

**PROCEEDINGS
OF
CITY COUNCIL MEETING
OF THE
CITY OF LOWELL
MONDAY, MAY 17, 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 Treasurer Sue Olin called roll.

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

Absent: None.

Also Present: City Manager Michael Burns, City Treasurer Sue Olin, DPW Director Dan Czarnecki, Chief of Police Chris Hurst and General Manager of Lowell Light & Power Charlie West.

2. **CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the May 3, 2021, Regular City Council Meeting.
- Authorize payment of invoices in the amount of \$229,398.13.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

City Treasurer Sue Olin read into record a letter from the Lowell Little League stating their concern for the Community Center taking over Creekside Park and they are not in favor of this happening.

4. **OLD BUSINESS.**

a. **Covid 19.**

City Manager Michael Burns stated City Hall opened Monday, April 26, 2021. We are pretty much back to normal. The mask order changed on Friday, May 14, 2021 with Governor Whitmer changing the Public Health orders. MI OSHA states as long as you are in compliance with MDHSS orders than you are in compliance with MI OSHA, but those will be changing soon as well.

b. **Showboat.**

City Manager Michael Burns read his memo stating the city has been quoted for insurance coverage for the new showboat however there are several issues associated with the quote especially with the

property insurance. Burns then went through the issues and recommends City Council does not fund the City to pay for the insurance on an annual basis but will respect any action the City Council takes on this matter.

Councilmembers discussed at length, but decided to table, not make any decisions, agreed they all want to discuss with the showboat committee and the committee of the whole on whether to get a loan or use the remaining money they have remaining, to pay for the insurance for this year.

c. MERS.

City Manager Michael Burns stated he received a baseline estimate from MERS if we were going to do a bond or a pension to extend the liability over an additional five years. The report shows a graph for the options. Looking at this data, Burns does not think we need a pension bond anymore. Burns then explained why and what he suggests we should do. Burns said once we get an actuarial report, he will better be able to give details, but he feels like we are setting better than they had originally thought.

d. Downtown Traffic Control.

Chief of Police Chris Hurst gave an update on the traffic control study downtown. Does not see the need for an officer to be downtown for two to three hours a day.

5. NEW BUSINESS.

a. Public Hearing Fiscal Year – 2021-2022 Budget and Resolution 07-21.

General Manager of Lowell Light & Power Charlie West presented the highlights of their 2021-2022 fiscal year budget.

Mayor DeVore opened the public hearing for the Fiscal Year Budget 2021-2022 and asked if there were any comments.

There were no comments.

Mayor DeVore closed the public hearing for the Fiscal Year Budget 2021-2022.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS that the Lowell City Council approve Resolution 07-21 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Amity Bids.

DPW Director Dan Czarnecki read his memo recommending City Council approve CL Trucking for the Amity Street bid.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council approve the Amity Street Improvements – 2021 Project Bid from CL Trucking LLC, Ionia, Michigan, for a cost not to exceed \$326,231.00, and authorize the Mayor to sign the documents, as necessary.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Amity Street Improvement Project Construction Engineering Services.

DPW Director Dan Czarnecki stated the Amity Street Project will need engineering oversight during construction. Our engineers, Williams & Works, have provided us with a scope of services for this work. Their services include contract documentation, construction staking, construction observation of the proposed work, construction engineering as required to address and resolve issues as they arise, documentation of construction activities, pay item quantities, coordinate material testing, handling all the contract administration including execution of contract documents, arrange and attend pre-construction and progress meetings, review request for construction payments and finalize paperwork at the end of the project. William & Works has indicated they can do all the construction engineering, administration, and materials testing work for a cost not to exceed \$35,500. Material testing work such as compaction testing, asphalt sampling and testing, concrete testing etc., will be performed by a subcontractor and will be coordinated through Williams & Works. Because two blocks of the Amity St project is within the Downtown Development Authority, the DDA will pay 28.6% of the construction engineering work, or \$10,150. The Local Street Fund will pay the remaining \$23,350.

IT WAS MOVED BY CHAMBERS and seconded by YANKOVICH that the Lowell City Council approve the Amity Street Improvement Project Construction Engineering Services with Williams & Works, as outlined in their scope of services, dated May 5,2021, for the amount of \$35,500, with \$23,350 coming from the Local Street Fund and \$10,150 being funded by the DDA.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Jane Ellen Dr. Improvement Project Construction Engineer Services.

DPW Director Dan Czarnecki stated the Jane Ellen Drive Project will need engineering oversight during construction. Our engineers, Williams & Works have provided us with a scope of services for their work including contract documentation, construction staking, construction observation of the

proposed work, construction engineering as required to address and resolve issues as they arise, documentation of construction, all contract administration and progress meetings, review requests for construction payments and finalize paperwork at the end of the project. Williams & Works can do all the construction engineering for a cost not to exceed \$26,500. Material testing work such as compaction testing, asphalt sampling and testing, concrete testing etc., will be performed by a subcontractor and will be coordinated through Williams & Works.

IT WAS MOVED BY CHAMBERS and seconded by YANKOVICH that the Lowell City Council approve the Jane Ellen Drive Improvement Project Construction Engineering Services with Williams & Works, as outlined in their scope of services, dated May 5,2021, for the amount of \$26,500.00.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Comprehensive Tree Plan.

DPW Director Dan Czarnecki read his memo stating the City's Arbor Board reviewed the 2021-2022 Comprehensive Tree Plan at its May 10,2021 meeting. The tree plan is presented to the City Council annually and it outlines the proposed Arbor Board activities on city-owned property and within the right-of-way for the upcoming fiscal year.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve the 2021-2022 Comprehensive Tree Plan.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Groves stated she is now on the Arbor Board. Chamber of Commerce has the Expo coming up June 12, 2021. Parks & Rec meets tomorrow Tuesday, May 18, 2021.

Councilmember Chambers stated Planning Commission was cancelled this month so next meeting will be Monday, June 14, 2021.

Councilmember Salzwedel stated he attended the Lowell Light & Power Board meeting via phone, The board is very diverse, well put together and it was a thought out meeting.

Councilmember Yankovich stated they had the Look Fund Grant meeting, had \$40,000 in Grant requests, had about \$16,000 to spend. \$5,000 went to Lowell Arts for lighting and stage changes and the remaining funds went to the Showboat. Yankovich also attended the LARA meeting, and they are making an appeal to the Fred Meijer committee to help fund the last bit of the trail.

Mayor DeVore stated Fire Authority cancelled this month and Vision meeting is tomorrow, Tuesday, May 18, 2021.

7. **BUDGET REPORT.**

City Manager Michael Burns stated nothing has changed from what I told you last month.

8. **MANAGER'S REPORT.**

City Manager Michael Burns went over a couple items:

- Reached out to MDOT last week to see if we could get additional speed radar signs downtown and they told us we could not. We asked if we could move our current speed radar signs closer between each other and they said that would require us to do another speed study, which I do not recommend because it could end up with a result that we don't want.
- I am working with the showboat garden club with the estate money that we received and the first thing we are going to do is put bridge flower boxes in, so I will be meeting with them in a couple weeks to discuss that further.
- We did receive the rules last week from the American Recovery Plan, and if our revenues don't increase by 4% each year since the 2019 fiscal year budget, the ERP money can be used to replace that cost. I will have to do an analysis to evaluate that and then get back with you.
- We are what is called a 'non-entitlement fund' and the federal government gave the State of Michigan \$644 million dollars so we will find out in a few days what we are supposed to get of that money.
- Apologize for his son being at the meeting, the babysitter did not show up.

9. **APPOINTMENTS.**

Jeff Altoff wants to continue on the airport board.

Jake Davenport submitted an application for the Historic District Development appointment.

It was a general consensus to appoint Jake Davenport to the Historic District Development Board.

10. **COUNCIL COMMENTS**

Councilmember Yankovich wished Councilmember Groves a Happy Birthday.

Councilmember Chambers stated its good to have roads in front of us and we are moving forward at getting them slowly repaired and replaced. Thank you to Dan Czarnecki. Also, thank you to Police Chief Hurst for taking the time to do the speed study. Happy Birthday to Councilmember Groves.

Councilmember Groves thanked City Manager Michael Burns and City Treasurer Sue Olin for putting together the budget and also thanked Dan Czarnecki for getting the roads organized and Chief Hurst for the speed study.

Mayor DeVore wished Councilmember Groves a Happy Birthday.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALWEDEL and seconded by GROVES to adjourn at 8:06 p.m.

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

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk