

**PROCEEDINGS  
OF  
CITY COUNCIL MEETING  
OF THE  
CITY OF LOWELL  
MONDAY, OCTOBER 18 2021, 7:00 P.M.**

1. **CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL.**

The Regular Meeting was called to order at 7:00 p.m. by Mayor DeVore and City Clerk Sue Ullery called roll.

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

Absent: None.

Also Present: City Clerk Susan Ullery, DPW Director Dan Czarnecki, Chief of Police Chris Hurst and City Attorney Jessica Wood.

2. **CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the October 4, 2021, Regular City Council meeting and the October 11, 2021, Special City Council meeting.
- Authorize payment of invoices in the amount of \$139,869.84.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

Dick Johnson who resides at 1575 Sibley thanked Lowell Light & Power for coming out and helping to restore his lawn and the right of way after the utility company tore it up.

4. **OLD BUSINESS.**

a. **Lowell Township Water and Sewer Agreements.**

City Manager Michael Burns spoke about the productive meeting they had on September 22, 2021, gave a summary sheet and discussed an expansion.

City Attorney Jessica Wood then discussed the City proposing a 425 to Lowell Township and whether they in turn, would propose an authority, and recommended putting all of this in writing and then meet with the Township to discuss.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to direct City Attorney Jessica Wood to prepare a proposal consistent with the said discussion and for the Lowell Townships consideration.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Small Urban Project – Monroe.

DPW Director Dan Czarnecki discussed the grade inspection that the City participated in with MDOT for the Monroe Street Project. There are some items that the City needs to complete in order to have the project go out for bid. While we intend to finance this project through the USDA Rural Development Program, the entire project (water and sewer improvements) must go through the MDOT processes as the Small Urban portion of this project (\$375,000) is funded by MDOT.

IT WAS MOVED BY CHAMBERS and seconded by YANKOVICH to direct staff to begin process of transferring funds to a street only project and an agreement with MDOT.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Downtown Liquor License Rio Plano Taquiera, - Resolution 19-21.

City Manager Michael Burns read memo stating at our June 21, 2021 City Council Meeting, the City Council approved Resolution 10-21 to allow for a Downtown Redevelopment Liquor License at 101 W. Main (Rio Plano Taquiera). Since that time, the approved resolution was sent to the Michigan Liquor Control Commission and they asked for some modifications to the resolution by the local governing body for approval. City Attorney Jessica Wood, reviewed these and made the requested modifications as presented.

IT WAS MOVED BY SALZWEDEL and seconded by GROVES that the Lowell City Council approve Resolution 19-21 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

5. NEW BUSINESS.

a. Residential Water Service Rules – Resolution 17-21.

DPW Director Dan Czarnecki read his memo discussing the need to update the Residential Water Service Rules and have them in line with City Ordinance Chapter 25.

Councilmember Salzwedel requested to see a red-lined copy of the changes.

Greg Canfield, owner of Canfield Plumbing, spoke about his concern with these rules which may cost cause home owners a much higher expense in repair costs. He referred to a couple instances that occurred recently.

Canfield requested a red-lined copy as well.

Yankovich asked if there was some type of a compromise that could be made.

Council discussed at length. Council all agreed to table this until they had further information.

IT WAS MOVED BY DEVORE and seconded by GROVES to table the approval of Resolution 17-21 until more information is obtained and discussed.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. 2022 Mowing Contract.

DPW Director Dan Czarnecki read his memo stating for the past nine years, Manszewski Landscaping has been performing a wide range of mowing and trimming duties for the City of Lowell. Manszewski has asked to extend the current contract for one additional year. Manszewski has also ask for an increase for the 2022 mowing season to cover their increased expenses due to rising fuel costs and small business tax increase.

Councilmember Salzwedel recommended we consider an RFP for 2023.

IT WAS MOVED BY GROVES and seconded by SALZWEDEL that the Lowell City Council approve the quote to extend the mowing contract with Manszewski Landscaping, Lake Odessa, as outlined in the letter received October 1, 2021, for a cost of \$41,000. for the mowing season of 2022.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Refinancing City Hall Bonds – Resolution 18-21.

City Manager Michael Burns read his memo stating recently, he asked our financial advisor Warren Creamer from B.W. Baird to analyze the impact if we were to finance the bond for City Hall. If we were to finance this, it would provide a savings of \$217,974.07 over ten years remaining of the bond.

We did this on the Monroe/Washington project as well. City Attorney Jessica Wood has prepared Resolution 18-31 to begin the 45-day notification for financing.

City Attorney Jessica Wood then explained the process.

IT WAS MOVED BY YANKOVICH and seconded by DEVORE that the Lowell City Council approve Resolution 18-21 to begin the 45-day notification process to refinance the bond for City Hall.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Wastewater Treatment Plant Maintenance.

Brian VanderMeulen from the Wastewater Treatment Plan explained they have funds budgeted to replace some miscellaneous steel at the Wastewater Treatment Plan. Also to replace turn buckles on the clarifier scraper arms. We would then replace the scraper fasteners on the clarifiers. We received quotes from three firms for these.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS that Lowell City Council approve for Franklin Holwerda Company (Wyoming) to complete the work at a cost not to exceed \$9,450.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. BOARD/COMMISSION REPORTS.

Councilmember Groves attended the Chamber of Commerce meeting, they are working on Showboat items such as the 501c3 and the board. Also, Chamber is already preparing for Christmas. "Christmas Night" will be held December 10, 2021.

Mayor DeVore attended Planning Commission for Councilmember Chambers. Denial for the marijuana establishment at the former Roll Away and Commissioners made a formal motion to deny the application. The application for 2335 W Main was tabled for more information regarding sewer. Galaxy sign will need to work with MDOT on curb cuts. Also attended Fire Authority and they will have a new engine next year in June.

Councilmember Salzwedel attended the LL&P Board, they had their annual audit and came out with an A+ rating. Questions came up regarding the marijuana facilities that are coming in town and taking up so much water, is this going to be a problem/expense, can we support that? We need to discuss. Attended Showboat meeting last week and we have 3 new board members, so we now have our 7 board members. Will have our first meeting October 27, 2021. Early December we have our LCTV Fund first meeting.

Councilmember Yankovich attended the LARA trails meeting, it was fully funded now but now will need to fund maintaining the LARA portion. Will run a campaign for that. Bathrooms on the Riverwalk will be complete in three weeks.

7. **BUDGET REPORT.**

City Manager Michael Burn stated the only thing to report is they had to use our full contingency for the roof issue in the bathroom at City Hall and of course the library situation that was discussed last month. We have had a number of I.T. issues, hopefully they are all resolved.

8. **MANAGER'S REPORT.**

- Met with MDO'T representative and they will do another study at Main/Hudson for a left hand turn signal in about 6 weeks
- was asked whether our city could have Street performers such as musicians, magicians and dancers, found nothing in our ordinances that technically restricted this, they would need to sign a waiver of liability.
- Going to keep the Social District, firepits will be only for special events.
- Three weeks till the restrooms on the Riverwalk are complete.

9. **APPOINTMENTS.**

There were none.

10. **COUNCIL COMMENTS**

Councilmember Chambers stated “girl’s night out” was a huge success, thanks to Chief Hurst for working that night and being part of it.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALWEDEL and seconded by CHAMBERS to adjourn at 8:17 p.m.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Sue Ullery, Lowell City Clerk