

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, AUGUST 01, 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 Treasurer Susan Olin called roll.

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

Absent: Councilmember Cliff Yankovich.

Present: Treasurer Susan Olin, DPW Director Dan Czarnecki, City Manager Michael Burns and City Attorney Jessica Wood.

2. **EXCUSE OF ABSENCE.**

IT WAS MOVED BY GROVES and seconded by SALZWEDEL to excuse the absence of Councilmember Cliff Yankovich.

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

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

- Approval of the Agenda.
- Approve and place on file the minutes of the July 18, 2022 regular meeting, and the minutes of the July 25, 2022 Special meeting.
- Authorize payment of invoices for \$363,012.48.

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

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

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

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

There were none.

5. **OLD BUSINESS**

a. **New Union Parking Lot.**

City Manager Michael Burns stated he was asked to provide an update to the parking lot situation at New Union Brewery. Burns explained the correspondence back and forth. The owner of New Union

explained he is a tenant of the building and doesn't own it. The owner does not want to make a parking lot there. Council explained the City ordinance pertains whether you rent or own and they feel they have been more than generous in waiting and giving extensions and it now needs to be addressed. City Attorney Jessica Wood suggested the City Manager enforce the current site plan that is in place and if they don't take action, it could get to the point of permissions being revoked by the Planning Commission.

Perry Beecham who resides at 924 Riverside stated there are two parking lots that the City owns that are also not paved, so what is for one should be the same for others.

Attorney Jessica Wood stated we don't know the factual circumstances surrounded the City owned parking lot examples just discussed so we can't make a comparison between the situations.

b. 115 Riverside Dr.

City Manager Michael Burns stated last Monday, July 25, 2022, at the Special Meeting, he was directed to prepare a Resolution to move forward with Copperrock Construction purchasing 115 Riverside Dr., the Line Shack Building. The Resolution was certified and must sit for 20 days in the City Clerk's office before Council can take action on it. When you take action on it, you must have four votes in the affirmative. Our next Council meeting, Monday, August 15, 2022 will be the date we can take action on it. Williams & Works will be getting to you a 3-D modeling of what the six story building would look like. Anything beyond the 40 foot height maximum in the C-3 district would require a variance.

Treasurer Sue Olin read into record a letter from Tonia North, owner of North Star Antiques stating she is not in favor of the way the Line Shack building was sold and that Copperrock is talking about building a six story building on the water that she would not be in favor of.

Treasurer Sue Olin read into record a letter from Eric Bartkus who resides at 215 W. Main stating he is not in favor of the sale of the Line Shack building being sold to Copperrock.

Perry Beecham who resides at 924 Riverside Dr. explained his concern about the parking in the City with the Line Shack Building purchase going to Copperrock.

Beryl Bartkus who resides at 215 W. Main stated they bid on the Line Shack building as well, does not believe there was very much information on the Copperrock proposal or any of the others for the public to view. Feels like it was a very quick decision and is very concerned about City parking as well as a six story building, it will be out of place in this quaint small town.

Joelle Miller who resides at 1751 Riverside spoke not in favor of the Copperrock proposal as parking is already hard to find. Wants to keep the small town feel.

LL&P General Manager Charlie West spoke to clarify that Lowell Light & Power is selling the building because they no longer have any use for the building. LL&P is supportive of what is best for the community and the residents of Lowell.

Bill Wheeler who resides at 2547 Emery and owns the CPA office building at 103 Riverside. Six story building would be grotesque. Parking is his main concern and it already is a real problem. Not in favor of Copperrock proposal.

Ritzema who resides at 525 N Hudson spoke not in favor of Copperrock proposal and is also

concerned about parking and that a six story building and questioned if the infrastructure hold that.

Lisa Reed who resides at 1521 Howard asks what does the community need? Seafood, a place to dance, not a high density housing six story building. Not in favor of the Copperrock proposal.

Elizabeth Sparks who resides at 257 Donna Drive questioned why turn down Greg Canfield's cash offer and accept a total stranger who has done nothing for this community. What is it going to do to our water supply, parking, not to mention the six story building would not fit that small parcel very well. Not in favor of Copperrock proposal.

Eric Bartkus spoke representing his neighbor Dominick Santoro who resides at 213 W Main, is very much against the Copperrock proposal. Sent a letter to City hall last week to be read into record.

David Reed who resides at 521 Howard spoke not in favor of the Copperrock proposal. Feels we will be the laughing stock if we have this big six story building in the City blocking views and lack of parking. Also concerned with the city paying for Williams & Works to pay for drawings of the Copperrock proposal.

Matthew Hall representing Copperrock explained they want to build something that makes the City and its residents happy. They are aware that it is a challenging site and they will work to make it look good for the City aesthetically with flexibility. Hall is building a home here so it will be his community and he has been looking at the building to do something with it for a long time.

Dean Rosendall, President of Copperrock stated he wants to be good neighbors. Doesn't love high density buildings, but it helps keep the price point down. As cities progress, parking can be a mess and they are the ones at risk if they build something that isn't wanted. We are not bad guys, flexible with how many stories and plans for site, want it to be a blend of apartments and condos. City is not paying for Williams & Works plans.

Greg Taylor with Copperrock Construction, stated he is new to Copperrock and is excited about all the projects in Lowell. Currently the company is doing three projects in Lowell. He grew up in a small town so he is sensitive to the residents' concerns. Intends to bring the best to the project in Lowell.

6. **NEW BUSINESS**

a. **Sanitary Sewer Repairs.**

DPW Director Dan Czarnecki read his memo stating in mid-April, we were informed of a sinkhole that had developed behind King Milling building at 149 Broadway St. The sinkhole was between the sidewalk and the access drive. The DPW investigated the situation. Through the investigation process we found several manholes (storm sewer and sanitary sewer) that were buried under the new asphalt. We were able to raise the manholes to grade for access into the sewer systems. During the investigation, we found the sinkhole was caused by a damaged sanitary sewer pipe. The sewer pipe was found to be cracked and appeared to be allowing water and dirt to enter into the pipe, causing the ground above to sink. We propose to repair this 15-inch sanitary sewer pipe by way of cured-in-place process. Plummer's Environmental Services assisted us with the original investigation of the sewer lines and is knowledgeable of the situation. They have provided us a quote of \$7,640 to make the repairs. We tried to contact another company but did not get back a quote.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS that the Lowell City Council approve the King Milling area sanitary sewer repair quote from Plummer's Environmental Services, Inc., Byron Center, as proposed in their quote dated July 8, 2022, for \$7,640.

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

NO: None.

ABSENT: Councilmember Chambers.

MOTION CARRIED.

b. Upgrade the AXON Body Worn Cameras.

Chief Chris Hurst read his memo requesting the Lowell Police Department replace their four AXON Body Camera 2, and purchase four AXON Body Camera 3, Evidence.com, AXON Signal Products, and the TAP program. Total Cost from AXON is \$34,455.44, paid in annual installments of \$6,891.09 through September of 2026.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS to approve the Lowell City Police Department purchase the AXON package above, with the total cost of \$34,455.44, paid in annual installments of \$6,891.09 through September of 2026.

7. **BOARD/COMMISSION REPORTS.**

Nothing new to report.

8. **BUDGET REPORT.**

Nothing new to report.

9. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- Street projects began last week, to start, they will be working on Heffron, Roberta Jean, Faith Dr. and Donna. Next week they will start on Church Street and Valley Vista during the morning hours.
- Getting daily data from the waterplant, for the month of July, we have pretty good numbers. Still moving forward on plant expansion plans.
- USDA projects – number of issues we have to sort out. Bids will go out for that this fall. Met with USDA last Friday along with City Attorney Jessica Wood.
- Had some code enforcements in town last week, but all are now resolved and in compliance.

10. **APPOINTMENTS.**

There are no new appointments.

11. **COUNCIL COMMENTS.**

Councilmember Chambers attended the Fallsburg Festival. It was well attended; fun to be a part of. Cliff Yankovich was the MC and did a wonderful job.

Councilmember Groves stated a few residents have complained about a commercial by the Chamber that is lacking diversity. The Chamber is aware and will be working on this, as they move forward.

Councilmember Salzwedel reminded everyone to vote tomorrow.

12. **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by CHAMBERS to adjourn at 8:14 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk