

**LOWELL CITY COUNCIL
MEMORANDUM**



DATE: January 21, 2022

TO: Mayor DeVore and the City Council

FROM: Michael T. Burns, City Manager (M)

RE: Friday Memo

Attached to the Friday memo are the following:

- Graph indicating general fund expenditures for Police and Fire with a number of municipalities in Michigan
- January 21, 2022 Detroit News article on Representative Thomas Albert urging tax relief
- January 20, 2022 Detroit News article on Flint meeting lead water standard for five years
- January 20, 2022 Detroit News Riverview councilman censured for racist remarks

As we discussed on Tuesday, Monday afternoon we met with Lowell Township and the developer for the site located at I-96 and Alden Nash. We are moving much closer to an agreement. However, we are waiting assistance from the Right Place. The Right Place has requested a letter from both the City and Township indicating support rather than sending a resolution. The City Attorney is drafting the letter and I have not received it yet. Once received, it can be placed on letterhead and sent to the Right Place.

Tuesday, I attended a bi-annual meeting with the Kent County Administrator. The new County Administrator Al Vandenberg has been in his position roughly three months and he is currently meeting with different quadrants of the county twice a year to update them on what is happening. One of the interesting topics was growth in Kent County including the far north sector and far east sector of cities, villages and townships in Kent County. We have been the fastest growing sector of the county for the last forty years. During this time, these areas have seen approximately 70% population growth. While the City of Grand Rapids, East Grand Rapids, Kentwood, Grandville, Wyoming and Walker (Metro Six) have seen a 12% population loss in the same timeframe. I thought this was a very interesting piece of information as we are moving on with some of the issues we have.

Wednesday, I met with Michael Overley to review our Amortization Extension for our unfunded pension liability. I am looking at extending our deadline by five years but continuing to pay our required amounts going forward based on our current rate of return. We could reduce our payments by doing this, however, I am more concerned about the rate of return being lowered and market fluctuations which impact the liability which cause increased payments and negatively affecting cash flow. Mr. Overley will be presenting last year's actuarial report and the amortization extension consideration at the February 22, 2022 City Council meeting. I have spent the majority of the latter part of this week working on future calculations and budget allocations towards this.

Thursday, we received notification that the certified letter to Mr. Dietzel regarding the non-renewal lease was received by them. We have not had any contact from him on this matter.

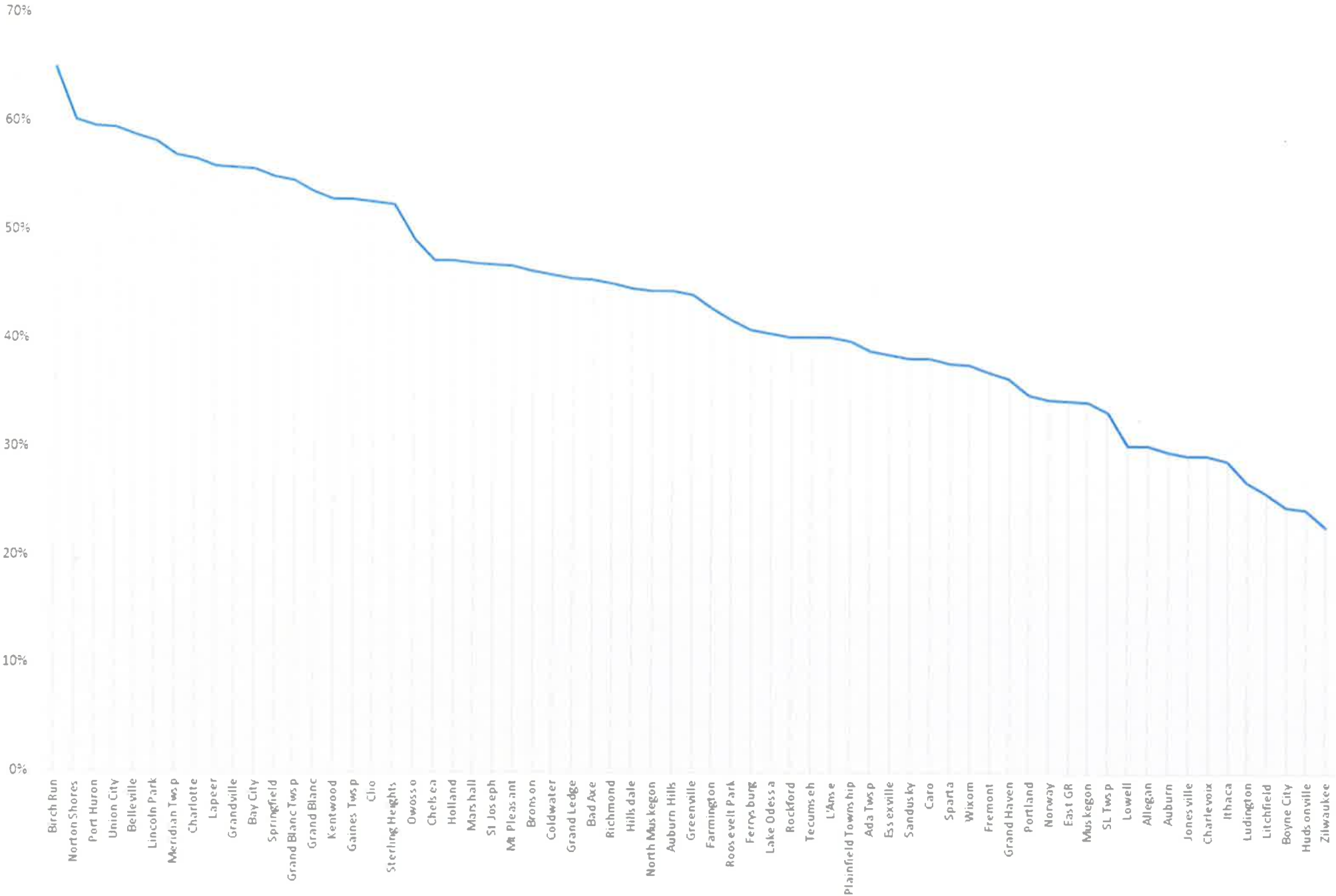
Thursday, Charlie West and I met with a representative from the West Michigan Health Insurance Pool. I am very interested in moving our insurance to this plan. We are having an estimate put together by them for many options to consider moving forward.

Attached is a bar graph indicating a survey which was done by the City Manager of Grand Haven. A number of cities (including Lowell) provided him with information regarding their general fund expenditures and how much

is dedicated toward police and fire services. You will see our percentage is low in comparison to many cities in the graph. Bear in mind there are many different factors as to why the percentages are so high in comparison to ours. One of which is we are a part of a fire authority where our expenses are much less than many municipalities who have fire departments which only service themselves. There are also some larger communities with larger police departments which would also impact budget percentages.

Next week, I will be at the Michigan Municipal Executives Winter Institute from Tuesday to Friday in Troy. I will not have a Friday memo. Have a good weekend.

Police & Fire as part of General Fund



The Detroit News

MICHIGAN

Michigan's higher tax revenue should trigger tax relief, House chair urges



Beth LeBlanc

The Detroit News

Published 1:35 p.m. ET Jan. 21, 2022

House Appropriations Chairman Thomas Albert has called for "targeted and sustainable tax relief" for Michigan residents in light of increased inflation and Michigan's higher than expected tax revenue, a proposal that his Senate counterpart said he would discuss.

The Lowell Republican suggested Friday the plan should be part of the state's budget negotiations, which will be launched in the coming weeks with Gov. Gretchen Whitmer's annual budget presentation.

"Runaway inflation brings more tax revenue to state government at the expense of hard-working taxpayers, hurting their family budgets," Albert said in a statement. "With state tax revenue projections well ahead of previous expectations, it is time we talk about tax relief rather than increasing ongoing government spending."

Albert didn't suggest a specific tax relief plan but said he's open to working with the Republican-controlled Legislature and Democratic governor to find consensus.

Sen. Jim Stamas, R-Midland, said he is open to discussions on tax relief. He noted the discussion would take several elements into account including state obligations, services and programs as well as the duration of the tax revenue increases.

"If there's ever an opportunity to leave money in Michigan families' pocketbooks versus the government spending it, I don't think that's a bad thing," said Stamas, chairman for the Senate Appropriations Committee. "I'm happy to have a conversation and see where it goes."

Michigan's available tax revenue for fiscal year 2022 is expected to come in \$1.7 billion higher than was initially forecast in May 2021, the state announced last week. Upward adjustments were also made last week to tax revenue for fiscal years 2023 and 2024 for a total increase of roughly \$7 billion over the three fiscal years.

In addition to the higher state tax revenue, Michigan has remaining about \$7 billion in federal COVID relief funds, \$7.3 billion for federal highway programs and at least \$563 million in federal aid through a bipartisan infrastructure bill.

That federal money largely is prohibited from being used to lower taxes, but Albert argued the state tax revenue could be used to provide tax relief for families struggling with inflation, supply chain issues or workforce shortages.

"There are many potential relief options including an income tax rollback, increased income tax deductions for retirees and families, property tax reduction, and the list goes on," Albert said. "As long as the reduction is fairly applied, it should be on the table."

Sen. Jim Runestad, R-White Lake, called for tax cuts last week after the state's Consensus Revenue Estimating Conference agreed on the new estimates for state tax revenue.

"In light of the CREC report, there is no excuse for continuing to overtax Michigan residents," said Runestad, who chairs the Senate Finance Committee. "Government works best when the people are not overtaxed and can make their own decisions on what they want to support with their hard-earned dollars."

eleblanc@detroitnews.com

The Detroit News

FLINT WATER CRISIS

Flint meets lead water standard for over five straight years, but distrust lingers



Leonard N. Fleming

The Detroit News

Published 3:01 p.m. ET Jan. 20, 2022

Flint has recorded more than five consecutive years of meeting state and federal standards for lead in its drinking water, Michigan's environmental department said Thursday, despite deep distrust by its residents after the water crisis.

In its latest six month sampling period, the city had 7 parts per billion of lead in its drinking water under stricter state testing rules, which was below the action level of 15 ppb, according to the Michigan Department of Environment, Great Lakes, and Energy. The federal Centers for Disease Control and Prevention considers any level of lead in the water to be harmful.

Because the city has removed so many lead service lines from homes in the city of over 90,000 residents, the sampling included more non-residential locations with lead pipes in the sampling, the department noted.

The city's water supply got contaminated with lead after the system's water source was changed in April 2014 from the Detroit area water system's Lake Huron to the Flint River. A failure to treat the more acidic river water with corrosion control chemicals resulted in lead leaching from old pipes into the drinking water and the declaration of a public health crisis in January 2016.

City Council President Eric Mays, a longtime councilman, said he is "leery" of EGLE's results given disagreements and debates over the homes that were "properly" tested for lead in the past.

"We've seen some debacles in the past on testing," Mays said. "If you accept it on its face that all testing was done according to rules and law, if you accept that on its face, it can be expected that you'd see improvements from the Flint River water with no corrosion control."

But Mays said he would welcome having EGLE officials come present the numbers and evidence of proper testing to city council members.

"I'm leery of the testing procedures and the press releases," he said. "I would say that there's going to continue to be a lack of trust as it relates to the government, particularly the state government, as it relates to the accuracy of information."

After the state government recognized the lead problem in late September 2015, the drinking source was switched back to the Detroit area system, now overseen by the Great Lakes Water Authority.

Since July 2016, Flint's water system has tested below action levels of the federal lead and copper rule for 11 consecutive six-month monitoring periods, according to the state environmental department.

The latest test results were calculated from water samples drawn from 71 homes and businesses known to have lead service lines with 40 from homes and the other 31 from businesses and a church. The department said this was the largest number of non-residential sites used in calculating Flint's 90th percentile samples to date.

The 40 homes tested at 5 ppb, while the non-residential sites generated a 13 ppb result, according to the state.

"We're pleased to see that Flint's work to eliminate residential lead service lines is showing a sustained drop in lead levels across the city," said Eric Oswald, director of EGLE's Drinking Water and Environmental Health Division, in a statement. "The data we are now seeing from the Tier 2 sites is also an important reminder to business owners to flush their lines after extended periods of stagnation that may have been caused by pandemic-related closures."

The highest lead level recorded was 3,492 ppb at a church that has been closed during the COVID-19 pandemic, Oswald said. This finding highlights the need for owners with lead service lines to actively use the water in their residences or businesses to ensure better water quality, he said.

lfleming@detroitnews.com

Twitter: @leonardnfleming

The Detroit News

WAYNE COUNTY

Riverview councilman censured, removed from committees after alleged remarks



James David Dickson

The Detroit News

Published 2:47 p.m. ET Jan. 20, 2022

Riverview — David Robbins, elected in November to the Riverview City Council, was removed from his committee assignments and censured Tuesday by his six colleagues in a unanimous vote for making racially insensitive remarks.

The six council members also called for Robbins to resign because of his alleged conduct outside a restaurant in the early hours of Nov. 4, two days after he was elected.

The council censured Robbins and "calls upon him to tender his resignation as a member of the city council immediately in the best interests of the city of Riverview," according to the council resolution.

Robbins, 34, was charged criminally in a car crash weeks later after the Nov. 4 incident and bound over for trial on Jan. 6. Earlier Thursday, he was scheduled for an arraignment on information before Wayne Circuit Court Judge James Chylinski.

More: Riverview councilman charged in alleged drunken driving crash

In that case, Robbins faces four felony charges: operating while intoxicated, operating while impaired, reckless driving and failure to report an accident to fixtures.

Robbins did not respond Thursday to a request for comment.

The charges were issued and publicized in mid-November, but the council acted two months later with a censure.

The News-Herald reports that Robbins's alleged statements to police after the crash are what sparked the controversy.

According to the Riverview police report, obtained via a Freedom of Information Act request, officers arrived at Zorba's Coney Island about 1:45 a.m. "for a report of disorderly persons in the parking lot."

A Riverview lieutenant arrived to find two White men and a Black man arguing. Then the Black man and one of the White men charged at each other.

Robbins told police the man had attacked him with a knife. When police searched the man, "a folded knife fell from his pants," the report said.

Police determined the knife was legal and later gave it back to the man.

The News-Herald, citing policy body camera footage, reported that Robbins referred to the other man as "some random-ass Black dude, who probably had no (expletive) business being in our city in the (expletive) first place, did what he did."

Robbins allegedly later said "this riff-raff comes into our city. ... They have no business being here."

In the censure resolution, the council "calls on Councilmember David Robbins to retract his racially biased statements and publicly apologize to the people of the city of Riverview for bringing upon them the shame and humiliation which he alone should bear." It adds that "his total disregard for honesty, integrity, and unity should not be condoned."

Robbins was removed from the ad hoc public safety committee, the school liaison position, the Veterans Memorial Committee and the Wyandotte/Riverview Reciprocal Agreement Committee.

"I'm not aware how common censure is in other communities, but I don't believe it has ever been used in the 63 years Riverview has been a city," Riverview Mayor Andrew Swift wrote in an email to The Detroit News. "This should show you the negativity he has brought to the city he says he 'just wants to help.'"

"Why censure?" Swift wrote. "That is the only option available to the city council. Mr. Robbins was elected by the voters and short of him resigning or me requesting the governor to remove him, the only other option is a recall election. And a recall is not available until he has been in office one year."

Swift added that Riverview's city charter allows a council member to be removed if convicted of a felony carrying a sentence of one year plus one day or more.

City Councilman Chuck Norton said he viewed the resolution as a way to move on from the controversy.

"We've got a lot of work to do," Norton said, including the debate on whether the city's revenue-generating landfill should be expanded.

jdickson@detroitnews.com

