

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, JUNE 20, 2022, 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 and Clerk Susan Ullery called roll.

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

Absent: None.

Present: City Manager Michael Burns, Chief of Police Chris Hurst, Clerk Susan Ullery, DPW Director Dan Czarnecki, Lowell Light & Power Charlie West, and City Attorney Jessica Wood, City Treasurer Sue Olin.

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

- Approval of the Agenda as amended.
- Approve and place on file the minutes of the June 06, 2022 regular meeting and closed session meeting.
- PROTEC Membership
- Authorize payment of invoices for \$66,554.17.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve the consent agenda as amended adding item F under new business.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

There were no comments.

4. **OLD BUSINESS**

a. **Line Shack RFP**

City Manager Michael Burn provided a Step-Sheet to the Renewed Line Shack RFP and went over the details as well as a full schedule (using scheduled meetings). Burns stated the Request for Proposals for the Purchase and Development of City of Lowell owned property located at 115 Riverside Drive is basically the same.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that Lowell City Council approve the publishing of the RFP for the Line Shack and the schedule.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Lease with Lowell Rotary.

City Manager Michael Burns read his memo stating the Cities lease with the Lowell Rotary Club will expire on June 30, 2022. The Lowell Rotary Club has informed me they would like to continue their lease for another three year term. Rotary will continue to pay a weekly rental of \$75 payable quarterly in advance at the beginning of each calendar quarter based on the number of weeks during the quarter the Council Chambers is used for their meetings. The proposed lease would begin July 1, 2022 and expire on June 30, 2025.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve Resolution 17-22 to renew a lease agreement with the Lowell Rotary Club as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Budget Amendments.

City Manager Michael Burns provided Resolution 18-22 to approve the budget amendments for the current fiscal year along with a spreadsheet identifying all of the adjustments with an explanation as to the need for the adjustment.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS that the Lowell City Council approve Resolution 18-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Additional Street Improvements.

City Manager Michael Burns read his memo stating the bid to repave Valley Vista, Faith, Heffron and Roberta Jayne came in much less than estimated. In addition, the proceeds from our Marijuana Excise Tax were much higher than anticipated. All of these proceeds are going to street improvements, Dan Czarnecki and I asked Williams & Works to request pricing from Youngston Construction, to pave the following additional areas.

- N. West St. from Heffron St. to the north (approximately 275 ft)

- Church St from Main St. to Sibley St. (approximately 570 ft)
- Elizabeth Dean Dr. from Faith Dr. to Carol Lynne Dr. (approximately 235 ft)

We received an estimate of \$173,923.13 to repave all three streets. All three segments have low PASER rating. We have approximately \$106,000 budgeted for Faith, Heffron and Roberta Jayne (DDA is funding Valley Vista) which would be unspent this year and this would add \$68,000 in expenditures to the upcoming capital outlay expense in the Local Street Fund.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council add N. West St., Church St. and Elizabeth Dean Drive to the 2022 Street Improvement Plan at a cost not to exceed \$173,923.13.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

5. **NEW BUSINESS**

a. 605 Grindle.

City Manager Michael Burns read his memo stating Kent County recently notified the City Treasurer's Office that the residence was foreclosed on at 605 Grindle for non-payment of 2019 property taxes. As a result of this the City is given a first right of refusal on whether we would like to purchase the property but must notify them before the first Tuesday in July. I do not believe we are in a situation where we need to consider creating an NSP program. I don't see the need for the City to purchase the house, renovate it and resell it out on the market.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL that the Lowell City Council opt out from purchasing the property at 605 Grindle.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Industrial Development District – Attwood – Public Hearing.

Mayor Devore opened the Public Hearing.

City Manager Michael Burns received a request from Attwood Corporation to consider an Industrial Development District at their facility at 1016 N. Monroe. An Industrial Development District must be formed in the event an Industrial Tax Credit (IFTC) would be filed at the site. The property is not in the Downtown Development Authority district. We have not received an application for an Industrial Facility Tax Credit at this time. As a result, I have no information regarding any improvements that would further consider at the time if they chose to do so. In the event Attwood chooses to move forward with submitting one, this creation allows us to do so more expeditiously.

Spencer Donahue presented on behalf of Attwood of their intent for the future.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that the Lowell City Council approve Resolution 19-22 for Attwood at 1016 N. Monroe to establish an Industrial Development District as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

Mayor DeVore closed the Public Hearing.

c. Industrial Facility Tax Credit – King Milling – Public Hearing.

Mayor DeVore opened the Public Hearing.

City Manager Michael Burns read his memo stating the City received an Industrial Facility Tax (IFTC) application for the construction of two additions totaling 10,790 sq. ft. at 139 S. Broadway (King Milling). The proposed plan is to construct an additional mill and a loading facility for the mill. An Industrial Development District for this parcel was created at the January 22, 2019 City Council Meeting. King Milling has received IFTC's in the past. The proposed investment is \$42,500,000 in improvements. The largest investment ever in the City of Lowell to my knowledge. King Milling meets the legal requirements to be considered for the IFTC. This project's revenue would be captured by the Downtown Development Authority and would not have a negative impact to the tax base. However, the DDA would only capture 50% of the new taxable value of this project (except schools) during the abatement period.

Councilmember Yankovich would like a review in a couple of years by City Administration.

Mayor DeVore closed the public hearing.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve Resolution 20-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. 2531 W. Main – Rezoning Request.

City Manager Michael Burns read his memo stating at the meeting of May 9, 2022, the Planning Commission reviewed a request by Ms. Cassandra Lippert of Scooters Coffee regarding the rezoning of property located at 2531 West Main Street from I-1, Industrial District to C-3, General Business. The proposed use on the parcel is a drive-thru Scooter's Coffee Shop.

Councilmember Chambers stated that the Planning Commission approved this but didn't review the site plan because of a needed easement.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council accept

the recommendation from the Planning Commission and approve this zoning map amendment, Ordinance 22-03.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Employee Agreement – Michael Burns.

City Attorney Jessica Wood summarized the updated agreement for the City Manager Michael Burns.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to approve the City Manager agreement as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

f. Security Cameras.

City Manager Michael Burns stated that with the recent vandalism at Stoney Lake Park, we have looked at installing surveillance cameras around restrooms at Stoney Lakeside and Creekside Park. Entrance Technologies quotes us for both parks for the cost and installation at \$9174. There will be no monthly service agreement and they will donate two maintenance visits to ensure the system is working and will include firmware updates, lens cleaning and any adjustment during the visits. If approved, we can have the system installed in two weeks.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS that the Lowell City Council approve Entrance Technologies to install cameras at Stoney Lake Park and Creekside Park at a cost not to exceed \$9,174.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Yankovich stated the HDC received \$50,000. Also, thank you to Dave Austin who walked through the trails with him, it was very informative.

Councilmember Salzwedel stated the Lowell Light & Power Board met, they continue to amaze him with all the things they do for the community. They moved the meetings down to the Chatum facility now.

Councilmember Chambers stated at the last Planning Commission meeting we approved King Millings new structures and Scooters Drive Thru Coffee will be coming back for approval in the future as well.

Councilmember Groves stated at the Chambers meeting they are still working through the job postings.

Park and Rec meets tomorrow.

Mayor DeVore stated Fire Authority was last week and Chief Witherell promoted our first full-time fire fighter in department history. Brenda Herron and she is fantastic and does so much down there. The new engine is set for delivery late August, very excited!

7. **BUDGET REPORT.**

Nothing new to report.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- WTP – Normally during the summer months, we have some issues because a lot of water is pumped because of the warmer weather. As the Township continues to grow quite expeditiously, we had over the weekend two average days where we had 680,000 gallons per day sent to Lowell Township. Our tank that goes to Lowell Township holds 500,000 gallons. And if you were to run the plant 24 hours a day, the maximum would be 840,000 gallons a day. We reached out to the Township about our concern and we are going to place and even/odd day water restriction for watering for the Township and the City until further notice.
- Vandalism issues - we had two suspects come into the Police Station and confess to the graffiti portion but they had no involvement in the restroom vandalism. We are looking at some suspects.
- HVAC Unit will be replaced in September or October 2022. Had to have an emergency fix that cost \$9000.
- Promoted Jesalyn Heard to a full-time police officer.
- Will be filling the cemetery position August 31 to Todd Lindeman.
- Darren Dockery will go into the maintenance position for the DPW..

9. **APPOINTMENTS.**

There are no new appointments.

10. **COUNCIL COMMENTS.**

Councilmember Chambers stated he has been approached by people who had gas lines put in and there yards were tore up and left a mess and it needs to be addressed.

Councilmember Salzwedel attended the Sizzlin' Summer Concert on Thursday and had a great time. The Riverwalk Festival is coming up soon and they could really use some volunteers to work if anyone could help out, please contact Liz at the Chamber. Showboat Committee meeting is tomorrow and we will be discussing paint chipping as well as replacing the pump on the chiller.

Councilmember Yankovich stated he just spent 6 days out west and we have no problems with water

compared to what is going on out west.

Mayor DeVore stated the dates for the Riverwalk Festival are July 8, 9 & 10, 2022.

11 **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by YANKOVICH to adjourn at 8:11 p.m.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Sue Ullery, Lowell City Clerk