

**PROCEEDINGS  
OF  
CITY COUNCIL MEETING  
OF THE  
CITY OF LOWELL  
MONDAY, AUGUST 17, 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 Sue Ullery called roll.

Present: Councilmembers Cliff Yankovich, Greg Canfield, Jim Salzwedel, Marty Chambers, and Mayor DeVore.

Absent: None.

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

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

- Approval of the Agenda.
- Approve and place on file the minutes of the Regular and Special minutes of the August 3, 2020 and August 11, 2020 City Council meetings.
- Authorize payment of invoices in the amount of \$485,318.25.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL to approve the consent agenda as amended (adding item d. "Water and Sewer" under Old Business).

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

City Clerk Sue Ullery read a letter from Debra Dunning addressed to the City Council stating she was opposed to changing the noise ordinance.

There were no additional comments.

4. **OLD BUSINESS.**

a. MERS Actuarial.

City Manager Michael Burns explained what he has been working on with the MERS Actuarial and how the unfunded liability will be addressed in the next twenty years. Also that none of us here created this situation we now are in.

Perry Beachum who resides at 924 Riverside stated that the Lowell Light & Power Board has put together a plan that will be 100% funded in 5 years.

City Council discussed at length and asked to know where we are with this in our budget by the 2<sup>nd</sup> September Council meeting. Will leave under “Old Business”.

b. Showboat fundraising.

Mark Mundt stated the City Council and the Showboat committee met last Tuesday August 11, 2020 and the Showboat Committee met on Thursday, August 13, 2020. It was a great meeting. Seventeen members met to discuss naming opportunities, and brainstorming ideas that they are working toward putting final touches on as well as discussing some individuals and businesses in the greater Lowell area that they feel could step up and be bigger donors to the cause. Committee members raised their hands and volunteered to contact these individuals. Mundt said we have committee members that are going to make up forms and brochures and people have already been stopping by the Chamber to drop off donations. People are seeing a vision of what the Showboat is going to mean. It is probably going to be one of the finest assets that this city has. We have the Chamber to thank for bringing the boat here, forming and bringing the committee together, replacing the deteriorating boat and making the new boat a reality. Next Showboat Committee meeting is next Thursday, August 27, 2020 here at Creekside Park at 7:00 p.m.

c. Fireworks.

City Manager Michael Burns stated the Chamber of Commerce is requesting the City of Lowell consider allowing for a drive-in fireworks display event. They are planning on holding this on Saturday, October 10, 2020 in the evening. They would like to have the fireworks in the same location they always do and allow for drive-in opportunities at Stoney Lakeside Park and the Fairgrounds. Attorney Jessica Wood stated being an outdoor event amongst people not part of the same household, it would be subject to the limitations of Executive Order 2020-160. Accordingly, it may not exceed 100 people. Technically, the inside of a vehicle is considered “indoors” so each vehicle could not exceed 10 people. And at all times, even when outdoors, people not part of the same household must maintain six feet of distance from one another during the event. Given that this event is outdoors, no mask is required unless people are unable to consistently maintain a distance of six feet or more from individuals who are not members of their household.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve drive-in fireworks display event by the Chamber of Commerce on Saturday October 10, 2020.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Water and Sewer.

City Manager Michael Burns stated we have met with Mark Beauchamp who is very well known in the utility billing industry and we have asked him to provide us a proposal. Basically, what we are asking him to do is review the feasibility study for the water/sewer capital cost, bonding costs, operational, maintenance and administrative costs (the city attorney wrote the proposal). Asking them to run models, run financial analysis models on construction for the Lowell Township facility and to identify the impact on the City

of Lowell's water and wastewater system water rates should Lowell Township construct their own system. They have developed a work plan and a billing cycle for us and after talking to them further, we anticipate this cost will not exceed \$15,000 and we can split the cost between the water and the sewer funds 50/50 if you so choose. Burns recommends the Council retain Beauhamp to help us with this if this is what Council is looking for.

Councilmember Canfield thinks we should reach out to Jerry Hale at the Township tomorrow as he feels Hale is going to do something soon.

Burns will check on the timeframe of the services from Beauchamp and how long it would take.

5. **NEW BUSINESS.**

a. Ability Weavers Request.

City Manager Michael Burns stated that we have been requested by Eric Bartkus to consider a road closure of Riverside Drive for Ability Weavers to host a weaving and fiber arts market on Saturday September 26, 2020. They will follow all state requirements for outdoor events. They are requesting the closure of Riverside Drive from near Main to Elm from 8:00 A.M. to 5:00 P.M.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve the request for the road closure of Riverside Drive on Saturday, September 26, 2020 from 8:00 a.m. to 5:00 p.m. as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Amity St. - Engineering Design Services.

Public Works Director Dan Czarnecki read his memo regarding the Amity Street project explaining the cost of funding for the project (including soil borings) and his discussion with Dave Austin from Williams and Works. Williams and Works quoted \$36,500 for services to design and help the city bid out the project. The desire is to have the project begin once the school is on summer break for 2021 and the completion done before school begins in the fall.

IT WAS MOVED BY CANFIELD and seconded by SALZWEDEL to approve the Design Engineering Services quote for Amity Street Resurfacing Design, as proposed by Williams & Works in their letter dated August 11, 2020, for the amount of \$36,500.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Water Billing Late Fees.

City Manager Michael Burns stated since the COVID-19 pandemic began in March, the City has not issued any late fees for not meeting water billing deadlines. When I presented this item on how you wanted to handle this matter, the council agreed to continue to waive fees in April, but requested I bring it back in May. I was then told the City Council would like to review this in August. I have been informed we have a number of people utilizing a payment plan to address their bills. As of July 20, 2020 water billing deadline, we have 65 accounts past due. This is not a very high number for the City. A lot of time, people wait two months and then pay so they can use their credit card. As manager, this has not been a terrible issue for us. Under Governor Whitmer's Executive Order 2020-144 we are not allowed currently to conduct water shutoffs until 11:59 P.M. on December 31, 2020. There is also the opinion of reinstating the fee.

Councilmembers all had a general consensus to waive the fees until the governor's executive order is lifted.

d. Resolution 18-20 Pink Arrow Pride Day.

City Manager Michael Burns stated for the 13<sup>th</sup> straight year, the Lowell High School sports team initiated the cancer awareness and fund raising event called Pink Arrow Pride Day to be held on Thursday, September 3, 2020. The players will wear pink jerseys in games being held that day. Funds are being raised for Gilda's Club of Lowell and Lowell Community Wellness for Pink Arrow Family Support.

Perry Beachum who resides at 924 Riverside Drive stated Lowell school sports are tentatively still not confirmed for their seasons due to COVID 19, but cancer knows no boundaries. Pink Arrow Day, which supports Gilda's Club and Lowell Community Wellness who in turn support families on the cancer journey are still is going to continue with the fundraising. Community Day will be at Impact Church parking lot on Friday, August 21, 2020 10:00 a.m. – 7:00 p.m. There is going to be a blood drive and mammography bus there as well.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS to adopt Resolution 18-20 proclaiming Thursday, September 3, 2020 as Pink Arrow Pride Day – Arrow Force XIII in the City of Lowell.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Lowell Area Schools Easement Acceptance.

General Manager of Lowell Light & Power Steve Donkersloot stated at the August LL&P Board Meeting, the LL&P Board approved and recommended to the City Council (for final approval) a Utility Easement Agreement with Lowell Area Schools (LAS). The Agreement will allow LL&P to install electrical infrastructure for the LAS Middle and Bushnell School's construction/renovation projects. In addition, the new infrastructure will be used for future voltage conversion projects as part of LL&P's System Improvement Plan.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to adopt Resolution 19-20 to approve the Utility Easement Agreement with Lowell Area Schools.

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

NO: None.

ABSENT: None

MOTION CARRIED.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Chambers stated we just went over the LL&P meeting details and the Planning Commission Meeting was cancelled.

Councilmember Canfield stated that the Lara Board met at Stoney Lakeside Park, and the trails were the big topic. He stated the board is still trying push through and we have some easements and fundraising to get done in the next 6 weeks or by October 1, 2020 so we are pushing forward with that. We have a trail drought going down grand river south of the river, but Dave Austin is doing a good job of assisting us on that.

Councilmember Yankovich stated the Chamber decided to cancel the Christmas through Lowell this year due to the pandemic.

Mayor DeVore stated that the fire authority met and went over the recommendations from the grant and did not make any motions on any of them. At the next meeting, they are going to decide what they are going to do when Fire Chief Ron VanOverbeek retires at the end of September. The discussion on the new County engine is pushed indefinitely because the County will not approve any bids coming from a department with a retiring chief or an interim chief, but we are a year away so we should be okay to bid by then.

7. **MONTHLY REPORTS.**

There were none.

8. **MANAGER'S REPORT.**

- Burns would like to put to bed a rumor that the City forced Lowell Youth football to end the football season because that is not correct. The City staff and City Manager have had no contact with anyone regarding Lowell Football. We did contact the insurance regarding if someone was exposed to Covid and they said as long as the Lowell Youth Football staff and participants, etc. follows the safety protocols required and list the City as additionally insured, it would not be an issue.
- Congratulations to Scott VanSolkema for his promotion to Sergeant of Police.
- September and October Council meetings will be held at Creekside weather permitting. If weather

doesn't allow, they will be zoom meetings.

- The City received our funds from the Staal Estate. \$78, 000. We put \$50,000 towards the Showboat. \$25,000 for the trail as directed and the remaining will go for a bench at a designated area.
- Also receiving several complaints about semi-trucks on Monroe street. If we see them, an officer on patrol will site a small percentage of them. Going to look into the legality of posting cameras like the ones on toll roads. Will get back to you regarding this.
- Congratulations to Steve Donkersloot on his new position and well wishes on his new endeavor.
- Moran has completed their work on the Showboat. Painting will begin next week for a three week period by a company called Seaway.
- Wanted to share the passing of Bob Robinson, a 25-year employee of the City who retired in 2015 but did come back and work for us part time last year. We send our condolences to his family. We will share funeral service information when we receive details.

9. **APPOINTMENTS.**

Mayor DeVore stated that himself and City Clerk Sue Ullery will work on the appointments together.

10. **COUNCIL COMMENTS.**

Councilmember Canfield congratulated Steve Donkersloot on his new position, he did a lot of great things here in Lowell and we were lucky to have him for eleven years.

Councilmember Yankovich congratulated Steve Donkersloot and stated he would miss him. Also, Superior furniture is getting 12 apartments constructed. They have people calling to rent them and already have the roof complete. Also, there has been a big jump in the work being done on the Riverview Flats as well.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to adjourn at 8:19.  
YES: 5.                      NO: NONE.                      ABSENT: NONE.                      MOTION CARRIED.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Sue Ullery, Lowell City Clerk