

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, NOVEMBER 19, 2018, 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.

Police Chief Steve Bukala requested a moment of silence in honor of former (1998-2000) City of Lowell Police Officer John Davis.

City Clerk Sue Ullery called roll.

Present: Councilmembers Marty Chambers, Jim Salzwedel and Mayor DeVore, Councilmember Canfield.

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Sue Ullery, DPW Director Rich LaBombard, Chief of Police Steve Bukala and City Attorney Dick Wendt.

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

- Approval of the Agenda.
- Approve and place on file the Regular minutes of the November 5, 2018 City Council meeting as written.
- Authorize payment of invoices in the amount of \$95,552.30.

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

YES: Councilmember Canfield, Mayor DeVore, Councilmember Salzwedel, and Councilmember Chambers.

NO: None. ABSENT: None. MOTION CARRIED.

3. **RESIGNATION OF COUNCILMAN PHILLIPS.**

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL to accept the resignation of Councilmember Jeff Phillips.

YES: Mayor DeVore, Councilmember Salzwedel, Councilmember Chambers and Councilmember Canfield.

NO: None. ABSENT: None. MOTION CARRIED.

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

Perry Beachum who resides at 924 Riverside Drive stated a grant was received from the Look Fund for the cemetery project and the work will begin in the spring.

5. **OLD BUSINESS.**

a. South Broadway Project Coordination and Bond Budget.

City Manager Michael Burns explained that Prein and Newhof have recently brought forward several issues pertaining to the completion of the road and sidewalk work on S. Broadway between Ottawa Street, the railroad tracks, and the coordination of the King Milling site development on the old Michigan Wire property. They are proposing to postpone the paving and concrete work until spring of 2019 to allow work to progress on King Milling's development site to ensure no damage occurring during the course of development at the former Michigan Wire site and the final road and curb will align with the proposed drive approaches.

Burns continued because of the recent lockout by Michigan Infrastructures and Transportation Association involving the Operating Engineers Local 324, subcontractors are proposing steep price increases to complete work prior to the end of the regular construction season. The lockout resulted in a backlog of work and contractors having raised prices on asphalt by 60 percent and concrete by 15 percent due to high demand. Finally, as a part of the planned rerouting of King Milling truck traffic from the downtown, a traffic signal at Bowes and Hudson was added to the \$3.2 million bond issued in 2017 for the S. Broadway utility and street project. However, upon attorney review it was determined that the bond was not structured to include the addition of traffic signal work to the overall scope of work. Therefore, the City's \$60,000 share of the signal work will have to be paid from another fund to correct the issue. Since the signal is located on a major street, the Major Street Fund can be used to pay for the work. Funds are available in the Major Street Fund for this activity.

Brian Vilmont spoke about the project and explained their position. Councilmembers Chambers and Canfield asked several questions.

IT WAS MOVED BY CHAMBERS and seconded by DEVORE to establish an RFP to consider alternative engineers.

YES: Councilmember Salzwedel, Councilmember Chambers, Mayor DeVore.

NO: Councilmember Canfield ABSENT: None. MOTION CARRIED.

IT WAS MOVED BY CANFIELD and seconded by SALZWEDEL to postpone the S. Broadway paving and concrete work until spring of 2019 and also approve a transfer of \$60,000 from the Major Street Fund to pay for the traffic signal installation at the intersection of Hudson and Bowes.

YES: Councilmember Chambers, Councilmember Canfield, Mayor DeVore and Councilmember Salzwedel.

NO: None. ABSENT: None. MOTION CARRIED.

b. Proposal 1.

Christine Baird who resides at 2605 Fallasburg Park Drive spoke in support of marijuana dispensaries in the City of Lowell.

David Overhault from Sidney Michigan (Montcalm County) spoke in support of marijuana dispensaries in the City of Lowell.

Joyce Folkersma who resides at 622 N Jefferson spoke not in favor of marijuana dispensaries in the City of Lowell.

Council discussed they would like more feedback from the residents/community and what they are

voting for, encouraged residents to contact them. Council discussed the Board of Canvassers will certify the election on November 26, 2018 and there must be a decision by December 6, 2018. Attorney Dick Wendt explained the proposal.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS to hold a special meeting date for November 28, 2018 at 4:00 p.m.

YES: Councilmember Chambers, Councilmember Canfield, Mayor DeVore and Councilmember Salzwedel.

NO: None. ABSENT: None. MOTION CARRIED.

6. **NEW BUSINESS.**

a. **Ordinance 18-06 Planned Unit Developments- Proposed Amendments.**

City Manager Michael Burns stated at the November 12, 2018 Planning Commission meeting, the Commission recommended to the City Council approval of the proposed amendments to Chapter 15 – Planned Unit Developments. Due to the extensive nature of the amendments, a copy of both a clean and marked-up version of the Ordinance as well as a memo from Andy Moore with Williams & Works that summarizes the changes was provided.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to adopt Ordinance 18-06, Planned Unit Developments.

YES: Councilmember Salzwedel, Councilmember Phillips, and Councilmember Chambers, Councilmember Canfield and Mayor DeVore.

NO: None. ABSENT: None. MOTION CARRIED.

b. **Downtown Master Plan.**

City Manager Michael Burns stated in 2015, work began to approve the Downtown Master Plan but with the changes in leadership that occurred in 2015, the Downtown Development Authority and City Council never formally approved the plan. Beginning in 2018, DDA and City Administration have been working with Williams & Works to finalize the plan, incorporating recommendations from Dan Burden's visit to downtown this spring and updating some items since the original writing in 2015.

Andy Moore with William & Works reviewed the updated Master Plan.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL to approve the Downtown Master Plan as presented.

YES: Mayor DeVore, Councilmember Salzwedel, Councilmember Chambers, and Councilmember Canfield.

NO: None. ABSENT: None. MOTION CARRIED.

c. **Sidewalk Grant Bid.**

Assistant City Manager Rich LaBombard stated in 2016, the City was awarded a LCTV grant in the amount \$27,600 for a Sidewalk Replacement Program. In January 2018, City Council agreed to permit a change in approach to the grant and allow sidewalk improvements on City properties and to improve ADA accessibility issues. With the change in approach, the grant funds will actually be more beneficial to the community. In October, the City issued a request for proposal for the sidewalk installation and replacement project on City properties. We received one bid from Groundhawk Excavating & Landscaping, LLC - \$30,548.05, which is in line with the industry standards. Their work would begin in April and would be about a two-week project to complete.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to accept the bid in the amount of \$30,548.05 from Groundhawg Excavating and Landscaping.

YES: Councilmember Salzwedel, Councilmember Chambers, Councilmember Canfield, and Mayor DeVore.

NO: None.

ABSENT: None.

MOTION CARRIED.

7. **BOARD/COMMISSION REPORTS.**

Councilmember Canfield has good news on the LARA trail; we received a conditional commitment from MDOT on October 31 of \$3.1 million dollars for the connector to go from Foreman Street to South Jackson. Also, on November 8, 2018, we received scores from the M-DNR grant. Of a potential 390 possible points, we received two scores of 306 and 340 which is great news. Parks and Recreation Board meets November 20, 2018 and will be discussing the Unity building property proposals.

Councilmember Chambers stated the Planning Commission buttoned up the plan unit development and approved a new Airbnb downtown. Light & Power board took in bids for fencing the gas regulator station on Broadway. At the Light & Power building, the old generators are being removed and the old steel portions of the building are coming down, so things are moving forward.

Councilmember Salzwedel stated on December 5, 2018 the LCTV Board will be meeting to discuss the 2019 funds availability. Councilmember Salzwedel stated he would be joining the Arbor Board.

Mayor DeVore stated the LOOK Memorial Fund Committee awarded some of the funds for the fencing at the cemetery, \$8500 to the police department for speed signs, one in each direction on Bowes Rd and one in each direction on Foreman. \$9075 for Lowell Arts tech upgrades. Fire Authority is discussing full time staff and the new fire truck is being pushed back to January. DeVore stated he is filling Jeff Phillips position on the Downtown Historic District Commission moving forward.

8. **MANAGER'S REPORT.**

City Manager Mike Burns reported the following:

- Drafting a revised purchase policy and will be meeting with department directors to review as well as the City Attorney, should be ready to bring to Council in January.
- Updating the city employee personnel manual. Light & Power is helping with that as we can mirror most of their manual.
- Proposal 1 brings changes as an employer and working through the impacts of those changes.
- Met with Kent County Youth Fair board members and their executive director and we are close to having a tentative agreement.
- Discussion on a possible Water & Sewer Authority in the future is still in the works; have met with surrounding Townships, went to Ionia to visit their Water & Sewer Authority and learn how they created theirs and own it.

- Would like a joint meeting scheduled between Parks Board & Council before the next City Council meeting regarding the park property that is on the RFP.
- Lou Bender will be here on January 30, 2018 from 5-9 for a team building session.
- Everyone have a Happy Thanksgiving.

9. **APPOINTMENTS.**

Mayor DeVore noted the board appointments currently serving all wish to continue with the exception of Mike Larkin on the Downtown Development Authority who will be stepping down at the end of his term. Also, he has not heard back from Brian McLane –Downtown Historic District Commission and Dan DesJarden on the Construction Board of Appeals. Council conceded all appointments were approved.

10. **COUNCIL COMMENTS.**

Councilmember Canfield thanked Jeff Phillips for his service and great job while on the Council and wished him the best of luck with his work promotion. Any applicants interested in filling the Council position, he encouraged to apply. Also encouraged residents to let Council know their opinion on whether the City should opt out or in with regard to Proposal 1.

Councilmember Chambers said downtown Christmas through Lowell was fun and the City was full of vibrant and happy people and would like to see it like that all the time. Also wanted to thank Jeff for his time he served on the board.

Councilmember Salzwedel stated in Illinois, the City of Galena has thousands of visitors come each weekend and we need to find out how they do it. Also, wanted to thank Jeff Phillips for his service and looking forward to seeing who the next person is.

Mayor DeVore also expressed his gratitude for Jeff Phillips and his time on the Council and hopes everyone has a wonderful Thanksgiving. December 1, 2018 is the Santa Parade.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to adjourn at 8:30 pm.
YES: 4. NO: None. ABSENT: None. MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk