

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, JUNE 4, 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 Mike DeVore and City Clerk Susan Ullery called roll.

Present: Councilmembers Greg Canfield, Jeff Phillips, Jim Salzwedel, and Mayor DeVore.

Absent: Councilmember Marty Chambers.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery, and Police Chief Steve Bukala.

2. **EXCUSE OF ABSENCES.**

IT WAS MOVED BY CANFIELD and seconded by SALZWEDEL to excuse the absence of Councilmember Chambers.

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

NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

3. **APPROVAL OF THE CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the Committee of the Whole minutes of the May 21, 2018 City Council meeting.
- Approve and place on file the regular minutes of the May 21, 2018 City Council meeting.
- Authorize payment of invoices in the amount of \$88,864.02.

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

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

NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

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

There were none.

5. **OLD BUSINESS.**

There was none.

6. **NEW BUSINESS.**

a. Interim Building Inspection Services.

City Manager Mike Burns stated that at the May 21, 2018 City Council meeting, his recommendation to approve Cascade Township to continue building services was not moved forward. He was directed to seek quotes from PCI, IMS, and a company of his choice. Burns met with Cascade Township who informed him they will no longer provide building inspection services after July 1, 2018. The discussion with them was concerning as they did not believe they were given a fair opportunity to correct any concerns the City Council had.

Burns continued stating since that meeting, he has been in the process of finding an interim provider and it was suggested by Cascade Township to reach out to Professional Code Inspections of Michigan (PCI) to assist us. PCI provides building inspection services to many cities, villages and townships in West Michigan and are held in high regard. Burns reached out to Kirk Scharphorn, Sr., President of the company and his firm is able to assist the City. PCI can provide us with all the services we received from Cascade Township, which include building, mechanical, electrical and plumbing inspections.

In their initial meeting, he was informed the City of Lowell is somewhat out of PCI's footprint as they hold offices in Jenison, Dorr and Hastings. They informed us all the plans will have to come through City Hall. However, the building inspector whom would be assigned to us lives in Grattan Township. Additionally, one of the inspector's lives nearby and we could formalize a process through them. Burns continued explaining the details and recommended a one year interim agreement with PCI with a six month and nine month review to ensure satisfaction.

IT WAS MOVED BY DEVORE and seconded by CANFIELD to approve that the City of Lowell enter into an agreement with Professional Code Inspections of Michigan in the manner prescribed.

YES: Mayor DeVore, Councilmember Salzwedel, Councilmember Phillips and Councilmember Canfield.
NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

b. Employee Health Care.

City Manager Mike Burns stated in April the City was informed there would be a 7.4 percent increase in our health care premium costs which brings the City to over a 10 percent increase in the past two years. Tina Harbin from HUB International presented a Priority Health, Health Savings Account policy that would reduce costs for the City and the employee. Burns explained the differences and explained health care is something the City needs to monitor on an annual basis and reduce costs while ensuring the employees have adequate health care.

IT WAS MOVED BY MAYOR DEVORE and seconded by PHILLIPS to allow the City to enroll in the Priority Health HSA 1,400 account beginning on July 1, 2018 in the manner prescribed.

YES: Mayor Devore, Councilmember Salzwedel, Councilmember Phillips, and Councilmember Canfield
NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

c. PROTEC Membership.

City Manager Mike Burns explained the purpose of PROTEC, the Michigan Coalition to Protect Right-of-Way and that their purpose is to take the lead to coordinate actions to protect local government interest and to inform municipal officials of significant developments in the area of public right of way management.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL to approve the City's membership in PROTEC.

YES: Councilmember Phillips, Councilmember Canfield, Mayor DeVore, and Councilmember Salzwedel.
NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

d. Escanaba – MML Legal Defense Fund.

City Manager Mike Burns stated the City of Escanaba has been involved in a fight to preserve the correct assessment of large box stores who have been involved in challenging assessments based on closed stores and/or deed restrictions on the closed properties, thereby lowering the value of that property and then claiming that the value of those stores be used as a comparable to set the value of the new property (store). The City of Escanaba has won a significant victory in the Michigan Supreme Court in the litigation of Menard Inc. vs City of Escanaba. The case has been remanded back to the Michigan Tax Tribunal for a determination of actual value. Burns stated that during the appeal to the Michigan Supreme Court, the City of Lowell joined about 34 other municipalities in an amicus brief on behalf of us and the various municipalities supporting the City of Escanaba. The City of Escanaba now needs additional help in the Michigan Tax Tribunal case.

IT WAS MOVED BY DEVORE and seconded by PHILLIPS to make a contribution of \$500.00 to the Michigan Municipal League Legal Defense Fund and designate it for the MML LDF-Escanaba Fund.

YES: Councilmember Canfield, Mayor DeVore Councilmember Salzwedel, and Councilmember Phillips.
Councilmember Salzwedel.
NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

7. **BOARD/COMMISSION REPORTS.**

Mayor DeVore advised the Fire Authority meeting will be on June 11, 2018 and the DDA meeting was moved to June 28, 2018.

8. **MANAGER'S REPORT.**

City Manager Mike Burns reported on the following:

- Construction will begin on South Hudson June 11, 2018 through June 12, 2018 weather permitting. The road will be closed between Grand River and Main. Traffic will be diverted to Jackson back to

Main and there will be a temporary four way stop at Jackson and Main and this will be a 2 day phase. Once complete, the County will start north of main and finish to the north city limits. Traffic will be open during this phase.

- Final Phase of the N. Broadway Street resurfacing should be complete this week.

9. **APPOINTMENTS.**

None.

10. **COUNCIL COMMENTS.**

Councilmember Phillips thanked City Manager Michael Burns for providing the walkability study with Dan Burdon. He thought it was great and will never look at the city the same. Also, he hopes everyone has a great week.

Mayor DeVore stated that himself, Greg Canfield, Jim Salzwedel, Marty Chambers and Mike Burns all walked in the Memorial Day parade and noted the ceremony at the cemetery. Sizzlin' Summer Concerts start Thursday, June 14, 2018.

IT WAS MOVED BY SALZWEDEL and seconded by PHILLIPS to go into a closed session at 7:40 p.m.

YES: 4. NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

IT WAS MOVED BY DEVORE and seconded by CANFIELD to come out of closed session @ 7:56.

YES: 4. NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

IT WAS MOVED BY DEVORE and seconded by PHILLIPS to execute the negotiation agreement with the Lowell Police Department.

YES: 4. NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by PHILLIPS to adjourn at 7:56 p.m.

YES: 4. NO: None. ABSENT: Councilmember Chambers. MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk