

**PROCEEDINGS  
OF THE JOINT MEETING BETWEEN  
CITY COUNCIL  
OF THE  
CITY OF LOWELL & PARKS AND RECREATION COMMISSION  
MONDAY, DECEMBER 03, 2018, 5:30 P.M.**

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

The Meeting was called to order at 5:30 p.m. by Mayor DeVore and City Clerk Susan Ullery called roll.

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

Absent: Councilmember Canfield.

Also Present: City Manager Mike Burns, City Clerk Susan Ullery, Police Chief Steve Bukala, and Assistant City Manager Rich LaBombard.

Present for Park & Recreation Commission: Chair Perry Beachum, Commissioner Susan Pomper, Commissioner Theresa Mundt, and Paula Merendorf (arrived at 5:38 p.m.)

Absent: Councilmember Canfield.

2. **EXCUSE ABSENCES.**

IT WAS MOVED BY SALWEDEL and seconded by CHAMBERS to excuse the absence of Councilmember Canfield.

YES: Councilmember Chambers, Councilmember Salzwedel and Mayor DeVore.

NO: 0. ABSENT: Councilmember Canfield. MOTION CARRIED.

For Parks & Recreation Commission:

IT WAS MOVED BY MUNDT and seconded by POMPER to excuse the absence of Councilmember Canfield and Commissioner Merendorf.

YES: 3 NO: None ABSENT: 2 MOTION CARRIED.

3. **APPROVAL OF THE AGENDA.**

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

CC YES: 3 NO: None. ABSENT: Councilmember Canfield MOTION CARRIED

P&R YES: 3 NO: None. ABSENT: Councilmember Canfield & Commissioner Merendorf. MOTION CARRIED.

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

There was none.

5. **RFP FOR RIVERWALK PARK PROPERTY.**

City Manager Michael Burns stated for the past year, he has been working with developers interested in redeveloping the Unity School Property. As part of their proposed project, they requested a 263.3' x 7'

piece of property along the eastern region of the Riverside Park property to facilitate their development.

Our City Charter requires a vote of the people in order to sell, transfer or dispose of any property in a Master Plan of the City. Currently, the Riverside Park is in the Parks and Recreation Master Plan. The requested portion of property is technically in the plan, however, this is undeveloped property. If a sale were to occur, this portion must be removed from the Parks and Recreation Master Plan.

If the portion of property were to be sold, transferred or disposed of, there is another issue to address. In 2012, the City of Lowell received a Michigan Department of Natural Resources Trust Fund Grant to redevelop the path and the boat launch at Riverside Park. A condition of receiving this grant requires the park remain in perpetuity or the grant money received must be returned. However, over time, the DNR recognizes situations such as private development encroaching park property. The DNR allows a land transfer component whereby the municipality receives new land to use as park property in exchange for land where the Trust Fund Grant was provided for. In addition, the value/size of land must be equal to or greater than the land being removed from the affected park.

Burns continued stating that back in October, he presented the project to the City Council and was directed to write an RFP, and at some point set today's meeting. The RFP was purposely written prior to this joint meeting to review all possibilities coming in and have officially requested information to consider and move forward on this process. The parcel of property being considered is a non-conforming parcel and can never be sold on its own per the Michigan Land Division Act, the parcel must be adjacent to a contiguous property and added to it.

On November 29, 2018 the City received one bid from the RFP and it was from Unity School Investors, LLC which includes Dr. Jerry Zandstra and Todd Schaal. They are proposing to transfer a 48' X 67' parcel or 3,216 sq. ft. of property owned by them to be transferred to the City as park property in return for the 263.2' X 7' ft of property at Riverside Park. There was also a discussion about possibly vacating High Street for the development. This has not been formally requested to the City Council at this time nor was it part of the RFP process.

Burns continued if the City is interested in moving forward on this development in the manner requested, the steps of removing it from the Parks and Recreation Master Plan and addressing the DNR Trust Fund issues must occur.

City Council and the Parks and Recreation Commissioners discussed at length. Commissioner Perry Beachum was concerned the value of the exchange of properties was not comparable and could not visualize the development the Unity School Investors are proposing. Beachum was also concerned with South Broadway and the sidewalk project and whether the City is paying for that. Also Beachum was very disappointed in the waterline project that goes to the ball field.

Commissioner Merendorf thanked Council for their efforts to research the laws and processes on the proposed plan and to come to the Park and Recreation Commission with a clear vision of what they are thinking and the next steps to take.

Councilmember Chambers stated he liked the joint meeting, and does agree with Perry on the waterline project.

6. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by Chambers to adjourn the meeting at 6:32 p.m.

YES: 3            NO: None            Absent: Councilmember Canfield            MOTION CARRIED.

Parks and Recreation Commission:

YES: 4            NO: None            Absent: Councilmember Canfield            MOTION CARRIED.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Susan Ullery, City Clerk