

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
TUESDAY, FEBRUARY 20, 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 Councilmember Mike DeVore and City Clerk Susan Ullery called roll.

Present: Councilmembers Greg Canfield, Marty Chambers, Jeff Phillips, Jim Salzwedel, and Mayor DeVore.

Absent: None.

Also Present: City Manager Michael Burns, DPW Director Rich LaBombard, Lowell Light & Power General Manager Steve Donkersloot, City Clerk Susan Ullery, and Police Chief Steve Bukala.

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

- Approval of the Agenda.
- Approve and place on file the February 5, 2018 Committee of the Whole meeting.
- Approve and place on file the regular minutes of the February 5, 2018 City Council meeting.
- Authorize payment of invoices in the amount of \$195,600.30.

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

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

Mike Larkin of 301 W. Main commented on the South Broadway project and asked when work was going to be done on North Broadway. Larkin also commented on the South Broadway project and asked why they are going to close the road. Assistant City Manager Rich LaBombard explained they were not going to abandon South Broadway.

Wastewater Plant Superintendent Mark Mundt stated he is retiring from his current position at the end of March and introduced Brian VanderMeulen as being the new superintendent of the plant and Cody Chambers who will replace Brian in his position. Mundt explained Chambers is the son of Marty and Laurie Chambers, is a Lowell resident, just lives out of town and is a life-long resident. Mundt stated they are happy to have Chambers aboard and he comes with wastewater licenses, water licenses, and industrial licenses. It is nice to be able to mine a nugget of gold right in our own community.

Jim Pfaller of 810 Bowes Road spoke in reference to City Attorney Dick Wendt retiring and challenged the City Council to seek proposals from municipal law firms.

Pfaller also spoke in reference to the proposed LARA Trail going down Bowes Road. He has a couple of concerns and has no intention of signing an easement. It is impacting everyone on the south side of Bowes Road. He suggested LARA have a meeting with everyone on Bowes Road, not just a couple of the residents.

Mark Mundt of 800 Bowes Road spoke in reference to the LARA Trail going down Bowes Road. Mundt stated that he and his wife's initial reaction was that they do not want the trail going down Bowes Road. Mundt stated they have 30 year old Red Bud trees and he would challenge anyone on the Council to find a more beautiful section of street in this town when the spring time comes. Mundt stated they are good citizens by keeping their place up and they are not interested in a 10-foot anything in front of their house, let alone blacktop. Mundt stated he did not want to give up any of his property.

Perry Beachum of 924 Riverside spoke in reference to putting public money into what essentially will become a private road. Beachum stated that even if the City keeps the right of way, but if it is closed except for parades and things like that, it would still be considered a private road. Beachum also stated that the Lowell wrestling team will be playing the quarter finals on Friday and they are going for five state championships in a row. If they win, they would play the semifinals on Saturday at noon. Beachum encouraged residents to support the team.

4. **OLD BUSINESS.**

a. Ordinances 18-01 and 18-02 – Zoning Ordinance Test Amendments—Tabled from previous meeting.

City Manager Mike Burns explained that at the February 5, 2018 meeting, the City Council reviewed the attached zoning ordinance amendments providing updates to Chapter 22—Administration and Enforcement and draft language to regulate short-term rentals as a special land use in the City. Both amendments were recommended for approval by the Planning Commission at their January 8, 2018 meeting.

Andy Moore of Williams and Works then explained the Ordinance in greater detail and answered any questions and concerns from the City Council.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to approve Ordinance 18-01 Zoning Ordinance amendments –Administration and Enforcement.

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

NO: None. ABSENT: 0. MOTION CARRIED.

IT WAS MOVED BY CHAMBERS and seconded by PHILLIPS to approve Ordinance 18-02 Zoning and Ordinance language to regulate short-term rentals as a special land use in the City.

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

NO: None. ABSENT: 0. MOTION CARRIED.

b. Public Hearing Resolution 06-18 – Parks and Recreation – 5-Year Plan.

City Manager Mike Burns explain that the Parks and Recreation Commission have been engaged in updating the Recreation Master Plan over the past year. They have sought public input on the plan and have provided a draft copy for the public to review and comments. The Parks and Recreation Commission have made a recommendation to the City Council in support of the updated plan as well and now, the final step in the process to update the City’s five-year Recreation Master Plan is to hold a public hearing followed by adoption of the plan.

The public hearing was then opened and Andy Moore of Williams and Works gave a brief description of the Recreation Master Plan.

There were no comments from the public and the public hearing was then closed.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to approve Resolution 06-18 and adopt the Recreation Master Plan for the period of 2018 through 2022.

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

NO: None. ABSENT: 0. MOTION CARRIED.

c. Revenue Generating Options for Infrastructure.

City Manager Mike Burns advised he gave a presentation at the last City Council Committee of the Whole meeting about certain options for generating revenue for infrastructure. Burns advised he wanted follow-up discussion to see what the Council’s thoughts were about the presentation and if they wanted to start researching these in greater detail.

Councilmember Canfield stated that he was unable to attend the presentation. He believed there are a lot of good things going on in Lowell right now. The City’s tax base is increasing, not as fast as we would like it, but it is increasing. Canfield then spoke about not being in favor of a city income tax right away, noting the City Manager is doing a good job with the budget. Canfield stated the City could maintain what we’re doing and not make drastic decisions that would be harder on our constituents.

City Manager Mike Burns stated the City is seeing some incremental increases. He noted the revenues of the new businesses Canfield mentioned went to the DDA. Burns stated it is going to take a long time to get the revenue for this infrastructure.

There was further discussion of the Council on revenue generating options for infrastructure.

It was the consensus of the Council for Burns to have a more formalized study done and then come back to the Council.

Mayor DeVore believed a formal study would help explain to the public what needs to be done to generate revenue for infrastructure.

5. **NEW BUSINESS.**

a. Regulator Station Easement for Consumer's Energy.

Lowell Light and Power General Manager Steve Donkersloot explained a regulatory station is the most cost-effective way, among numerous different options that have been explored for the past 6+ years, for Lowell Light and Power to have the natural gas supply to run both combustion turbines 24/7/365- a long-term goal and strategic objective of the Board.

Donkersloot explained the easement has been reviewed and approved by the Light and Power Board, staff, and the City Attorney.

IT WAS MOVED BY SALZWEDEL and seconded by PHILLIPS to approve the easement with Consumer's Energy for a natural gas regulator station.

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

NO: None. ABSENT: 0. MOTION CARRIED.

b. Temporary Working Agreement for Consumer's Energy.

General Manager Steve Donkersloot explained this is an agreement to work with Consumer's Energy and have them install the natural gas regulator station.

IT WAS MOVED BY CANFIELD and seconded by SALZWEDEL to approve the Temporary Working Agreement with Consumer's Energy to install a natural gas regulator station.

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

NO: None. ABSENT: 0. MOTION CARRIED.

c. LARA Trail.

City Manager Mike Burns explained that the Lowell Area Recreation Authority (LARA) board is currently finishing up final plans to submit to MDOT and DNR for grant funding for their trail. They just recently chose to utilize Bowes Road rather than through the Valley Vista subdivision as this was much easier for them and more palatable for the grant funding. The City Council also supported this decision.

What they would like to do is rather than run the entire portion of the trail straight on Bowes Road, they felt utilization of the trail through the park would enhance their funding capabilities for the grant. The plan would be to jog the trail toward the back of the park; towards the beach and back out to Bowes Road.

Unfortunately, time is of the essence as final concept must be submitted with DNR grants that are due in early March. This was presented to him the week of February 5, 2018 and while he would prefer a recommendation from the Park Board, they will not meet until mid-March. Waiting to do so would

impact the grant deadlines. He noted he would argue that designing the trail to go through the park is positive and enhances the park.

Understand that the layout of how the trail going through the park is not etched in stone, LARA would consider modifications to the trail if requested by the Board and Council, which we can do at a later date; however, LARA would like to add this concept to the grant application.

IT WAS MOVED BY CHAMBERS and seconded by CANFIELD to accept the request of the LARA board and allow for the trail to go through Stoney Lakeside Park.

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

NO: None. ABSENT: 0. MOTION CARRIED.

6. **BOARD/COMMISSION REPORTS.**

Councilmember Phillips advised the Historic District Commission approved the new signs at MI Hometown Furnishings and they extended the work deadline to March 1, 2018.

Councilmember Salzwedel advised he attended the Lowell Light and Power meeting on behalf of Councilmember Chambers. A gift basket is provided to all new customers and suggested other departments do something similar.

Salzwedel advised he has a LCTV meeting next week to discuss the grant applications and is looking forward to that meeting.

Councilmember Canfield advised he attended the LARA meeting. He had nothing further to add than what has already been discussed at this meeting.

Councilmember Chambers thanked Councilmember Salzwedel for covering the Light and Power meeting on his behalf. Chambers stated that the Planning Commission has been keeping Andy Moore busy amending sections of the ordinance.

Mayor DeVore stated that he was sick and didn't attend the Fire Authority meeting. The next Vision meeting will be held on March 20, 2018 at the superintendent's building.

7. **MONTHLY REPORTS.**

There were no comments.

8. **MANAGER'S REPORT.**

City Manager Mike Burns reported on the following:

- LEAD's intention to liquidate the assets at the Biodigester site.
- Flood watch and projected flooding.
- Government's budget.
- Welcomed Cody Chambers.
- Lew Bender will be here on March 7, 2018.
- Budget session on Saturday, April 28 at 10:00 a.m.
- Dan Burden will be here to conduct a walkability study on May 15, 2018.

9. **APPOINTMENTS.**

None.

10. **COUNCIL COMMENTS.**

Councilmember Phillips thanked all staff and departments for their hard work. Phillips thanked Mark Mundt and congratulated him on his retirement. Phillips also thanked Brian VanderMeulen and Cody Chambers and congratulated Cody and welcomed him to the City.

Councilmember Salzwedel felt the same as Phillips.

Councilmember Canfield stated the City is very spoiled by the DPW, police department and Lowell Light and Power. They responded to an accident where a pole had been hit and broken off. It was replaced without anyone losing power.

Councilmember Chambers congratulated Cody Chambers. Chambers stated that he has lived in this community for a long time and he is passionate about a lot of things that happen in the City. Chambers stated they have their business here, they own properties here and he and his wife go out of their way, so when Mundt asked Chambers if he would like to come and work for them, he was very proud that he wanted to be part of the community and help the community grow.

Chambers also congratulated Brian VanderMeulen on his promotion.

Mayor DeVore stated he, Marty and Laurie will be in Frankenmuth this weekend.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to adjourn at 7:59 p.m.

YES: 4. NO: NONE. ABSENT: 1(Phillips). MOTION CARRIED.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Susan Ullery, City Clerk