

**PROCEEDINGS
OF
CITY COUNCIL MEETING
OF THE
CITY OF LOWELL
TUESDAY, JANUARY 19, 2021, 7:00 P.M.**

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

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

Virtually present and attending from the City of Lowell: Councilmembers Cliff Yankovich, Jim Salzwedel Leah Groves and Mayor DeVore, and attending from Ludington Michigan, Marty Chambers.

Absent: None.

Also virtually present City Manager Michael Burns, City Clerk, Susan Ullery, DPW Director Dan Cznarecki, L & P General Manager Charlie West, Fire Chief Shannon Witherall, Deputy Fire Chief Corey, City Attorney Dick Wendt, Jessica Wood and Wastewater Treatment Plant Superintendent Brian VanderMuelen..

2. **CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the January 4, 2021 Regular City Council Meeting.
- Authorize payment of invoices in the amount of \$513,200.65.

IT WAS MOVED BY YANKOVICH and seconded by GROVES to approve the consent agenda.

YES: Councilmember Groves, 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. Lowell Township Rate Study.

City Manager Michael Burns stated a few months back, we were asked to determine what would happen to our rates under a number of different scenarios, if the Township were to end our water and sewer agreements and pull away from the system; if they did a partial agreement, meaning they kept the current service area but propose water and sewer for the new area separately, and lastly if everyone stayed in the system. We hired UFS's President, Mark Beauchamp who did an intensive study for us with a lot of information. Burns then introduced Mark Beauchamp who showed a power point regarding the rate study.

b. Covid 19.

City Manager Michael Burns stated there was not much to report since our last meeting. Public health orders have remained intact, we still cannot have indoor gatherings of more than 10, gathering requirements have not changed. The only issue right now is trying to get the vaccine. Right now, we are in Phase 1b for the vaccine which only allows at this point for City staff that are police officers. It looks like it will be around May for the rest of the staff to be able to get the vaccine if they so choose. Not a lot of information from the County at this point.

c. Showboat.

City Manager Michael Burns stated we are in good shape with the fund raising efforts. \$128,000 cash on hand and \$41,500 in pledges. After contract with Wolverine is paid off, we are \$137,000 above so we can put that towards the bathroom facility. Also the bids will go out on that job this week. We will need approximately \$160,000 to complete the project including bathroom facility and no taxpayer dollars have been used to date.

d. Social District.

City Manager Michael Burns read his memo stating they made modifications to the mapping of the social district so he will represent it with these modifications for approval. City Council then discussed the name and it was a general consensus to use "Showboat City Social District".

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve Resolution 01-21 to create the Social District.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

IT WAS MOVED BY CHAMBERS and seconded by GROVES to approve Resolution 02-21 approving and recommending Michigan Liquor Control Commission consideration and approval of certain licensees for social district permits pursuant to Public Act 24 of 2020.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve Ordinance 21-01, amending section 14-55 "Transportation and possession of alcoholic beverages and intoxicating liquors" of Article III, Chapter 14, "Parks and Recreation" of the code of ordinances of the City of Lowell in order to permit the consumption of alcohol obtained from social district permit holders within designated areas and in designated areas during permitted special events.

YES: Councilmember Yankovich, Councilmember Chambers, Councilmember Groves, and Mayor DeVore.

NO: None.

ABSENT: None.

MOTION CARRIED.

5. **NEW BUSINESS.**

a. Lowell Light & Power Stony Bluff, LLC Easement Acceptance.

Lowell Light and Power General Manager Charlie West stated at the December meeting, the LL&P Board approved and recommended to the City Council, (for final approval) a Utility Easement Agreement with Stony Bluff, LLC. The agreement will allow LL&P to install electrical infrastructure on Stony Bluff, LLC's property. The easement will allow LL&P to serve phase 4 of the Stony Bluff development.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that Lowell City Council approve the Utility Easement Agreement with Stony Bluff, LLC.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. LL&P Board Compensation for 2021.

Section 16.1 of Chapter 16 of the City Charter requires the City Council to set, each year, the compensation for the Board Members of the Board of Light and Power. In 2020, the compensation was set at \$45 per regular or special meeting with a maximum of 20 meetings to could be paid – equates to a total annual amount not to exceed \$900. Going forward into 2021, West saw no reason to deviate from 2020's compensation structure.

