

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
MONDAY, NOVEMBER 7, 2022, 7:00 P.M.**

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

Mayor DeVore called the Meeting to order at 7:00 p.m. and City Treasurer Sue Olin called roll.

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

Absent: None.

Present: City Treasurer Sue Olin, DPW Director Dan Czarnecki, City Attorney Jessica Wood, and Chief of Police Chris Hurst.

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

- Approval of the Agenda.
- Approve and place on file the minutes of the November 7, 2022 Joint Water Advisory Committee Meeting, Special City Council and Lowell Light and Power Meeting and the Regular Session City Council Meeting.
- Authorize payment of invoices for \$243,708.93.

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

YES: Councilmember Groves, Mayor Devore, Councilmember Chambers, Councilmember Yankovich, 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. 115 Riverside Drive – Resolution 31-22.

City Manager Michael Burns read his memo stating 20 days has passed and it was time to vote on Resolution 31-22.

Daniel Crawford spoke on behalf of the Lowell Light & Power Board to clarify and define their recommendations for the RFP on the Lineshack Building. To start, they acknowledge and understand that City Council has additional considerations for this property and they are supportive of the decision making process. With that said, he wanted to affirm the top recommendation of the sale

under the current RFP process. Moving the building off its cost of utilities and insurance, both its cost and its actual liability is a high priority of the utility. Further, a timely sale would provide all involved an opportunity to focus on other business. Both the timeliness and the amount of funds expected to be received from the sale would directly impact our ability to provide an affordable rate to the communities we serve. Our secondary recommendation of moving the property to the highest bidder, we believe would help the utility best accomplish those goals.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL that Lowell City Council approve Resolution 31-22 as written.

YES: Mayor DeVore, Councilmember Salzwedel,

NO: Councilmember Groves. RECUSE: Councilmember Yankovich. ABSENT: None.

At this time, City Attorney Jessica Wood wanted to research whether the Recuse was applicable and stated that Council continue with the rest of the agenda and then revisit Resolution 31-22 at the end..

b. West Michigan Health Insurance Pool – Resolution 33-22.

City Manager Michael Burns read his memo.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to approve Resolution 33-22 as written.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Kent County Youth Fair..

City Manager Michael Burns introduced Bill Zaski from the Kent County Youth Fair who then spoke and asked City Council to consider an extension for one more year to the lease that expires in 2023.

Perry Beachum who resides at 924 Riverside Drive stated he doesn't have an issue with them taking longer to remove things, but Council should consider typing up a new contract to make sure its just for removing their property, and not for use of or lack of other residents or City's use of.

Board discussed a length, there was no motion to extend the contract based on what was presented today, however, Council would like an inventory done on the fairgrounds by the first of the year and if needed will revisit the possibility of an extension again in the spring.

d. Joint Water Advisory Committee Update.

City Manager Michael Burns gave an update stating they had their first meeting on October 17, 2022, with Lowell Township and at that meeting we took the direction that was given to us. We told the township that we recognize that there is a need to expand the facility, due to the growth in the township, but the growth in the city does not cause any future expansion need of the facility. We told them we are interested in helping them in any way that we can, with whatever grant funding that is out there, in fact, we have already applied our notice of intent for the drinking water revolving fund for funding for the plant expansion for both, the water plant and the wastewater plant as well. We did tell

them that if there was any need for expansion of the facility, the city rate payer would not be involved, because the city ratepayer does not need an expansion of the facility. If they wish to seek other means to provide their water, we would release them from the agreement. There was not much of a response from them at that time, they did say they were going to take it back to their board and discuss it. We are meeting again, Monday, November 28, 2022. We did discuss an authority board and that the City Council is not opposed to it but the representation would be based on some sort of the usage percentage.

5. **NEW BUSINESS**

a. John Deere Gator Replacement.

DPW Director Dan Czarnecki read his memo regarding purchase of a new John Deere Gator.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve the quote from GreenMark Equipment, LLC, Hastings Michigan, for the purchase of a new John Deere Gator XUV865R, plus v-plow, as outlined in their quote #26320079, for a total cost of \$36, 622.18.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

City Attorney Jessica Wood then went through explaining what a conflict of interest is and told Councilmember Yankovich that she didn't feel he had a conflict of interest for the recuse he had made on the vote for Resolution 31-22.

They then re-started the vote on Resolution 31-22.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL that Lowell City Council approve Resolution 31-22 as presented.

YES: Councilmember DeVore, Councilmember Salzwedel, Councilmember Chambers.

ABSTAINED: Councilmember Yankovich. NO: Councilmember Groves. ABSENT: None.

MOTION FAILED.

IT WAS MOVED BY SALZWEDEL and seconded by DEVORE to accept Todd Schaal's proposal for the RFP for \$130,000.

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

NO: Councilmember Yankovich.

ABSENT: None.

MOTION CARRIED.

Burns then added, the Draft Resolution for Schaal's RFP then starts tomorrow, and it will be 20 days before they can take action on it.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Salzwedel stated he has a couple meetings coming up, including the Lowell Showboat VI committee to discuss any changes. December 7, 2023 is the first LCTV meeting to give away some funds.

Councilmember Yankovich stated the Historic District Committee has some money, but no one is asking for it. We have a LOOK Foundation meeting this Wednesday and our docket is full.

DPW Director Dan Czarnecki stated last week MDOT gave notice to approve the project contract for Gee Drive. Tuesday we met with the Contractor and Wednesday, we notified all the residents that barricades were going to be put up. Weather permitting they will be done by Wednesday November 9, 2022.

7. **BUDGET REPORT.**

Nothing new to report.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- BLDI update, they did a sample of the neighbors' water east of the landfill and no perk found.
- Jason Diez was hired as road patrol deputy for the Muskegon County Sherriff's office, just wanted to congratulate him for that, I am happy for him.
- Thank you to New Union Brewery for paving the parking lot, it looks great!
- Moose property, we did get a report back, no materials migrated into the Grand River.
- Court on Wednesday Nov 10, 2022 for the 990 N Washington property, will have more info once that happens.
- Tomorrow is the election, NBC news is featuring City of Lowell at the polls in Kent County.

9. **APPOINTMENTS.**

None.

10. **COUNCIL COMMENTS.**

Councilmember Yankovich stated to the DPW congrats for making that Gator work as long as you did and that he appreciates you doing your homework and coming in under budget. Also he loves the enthusiasm of the City Staff.

Police Chief stated there is a delay on the police car coming and no idea on the timeframe.

Councilmember Chambers thanked Chief for the Challenge Coins and he would like to ask that they

change the 2 hour parking limit on Main Street to just “no overnight parking” on Main street. He is seeing it affect customers’ time spent in stores because of the 2 hour limit. Also, thank you to the DPW guys too, they are a lot of fun to be around.

Councilmember Groves stated tomorrow is Election Day, practice your right to vote.

Mayor DeVore thanked First Look because they have religiously posted every letter that has come through regarding the election.

11. **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by CHAMBERS to adjourn @ 7:49 p.m.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Sue Ullery, Lowell City Clerk