

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, MAY 16, 2022, 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 Clerk Susan Ullery called roll.

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

Absent: None.

Also Present: City Manager Michael Burns via zoom, Chief of Police Chris Hurst, Clerk Susan Ullery, DPW Director Dan Czarnecki, Lowell Light & Power Charlie West, and City Attorney Tom Forshee.

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

- Approval of the Agenda as corrected, taking off Old Business- item b.- 115 Riverside Drive.
- Approve and place on file the minutes of the May 02, 2022 regular and closed session meetings.
- Authorize payment of invoices in the amount of \$82,884.40.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

Greg Canfield who resides at 403 North Washington spoke for himself and the residents at 102 and 104 1/2 West Main regarding the sewer line issues along Main Street.

City Clerk Sue Ullery read into record a letter from Nancy DeBoer, owner of Station Salon asking the City to take responsibility for maintaining the sewer lines for all buildings in the downtown area and historic district in Lowell.

City Clerk Sue Ullery read into record a letter from Amy Mika, 20-year resident of Lowell, in support of the addresses of 96 W Main Street to 106 W Main Street and north of the bridge and their sewer line issues, that they should be allowed to be on the agenda at the next council meeting.

John Vanderwilp who resides at 1264 Fun St spoke in support of Greg Canfield and the tenants at the buildings on West Main Street with the sewer line issues.

4. **OLD BUSINESS**

a. Public Hearing – 2022/2023 Annual Budget – Resolution 11-22.

Mayor DeVore opened the Public Hearing.

There were no comments from Council or the Public.

Mayor DeVore closed the Public Hearing.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that Lowell City Council approve Resolution 11-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

5. **NEW BUSINESS**

a. Memorial Day Parade.

City Manager Michael Burns read his memo stating he received a request from the American Legion and Veterans of Foreign Wars to have a Memorial Day parade this year. They would like to begin staging at 9:00 AM on Monday May 30, 2022 at 9:00 AM at the Fairgrounds. The parade would begin at 10:00 AM with a ceremony at Oakwood Cemetery shortly thereafter. They are requesting for Main Street to be closed from 10:00 AM to 11:00 AM from Hudson to Monroe. They will walk north on Monroe to the cemetery. This will be done in the same manner as years prior to the pandemic.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that the Lowell City Council approve the closure of Main Street from Hudson to Monroe for the Memorial Day Parade on May 30, 2022.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Riverwalk Request.

City Manager Michael Burns read the Chamber of Commerce request for the 28th Annual Riverwalk Festival, Thursday, July 7th 2022, Friday, July 8, 2022 and Saturday, July 9, 2022. In preparation for the event, they are requesting street closures for the following streets and times: Request permission to close Avery Street west of Monroe, Thursday, July 8, 2022 beginning at 6 AM through Saturday, July 10, 2022, 9:00 PM for the purpose of food concessions. Request permission to close Avery Street, east of Monroe to Jefferson St., Washington Street, north of Main to the High St, Saturday, July 9, 2022 beginning at 6:00 AM to 4:00 PM for the Riverwalk Cruise-in. Request permission to close Main Street at 1:45 PM from Jackson to Hudson for the Riverwalk Rumble “Classic Cars” departing the Cruise in.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve the Annual Riverwalk Street Closure Requests as listed above.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Showboat Insurance.

City Manager Michael Burns read his memo stating the Lowell Showboat VI Committee would like to seek additional quotes for the property insurance for the Lowell Showboat. They have reached out to Dave Emmett from Glenn Morris & Associates to seek their assistance. In order for this to occur, they have asked me to sign a form designating Mr. Emmett to be the agent of record in order to secure quotes. After discussing this with the City Attorney, I do not have the authority to sign off on this without council approval. I have no issue if the Lowell Showboat VI committee would like to seek other insurance options. This has no impact on the city's insurance polity administered by BHS, in the event this form designating Mr. Emmett to be the agent of record is signed.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS that the Lowell City Council allow for me to sign the agent of record form allowing Dave Emmett from Glenn Morris & Associates to represent Lowell Showboat VI in securing property insurance quotes for the Lowell Showboat.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Special Event Insurance.

City Manager Michael Burns read his memo stating with many events happening around the city, these events create insurance liabilities the city needs to address. We require these events to submit special event permits which are then forwarded to our insurance carrier. One of these requirements is to have the applicant for the event, provide a certificate listing the city as additional insured. This takes the liability away from the city while the event is held. With many of these events the insurance is not the issue, many events are sponsored by the Chamber of Commerce and or the Kent County Youth Fair. They have a blanket umbrella policy whereby the city is listed as an additional insured. I reached out to our agent, Chris Arendhorst from BHS to see what could be done to address this and he suggested two options. The first is to determine the events the city would like to cover and pay for an additional insured rider to the policy. The other option is we could provide a waiver participants can sign whereby they are agreeing to the city not being liable in the event something occurs. I need direction on how council would like to proceed.

Perry Beecham who resides at 924 Riverside Dr. stated that they have closed Riverside for a block party in the past and his insurance would use an additional rider for this and it was easy to obtain.

City Attorney Tom Forshee stated it was best to have waivers insurance.

Dave Dean who resides in Vergennes Township stated that places he has events usually offer for him to buy into their policy as a business opportunity or he can purchase his own, both are easy to obtain.

Council discussed at length.

IT WAS MOVED BY DEVORE and seconded by GROVES to table the decision on special event insurance until they bring the insurance agent to the next meeting.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Set Public Hearing for 1016 N. Monroe Industrial Development District – Resolution 12-22.

Mayor DeVore stated we have a request from Attwood to set a public hearing at our next Council meeting, Monday, June 6, 2022, if we make a motion on Resolution 12-22 as presented.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL that the Lowell City Council approve Resolution 12-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

f. Set Public Hearing for 139 N. Broadway Industrial Facility Tax Credit -Resolution 13-22.

Mayor DeVore stated same thing for Resolution 13-22, to set a public hearing at our next Council meeting, Monday, June 6, 2022. This to discuss King Millings industrial facility tax credit for the new mill they are looking to build.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council approve Resolution 13-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

g. City Hall Air Conditioning Unit.

City Manager Michael Burns read the memo stating in our fiscal year 2022-2023 budget, the city budgeted \$160,000 to install a new air conditioning rooftop unit for City Hall as our current unit has reached the end of its useful life. Needs to be ordered by the end of May to avoid an increase in cost. Progressing Heating is a preferred vendor for the City of Lowell and has performed work at our building for many years and has technical and institutional knowledge of our entire HVAC system.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council approve for the City Manager Michael Burns to order a new air conditioning unit for City Hall at a cost not to exceed \$160,000.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

Greg Canfield who resides at 403 N. Washington questioned whether any items over \$10,000 needed to be out for bid and is this a violation of the City Charter? City Manager Michael Burns stated it is not. Our purchase policy allows us to not have to go out for bids with current vendor purchasing.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Yankovich stated he has been asked by Mark Anderson to share updates on the new Fairgrounds and what is going on there. Their campaign goal is to hit \$14 million dollars, it will be called The Grand Agricultural Center of West Michigan, and it will be home of the Kent County Youth Fair. They are about \$1.4 million short of hitting their \$14-million-dollar goal. So indeed, great things are happening there.

Councilmember Salzwedel stated they are changing the Arbor meetings to 7:00 AM. on Monday mornings, and it starts in September. Will be working with LL&P Board to cut some trees along Bowes Road. LL&P board had three employees with Anniversary dates, if you see them wish them Happy Anniversary.

Councilmember Chambers stated he did not attend, but at the Planning Commission Meeting, there was a new drive through coffee shop coming into town that was approved.

Councilmember Groves stated at Park and Rec Committee Meeting, they are still working on the recreation plan. Excited to see what the citizens think of our parks with the new survey that will be going out and what will come of the City Parks in the future. They did have a visitor, Mike Minor from Lowell Area Little League that talked about expanding and creating a new facility. He has had several complaints about the bathrooms/water not being available right when little league season begins.

Mayor DeVore stated Fire Authority was cancelled, Vision is tomorrow at 4:00 PM.

7. **BUDGET REPORT.**

Nothing new to report.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- Looking into an issue over at Front and Washington Street, for years' street sweeping items have been placed there, grass and trees are now growing there. Getting a quote for testing from BLDI. Next meeting, I will hope to discuss findings.

- 7-year street plan will be brought to next meeting.
- Scott Fosburg will be retiring Friday at 11:35. He has been with the City for 31 years and we all want to wish him all the best!!
- Lori Gerard and I met with Priority Health, there is going to be an 8.8% increase in health care insurance.
- Officer Scott Vansolkema will be resigning effective May 24, 2022. We will be looking at our part time candidates for hiring full-time if any are interested.

9. **APPOINTMENTS.**

There are no new appointments.

10. **COUNCIL COMMENTS.**

Councilmember Groves thanked Patrick Doyle for the opportunity to tour King Milling. Learned a lot today and has a new appreciation for flour.

Councilmember Chambers thanked First Look for their article regarding Lineman appreciation.

Councilmember Yankovich also was able to tour King Milling and he had a blast, very informative.

Councilmember Salzwedel wanted to mention going forward as a whole, just so we are doing our due diligence with City money, we should look at multiple bids on purchasing even if we have a preferred vendor.

Mayor DeVore stated he, Marty Chambers and Charlie West went to the radio station WION. Jim & Justin let them speak on the J & J morning show and they were able to brag about our City and what we have going on here, Charlie was able to brag about all he knows so thank you Charlie for going with us and thank you to Jim & Justin for letting us come on the show.

Jacoba who lives in Lowell Township, is interesting in starting a boating shop and kayak business and wants to inquire whether there are any rules about renting kayaks on the flat river over at the boat launch. Also, what you are doing with the orange building by the kayak launch as she would be interested in leasing it or buying it if it is available.

Mayor DeVore stated he would get her name and contact info and get that information for her.

11. **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by YANKOVICH to adjourn at 7:51 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk