



For Immediate Release

Contact: Michael Burns, City Manager
City of Lowell, 616.897.8457

City of Lowell will hold virtual City Council Meeting on Monday January 4, 2021

As a result of COVID -19 and the current social distancing practices being mandated statewide, the City of Lowell City Council will holding their regular City Council Meeting via teleconferencing on Monday January 4, 2021 at 7:00 P.M.

The City Council will meet via the Zoom Computer Teleconferencing System. The meeting will be held in compliance with Public Act 254 of 2020 pertaining to the ability to conduct public meetings remotely.

The Zoom application allows for interactive public participation. The meeting will be available to those via online and/or telephone. To participate in the meeting via Zoom here is the contact information below:

Join Zoom Meeting

<https://us02web.zoom.us/j/81773382564>

Meeting ID: 817 7338 2564

One tap mobile

+13017158592,,81773382564# US (Washington D.C) 13126266799,,81773382564#

+US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 817 7338 2564

You may also provide input or ask questions of the City Council relating to any items of business that will come before them at the meeting by emailing the City Clerk at sullery@ci.lowell.mi.us who will forward them to the City Council, or by mailing them via regular U.S. Postal service to c/o City Clerk, City of Lowell, 301 E. Main St, Lowell, MI 49331, or by calling 616-897-8457.

Persons with disabilities may attend and participate using any of the above described methods. If you require special accommodations, please email mburns@ci.lowell.mi.us and we will be happy to accommodate you. If you have any questions or need further assistance, please email sullery@ci.lowell.mi.us. More meeting information, including the meeting agenda, will be available at our website www.lowellmi.gov.

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network

(MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are being monitored and violations of statutes will be prosecuted.

#



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

CITY OF LOWELL
CITY COUNCIL AGENDA
MONDAY, JANUARY 4 2021, 7:00 P.M.

Join Zoom Meeting
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1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL
2. REVIEW RULES OF PROCEDURE FOR THE LOWELL CITY COUNCIL
3. CONSENT AGENDA
 - Approval of the Agenda.
 - Approve and place on file the minutes of the December 21, 2020 Regular City Council meeting.
 - Approve the 2021 meeting dates.
 - Grand Rapids Community College – Collection of Summer Property Taxes for 2021.
 - Authorize payment of invoices in the amount of \$185,707.60.

4. CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA

IF YOU WISH TO ADDRESS AN AGENDA ITEM, PUBLIC COMMENT FOR EACH ITEM WILL OCCUR AFTER THE INITIAL INFORMATION IS SHARED ON THE MATTER AND INITIAL DELIBERATIONS BY THE PUBLIC BODY. PUBLIC COMMENT WILL OCCUR BEFORE A VOTE ON THE AGENDA ITEM OCCURS.

5. OLD BUSINESS
 - a. COVID – 19
6. NEW BUSINESS
 - a. Annual Authorization of Signature for City Bank Accounts and Designation of Depository Banks

- b. CDBG Agreement with Kent County
- c. Social District

7. BOARD/COMMISSION REPORTS

8. MANAGER'S REPORT

9. APPOINTMENTS

10. COUNCIL COMMENTS

11. ADJOURNMENT

NOTE: Any person who wishes to speak on an item included on the printed meeting agenda may do so. Speakers will be recognized by the Chair, at which time they will be allowed five (5) minutes maximum to address the Council. A speaker representing a subdivision association or group will be allowed ten (10) minutes to address the Council.



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085
www.ci.lowell.mi.us

MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Monday, January 4, 2021

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5. OLD BUSINESS

- a. COVID – 19 - City Manager Michael Burns will provide an update.

6. NEW BUSINESS

- a. Annual Authorization of Signature for City Bank Accounts and Designation of Depository Banks. Memo is provided by City Treasurer Suzanne Olin.

Recommended Motion: That the Lowell City Council approve the annual authorization of signatures for City Bank Accounts and designation of depository banks as proposed.

- b. CDBG Agreement with Kent County. Memo is provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve the cooperative agreement with Kent County to continue with the Community Development Block Grant program.

- c. Social District. Memo is provided by City Manager Michael Burns.

Recommended Motion: To approve the social district.

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**RULES OF PROCEDURE
FOR THE LOWELL CITY COUNCIL
2021**

A. REGULAR AND SPECIAL MEETINGS

All meetings of the City Council will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267 as amended, and with these rules.

1. Regular meetings

Regular meetings of the City Council will be held on the first and third Monday of each month beginning at 7 p.m. at the City office unless otherwise rescheduled by resolution of the Council.

2. Special Meetings

A special meeting shall be called by the Clerk upon the written request of the Mayor or any two members of the Council on at least 48 hours' written notice to each member of the Council served personally or left at the Councilmember's usual place of residence. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the Council unless the item has been stated in the notice of such meeting.

3. Posting requirements for regular and special meeting

- a. During the second regular meeting of December, the City Council will establish the dates, times and places of the regular bimonthly Council meetings. The listing will be posted in the City offices.
- b. For a rescheduled regular or a special meeting of the Council, a public notice stating the date, time and place of the meeting shall be posted at least 18 hours before the meeting at the City office.
- c. The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the City's efforts in responding to the threat.

4. Minutes of regular and special meetings

The Clerk shall attend the Council meetings and record all the proceedings and resolutions of the Council in accordance with the Open Meetings Act. In the absence of the Clerk, the City Manager may appoint a member of City staff to temporarily perform the Clerk's duties.

Within 8 days of a Council meeting, the draft minutes shall be prepared by the Clerk and shall be placed on the city website for public viewing.

A copy of the minutes of each regular or special Council meeting shall be available for public inspection at the City offices during regular business hours.

5. Work Sessions

Upon the call of the Mayor or the Council and with at least 48 hours notice to the Councilmembers and to the public, the Council may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion nor shall any Councilmember enter into a formal commitment with another member regarding a vote to be taken subsequently.

An agenda shall be prepared at least 48 hours prior to the work session.

Work sessions shall be audio/video recorded in accordance with other provisions of these Rules of Procedure.

B. CONDUCT OF MEETINGS

1. Meetings to be public

All official meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the Council shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

The City Clerk shall record all regular and special City Council meetings by audio device. Upon approval of that meeting's minutes, the audio shall be destroyed except in the absence of a video. The meetings shall be videoed. These will be stored electronically and available to the public for reviewing.

2. Agenda preparation

An agenda for each regular Council meeting shall be prepared by the City Manager with the following order of business:

- a. Call to Order; Pledge of Allegiance, Roll Call
- b. Consent Agenda
- c. Citizen Comments for Items Not on the Agenda
- d. Old Business
- e. New Business
- f. Board/Commission Reports
- g. Monthly Reports (prepared for the second regular meeting of the month)
- h. Appointments to Commissions and Boards
- i. Manager's Report
- j. Council Comments
- k. Executive Session
- l. Adjournment

Any Councilmember shall have the right to request new/additional items to the regular agenda during the Approval of the Agenda item of business.

3. Agenda distribution

Agendas shall be distributed so that Councilmembers receive their agendas by the Friday evening before the Monday meeting. Agendas will be distributed to Councilmember's place of residence.

4. Quorum

A majority of the elected or appointed and serving members of the Council shall constitute a quorum for the transaction of business at all council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

5. Attendance at council meetings

Election to the City Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council activities and represent the residents of the City. Attendance at Council meetings is critical to fulfilling this responsibility.

The Council may excuse absences for cause. Such cause must be communicated with the clerk prior to the meeting. If a Councilmember has more than three unexcused successive absences for regular or special Council meetings, the Council may enact a resolution of reprimand. In the event that the member's absences continue for more than three additional successive regular or special meetings of the Council, the Council may enact a resolution of censure or request the Councilmember's resignation or both.

6. Presiding officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor is the presiding officer. The Mayor Pro Tem shall preside in the absence of the Mayor. In the absence of the Mayor and Mayor Pro Tem, the member present who has the longest consecutive service on the Council shall preside.

7. Disorderly conduct

The Mayor may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the sergeant at arms to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

C. CLOSED MEETINGS

1. Purpose

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, which are the following:

- a. To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent when the named person requests a closed meeting. MCL 15.268 Sec. 8(a)
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing. MCL 15.268 Sec. 8(c)
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained. MCL 15.268 Sec. 8(d)
- d. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Council. MCL 15.268 Sec. 8(e)
- e. To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting. MCL 15.268 Sec. 8(f)
- f. To consider material exempt from discussion or disclosure by state or federal statute. MCL 15.268 Sec. 8(h)

2. Calling closed meetings

At a regular or special meeting, the Councilmembers, elected or appointed and serving, may call a closed session by a two-thirds roll call vote for purposes (c), (d), (e) and (f) above, and by a simple majority for purposes (a) and (b). The roll call vote, the purpose(s) for calling the closed meeting, and the time in which the vote was taken shall be entered into the minutes of the open session during which the vote is taken. In addition, the time in which the Council returned to open session shall be recorded in the open session minutes.

3. Minutes of closed meetings

A separate set of minutes shall be taken by the Clerk or the designated secretary of the Council at the closed session. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Open Meetings Act. These minutes shall be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

D. DISCUSSION AND VOTING

1. Rules of parliamentary procedure

The rules of parliamentary practice as contained in the latest edition of Robert's Rules of Order shall govern the Council in all cases to which they are applicable, provided that they are not in conflict with these rules, City ordinances or applicable state statutes. The Mayor may appoint a parliamentarian.

The chair shall preserve order and decorum and may speak to points of order in preference to other Councilmembers. The chair shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the Councilmembers present.

Any member may appeal to the Council a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be, "Shall the decision of the chair be sustained?" If the majority of the members present vote "yes," the ruling of the chair is sustained; otherwise it is overruled.

2. Conduct of discussion

During the Council discussion and debate, no member shall speak until recognized for that purpose by the chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate.

No member shall speak more than once on the same question until every member desiring to speak to that question shall have had the opportunity to do so.

The chair, at his or her discretion and subject to the appeal process mentioned in Section D.1., may permit any person to address the Council during its deliberations.

3. Ordinances and resolutions

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes.

4. Roll call

In all roll call votes, the names of members of the Council shall be called in random order as determined by the City Clerk.

5. Duty to vote

Election to a deliberative body carries with it the obligation to vote. Councilmembers present at a Council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Councilmember who is present and abstains or does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting.

Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The opinion of the City Attorney shall be binding on the Council with respect to the existence of a conflict of interest. A vote may be tabled, if necessary, to obtain the opinion of the City Attorney.

The right to vote is limited to the members of Council present at the time the vote is taken. Voting by proxy or by telephone is not permitted.

All votes must be held and determined in public; no secret ballots are permitted.

6. Results of voting

In all cases where a vote is taken, the chair shall declare the result.

It shall be in order for any Councilmember voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Council. When a motion to reconsider fails, it cannot be renewed.

E. CITIZEN COMMENTS

1. General

Each Council meeting agenda shall provide for reserve time for citizen comments as requested.

2. Length of presentation - public hearings and public participation

Members of the public at the meeting shall not speak unless recognized by the chair. Members of the public shall be limited to speaking for a maximum of five (5) minutes during any public hearing or public comment. The Sergeant of Arms shall notify the chair when time has expired.

At the discretion of the chair, the time for speaking may be added or reduced.

3. Person addressing the City Council

Prior to addressing the Council, members of the public may state their name and address and, if appropriate, group affiliation. The Council may in its discretion limit public comments to new information or matters not fully addressed at any previous meeting regarding the agenda item at issue. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

4. Deviation

Either in his/her discretion, or upon the request of a member of the Council, the Mayor may recognize a member of the audience who shall be permitted to address the Council at a time other than audience participation; however, all other rules as provided herein shall apply.

5. Request to speak during citizen comments

Any person who wishes to speak on a subject not on the printed agenda may speak at this time. All rules of conduct still apply.

6. Requests to speak during regular agenda items

Any person who wishes to speak on an item included on the printed meeting agenda may do so. Speakers will be recognized by the Chair, at which time they will be required to state their name and will be allowed five (5) minutes maximum to address the Council.

F. MISCELLANEOUS

1. Adoption and amendment of rules of procedure

These rules of procedure of the Council will be placed on the organizational meeting agenda for review and adoption. A copy of the rules adopted shall be distributed to each Councilmember.

The Council may alter or amend its rules at any time by a vote of a majority of its members after written notice has been given of the proposed alteration or amendment. The notice shall be given at least 48 hours in advance with a written copy of the proposed alteration or amendment provided to each Councilmember.

2. Suspension of rules

The rules of the Council may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present except that Council actions shall conform to state statutes and to the Michigan and the United States Constitutions.

3. Bid awards

Bids will be awarded by the Council during regular or special meetings. A bid award may be made at a special meeting of the Council if that action is announced in the notice of the special meeting.

4. Special committees

Special committees may be established for a specific period of time by the Mayor or by a resolution of the Council which specifies the task of the special committee and the date of its dissolution.

5. Authorization for contacting the City Attorney

The following officials (by title) are authorized to contact the City Attorney regarding municipal matters:

Mayor and City Councilmembers

City Manager

City Department Heads (upon approval of the City Manager)

6. These Rules of Procedure shall apply except as otherwise provided by the City Charter and/or applicable state statutes.

G. CERTIFICATE OF ADOPTION

Certified to be complete and accurate set of Rules of Procedures of the City Council of the City of Lowell, Michigan adopted by resolution of its regular meeting held January 4, 2021.

Adopted: January 4, 2021

Susan S. Ullery
City Clerk
City of Lowell

**PROCEEDINGS
OF
CITY COUNCIL MEETING
OF THE
CITY OF LOWELL
MONDAY, DECEMBER 12, 2020, 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 City Clerk Sue Ullery called roll.

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

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery, DPW Director Dan Czarnecki, Chief of Police Chris Hurst, LL&P General Manager Charlie West, Waste Water Treatment Plant Supervisor Brian VanderMeulen, and City of Lowell Attorney Jessica Wood.

2. APPROVAL OF THE CONSENT AGENDA.

- Approval of the Agenda as amended.
- Approve and place on file the minutes of the December 07, 2020 regular meeting.
- Authorize payment of invoices in the amount of \$478,259.08.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

There were no comments.

4. OLD BUSINESS.

a. Lowell Township Water/Wastewater.

City Manager Michael Burns explained the 50 year & 100 year projections for the 457 on the spreadsheet he provided and stated they were good projections. Mayor DeVore and City Manager stated once the expansion study is presented to the task force, they will put together a bullet point presentation to bring back to Council and for the general public.

b. Showboat – Update.

City Manager Michael Burns stated we received a grant from the community foundation as well as approximately \$83,000 in donations coming in from the Chamber. We have enough to pay the contractor in full. The fundraising is still going on and is going well. Construction is moving along

and also going well. The Non-profit committees' first meeting will be January 6, 2020 at 3:00 p.m.

Councilmember Salzwedel stated we are about \$190,000 short of our \$800,000 goal but he believes we will get there within a month or two.

c. MERS.

City Manager Michael Burns explained since our last meeting, we have filed all the paperwork necessary to make the modifications to our pension plan. Last week we had webinars for our employees to have them get an understanding of what the changes are. Later this week we are going to make the \$125,000 payment and then after the first of the year we will start looking at and working with MERS on the financing component.

d. COVID-19.

City Manager Michael Burns stated COVID -19 is still here. COVID -19 public restrictions are still in place at least until January 15, 2021 so that means meetings will continue to be held via zoom. The Senate and House passed an extension to the law pertaining to on-line virtual meetings, it is ready to go to the governor's office for signature, so if that is signed, the on-line virtual meetings will be in place until at least March 21, 2021.

Burns continued stating we have gotten some limited communications from Kent County about getting vaccines to our employees if they so choose. We do have certain sectors of employees who would be tiered higher to actually get the vaccine when it does become available to us. At least from the police end, if the officers want to take it, it could be available to them as soon as sometime in February. But at this point, we are getting limited information from the Health Department.

e. Line Shack.

City Manager Michael Burns gave an update explaining Lowell Light & Power Board did discuss this at their last meeting. They are in the process of getting an appraisal for the building and looking at putting a budget together for how they want to market it. They are hoping they can work with the City to make a recommendation on it.

Perry Beachum stated he would like to see the City put an easement on the back side of it so if they ever decide they want a riverwalk along the backside, it will be less painful to work through.

5. NEW BUSINESS.

a. PROTEC – Membership.

City Manager Michael Burns read his memo explaining the Michigan Coalition to Protect Public Right of Ways Organization has been an organization for 24 years and its purpose it to take the lead to

coordinate actions to protect local government interests and to inform municipal officials of significant developments of public right of way management.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS that the Lowell City Council approve the City's membership in PROTEC.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Social District.

City Manager Michael Burns stated that these social districts have become more of a topic since the COVID-19 pandemic hit. Twenty-three Cities in Michigan have established these social districts, which is basically a special liquor license that allows a municipality to designate a certain area of a district where businesses can extend their liquor licenses out and allow people to gather in public places to eat or drink alcohol. City of Rockford just opened theirs up and it has been a big success. City Attorney Jessica Wood explained the process and what needs to be done to establish the Social District.

The Councilmembers discussed at length and decided to do some more investigating, talk to restaurant owners, get their input and bring it back to next Council meeting. City Manager Michael Burns will get a resolution ready for the next meeting.

6. BOARD/COMMISSION REPORTS.

Councilmember Salzwedel stated the LCTV Board's cutoff date to get your applications in to Susan Ullery at City Hall is February 5, 2021 by 5:00 p.m.

Councilmember Chambers stated at the Planning Commission meeting, there were three different items to approve. First Culligan Water was approved to build to a new building. Grand Rapids Gravel was approved to start mining, this will be a 10-year process with intent to have a 27-acre lake with 22 condos going up on it. Third was a recreational marijuana establishment that wants to move into a strip mall. It came down to concern with ventilation issues and if there is a complaint they have 10 days to correct it and after that we can site them and pull their license. The marijuana establishment is going to come back with their detailed ventilation plan as well as a security plan to present before it is approved.

Councilmember Yankovich wrote a grant request for the Historical District for \$100,000 for some plans for the building on the North side to be restored and also for King Milling who would like to upgrade the outside and make their McQueen Building more historic.

Councilmember Groves met with Parks & Rec and discussed the ball fields usage and how to divide it up, will continue at next meeting. Also, had two members agree to renew, Teresa Mundt and Susan Pomper. Next meeting will be going over the project and recreation commission projects' priorities list.

Mayor DeVore stated Fire Authority, DDA and Water Task Force were all cancelled for December. Fire Authority will meet January 6, 2021 for the Showboat Committee and Fire Authority will be January 14, 2021 where they will discuss the open burn ordinance.

City Manager Michael Burns stated no changes really on the budget updates. We still have the same situation with the officers' investigation, we have a new officer that is out on injury right now, on short term disability for six to eight weeks. We have a reimbursement coming through the CARES ACT, not sure of exact the amount but think it will be significant.

7. **MANAGER'S REPORT.**

City Manager Michael Burns went over the following:

- Had a discussion with Dave Pasquale, Jim Hodges and Dick Wendt who were all around when the situation at Root Lowell and Bushnell happened. The situation was with a plume that went into the Bushnell property from some solvents that had been dumped in the late 60's on the Root Lowell property. They took the steps with DEQ at the time to try and address the situation. They believe they had done what they were supposed to be doing. The City is not a party in this matter but Burns has reached out to the school and Eagle regarding the health concerns with this matter. This was never addressed at the City level. We will try to assist in any way that we can.
- We have hired Jeff Phillips for a new full time position at the Public Works, with his experience it is a no brainer. Still looking for a person to fill the sexton position for the cemetery.
- Will be looking at the open burning ordinance with the fire chief probably sometime before the first of the year.
- Last week the budgeted capitol project at the wastewater treatment plant was completed. The lid was repaired at the digester #3.
- Want to wish everyone a Merry Christmas and a Happy New Year.

8. **APPOINTMENTS.**

Mayor Devore asked for a general consensus on Theresa Mundt and Susan Pomper continuing on the Parks & Rec board as well as Steve Doyle and Nancy Wood on the Historic District and there was a general consensus for them all to continue. They will work on DDA open appointment at the first meeting of the year.

9. **COUNCIL COMMENTS**

Councilmember Yankovich would like to say to anyone watching, if you can get a meal and support the Lowell local restaurants right now, please do so. The value of our restaurants in the City of Lowell is huge and they need our support right now. Merry Christmas and Happy New Year to everyone.

Councilmember Chambers stated to Councilmember Yankovich's note, if you go to a local restaurant or Ionia restaurant bring in your receipt and you will get 25% off an item at Tap House Bo and at Red Barn

Antiques. Canfield is also doing a promotion if you buy a gift card at a restaurant in Lowell, he will match the amount for a gift card to be used later in the restaurant up to \$25,000.

Councilmember Salzwedel stated support your local businesses and be sure to support our residents so they can get back to work however they can. Wished everyone a healthy and happy holiday season.

Councilmember Groves asked to support the local businesses and the citizens that support those businesses. Merry Christmas and enjoy the holidays.

Mayor DeVore reminded us to buy gift cards for our local Lowell restaurants and don't forget about Lowell bucks. A great gift you can use now or later and be sure to tip the workers.

10. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL to adjourn at 8:08 p.m.

YES: 5. NO: NONE. ABSENT: None. MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
Fax (616) 897-4085

2021 CITY COUNCIL MEETING DATES
7:00 P.M.
CITY COUNCIL CHAMBERS
SECOND FLOOR
(1ST AND 3RD MONDAY)

JANUARY	4 19 (TUESDAY) Martin Luther King Day	JULY	6 (TUESDAY) Fourth of July 19
FEBRUARY	1 16 (TUESDAY) Presidents Day	AUGUST	2 16
MARCH	1 15	SEPTEMBER	7 (TUESDAY) Labor Day 20
APRIL	5 19	OCTOBER	4 18
MAY	3 17	NOVEMBER	1 15
JUNE	7 21	DECEMBER	6 20

NOTE: Check City Website Calendar for any changes or cancellations at www.lowellmi.gov.

User: LORI

EXP CHECK RUN DATES 12/19/2020 - 12/31/2020

DB: Lowell

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name	Invoice	Description	Amount
10507	AIS CONSTRUCTION EQUIPMENT	G77287	#32 R & M PARTS	147.09
TOTAL FOR: AIS CONSTRUCTION EQUIPMENT				147.09
10409	APPLIED CONCEPTS, INC.	1655576	CITY HALL COPY MACHINE	389.07
TOTAL FOR: APPLIED CONCEPTS, INC.				389.07
00045	BARTLETT, SANDY	12/21/2020	DEC METER READS & MILEAGE	772.68
TOTAL FOR: BARTLETT, SANDY				772.68
10686	BETTEN BAKER	138772	#W-20 R & M	66.90
TOTAL FOR: BETTEN BAKER				66.90
10509	CONSUMERS ENERGY	11/21 - 12/21	ACCOUNT STATEMENTS - AIRPORT	633.67
TOTAL FOR: CONSUMERS ENERGY				633.67
00132	D&D TRUCKING ACQUISITION, LLC	31848	#31 LOADER R & M	338.92
TOTAL FOR: D&D TRUCKING ACQUISITION, LLC				338.92
00148	DICKINSON WRIGHT PLLC	1535780	POTENTIAL W/S AUTHORITY WITH LOWELL TWP	148.00
		1535781	SHOWBOAT - TRANSFER OWNERSHIP	148.00
		1535782	GENERAL MUNICIPAL	31,857.00
		1535790	ORD ENFORCEMENT - J RYAN	224.00
TOTAL FOR: DICKINSON WRIGHT PLLC				32,377.00
00744	ETNA SUPPLY COMPANY	S103801652.001	SERVICE BOX REP LID	318.00
TOTAL FOR: ETNA SUPPLY COMPANY				318.00
01999	GODWIN'S ADA VILLAGE HARDWARE	4220	WATER DEPT SUPPLIES	62.09
TOTAL FOR: GODWIN'S ADA VILLAGE HARDWARE				62.09
00225	GRAND RAPIDS COMMUNITY COLLEGE	12/1 - 12/15/2020	TAX DISBURSEMENT	309.92
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE				309.92
00710	HAROLD ZEIGLER FORD, INC.	222064	#836 POLICE CAR R & M	245.35
		222130	#841 POLICE CAR R & M	28.05
TOTAL FOR: HAROLD ZEIGLER FORD, INC.				273.40
10836	JX ENTERPRISES, INC	2628592S.02	#15 2017 PETERBILT R & M	489.52
TOTAL FOR: JX ENTERPRISES, INC				489.52
00300	KENT COUNTY TREASURER	12/1 - 12/15/2020	TAX DISBURSEMENT	15,960.40
TOTAL FOR: KENT COUNTY TREASURER				15,960.40
00303	KENT DISTRICT LIBRARY	12/1 - 12/15/2020	TAX DISBURSEMENT	5,934.04
TOTAL FOR: KENT DISTRICT LIBRARY				5,934.04

User: LORI

EXP CHECK RUN DATES 12/19/2020 - 12/31/2020

DB: Lowell

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name	Description	Amount
Invoice			
00302	KENT INTERMEDIATE SCHOOL DIST.		
	12/1 - 12/15/2020 TAX DISBURSEMET		987.78
TOTAL FOR: KENT INTERMEDIATE SCHOOL DIST.			987.78
00805	LEE'S TRENCHING SERVICE, INC.		
	107824	1020 MAIN ST MANHOLE R & M	2,800.00
TOTAL FOR: LEE'S TRENCHING SERVICE, INC.			2,800.00
01374	LOWELL AREA HISTORICAL MUSEUM		
	12/1 - 12/15/2020 TAX DISBURSEMENT		41.41
TOTAL FOR: LOWELL AREA HISTORICAL MUSEUM			41.41
00562	LOWELL AREA SCHOOLS		
	12/1 - 12/15/2020 TAX DISBURSEMENT		115,537.37
TOTAL FOR: LOWELL AREA SCHOOLS			115,537.37
10083	MICHIGAN CAT		
	SD11709442	810 SHEPARD DR PREV MAINT	769.00
TOTAL FOR: MICHIGAN CAT			769.00
01270	PLUMMERS ENVIRONMENTAL SERVICE		
	20129069	JETTING SANITARY SEWER	4,698.50
TOTAL FOR: PLUMMERS ENVIRONMENTAL SERVICE			4,698.50
00506	POSTMASTER		
	12/31/2021	WATER/SEWER BILLS FOR DEC 2020	430.81
TOTAL FOR: POSTMASTER			430.81
10130	RASHID, JEFFREY		
	12/22/2020	ASSESSING EXPENSES DEC 2020	46.00
TOTAL FOR: RASHID, JEFFREY			46.00
10133	RED CREEK WASTE SERVICES INC.		
	0CR00609	TRASH SERVICE	319.81
TOTAL FOR: RED CREEK WASTE SERVICES INC.			319.81
02484	RHD TIRE INC		
	0093462	#841 POLICE CAR	24.00
TOTAL FOR: RHD TIRE INC			24.00
10378	RUESINK, KATHIE		
	745370/745371	CLEANING 12/1 - 12/20/2020	720.00
TOTAL FOR: RUESINK, KATHIE			720.00
02383	SANISWEEP, INC.		
	100455	CLEANUP AT MUSEUM MAIN & HUDSON	225.00
TOTAL FOR: SANISWEEP, INC.			225.00
10583	SUEZ WATER ENVIRONMENTAL SVC INC		
	20200285	SURCHARGES NOVEMBER	1,035.22
TOTAL FOR: SUEZ WATER ENVIRONMENTAL SVC INC			1,035.22
TOTAL - ALL VENDORS			185,707.60

User: LORI

EXP CHECK RUN DATES 12/19/2020 - 12/31/2020

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BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 209 ASSESSOR					
101-209-860.000	TRAVEL EXPENSES	RASHID, JEFFREY	ASSESSING EXPENSES DEC 20	46.00	75194
	Total For Dept 209 ASSESS			46.00	
Dept 210 ATTORNEY					
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	ORD ENFORCEMENT - J RYAN	224.00	75198
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SHOWBOAT - TRANSFER OWNER	148.00	75198
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	GENERAL MUNICIPAL	31,857.00	75198
	Total For Dept 210 ATTORN			32,229.00	
Dept 265 CITY HALL					
101-265-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING 12/1 - 12/20/202	540.00	75189
101-265-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	64.45	75195
	Total For Dept 265 CITY H			604.45	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	207.86	75195
	Total For Dept 441 DEPART			207.86	
Dept 790 LIBRARY					
101-790-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING 12/1 - 12/20/202	180.00	75189
101-790-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	47.50	75195
	Total For Dept 790 LIBRAR			227.50	
Dept 804 MUSEUM					
101-804-955.000	PROPERTY TAX DISTRIBUTION	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	41.41	75185
	Total For Dept 804 MUSEUM			41.41	
	Total For Fund 101 GENERA			33,356.22	
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-802.000	CONTRACTUAL	SANISWEEP, INC.	CLEANUP AT MUSEUM MAIN &	225.00	75196
	Total For Dept 463 MAINTEN			225.00	
	Total For Fund 202 MAJOR			225.00	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS - AIRP	633.67	75190
	Total For Dept 000			633.67	
	Total For Fund 581 AIRPOR			633.67	
Fund 590 WASTEWATER FUND					
Dept 550 TREATMENT					
590-550-801.000	PROFESSIONAL SERVICES	SUEZ WATER ENVIRONMENTAL	SURCHARGES NOVEMBER	1,035.22	75197
	Total For Dept 550 TREATM			1,035.22	
Dept 551 COLLECTION					
590-551-930.000	REPAIR & MAINTENANCE	ETNA SUPPLY COMPANY	SERVICE BOX REP LID	159.00	75178
590-551-930.000	REPAIR & MAINTENANCE	LEE'S TRENCHING SERVICE,	1020 MAIN ST MANHOLE R &	2,800.00	75192
590-551-930.000	REPAIR & MAINTENANCE	PLUMMERS ENVIRONMENTAL SE	JETTING SANITARY SEWER	4,698.50	75193
	Total For Dept 551 COLLEC			7,657.50	
Dept 552 CUSTOMER ACCOUNTS					
590-552-703.000	SALARIES-METER READS	BARTLETT, SANDY	DEC METER READS & MILEAGE	355.57	75175
590-552-730.000	POSTAGE	POSTMASTER	WATER/SEWER BILLS FOR DEC	215.41	75200
590-552-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	DEC METER READS & MILEAGE	30.77	75175
	Total For Dept 552 CUSTOM			601.75	
Dept 553 ADMINISTRATION					
590-553-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	POTENTIAL W/S AUTHORITY W	74.00	75198
	Total For Dept 553 ADMINI			74.00	
	Total For Fund 590 WASTEW			9,368.47	
Fund 591 WATER FUND					
Dept 571 DISTRIBUTION					

User: LORI

EXP CHECK RUN DATES 12/19/2020 - 12/31/2020

DB: Lowell

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 571 DISTRIBUTION					
591-571-740.000	OPERATING SUPPLIES	GODWIN'S ADA VILLAGE HARD	WATER DEPT SUPPLIES	62.09	75191
591-571-930.000	REPAIR & MAINTENANCE	ETNA SUPPLY COMPANY	SERVICE BOX REP LID	159.00	75178
591-571-930.000	REPAIR & MAINTENANCE	MICHIGAN CAT	810 SHEPARD DR PREV MAINT	769.00	75187
Total For Dept 571 DISTRI				990.09	
Dept 572 CUSTOMER ACCOUNTS					
591-572-703.000	SALARIES-METER READS	BARTLETT, SANDY	DEC METER READS & MILEAGE	355.58	75175
591-572-730.000	POSTAGE	POSTMASTER	WATER/SEWER BILLS FOR DEC	215.40	75200
591-572-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	DEC METER READS & MILEAGE	30.76	75175
Total For Dept 572 CUSTOM				601.74	
Dept 573 ADMINISTRATION					
591-573-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	POTENTIAL W/S AUTHORITY W	74.00	75198
Total For Dept 573 ADMINI				74.00	
Total For Fund 591 WATER				1,665.83	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-802.000	CONTRACTUAL	APPLIED CONCEPTS, INC.	CITY HALL COPY MACHINE	389.07	75174
Total For Dept 000				389.07	
Total For Fund 636 DATA P				389.07	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-930.000	REPAIR & MAINTENANCE	AIS CONSTRUCTION EQUIPMEN	#32 R & M PARTS	147.09	75173
661-895-930.000	REPAIR & MAINTENANCE	BETTEN BAKER	#W-20 R & M	66.90	75176
661-895-930.000	REPAIR & MAINTENANCE	D&D TRUCKING ACQUISITION,	#31 LOADER R & M	338.92	75177
661-895-930.000	REPAIR & MAINTENANCE	HAROLD ZEIGLER FORD, INC.	#836 POLICE CAR R & M	245.35	75180
661-895-930.000	REPAIR & MAINTENANCE	HAROLD ZEIGLER FORD, INC.	#841 POLICE CAR R & M	28.05	75180
661-895-930.000	REPAIR & MAINTENANCE	JX ENTERPRISES, INC	#15 2017 PETERBILT R & M	489.52	75181
661-895-930.000	REPAIR & MAINTENANCE	RHD TIRE INC	#841 POLICE CAR	24.00	75188
Total For Dept 895 FLEET				1,339.83	
Total For Fund 661 EQUIPM				1,339.83	
Fund 703 CURRENT TAX COLLECTION FUND					
Dept 000					
703-000-222.000	DUE TO COUNTY-CURRENT TAX	KENT COUNTY TREASURER	TAX DISBURSEMENT	14,896.06	75182
703-000-223.000	DUE TO LIBRARY	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	5,934.04	75183
703-000-225.000	DUE TO SCHOOLS	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	115,537.37	75186
703-000-228.009	DUE TO STATE-S.E.T.	KENT COUNTY TREASURER	TAX DISBURSEMENT	1,064.34	75182
703-000-234.000	DUE TO INTERMED SCH DISTR	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMET	987.78	75184
703-000-235.000	DUE TO COMMUNITY COLLEGE	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	309.92	75179
Total For Dept 000				138,729.51	
Total For Fund 703 CURREN				138,729.51	

12/31/2020 12:57 PM

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL

Page: 3/3

User: LORI

EXP CHECK RUN DATES 12/19/2020 - 12/31/2020

DB: Lowell

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
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Fund Totals:

Fund 101	GENERAL FUND	33,356.22
Fund 202	MAJOR STREET FUN	225.00
Fund 581	AIRPORT FUND	633.67
Fund 590	WASTEWATER FUND	9,368.47
Fund 591	WATER FUND	1,665.83
Fund 636	DATA PROCESSING	389.07
Fund 661	EQUIPMENT FUND	1,339.83
Fund 703	CURRENT TAX COLL	138,729.51

185,707.60



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: January 4, 2021
TO: Michael T. Burns
FROM: Suzanne M. Olin
RE: Annual Authorization of Signatures
for City Bank Accounts and
Designation of Depository Banks

Authorized Signatures:

Mayor
Mayor Pro Tem

City Manager Michael T. Burns
City Treasurer Suzanne Olin
Police Chief Chris Hurst
Deputy City Treasurer Lori Gerard

Safety Deposit Box:

Susan Ullery
Amy Brown

Depository Banks:

Union Bank	(Ada)
Huntington Banks	(Lowell)
PNC Bank	(Grand Rapids)
Fifth Third Bank	(Lowell, Ada, Grand Rapids)
Macatawa Bank	(Grand Rapids)
Bank of America	(Grand Rapids)
Mercantile Bank of Michigan	(Lowell, Grand Rapids)

Recommended Motion: That the Lowell City Council approve the annual authorization of signatures for City Bank Accounts and designation of depository banks as proposed.



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: December 30, 2020

TO: Mayor Mike DeVore and the Lowell City Council

FROM: Michael T. Burns, City Manager *MB*

RE: CDBG Agreement with Kent County

Since 1993, Kent County has entered into a Cooperative Agreement with communities in the County that enabled Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) funds to flow through the County to benefit participating communities. Kent County has been notified by the U.S. Department of Housing and Urban Development (HUD) that an update is necessary to our existing Urban County Cooperative Agreement for the 2021-2023 recertification period. An updated Cooperative Agreement is attached. It includes minor adjustments to clarify text, and the following amended language required by HUD (page 2):

“a unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange or any other funds; credits or non-Federal considerations, but must use such funds for activities eligible under Title 1 of the Housing and Community Development Act of 1974, as amended”.

Kent County has been operating as a HUD Community Planning and Development (CPD) grantee since 1981, providing programs and services to assist residents with low and moderate income throughout the County. Since 1993, Kent County and local governments entered into an automatically renewing Cooperative Agreement to allow the County to conduct CDBG and HOME funded activities in each local unit. These activities include public improvements projects (such as parks, water and sewer improvements, and street and sidewalk improvements), economic development programs, public services (such as providing senior services, emergency housing payments, and transportation services), development of new single and multi-family housing, and providing housing rehabilitation funding for residents within local jurisdictions.

I have attached the necessary agreement which needs approval by the local governing body to continue to be considered for future CDBG Projects. **I recommend the Lowell City Council approve the cooperative agreement with Kent County to continue with the Community Development Block Grant program.**

COOPERATIVE AGREEMENT
Kent County "Urban County"
Community Development Block Grant Program

THIS AGREEMENT made and entered into this fourth day of January, 2021 by and between the (Community), Michigan hereinafter referred to as the "Community", and the County of Kent, a Michigan Constitutional Corporation, State of Michigan, hereinafter referred to as the "County":

WHEREAS, the Housing and Community Development Act of 1974 as amended provides an entitlement of funds for Community Development purposes for urban counties; and

WHEREAS, Kent County has been designated as an Urban County provided that it secures Cooperation Agreements with various communities in Kent County; and

WHEREAS, this agreement covers both the Community Development Block Grant (CDBG) Entitlement Program and, where applicable, the HOME Investment Partnership program; and

WHEREAS, the parties to this Agreement recognize the value of this cooperative relationship and wish to continue such by this restatement of this Agreement; and

NOW THEREFORE, the Community and County do hereby promise and agree:

THAT the Community may not apply for grants from appropriations under Small Cities or State CDBG programs for fiscal years during the period in which it is participating in the urban county's CDBG program; and

THAT the Community may not participate in a HOME consortium except through the urban county, regardless of whether the urban county receives a HOME formula allocation; and

THAT the County shall have final responsibility for selecting Community Development Block Grant (and HOME, where applicable) activities and annually filing a Consolidated Plan with the U.S. Department of Housing and Urban Development (HUD); and

THAT the County will, on behalf of the Community, execute essential Community Development and Housing Assistance applications, plans, programs and projects eligible under the Housing and Development Act of 1974 as amended; and

THAT the Community and the County will cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; and

THAT the Community and the County will take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair

Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, and other applicable laws; that the County is prohibited from funding activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction, or that impedes the County's actions to comply with the county's fair housing certification; and that funding by the County is contingent upon the Community's compliance with the above; and

THAT the Community has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction; and

THAT a unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds; credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended; and

THAT the qualification period of this agreement as defined in the HUD regulations and guidelines shall be Federal Fiscal Years 2021/2022/2023, and such additional period of time for the purpose of carrying out activities funded by Community Development Block Grants from Federal Fiscal years 2021/2022/2023, appropriations and from any program income generated from the expenditure of such funds. Furthermore, that the period of time of this Agreement shall be automatically renewed in successive three-year qualification periods, unless the County or the Community provides written notice it elects not to participate in a new qualification period. A copy of this notice must be sent to the HUD State Office by the date specified in HUD's Urban County Qualification Notice for the next qualification period; further the County will notify the Community in writing of its right to make such election by the date specified in HUD's Urban County Qualification Notice; and

THAT the Community resolves to remain in Kent County's Urban County programs for an indefinite period of time or until such time it is in the best interest of this Community to terminate the Cooperation Agreement and such additional period of time for the purpose of carrying out activities funded by Community Development Block Grants and from any program income generated from the expenditure of such funds; and

THAT failure by either party to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three year urban county qualification period, and to submit the amendment to HUD as provided in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit

the amendment to HUD as provided in the Urban County Qualification Notice, will void the automatic renewal of such qualification period; and

THAT this Agreement remains in effect until the CDBG (and HOME where applicable) funds and income received with respect to activities carried out during the three year qualification period (and any successive qualification periods under this automatic renewal provision) are expended and the funded activities completed, and that the County and Community may not terminate or withdraw from this agreement while this agreement remains in effect; and

THAT the Community shall inform the County of any income generated by the expenditure of CDBG funds received by the Community; and

THAT any such program income generated by the Community must be paid to the County, unless at the County's discretion, the Community may retain the program income as set forth in 24 CFR 570.503; and

THAT any program income the Community is authorized by the County to retain may only be used for eligible activities approved by the County in accordance with all CDBG requirements as may then apply; and

THAT the County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate record keeping and reporting by the Community as may be needed for this purpose; and

THAT in the event of close-out or change in status of the Community, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to the County; and

THAT the Community shall provide timely notification to the County of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition; and

THAT the Community shall reimburse the County in the amount equal to the current fair market value (less any portion of the value attributable to expenditures of non-CDBG funds) of real property acquired or improved with Community Development Block Grant funds that is sold or transferred for the use which does not qualify under the CDBG regulations; and

THAT the Community shall return to the County program income generated from the disposition or transfer of real property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between the County and the Community; and

THAT the terms and provisions of this Agreement are fully authorized under State and local law, and that the Agreement provides full legal authority for the County to undertake or

assist in undertaking essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

THAT this Agreement may be signed in several counterparts each of which shall be considered an original and all of which shall constitute but one and the same instrument; and

THAT this Agreement may be signed in digital form, including a facsimile of a signature; and

THAT pursuant to 24 CFR 570.501(b), the Community is subject to the same requirements applicable to subrecipients, including the requirement for a written agreement set forth in 24 CFR 570.503.

IN WITNESS WHEREOF, the Community and the County have by resolutions authorized this agreement to be executed by their respective officer's thereunto as of the day and year first above written.

SIGNATURES APPEAR ON FOLLOWING PAGES

COUNTY OF KENT

Mandy Bolter
Chair, Kent County Board of Commissioners

Date

Attest:

Lisa Posthumus Lyons
Kent County Clerk

Date

CERTIFICATION BY COUNTY CORPORATE COUNSEL

The undersigned, Corporate Counsel for the County of Kent, certifies that the terms and provisions of the foregoing agreement are fully authorized under existing State and local law and that the agreement provides full legal authority for the County to undertake or assist in undertaking essential community development and housing assistance activities, specifically urban renewal and public assisted housing in cooperation with local units of government.

Linda S. Howell
Kent County Corporate Counsel

Date

COMMUNITY

Signature

Printed Name and Position

Date

Signature

Printed Name and Position

Date

Attest:

Signature

Printed Name and Position

Date



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: December 31, 2020
TO: Mayor Mike DeVore and the Lowell City Council
FROM: Michael T. Burns, City Manager MB
RE: Social District

At the last City Council meeting, Administration was directed to prepare a resolution for our proposed Downtown Social District.

Since our last meeting, I spoke with some businesses who could participate. I also have created management rules for the district. We will be asking the Downtown Development Authority to provide financial assistance for the district. We are also looking at dedicating a patrol officer full time to the district as security.

I attached the proposed map of the district and commons area. We will allow for the entire district to be the commons area. I would like to utilize Monroe Street from where the alley behind Showboat Spirits is to Main and the Riverwalk as areas where we can have warming areas. In the map, I allowed for Riverside Drive and Broadway to be closed if there was a demand to do so.

I attached Resolution 01-21 to create the district. There will be a second resolution once I can identify all of the businesses who would like to participate as this must also be identified as part of the social district.

If you see on the map, we have identified Riverwalk Park to be included in the Social District. We will need to modify City Ordinance 14-55 to allow for alcoholic beverages to be allowed at Riverwalk Park. I should mention we would need to allow this for when Showboat reopens. The City Attorney has provided Ordinance 21-01 to allow for alcohol to be possessed and consumed at Riverwalk Park.

I recommend the Lowell City Council approve Resolution 01-21 to create the Social District and Ordinance 21-01 to allow alcohol to be possessed and consumed at Riverwalk Park.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

**NOTICE OF ADOPTION AND SUMMARY OF AN ORDINANCE
AMENDING SECTION 14-55 "TRANSPORTATION AND POSSESSION
OF ALCOHOLIC BEVERAGES AND INTOXICATING LIQUORS" OF
THE CODE OF ORDINANCES OF THE CITY OF LOWELL IN ORDER
TO PERMIT THE CONSUMPTION OF ALCOHOL OBTAINED FROM
SOCIAL DISTRICT PERMIT HOLDERS WITHIN DESIGNATED
SOCIAL DISTRICT COMMONS AREAS**

The Lowell City Council adopted Ordinance No. 21-01 amending Section 14-55 "Possession of Alcoholic Beverages and Intoxicating Liquors; Exception for Social Districts" of Chapter 14, "Parks and Recreation" of the Code of Ordinances of the City of Lowell on January 4, 2021. Ordinance No. 21-01 prohibits the consumption and possession of alcoholic beverages on certain city-owned property but creates an exception for designated Commons Areas within Social Districts as permitted by City Council and authorized by the Michigan Liquor Control Commission and Public Act 124 of 2020. A copy of Ordinance No. 21-01 is available for inspection at City Hall, 301 East Main Street in the City during regular business hours of the City.

Ordinance No. 21-01 is effective 10 days after this publication.

Susan Ullery
City Clerk

**CITY COUNCIL
CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 01-21

**A RESOLUTION DESIGNATING A SOCIAL DISTRICT
THAT CONTAINS A COMMONS AREA IN ORDER TO
ALLOW CERTAIN ON-PREMISES LIQUOR LICENSEES
EXPANDED USE OF SHARED AREAS FOR
CONSUMPTION OF ALCOHOL PURSUANT TO PUBLIC
ACT 24 OF 2020**

Councilmember _____, supported by Councilmember _____,
moved the adoption of the following resolution:

WHEREAS, the Michigan Liquor Control Code was recently amended by 2020 PA 124 (the Act) to allow the governing body of a local governmental unit to designate social districts and commons areas which may be used by qualified licensees that obtain a social district permit from the Michigan Liquor Control Commission (MLCC) to utilize expanded areas for the consumption of alcohol; and

WHEREAS, if the governing body of a local governmental unit designates a social district that contains a commons area, the governing body must define and clearly mark the commons area with signs, establish local management and maintenance plans including, but not limited to, hours of operation for submittal to the MLCC, and maintain the commons areas in a manner that protects the health and safety of the community; and

WHEREAS, the City Council finds that designating a social district and commons area pursuant to the Act is in the best interests of the businesses within and citizens of the City of Lowell especially in light of COVID-19 restrictions on indoor gatherings and social distancing recommendations;

NOW, THEREFORE, RESOLVED THAT:

1. The City Council hereby designates the social district and commons area as provided on the attached map and authorizes the City Manager or his designee to take all such other actions necessary in order to implement this Resolution and comply with the Act, including the development and implementation of a management and maintenance plan.

2. This social district designation, subject to MLCC approval, shall remain in effect indefinitely from the date of the adoption of this resolution until revoked earlier, modified, or extended thereafter by the City Council or the MLCC in accordance with the Act.

3. The City Clerk is authorized and directed to forward this Resolution and the attached map and management and maintenance plan to the MLCC as required by the Act together with this Resolution.

4. All resolutions and parts of resolutions in conflict herewith are rescinded.

YEAS: Councilmembers _____

NAY: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

RESOLUTION DECLARED ADOPTED

Dated: _____, 2021

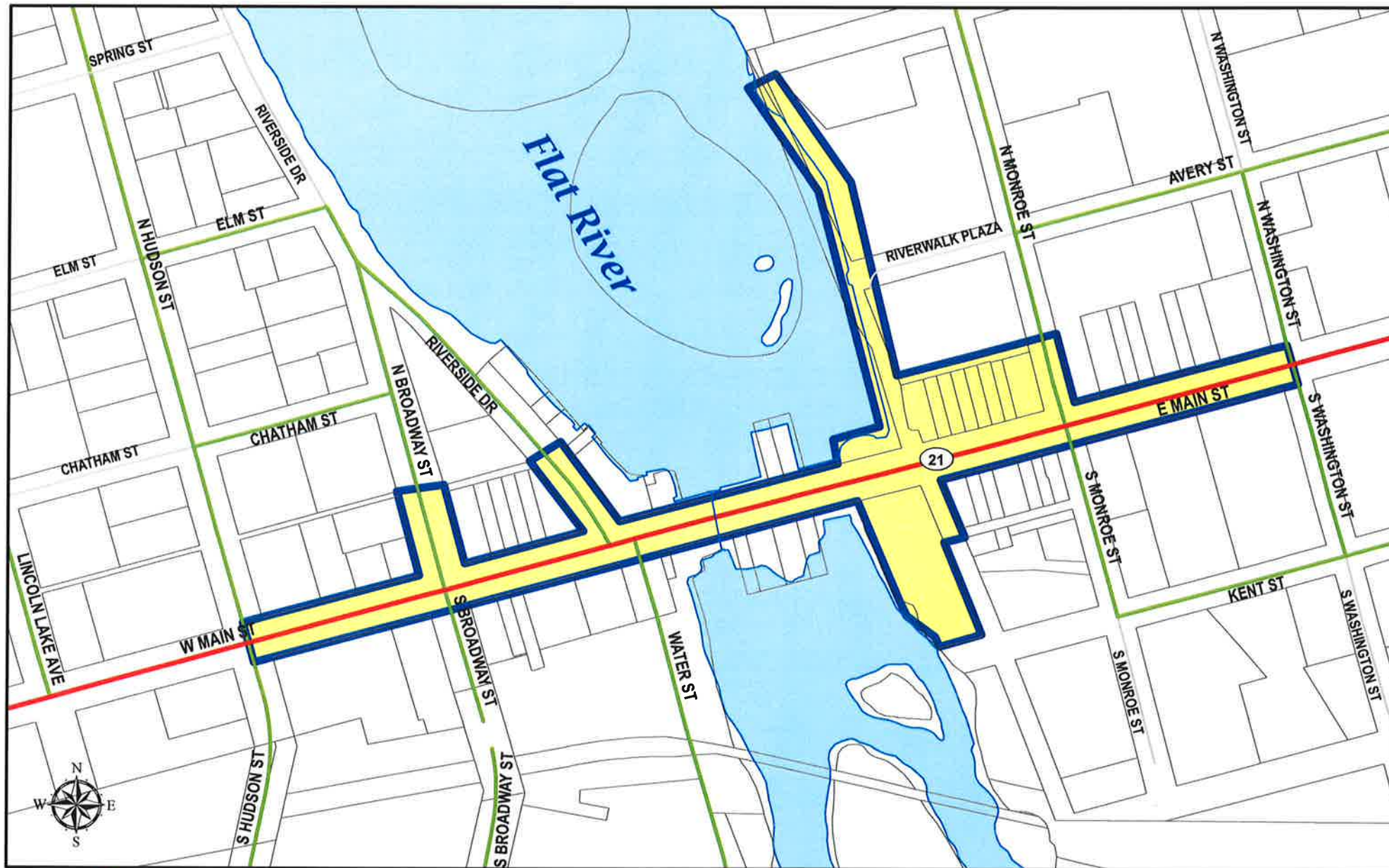
Susan Ullery
City Clerk

CERTIFICATION

I, the undersigned duly qualified and acting Clerk of the City of Lowell (the "City"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City at a regular meeting held on _____, 2021, and that public notice of said meeting was given pursuant to Act 267 of the Public Acts of Michigan of 1976, as amended, and applicable Executive Orders of the Governor of the State of Michigan.

Dated: _____, 2021

Susan Ullery
City Clerk



The data provided on this map is for informational purposes only. It is not intended to be used as a legal document. The City of Lowell is not responsible for any errors or omissions on this map.



Legend

- Social District Boundary
- Social District Commons Area

City of Lowell Downtown Social District

LOWELL AREA REFRESHMENT AREA (SOCIAL DISTRICT AND COMMONS AREA)
MANAGEMENT AND MAINTENANCE PLAN

Operation:

1. The Social District and Commons Area shall be open for use 7 days a week from 12 noon to 10pm.
2. No tents or lighting or privately owned tables or chairs or heating mechanisms or fire pits of any kind shall be installed within the Social District or Commons Area without City permission in advance.
3. No amplified sound shall be used in the Social District or Commons Area without City permission.
4. Umbrellas may be installed with City permission but shall not be mechanically fastened to street or sidewalk surfaces.
5. Dogs are permitted in the Social District and Commons Area (the City's leash laws still apply, as does the obligation to pick up after your dog).

Access:

1. Pedestrian access shall be maintained to all buildings in the Social District and Commons Area as required by the City of Lowell.
2. Emergency access shall be maintained to all adjacent properties in the Social District and Commons Area as required by the City of Lowell.

Alcohol:

1. Alcoholic beverages are allowed in the Commons Area only in accordance with a Social District Permit issued by the Michigan Liquor Control Commission (MLCC), any accompanying MLCC regulations, and City of Lowell requirements.
2. ONLY Alcoholic beverages purchased by an adult 21 or over from the licensed premises of a Social District Permit holder may be consumed by an adult 21 or over within the designated Commons Area.
3. NO OUTSIDE ALCOHOL ALLOWED!
4. Alcoholic beverages consumed in the Commons Area are required to be in designated cups per the requirements of the MLCC and the City of Lowell. NO GLASS CUPS. NOTHING LARGER THAN 16 OUNCES. ALL CUPS MUST BE PROPERLY LABELED WITH COMMONS AREA ID AND LICENSEE INFORMATION.

Review:

1. The Management and Maintenance Plan shall be included in any future Social District reviews conducted by the City of Lowell.
2. The City Manager shall be included in any review and consulted on any revisions to the Social District and Management and Maintenance Plan.
3. Additional Commons Areas may be considered at a future date by City Council.
4. The City of Lowell reserves the right to close the Social District and/or Commons Area.

Social Distancing and COVID-19 Response:

1. All users of the Social District and the Commons Area shall follow all applicable State of Michigan social distancing and mask guidance and requirements.
2. All users of the Social District and Commons Area shall use them at their own risk.

APPOINTMENTS

	Expires
Airport Board	
Vacancy (Jeff Altoft – Currently Serving)	01/01/2021
Vacancy (Jim Myaard – Currently Serving)	01/01/2021
Arbor Board	
Vacancy (Melissa Spino – Currently Serving)	06/30/2020
Board of Review	
Vacancy (Martin McPhee – Currently Serving)	01/01/2021
Vacancy (Leah Vredenburg – Currently Serving)	01/01/2021
Vacancy (Jim Hodges – Currently Serving)	01/01/2021
Vacancy (open - alternate)	01/01/2021
Construction Board of Appeals	
Vacancy	01/01/2021
Downtown Development Authority	
Vacancy (Dr. James Reagan – Currently Serving)	01/01/2021
Vacancy (Brian Doyle – Currently Serving)	01/01/2021
Local Officers Compensation Commission	
Vacancy (Roger LaWarre – Currently Serving)	06/30/2020
Lowell Area Fire and Emergency Services Authority	
Vacancy (Dave Pasquale – Currently Serving)	01/01/2020