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to approve Resolution 4-21, setting compensation of board members of the City of Lowell Board of Light & Power at \$45 per regular or special meeting for a maximum of 20 meetings and a total annual amount not to exceed \$900.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Fire Authority Budget.

City Manager Michael Burns read his memo recommending the Lowell City Council accept the recommendation of the Fire Authority and approve their Fiscal Year 2021-2022 budget as presented.

Fire Chief Shannon Witherell spoke on the budget items.

IT WAS MOVED BY CHAMBERS and seconded by GROVES to approve the Fire Authority Fiscal Year 2021-2022 budget as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Fire Cost Recovery Ordinance.

Fire Chief Shannon Witherell spoke and explained the incidents that occurred to bring attention to this Ordinance that other municipalities have adopted and why it would help protect the City.

It was a general consensus to move forward at looking into the Fire Cost Recovery Ordinance.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Salzwedel stated at the LL&P meeting they are making some progress with the Line Shack and appears there will be three potential bids that will be coming to Council in the next few months. Also, the LCTV Grants applications are due Feb 5, 2021 at 5:00 p.m. at City Hall.

Councilmember Chambers stated the marihuana establishment that was approved to be in the strip mall did a good job of presenting the odor control and hopefully it will work well.

Councilmember Yankovich stated at the LARA meeting, Bob Rogers, who has been working on the Community Center project for a couple years gave a presentation explaining their goals and needs based on the feasibility and assessment study for the community center that was done with Williams and Works.

Councilmember Groves stated she met with Chamber of Commerce and they elected Ian Demming as the new Vice President. They are forming plans and getting creative on how to hold events safely. Bob Rogers also presented at Parks & Recreation .and he talked about Love Week presented by Impact Church every June and is looking for small projects around the City to take on.

Mayor DeVore stated they had Fire Authority meeting and had Shannon Witherell speak on that.

Witherell stated they promoted Corey Velzen to Deputy Chief, he has been with the Fire Department since 2009. Also promoted two lieutenants to captains, and promoted three firefighters to lieutenants. We also have nine candidates right now for paid on call positions, which is very exciting. Witherell commented on the county truck project, and stated we should have our rough draft spec back by end of week to start reviewing and hopefully it will be awarded in April. The command vehicle has been stuck at border in Canada since December so we are patiently waiting on that. COVID 19 vaccinations have begun for our

staff, we have about 62% of our staff that have received both rounds of the Covid 19 vaccinations to date right now.

DeVore gave praise to all the department heads including Shannon, Corey, Shawn and Justin. Also, congratulated Corey on his promotion and value to the department. DeVore also stated Showboat Committee meeting is tomorrow.

Burns went over the budget report and his concerns. We are going to have to make amendments at a later date for the DDA budget, due to Amity Street project not being done until July 1, 2021 and then the Social District will change some things as well. He will come back with amendments on those. Police Department budget is a little high due to the August 29th incident. Hoping to hear back from the Attorney General's office later this week or next and hopefully Attorney General Nestle will make a decision on the matter.

7. **MANAGER'S REPORT.**

City Manager Michael Burns went over a couple items:

- Spent a lot of time on the Social District. Goal is to have it up and running by the first of February.
- Another resident of the City passed away and wants to give money to the City. There are stipulations to how the money is used, specifically on landscaping and gardens for the City. Not sure the amount, but he will keep us updated as he learns more.

8. **APPOINTMENTS.**

Mayor DeVore stated there was an application for Board of Review where we have an open position. It was a general consensus of the City Council for Maureen Pawloski to fill the position.

9. **COUNCIL COMMENTS**

Councilmember Groves stated she is looking forward to the Social District for the businesses and for the residents and hopes everyone stays safe and uses common sense.

Councilmember Yankovich thanked all who worked on making the Social District happen and he is excited.

Councilmember Salzwedel is concerned about the Social District trash but knows a lady that may be able to help with disposable cups/containers to use or give some suggestions.

Councilmember Chambers wants to thank all the downtown businesses for being creative on how to do business and for always being creative in promoting downtown and showing off our City.

Mayor DeVore thanked the City Council. He always enjoys the meetings, always exchanging great ideas,

thinks we are making good steps forward.

10. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to adjourn at 8:27 p.m.

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

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk