

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY FEBRUARY 03, 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, Greg Canfield, Marty Chambers and Mayor DeVore,

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery, Chief of Police Steve Bukala, City Attorney Dick Wendt, and DPW Director Dan Czarnecki.

Mayor DeVore then turned the meeting over to Police Chief Steve Bukala who recognized three City of Lowell Police Officers for their outstanding performance in their duties.

On Wednesday, December 4, 2019 at 9:00 a.m., Officer Vansolkema responded to an overdosing 29 year old male. On arrival Officer Vansolkema found the victim blue and without respiration or pulse. The suspects mother was performing CPR, Officer Vansolkema immediately took over the CPR efforts and attached the AED. Officer Vansolkema performed CPR for nearly nine minutes before other medical personnel arrived. Officer Vansolkema also administered two doses of Narcan to the victim while waiting for additional medical assistance. Due to his quick actions and professional demeanor, the victim was eventually revived. Officer Scott Vansolkema received a lifesaving award.

On Thursday, December 12, at 12:15 p.m., officers were dispatched to a victim that was choking. Officer Shears arrived on the scene within two minutes to find his victim with bystanders lying on the ground semi-conscious and distressed. Officer Shears relying on his first aid training took immediate action and lifted the victim to her feet and began administering the Heimlich maneuver dislodging the food that was blocking her airway. The victim regained consciousness and began breathing on her own. Due to Officer Shears quick thinking and immediate action with a calm professional demeanor, the victim was revived and he saved her life. Officer Ian Shears received a lifesaving award.

Officer Scott Vansolkema was also awarded a citation for the distinguished service for his efforts, hard work on the 1033 program that represents a significant contribution to the police department of the City of Lowell and other city services.

Detective Gordy Lauren also received the distinguished service award for his efforts for the past five years for superior service, dedication, extraordinary effort, diligence and continued support of the Cold Weather Warriors Project which included raising funds, purchasing cold weather gear, and coordinating the project to make sure the Lowell Area School children have appropriate winter gear.

2. **APPROVAL OF THE CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the January 21, 2020 Regular and January 27, 2020 Special Meeting of the City Council.

- Authorize payment of invoices in the amount of \$518,513.26.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to approve the consent agenda as written.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

There were no comments.

4. **OLD BUSINESS**

a. Presentation on our Redevelopment Ready Community Baseline Report.

City Manager Michael Burns stated in our partnership with the Michigan Economic Development Corporation (MEDC), we are looking to possibly engage in the redevelopment ready community initiative and in order for us to be eligible for funding for future projects with the MEDC, we are mandated to do this program. The first step was to have a baseline report completed. Pablo Majano from the MEDC Redevelopment Ready Communities program (RRC) will provide a presentation and a report on what we need to do.

Pablo Majano gave a slide presentation, introduced our Community Assistance Team Specialist Dana Kollwehr, and showed an evaluation snapshot of the City of Lowell and then explained our next steps to getting certified.

City Manager Michael Burns expressed his concerns with the program and whether this is a bureaucratic attempt by the State of Michigan for communities to comply in order to receive economic development funds as it seems that all the requirements are impossible for a community our size to be able to meet.

b. 990 N. Washington.

City Manager Michael Burns explained the current lease on this property expires on June 30th 2020 and there are several options to consider. The current resident would like to attend the next meeting on Tuesday February 18, 2020. The assessor has provided paperwork that pertains to the value of the parcel to help with the decision. We have received inquiries from about 6 different people interested in buying the property.

IT WAS MOVED BY YANKOVICH and seconded by DEVORE to table the discussion until they hear the history and allow the person leasing to explain his story.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Lew Bender Session.

City Manager Michael Burns stated that the meeting with Lew Bender on January 23, 2020 went well. He believes Lew Bender recognizes as a group, we have come a long way in the last three years but there is always room for improvement. As a council, you would like to see more police presence in the downtown district, a stronger approach to code enforcement and bringing back the sidewalk program.

d. Future Water and Sewer Agreement – Lowell Township.

City Manager Michael Burns provided a PowerPoint to explain where we should go next with the future of our water and sewer and the options to consider.

Mayor DeVore suggested we table the discussion and hold it as a separate meeting with all the entities involved.

IT WAS MOVED BY CANFIELD and seconded by CHAMBERS to table the future water and sewer agreement discussion for a separate meeting.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. **NEW BUSINESS**

a. Striking Taxes.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL to approve striking the 2019 personal property taxes in the amount of \$582.99 (the city and museum portion) from the rolls.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Planning Commission – 2019 Annual Report.

City Manager stated its part of the modifications to the Michigan Planning and Zoning Enabling Act that we are required to provide an annual report to the City Council. The report is in accordance to accomplishing and planning enabling act. Burns then read the report.

c. N.W. Pump Station Roof and Gutter Replacement.

Utilities Supervisor Ralph Brecken presented the roof and gutter replacement project and went over the bids that came in.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve the quote from Risner's Roofing and Home Improvement- \$7500.

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

No: None.

ABSENT: None.

MOTION CARRIED.

d. Park Use Agreements.

DPW Director Dan Czarnecki stated several Park Use Agreements will be expiring March 31, 2020. These include Lowell Lacrosse, Backyard Dreams, YMCA of Greater Grand Rapids, and Lowell Youth Football. There are provisions to allow the agreements to be extended on a one-year basis. A similar extension was granted to Lowell Little League in December. At the January Parks Board meeting, the Board agreed to recommend to City Council to allow each Park Use Agreement to be extended one year, with no change to the user fees and participation fees. This would bring all the Park User Agreements to a similar time period and fee structure for one more year.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS that Lowell City Council extend the current Park User Agreements with Lowell Lacrosse, Backyard Dreams, YMCA of Greater Grand Rapids, and Lowell Youth Football until March 31, 2021.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. West Michigan Warriors Park Use Agreement.

DPW Director Dan Czarnecki stated we were approached by the West Michigan Warriors, a travel baseball team, looking for a facility to hold their practices two times a week. They would like to use Recreation Park on Sunday mid-day and Thursday evenings. After reviewing schedules, this facility is available on these days. A Park Use Agreement has been prepared for this use. The form is identical to the other user agreements. The participation fees are the same as well as agreement for one year expiring March 31, 2021. Parks Board agreed unanimously in support of this use and recommends that City Council approve the request.

IT WAS MOVED BY CHAMBERS and seconded by YANKOVICH to approve the agreement and resolution for the West Michigan Warriors as presented and authorize the Mayor to sign the agreement.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

f. Commercial and Industrial Districts – Ordinance 20-01.

City Clerk Susan Ullery stated at its meeting of January 13, 2020, the Planning Commission reviewed the Commercial and Industrial Districts and suggested the changes showing on the redlined copy provided.

Dick Wendt suggested they clarify the residential section with Andy Moore before approving.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to table discussion until next meeting to clarify some items with Andy Moore who is with Williams & Works.

YES: Councilmember Salzwedel, Councilmember Yankovich, Councilmember Chambers, Councilmember Canfield, Mayor DeVore.

NO: None.

ABSENT: None.

MOTION CARRIED.

g. Fiscal Year 20/21 Budget Calendar.

City Manager Michael Burns stated we are beginning to prepare for the upcoming Fiscal Year 2021 Budget. My responsibility in the City Charter is to provide the council with a balanced budget. I will ensure

this occurs by the third Monday in April 2020 as the City Charter requires me to. While it is obviously important to engage with the Council and the general public regarding the proposed budget, I will be holding that session via an all-day budget session on Saturday, April 25, 2020. Department Directors will be presenting their budget line item by line item on that day. The Public Hearing for the Budget Hearing will be held on Monday, May 18, 2020. The Council can approve the budget that evening or if we need to make changes, we can do so. Listed below are the dates you need to be aware of.

- February 3, 2020 – March 13, 2020 Department Directors prepare and work with the City Manager and City Treasurer on budget work sheets.
- March 16, 2020 – City Manager requires that Department Directors have budget submitted.
- March 16, 2020 to April 10, 2020 – City Manager and City Treasurer review budget requests. City Manager will make modifications as needed.
- April 13, 2020 to April 17, 2020 – Budget will be formalized to publication.
- April 20, 2020 – Budget will be submitted to City Council.
- April 25, 2020 – Budget Work Session.
- May 4, 2020 – Public Hearing for Fiscal Year (FY) 2021 Budget date set at City Council Meeting.
- May 18, 2020 – Public Hearing for FY 2021 Budget held. Council may approve that evening.
- July 1, 2020 – FY 2021 Year begins.

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to approve the budget calendar as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

7. **BOARD/COMMISSION REPORTS.**

Councilmember Yankovich stated the Historical District is sort of in a hold as they have a couple request in, but are waiting to see how much the Community Fund will give of the \$100,000 grant request.

Mayor DeVore stated the LCTV applications are due on Friday, February 7, 2020 at 5:00 p.m. at City Hall.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- Will be off from February 27, 2020 until March 13, 2020 for the delivery of his child.
- Been working this week on the LCTV Grant for assistance for Ware Road. We should be receiving a draft copy of a report from BLDI this week. I anticipate that will be at the next council meeting or the following council meeting.
- Last week, I did submit a CDBG Grant to the County for Amity Street so we are waiting to hear on that.
- This week the governor made an announcement at the State of the State address that she will be bonding for 3.5 million dollars in revenue for state highways. The majority of that funding will be in Southeast Michigan. I believe there are 46 projects in Southeast Michigan. That funding does not address any local roads, any local streets, or any County roads that are controlled by the Road

Commission. Also, they will be using ACT51 dollars (your gas tax funds) to be paying for the bond payments.

- Dick Wendt is pulling back the reigns as City Attorney and lessening his hours as he will eventually Retire. I want to thank Dick Wendt for his years of service to the City. I consider him a friend and I really appreciate him helping me through the first two years here as they were pretty rough.
- Introduced Jessica Wood from Dickinson Wright and ask her to say a few words.

Jessica Wood from Dickenson Wright then introduced herself and gave her background in municipal law and stated she is looking forward to her new role with the City of Lowell.

9. **APPOINTMENTS.**

The Downtown Development Authority has an appointment opening.
The Construction Board of Appeals has an appointment opening.

10. **COUNCIL COMMENTS.**

Councilmember Yankovich stated we saw two lifesaving awards given out this evening, one of the officers was there in two minutes. I think those two people that are alive today because of their efforts would appreciate that we have a local police department.

Councilmember Canfield wanted to echo what Councilmember Yankovich said, it is great the things that we have here with a local police department and one of many examples of things that really are much better because of that. The cost is well worth it. Thanks for the great job you guys do. What you are encountering on the streets today is not what you signed up for but at least here in Lowell, we are a little better than some of the other areas. Also, congratulations Dick Wendt on your retirement, thank you for your service. Jessica Wood, thank you for your help on the marihuana items. You have been very knowledgeable and thorough and I am impressed. Canfield did suggest at some point, putting out an RFP on the City Attorney position as that is the Councils due diligence, although he can't imagine anyone could compete with Attorneys Dick Wendt and Jessica Wood, based on upon your knowledge and your history with us.

Councilmember Chambers stated he would like to thank Lowell Police Department for always being there for us. It shows they are a great asset to the city. Nice to see Ralph in the plow truck, he came by nice and slow unlike Kent County who needs to learn the speed limit. I have enjoyed working with Jessica Wood, you have a lot of knowledge and it will be fun to see how we can torment you. Congratulations to Dick Wendt.

11. **MOTION TO GO INTO CLOSED SESSION.**

IT WAS MOVED SALZWEDEL and seconded by CHAMBERS to adjourn at 8:18 p.m.

YES: 5

NO: None.

ABSENT: None

MOTION CARRIED.

12. **MOTION TO RETURN TO OPEN SESSION.**

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to return to open session at 8:58 p.m.

YES: 5. NO: None. ABSENT: None. MOTION CARRIED.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to approve the tentative agreement with the FLP.

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

NO: None. ABSENT: None. MOTION CARRIED.

13. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to adjourn at 8:59.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk