

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
TUESDAY, JANUARY 21, 2020, 7:00 P.M.**

1. **CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL.**

The Meeting was called to order at 7:00 p.m. by Mayor DeVore and City Clerk Susan Ullery called roll.

Present: Councilmembers Jim Salzwedel, Cliff Yankovich and Mayor DeVore.

Absent: Councilmembers Greg Canfield and Marty Chambers.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery, Chief of Police Steve Bukala, Lowell Light & Power General Manager Steve Donkersloot, and DPW Director Dan Czarnecki.

2. **EXCUSE OF ABSENCES.**

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to excuse the absence of Councilmembers Canfield and Chambers.

YES: 3 NO: 0. ABSENT: 2. MOTION CARRIED.

3. **APPROVAL OF THE CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the January 6, 2020 Committee of the Whole and Regular Session City Council meetings.
- Authorize payment of invoices in the amount of \$662,601.31.

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to approve the consent agenda as written.

YES: Mayor DeVore, Councilmember Salzwedel, Councilmember Yankovich.

NO: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

4. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.**

There were no comments.

5. **OLD BUSINESS**

a. **Rules of Procedure.**

City Manager Michael Burns stated he has verified under the statute, Council is allowed to have a “call in” vote under specified conditions of a quorum, (an audio connection to where the individual calling can be heard and communication can be made back to the individual calling in). This is already in the Rules of Procedure so Council agreed to leave it in and no changes were made.

b. Showboat – Change Order Moran Iron Works.

City Manager Michael Burns explained the change order pertaining to the construction of the Lowell Showboat. There was an issue pertaining to the height on the deck and the wheel house. The attached order is for the time and material to make the proper corrections to the vessel. The cost of the proposed change order is \$39,421.80 and would be charged from the Showboat grant. This is an increase of the total project cost by approximately 2.6 percent. Burns inquired whether the deduction from the performance bond was taken into account on this proposal and it was, so the \$39,000 is probably about \$27,000 instead.

IT WAS MOVED BY DEVORE and seconded by YANKOVICH to approve the change order for construction of the Lowell Showboat at a cost not to exceed \$39,421.80.

YES: Councilmember Yankovich, Councilmember Salzwedel, and Mayor DeVore,

NO: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

6. NEW BUSINESS

a. LL&P Board Compensation for 2020.

LL&P General Manager Steve Donkersloot explained the City Charter requires the City Council to set, each year, the compensation for the board members of the Board of Light and Power. For the past six years the compensation was set at \$35 per regular or special meeting with a maximum of 20 meetings. Donkersloot believed the compensation should be adjusted to an amount of \$45 per regular or special meeting.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL to approve Resolution 03-20 setting 2020 calendar year compensation board members of the Board of Lowell Light & Power to be \$45 per regular or special meeting for a maximum of 20 meetings and a total annual amount not to exceed \$900.

YES: Councilmember Salzwedel, Councilmember Yankovich, and Mayor DeVore.

NO: None. ABSENT Councilmember Canfield and Chambers. MOTION CARRIED.

b. LL&P Board Pension Approval.

Lowell Light & Power General Manager Steve Donkersloot explained the changes in the LL&P pension and explained the LL&P MERS Defined Contribution Adoption Agreement.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL to approve the LL&P DC Plan as presented.

YES: Councilmember Yankovich, Mayor DeVore and Councilmember Salzwedel.

NO: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

c. Well #4 Pump Overhaul – Additional Work.

DPW Director Dan Czarnecki stated at the December 2, 2019 meeting, City Council approved the overhaul and cleaning of Pump #4 at the water treatment facility. This work was for \$19,894.92. Peerless Midwest has been onsite and pulled the pump and started their work. and came across some issues that need to be addressed in order to complete the overhaul of the pump. The biggest issue is the 40-year old pump bowls are worn, cannot be reused and need to be replaced along with the pump column (suction pipe) that connects the bowls to the motor. The cost to replace the pipe column is \$3,662.18 and the pump bowl assembly is \$4,815. They also found the as-built information on the well was incorrect. The information we have says the column assembly was 50-ft long, however it is 60-ft long. They are

requesting an additional \$672.41 for extra 10-ft of 1-1/4-inch steel line shaft and coupling and \$484.15 for an additional 10-ft of suction pipe column. Czarnecki continued stating the overall increase in cost for additional work to the Well #4 pump overhaul project is \$9,633.74. That brings the total project cost to \$29,528.66. We have budgeted \$40,000 for the Well #4 Rehab (591-570-970.000).

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL to approve the quote from Peerless Midwest, Inc. Ionia, dated 1/14/20, for the additional work to Well #4 pump overhaul at a cost of \$9,633.74.

YES: Mayor DeVore, Councilmember Salwedel, and Councilmember Yankovich.

No: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

d. 990 N. Washington.

City Manager Michael Burns stated the City has been renting the house located at 990 N. Washington to Sandra Bartlett and Gary Dietzel since 1979. Their lease is set to expire on June 30, 2020. Currently, they pay \$450 a month to rent the property located in Vergennes Township and the home resides on three acres. While talking with our Assessor (who is the Assessor for Vergennes Township), was told the property was not assessed properly. Currently, only the house has been assessed when in actuality, the entire three acres of property should be assessed. The taxable value on the property is \$11,282 and the City paid \$541.48 in taxes during the current fiscal year. In actuality, the three-acre parcel has a true cash value of \$128,000 meaning the taxable value should be \$3,057.03. According to the Assessor, this will change in the 2021 tax year. Also, our insurance carrier informed us they believed there were a number of building codes that needed to be updated. One particular item of concern is the wood burning stove that heats the home. The property and home are not a need of the City and it is not good practice for municipalities to be in the landlord business. Barlett and Dietzel have lived there since 1979.

Burns continued, when reviewing this with the assessor, the parcel could be split into three properties in accordance to Vergennes Township's zoning requirement. The assessor states the minimum parcel size for each lot is 17,000 sq. ft. and it is possible for the properties to be sold individually. The parcel the home resides on, could be sold for the highest amount. The second parcel could be sold for approximately \$25,000 and the third parcel which would be wooded and abuts the property at Scout Park, would be significantly less. You might want to merge this property with Scout Park. Another option, which I believe may be better, is to have the building official verify the cost to bring the home up to code. This should cost more than the value of the home. According to the City Attorney, this would satisfy the Michigan Constitution requirement of selling the property at a fair market value. This would allow us to split the parcel the home is on to the current tenants for \$1. The remaining parcel or parcels could be added as park property to Scout Park. This then allows the tenants to remain at the home.

Mayor DeVore tabled the matter until all the Council members were present to discuss.

7. **BOARD/COMMISSION REPORTS.**

Councilmember Yankovich stated the Chamber has a couple new board members, Ian Deming from Edward Jones and a new/old board member Betsy Davidson. At the meeting they discussed community awards and its winners.

Councilmember Salzedel stated the Arbor Board met and set their schedule for 2020. February 7, 2020 is the deadline to get requests in for funding from the LCTV Grant Awards.

Mayor DeVore stated Fire Authority met and the election of officers was tabled due to a tie vote. Meeting with Tim Whittenbach and the Fire Chief next week to discuss equipment purchase of the next County Truck. This Thursday, January 23, 2020 Lew Bender will be here. Vision met today, discussed the water/sewer situation with Lowell Township and also discussed the next Community cleanup.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- We tried something different tonight, we put this Council meeting on Facebook live on the City's Facebook page, not sure how good the audio and video turned out but we will make adjustments as we go along.
- Monday, we had our first session of labor negotiations with the police union. It went well but we are still working on some things and will come to some resolutions soon.
- Congratulations to Mark and Theresa Mundt as the City of Lowell Community People of the Year. They were both former City employees for many years.
- I have been spending a lot of time addressing items for the Unity School Developers closing and also things that we needed to clear up with the DNR.
- Reminder, we will be meeting with Lew Bender this Thursday at 5:30 at the Fire Station.
- I will be gone from March 12, 2020 to March 30, 2020 for the birth of my child. Steve Bukala will handle my role at the March 16th City Council meeting.
- Last Wednesday, I attended the Grand Valley Metro Council Technical Advisory Committee Meeting where they make approvals as to the transportation approval plan (road funding). I am pleased to inform you that we did get recommendation to be added to the transportation improvement plan for the small urban project at Foreman St. The total cost to repave that street was \$130,000 and we have requested 80 percent of that. It is still subject to approval by MDOT but I think we are on the right path to have that addressed this summer.

9. **APPOINTMENTS.**

The Downtown Development Authority has an appointment opening.

The Construction Board of Appeals has an appointment opening.

10. **COUNCIL COMMENTS.**

Councilmember Yankovich read an article in the latest Michigan Municipal League about the cities that have been cyber attacked and it certainly made him appreciate our decision to spend some money on protection.

General Manager of LL&P Steve Donkersloot then updated the progress of protection that Core Hicom has installed at LL&P. City offices are next.

11. **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by YANKOVICH to adjourn at 7:45 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk