

**PROCEEDINGS  
OF  
CITY COUNCIL MEETING  
OF THE  
CITY OF LOWELL  
MONDAY, MARCH 15, 2021, 7:00 P.M.**

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

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

Present: Cliff Yankovich, Jim Salzwedel, Leah Groves, Marty Chambers and Mayor DeVore.

Absent: None.

Also Present: City Manager Michael Burns, City Clerk, Susan Ullery, Chief of Police Chris Hurst and Lowell Light & Power Manager Charlie West.

2. **CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the March 01, 2021 Regular City Council Meeting.
- Authorize payment of invoices in the amount of \$416,702.95.

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

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.**

Deb Martin who resides on Oak Island Drive in Lowell is very concerned with all the marijuana establishments in the City of Lowell and concerned for the City's well-being.

4. **OLD BUSINESS.**

a. Covid 19.

City Manager Michael Burns stated the day after the last council meeting, we were able to have indoor gatherings of not more than 25 and that is why we are able to have this in person meeting tonight. He learned today that the virtual meetings will end March 31, 2021 unless Kent County declares a state of emergency or the Mayor of the City of Lowell declares a state of emergency. As far as vaccines, we have a few employees that are signed up to get their shots and he hopes to give the other employees a few more weeks to be able to get their vaccinations before we open the doors to City Hall, so we can open safely.

b. Showboat IT work.

City Manager Michael Burns stated that the bids were opened for the bathrooms and for the full construction of the old DPW building. The bids came in for the entire building at \$800,000 and for the bathrooms only, the lowest bid was \$367,000. We thought that was a little high so we have gone back to the architect to see what we can value engineer to get the cost down. At this time, the funds just are not there to do the bathrooms the way we want, so we will be looking at other options.

Burns then stated we have a proposal from Kore Hi Com who performs network work for the City to install the internet network from City Hall to the Showboat. We are planning to install Wi-Fi on the Showboat wirelessly from the City's current server and network. It will fall under the same protections we have with our current system. Total cost is \$7,332. Funds are available in the designated contribution showboat donations expenditure for this.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council approve Kore Hi Com to install a wireless internet network for the Showboat at a cost not to exceed \$7,332.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Social District.

City Manager Michael Burns stated it is going well and seems to be pretty busy. No complaints or anything. The young lady officer does a great job down there. The lowering of the wells of the fire pits made a huge difference as well.

d. MERS.

Burns stated there is not much change on that, still waiting on the MERS estimate that is going to take six to eight weeks. Burn is talking to a software company that focuses on pension software and helps you manage your fund a little better than waiting every year for the actuarial. He is considering requesting funds for that in the budget for this year but will get back to us on that once he gets more information.

5. **NEW BUSINESS.**

a. Public Hearing – Lowell Area Trailway Grant & Resolution 05-21.

Mayor DeVore opened the Public Hearing.

Dave Austin with Williams & Works spoke stating this is a public information meeting and a public hearing on the grant application that your considering to the DNR towards the Lowell Connection Project, after the presentation, he will ask for any comments and then we will consider the Resolution 05-21.

Austin stated this project is necessary because we have rail trails that dead end. One dead ends on Foreman St and the other dead ends on Montcalm Ave (a mile east of the City of Lowell). For over 10 years the City and LARA have been working on ways to connect those two rail trail points. The reason we have to think about it so hard is because we are the only community in the 125-mile span between Owasso, Lowell, Greenville and Elma that doesn't have an abandoned railway through their community. And the reason is we have a thriving business that uses the rail and that is King Milling. So as a result, we can't use the rail that goes through there. So we have to look at other ways to connect. In 2015 the DNR funded a study where we looked at all different ways to do that and for the last three years, we have been working with you and the recreation authority to grant funds and foundation funds for that project. Each year at this time, the DNR application process starts and we've put in applications the last couple years but because the DNR process also requires that you have all of your matching funds before they will award theirs, and we haven't been quite there so far so we had to withdraw. This will be our third time and we believe we are very close. Maps for the trails are online or you can contact the City of Lowell if you would like to see them.

The trails is going to start at the end of our existing trail on the west end of town at the corner of Alden Nash and Main Street at the Ford Dealership and it will go across the street to the new township park and it will use some of the trial that is there and then we are going to proceed east through an easement, the new Grand Rapids Gravel Site, then through there we will continue east behind the City's water treatment plant on the very backside of that property and then we are going to go through Stoney Lakeside Park on the north side of the beach and then will head south towards the river, through some private easements and will use the existing underpass and come up into Recreation Park (fairground property), then we are going to cross the Grand River with a new pedestrian bridge that is planned to be attached to an extended pier off the existing Hudson Street Bridge. We have been talking with the Kent County Road Commission and they are not quite ready to expand that bridge within our time frame, but they said what we could do is work with them and extend the piers out a little bit and attach our pedestrian bridge on so it's something that will be useful to them in the future upgrading of that bridge for vehicles and at the same time it will save a little cost for the pedestrian bridge.

There are two separate grant applications so the maps are separated by the applications. The goal to get more points are to connect the parks and accesses to natural resources and safe non-motorized transportation. A new part since that last grant application, we had to get an extension in the grant to

add a one-mile portion from South Jackson to Montcalm and that is on an abandoned rail bed so that will totally complete the 125-miles there. Schedule for 2021 we are going to finish funding, for 2021-2022 is when you will design it (MDOT will bid the project) and then 2023 it is proposed so this will be built starting in October of 2022 and finish in the summer of 2023. This is a \$5.755-million-dollar estimate. To date, we have commitments for everything but \$1.15 million and the \$300,000 that you are asking for and the \$300,000 that LARA is asking for, will bring that total down to \$515,000 to be the gap. Mark Henderson who has made a tremendous effort working on all of this and we have come a long way from the original breakdown.

Austin continued stating tonight we had to break the grant into two projects, City Councils side of the ledger is this \$4.79 million dollar and distributing the funds, you are responsible for that on this ledger. Trail will be asphalt from Main St all the way to South Jackson and crushed asphalt for the rest (same used from Montcalm to Saranac and from Vergennes to Belding). Trail is 10-foot-wide because of Federal Regulations. This is different from the previous trail, because we cannot go under railroad tracks for legal and safety reasons. These are only funds available only for trails and not vehicle transportation, we are not using money that could be used to fix the City of Lowell's roads. The City of Lowell is actively working on fixing their roads. There is not a significant federal funding source for fixing the roads. MDOT's goal for this trail is not recreation, the goal is to keep people moving and active, whether in vehicles and non-motorized so they treat this as a road. The trail is not using the new township park trail completely because it totally bypasses the City of Lowell and the City is the one that can apply for MDOT funds and LARA can't. This is City funded project for the grant. In the trail masterplan that the state did, they see the City of Lowell as a hub community for the trail system. Also to use the new township park trail completely would eliminate the trail connection to Stoney Lake Park and Recreation Park. It is not safe to use widen shoulders (on street trails) as they are not safe, and some of our large private funders will not participate with us if we use these. Lastly, this requires a surface crossing from Grand River Avenue twice to Hudson Street and this would make it very dangerous and these are very busy intersections.

Mark Anderson then spoke and reiterated how much work has gone into this trail and planning the connecting of all the parks and to be able to safely travel all through town. We only have this one opportunity to make this pedestrian bridge for the community so we really want to make this happen. If we don't apply for this grant, someone else in another community near us will. So this will be 8 miles of trails in our community.

Then Mayor DeVore opened up public comments.

Dave Austin then read a letter from Sharon Bondsman who resides at 13393 Grand River Drive stating she is not in favor of the trail.

There were no more public comments.

Mayor DeVore closed the Public Hearing.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS that Lowell City Council approve Resolution 05-21 as written.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b.) Lowell Little League Park Use Agreement.

City Manager Michael Burns read his memo.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council approve the Public Park Use Agreement with Lowell Little League at a fee of \$8/field/day (Total \$5,200).

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Yankovich stated he attended the LARA meeting and he is a new member but he wanted to give kudos to Dave Austin, Betsy Davidson, Mark Anderson, Perry Beachum, Janine Mark, and Laura Garrison. They have all worked very hard to get where they are with this trail and it is going to be great for the City.

Councilmember Salzwedel attended the Lowell Light & Power meeting this past Thursday and it was the first “in person” meeting in a while so there was a lot to cover. Great things are happening over at the energy center and it is going to be a showcase when we are all said and done. Close to making some decisions on the line check. One thing he was impressed with is their safety and training for their workers and the board made it top priority and made it part of their core value. They also had conversations on what they are going to do with their old engine room. Perry Beachum is also going to do a great job on the board.

Councilmember Groves stated she met with both the Chamber and Parks & Rec. They worked on their test priority list and hoping to bring that to Council in April. We had a presentation from Bob Rogers on the community center and looking at different areas of the City to use. At the Chambers meeting, we talked about the Expo which is June 12, 2021, there are 76 spaces, 32 are already sold and the applications are online.

Councilmember Chambers stated he attended the Planning Commission meeting, very busy, a lot going on. First off, we approved a vehicle towing and service center at 211 South Washington with several restrictions. Also, a site plan review for the Dollar General to do an improvement and an addition. Also approved a site plan review for 1279 West Main for a new Jimmy Johns coming in. Started a special land

use for 1250 West Main for an adult marijuana use establishment but we stopped it to have the City Attorney and City Manager look at it as it is close to school owned property and received a letter from a church nearby. Waiting to hear back on that.

Mayor Devore had Fire Authority and the only movement was our board will be doing a facilitation the same day as fire department with Lew Bender, so we will probably have ours at the Fire Station as well.

#### 7. **BUDGET REPORT.**

Burns stated from the Revenues side, there has been some updates. We received our first marijuana payment from the state from the excise tax, it was \$28,000 and that was because we only had one facility at the end of the Michigan fiscal year which was September. Next year he is projecting that we will have somewhere near between \$168,000 to \$224,000. Also, with the Federal Covid Relief Bill, 3.5 billion dollars went to all municipalities nationwide. The City of Lowell will be receiving \$411,000. It is pretty flexible revenue, however there are two things you cannot use that money for: Roads and Unfunded Pension Liability. Burns will figure out how we can use the funds in the best way possible. It has to be spent by 2024.

#### 8. **MANAGER'S REPORT.**

City Manager Michael Burns went over a couple items:

- Budget is started for next year.
- Our City Charter has a requirement of the vote of the people if we were to sell our water/sewer system.
- Budget hearings will be Saturday, May 1, 2021 @ 10:00 a.m. and then the third Monday in May to approve it.

#### 9. **APPOINTMENTS.**

Melissa Spino resigned from the Arbor Board, so there is now an open vacancy.

Brian Doyle and Jim Reagan would both like to continue on the Downtown Development Authority (DDA).

It was a general consensus of the Councilmembers for Brian Doyle and Jim Reagan to continue on the DDA.

#### 10. **COUNCIL COMMENTS**

Councilmember Groves stated it was great to be at City Hall at an “in person” meeting.

Councilmember Chambers wanted to thank his wife and Martha Davis for putting on the “Chocolate Stroll”, they had a great turnout and do an amazing job always putting the community first.

Councilmember Yankovich is happy to report he and his wife received their first of two Covid shots and their daughter Amy is pregnant with a girl.

Councilmember Salzwedel allowed Perry Beachum his comment time. Beachum asked if they were going to have Coffee with Council on April 3, 2021 and by general consensus the Council agreed to.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to adjourn at 8:11 p.m.

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