouraged vehicles be replaced around 100,000. If the cruisers are not replaced then the key components of the vehicle must be replaced. He was concerned with pushing these vehicles into next year's budget and then not having the money to replace these next year. In addition, the repair and maintenance would increase on the vehicles as well.

Due to Attwood and Newell closings, Retired Police Chief Valentine set it up a policy where police cruisers were replaced every three years. Hinton stated the vehicles are leased for three years and then are bought for \$1 at the end of the lease.

LaPonsie questioned why the City leases as opposed to purchasing. Olin stated it is the only obtainable way to purchase equipment. The City leases to own having a municipal lease. Hinton stated the vehicles are purchased on a bid process. A State bid for the Chevy Impalas is the cheapest vehicle per State bid. They are costing roughly around \$20,000 per vehicle. He also noted it cost \$2,000 to switch out all of the equipment from one car to the other.

Hodges noted the City was not adjusting the millage rate and will remain at 15.83 mills.

IT WAS MOVED BY PFALLER and seconded by LAPONSIE to set the 2009 – 2010 millage rate for the upcoming fiscal year at 15.83 mills for operations and also the referendum mandated .25 mills for the Historical Museum.

YEA: Councilmember Altoft, Ellison, LaPonsie, Mayor Pro Tem Pfaller and Mayor Hodges.

NAY: None. ABSENT: None. MOTION CARRIED.

IT WAS MOVED BY PFALLER and seconded by ELLISON to adopt the 2009 - 2010 budget as presented.

YEA: Councilmember Ellison, LaPonsie, Mayor Pro Tem Pfaller and Mayor Hodges.

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

Item #11. **RESOLUTION TO RETAIN WATER AND SANITARY SEWER RATES.** After review of the proposed operating budgets for water and wastewater, City Manager Pasquale proposed that the current rates for these utilities be retained.

The water consumption rate will continue to be \$1.45 per thousand gallons per month with the readiness to serve rate to retain at \$23.68 per month for residential usage.

For sewer, the residential user rate continues at \$3.38 per thousand gallons per month. The readiness to serve charges still are \$20.10 per residence.

Pasquale recommended the Council adopt the enclosed resolution.

IT WAS MOVED BY ELLISON and seconded by PFALLER to adopt the resolution to retain the present water and sanitary sewer rates.

YEA: Councilmember Altoft, Ellison, LaPonsie, Mayor Pro Tem Pfaller and Mayor Hodges.

NAY: None. ABSENT: None. MOTION CARRIED.

Item #12. **COUNCIL COMMENTS.** Mayor Pro Tem Pfaller referenced a couple letters which

Chief Hinton provided with regard to the new lumber company coming into town and their reception. Pfaller appreciated the clarification other than which was printed in the letters to the editor in the local paper.

Pfaller also referred to the Lowell Fire Department and the letters regarding a mutual aid call in the Alto area with a propane leak.

Pfaller requested a project be presented to the Downtown Development Authority regarding the clearing of space between the sidewalk and the curb along Main Street from McDonalds to the end of town. He asked if the DDA could take on this project and refurbish the space. Much sand and gravel has built up.

Councilmember Altoft requested the Council review the issue of allowing dogs to be walked in the cemetery. The current ordinance does not allow this. Many other cemeteries do allow dogs when on a leash.

Altoft also commented on High Street being a one way street. He wanted it turned back into a two way street. City Manager Pasquale stated he would check with the school system. Police Chief Hinton believed the main purpose for the one way street was to allow the buses to unload the kids in a safe manner without cars being parked on both sides of the street. He stated he would contact Larry Mikulski and Greg Pratt and ask for their opinion.

Pasquale asked if there was an interest in moving forward with the proposal on dogs being allowed in the cemetery. Pfaller stated the issue of dogs not being allowed in the cemetery was because people do not clean up after their dogs. There is a wonderful off leash facility nearby. Councilmember LaPonsie did not see this as being a huge issue throughout town. The cemetery appears to be an attractive area to walk a dog. She would be in favor of the proposal. Councilmember Ellison stated she sees dogs in the cemetery all the time. She had no problem allowing the dogs. Mayor Hodges believed this would make it less illegal and he would not be opposed to it, although he did not have much of an opinion on it. He suggested the cemetery rules be presented at the next meeting for possible consideration.

Councilmember Ellison thanked the Councilmembers for excusing her tardiness. She was part of the principal selection process at the Middle School.

Mayor Hodges stated Coffee with Council will be held on June 6, 2009 at the Chamber of Commerce building from 8:00 a.m. to 10:00 a.m.

Hodges also noted the next meeting will include an annual City Manager review in a closed session.

Item #13. **MANAGER'S REPORT.** City Manager Pasquale reported on the following:

1. The following boards and commissions meetings minutes are enclosed:
 - Parks and Recreation Commission meeting of April 18, 2009
 - Planning Commission meeting of April 27, 2009
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.
3. The Mayor Exchange visit to Mason and the Memorial Day Parade went very well.

Item #14. **APPOINTMENTS.**

By general consensus, the City Council reappointed Jeff Altoft to the Board of Review with a term expiring June 30, 2012.

By general consensus, the City Council reappointed Greg Canfield to the Board of Light and Power with a term expiring June 30, 2012.

Dee Doyle has decided to not be reappointed to the Planning Commission. This will create two openings on the Planning Commission.

Mayor Pro Tem Pfaller mentioned a letter of concern was received from Virginia Heydenburg. The Council will review the letter.

IT WAS MOVED BY PFALLER to adjourn at 9:40 p.m.

DATE:

APPROVED:

James W. Hodges, Mayor

Betty R. Morlock, Clerk