

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, DECEMBER 17, 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, Marty Chambers, Cliff Yankovich, Jim Salzwedel, and Mayor DeVore.

Absent: None.

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

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

- Approval of the Agenda.
- Approve and place on file the City Council/Parks and Recreation Commission Joint Meeting minutes and the Regular Minutes of the December 3, 2018 City Council meeting.
- Approve and place on file the City Council Minutes of the Special December 8, 2018 City Council Meeting.
- Authorize payment of invoices in the amount of \$142,995.03.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to approve the consent agenda as written.  
YES: Councilmember Canfield, Mayor Devore, Councilmember Salzwedel, and Councilmember Yankovich and Councilmember Chambers.

NO: None.

ABSENT: None.

MOTION CARRIED.

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

Perry Beachum who resides at 924 Riverside spoke regarding a Senate bill that passed which states that you must slow down to 10 miles under the posted speed limit when passing police, emergency vehicles, utility vehicles such a Lowell Light & Power trucks and DPW trucks that are stopped on the side of the road.

Christine Baird who resides in Lowell Michigan stated she is willing to help with the marijuana dispensaries.

4. **OLD BUSINESS.**

a. Saw Grant

City Manager Michael Burns stated for the past few years, Prein and Newhof has been working on the City's behalf in developing a Stormwater Asset Management plan. Prein & Newhof is at the beginning stages of presenting their findings and giving you information to formulate your plan which includes a plan to implement.

Burns then introduced Brian Vilmont with Prein & Newhof who showed a power point regarding all the data they have been collecting for the past two years such as location of what the City has and where, condition assessments and rating all those systems.

b. City Income Tax.

City Manager Michael Burns stated earlier in the year, the City Council approved a study with Great Lakes Economic Consulting pertaining to a consideration of a City Income Tax. For the past three months, they have been researching data to determine an estimated amount if the City were to consider a City Income Tax.

The Council discussed at length and Burns stated he will bring more information forward as it comes.

c. 2560 Bowes Road.

City Manager Michael Burns stated on October 19, 2018, the City opened two bids for the purchase of the 2560 Bowes Road property. During the bidding process, we set a minimum price of \$20,000 for the land based on the valuation from the Assessor.

The two bids are from the following:

- Lowell Charter Township - \$20,550
- Vergennes Broadband - \$20,000

Last summer, Vergennes Broadband discussed what they liked to do with the property. At the time, the Council was supportive of the endeavor as it would make the property taxable and provide a small amount of new revenue to the City.

During this process, Burns was contacted by Lowell Township on their interest in the property as it is adjacent to the new park and would be a tremendous benefit to them.

Burns agreed both entities have a great idea for the use of the .4 acre parcel and the community will benefit from either endeavor. The issue for the City is while the township is the higher bidder, this will become tax-exempt property. Whereby Vergennes Broadband is a for profit company and will pay property tax.

After the bids came in, Burns exchanged communications with Jerry Hale from Lowell Township and Stephanie and Ryan Peel from Vergennes Broadband. They offered a cooperative option to move forward. The township would move forward with purchasing the land and carve out a portion of it for Vergennes Broadband's needs. Since they do not need the entire parcel of property, the Township can use it for their gateway along Bowes Road and place some utility items there, mainly for a sprinkler system. Since you cannot use public property for a private purpose, the portion of land Vergennes Broadband would use, would become taxable and they would be responsible for the taxes.

Burns continued, at our November 5, 2018 City Council meeting, Resolution 33-18 was introduced to the City Council pertaining to the sale of 2560 Bowes. Per the section 13-3 of the City Charter, this resolution needs to sit for public inspection for 20 days before the City Council can approve it. This stipulation has been met. This resolution would also require four affirmative votes of City Council members.

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to approve Resolution 33-18 to enter into an agreement with Lowell Township to sell 2560 Bowes at a cost not to exceed \$20,555 contingent upon

them entering into a lease agreement with Vergennes Broadband and the agreement not to detach the property from the City.

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

NO: None.

ABSENT: None.

MOTION CARRIED

**5. NEW BUSINESS.**

There was none.

**5. BOARD/COMMISSION REPORTS.**

Councilmember Canfield stated that at the Parks and Recreation meeting, Mike Minier and Courtney Randson from Lowell Little League had attended and discussed their interest in developing some ball fields near the intersection of Forman and Alden Nash where the league owns 18 acres and the potential that it has to bring in tournaments to town as well as business to the City. Also, the trail connector through the City of Lowell, was not 100% ready and at the State's suggestion, we withdrew our MDNR Grant request and will reapply in the spring but we are still moving forward with donors and have good news there.

Councilmember Chambers stated the Planning Commission meeting was cancelled for December 10, 2018. Light and Power Board approved new radios for their trucks and also the purchase of a fire suppression system for the turbines at the generation plant which will improve safety.

Councilmember Salzwedel stated the LCTV Endowment Board met December 5, 2018 and all requests need to be turned in by February 8, 2019 at 5:00 p.m. to the City Hall. There is a little over \$105,000 in funds to request and by February 26, 2019, it will be determined to whom the funds are awarded.

Mayor DeVore stated the Downtown Development Authority meeting was cancelled in December. The Fire Authority met and are having a lot of discussion about full time staffing and will be presenting to the City and the Townships soon. The new truck is scheduled for delivery in February.

**6. MONTHLY REPORTS.**

There were none.

**7. MANAGER'S REPORT.**

City Manager Mike Burns reported on the following:

- Welcome Cliff Yankovich to City Council, look forward to working with him and his great ideas for the community.
- Welcome the Lowell Boy Scouts who are here tonight working on their merit badges.
- On New Year's Eve, City Hall will close at 2:00 after discussing with the Councilmembers.
- Michael Burns will be on vacation December 22 through January 2.

- Council and Showboat committee met, also went to Lansing during Lame Duck, new senator will work with us to keep our grant money for the Showboat project.
- Several calls from residents regarding Proposal 1 and not opting out. We are waiting on LARA regulations to know how to move forward and we will address this topic at the Committee of the Whole meeting on January 22, 2019 at 5:30 p.m.

8. **APPOINTMENTS.**

Board of Review appointments are taken care of.  
Downtown Development Authority has 3 vacancies and two applicants.  
Historic Commission have heard nothing on.  
Construction Board of Appeals has no applicants at this time.

9. **COUNCIL COMMENTS.**

Councilmember Canfield welcomed Cliff Yankovich aboard, stated Cliff has been a great cheerleader for the community for a long time and thanked him for stepping up and doing this.

Councilmember Chambers welcomed Cliff Yankovich and thanked Brian Vilmont.

Councilmember Yankovich stated he was happy to be here and would do his best to get up to speed quickly.

Councilmember Salzwedel welcomed Cliff Yankovich and wished everyone a safe and Happy Holiday.

Mayor DeVore stated he was super excited to have Cliff Yankovich on board and Happy Holidays to everyone.

10. **MOTION TO GO INTO CLOSED SESSION.**

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to go into closed session @ 8:08p.m.

YES: Councilmember Yankovich, Councilmember Chambers, Councilmember Canfield, Mayor Devore and Councilmember Salzwedel.

NO: None. ABSENT: None. MOTION CARRIED.

11. **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by CHAMBERS to adjourn at 9:00 p.m.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Susan Ullery, City Clerk