



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

CITY OF LOWELL
CITY COUNCIL AGENDA
TUESDAY, JULY 6, 2021, 7:00 P.M.

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

2. CONSENT AGENDA

- Approval of the Agenda.
- Approve and place on file the minutes of the June 21, 2021 Regular City Council meeting.
- Authorize payment of invoices in the amount of \$226,089.94.

3. 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.

4. OLD BUSINESS

5. NEW BUSINESS

- a. Resolution 11-21 – Alleyway Vacation
- b. Water System SCADA Upgrades
- c. Bowes Road Sewer Repairs

6. BOARD/COMMISSION REPORTS

7. MANAGER'S REPORT

8. APPOINTMENTS

9. COUNCIL COMMENTS

10. 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 **Tuesday**, July 6, 2021

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL
2. CONSENT AGENDA

- Approval of the Agenda.
- Approve and place on file the minutes of the June 21, 2021 Regular City Council meeting.
- Authorize payment of invoices in the amount of \$226,089.94

3. 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.

4. OLD BUSINESS
5. NEW BUSINESS

- a. Resolution 11-21 – Alleyway Vacation. City Manager Michael Burns provided a memo.

Recommended Motion: That the Lowell City Council approve Resolution 11-21 to vacate the undesignated street plat between 420 & 508 W. Main Street.

- b. Water System SCADA Upgrades. Public Works Director Daniel Czarnecki provided a memo.

Recommended Motion: That the Lowell City Council approve the quote from RS Technical Services, Inc. Lowell, MI, dated May 3, 2021, for the installation and all necessary wiring of the SCADA system and pump upgrades at the Northeast Pump Station, for a cost of \$96,817.36.

- c. Bowes Road Sewer Repairs. Public Works Director Daniel Czarnecki provided a memo.

Recommended Motion: That the Lowell City Council approve the quote from Plummer's Environmental Services, Inc., Byron Center, MI, dated June 23, 2021, for the Cured-in-Place repair to the Bowes St. sanitary sewer main, for a cost of \$9,900.00.

6. BOARD/COMMISSION REPORTS

7. MANAGER'S REPORT

8. APPOINTMENTS

9. COUNCIL COMMENTS

10. ADJOURNMENT

**PROCEEDINGS
OF
CITY COUNCIL MEETING
OF THE
CITY OF LOWELL
MONDAY, JUNE 21, 2021, 7:00 P.M.**

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

The Regular 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, Leah Groves, Jim Salzwedel and Mayor DeVore.

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery, Chief of Police Chris Hurst, and City Attorney Jessica Wood.

2. CONSENT AGENDA.

- Approval of the Agenda.
- Approve and place on file the minutes of the June 7, 2021, Regular City Council Meeting.
- Authorize payment of invoices in the amount of \$240,528.29.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

Perry Beachum who resides at 924 Riverside Dr. commented on the City of Denver's rebate program for residents with "low flow toilets" and how it could reduce the amount of water going through the system.

Councilmember Salzwedel mentioned he had heard of the "toilet tank brick campaign" (plastic brick in the tank to reduce how much water it takes to fill up the back of the tank) to help reduce water use.

City Manager Michael Burns will check or have Dan Czarnecki check into these programs.

4. OLD BUSINESS.

a. COVID.

City Manager Michael Burns stated June 30, 2021 the State of Emergency for Kent County will expire. We don't know if they will extend it, my thought is regardless if they extend it or not, we should end the zoom component of the meetings. There will be no capacity limits after tomorrow. But we will continue doing Facebook live.

b. Downtown Restrooms.

City Manager Michael Burns read his memo regarding the downtown restrooms, stating as part of the Showboat project, there were plans to construct Downtown Restrooms across from the Showboat. We originally went out for bids for this project. The architect designed bid specs and the low bid originally came in at approximately \$367,000 to build a women and men's restroom, which was ADA compliant. I also did not believe we had the proceeds to build the restrooms from the Showboat campaign. At the time, we received bids only from Orion Construction and Wolverine Building Group, both of which are design firms. I went back to them and requested if there were ways to construct a restroom and allow for future renovations surrounding it cheaper than what was originally proposed. Both said yet. Therefore, I did not involve the architect any further and went directly to the firms because both had the capability to handle it in house. I told them each to provide an estimate to build a durable municipal bathroom with no adornments and see how low they could get their price. The parameters were that the improvements would allow for future expansion and to sustain long-term usage as a municipal restroom. Approximately one month later, I received bids from both firms. The following quotes were provided from both firms.

- Wolverine Building Group \$251,721.80
- Orion Construction \$255,325.00

I met with both contractors and they, for the most part, designed the restrooms specific to the original bid specifications. The savings came from mainly concrete and furnishings, cutting trenches around only where the underground plumbing/drainage was necessary and using "Chevrolet" style furnishings instead of "Cadillac" style furnishings. If approved, both firms can begin work in July. I reviewed with Liz Baker the revenues and expenses currently for the Showboat. When the boat is complete, there will be approximately \$182,000 for the Showboat with an additional \$41,000 pledged. I propose we use \$100,000 from the showboat fundraising, \$75,000 from the Downtown Development Authority and the remaining \$76,721 from the funds received to the City from the American Recovery Plan.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council award construction of the restrooms to Wolverine Building Group at a cost not to exceed \$251,721.80 in the manner described.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

5. NEW BUSINESS.

a. Resolution 08-21 – Fiscal Year 20/21 Budget Amendments.

City Manager Michael Burns provided Resolution 08-21 to approve budget amendments for the current fiscal year

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH that the Lowell City Council approve Resolution 08-21 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Street Closure – Riverside Drive.

City Manager Michael Burns stated we received a request from Eric and Beryl Bartkus from Ability Weavers to close Riverside Drive from the Lineshack to Lowell Light & Power for their second annual Weaving Fair on Saturday, July 31, 2021.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL that the Lowell City Council approve the road closure for Ability Weavers second annual Weaving Fair on Saturday, July 31, 2021 from 8:00 A.M. to 5:00 P.M.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Ordinance 21-04.

City Manager Michael Burns read his memo stating after a full year of adult facilities operating in the City, it is becoming apparent the facilities are most suitable in the west and commercial area on Main Street and Bowes Road, which are not 1000 feet from schools and nursey schools, in the Downtown District and not in residential areas. One area not fully thought of were areas east of the Flat River. There are a few C-3 zoned parcels on this side of the river, however in many instances, they are surrounded by residential units. At the Planning Commission meeting on Monday, June 14, 2021, the Planning Commission had a public hearing on restricting facilities east of the Flat River and made a recommendation to amend the zoning ordinance to restrict facilities east of the Flat River.

Perry Beachum who resides at 924 Riverside stated he is proud of the Council and this is what the people in the City voted for.

Brad Brillhart who is the Senior Pastor at First United Methodist Church stated he would support this ordinance amendment and members of the church would as well.

Conner Baker who resides at 805 & 825 E Main spoke regarding his purchase in the City and was not aware of this amendment until a friend told him. He was not in favor of this ordinance amendment.

Council discussed at length. There was no motion and no vote made regarding this ordinance amendment.

d. Ordinance 21-05.

City Manager Michael Burns read his memo stating when Proposal 1 of 2018 was approved by the people of the State of Michigan, to allow for adult use marihuana facilities in Michigan; the act allowed for microprocessors, provisioning centers, grow facilities, secure transporter and safety compliance facilities to operate. When the Michigan Marijuana Regulatory Agency drafted their initial rules in 2019, they allowed for special event permits and designated consumption facilities. Our current ordinance recognizes these exist, but our ordinance also does not allow for consumption at facilities. When we first drafted the ordinance, administration had concern about allowing designated consumption facilities in the City. This is why the consumption clause to our ordinance was added. The City Attorney has drafted Ordinance 21-05 as an addendum to Section 28-21 of the City Ordinance outright banning designated consumption establishments, excess Marihuana growers, marihuana event organizers, temporary marihuana events or any other future licenses by the state.

IT WAS MOVED BY SALZWEDEL and seconded by DEVORE that the Lowell City Council Ordinance 21-05 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Resolution 09-21 – Lowell Area Historical Museum Millage Renewal.

Lisa Plank, Director of the Lowell Area Historical Museum spoke about the Museum Millage Renewal and asks for the City Councils consideration to add the millage renewal to the ballot for November 2, 2021 election.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS to approve Resolution 09-21 as presented to allow the Museum renewal to be placed on the ballot for the November 2, 2021 election.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

f. Resolution 10-21 - Downtown Redevelopment Liquor License – 101 W. Main.

Burns read from his memo stating we received a request from Brent Slagell, from Rio Plano Taqueria LLC, for consideration for a Downtown Redevelopment Liquor License at 101 W. Main. Currently, there is one of these licenses in the City at Big Boiler Brewing, also owned by Mr. Slagell. In order to be approved for these licenses, the Assessors must swear to an affidavit that the qualified development district in the City (DDA District) has had more than \$200,000 in public and private improvements in the past five years. The City Council must also pass a resolution for consideration of a Downtown Redevelopment License and the applicant must do a number of things including verify there are no available liquor licenses in Kent County.

IT WAS MOVED BY YANKOVICH and seconded by DEVORE that the City Council approve Resolution 10-21 for a downtown redevelopment liquor license to Rio Plano Taquiera at 101 W. Main.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

- g. Ordinance Amendment 21-06 – Rezone Parcels located at 746 W. Main and 728 W Main entirely to C3 General Business District.

City Clerk Sue Ullery read the memo stating at the June 14, 2021 meeting, the Planning Commission reviewed a request from Betten Baker to rezone 746 W. Main and 728 W. Main. Currently, there are three zoning districts split between the two parcels. The parcel at 746 W. Main contains the C3 General Business district and R2 Single and Two Family Residential district. The parcel at 728 W. Main is located in the I General Industrial district. The applicant is requesting that both properties be rezoned so that they are all completely within the C3 General Business district because this is the only district in which open air businesses, such as dealerships, are permitted by special land use. (Section 12.03G)

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that the Lowell City Council accept the recommendation of the Planning Commission and approve Ordinance 21-06.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

- h. Partial Parking Lot Closure.

Burns read his memo stating we received a request from King Milling for a partial parking lot closure. They are doing restoration and renovation of the McQueen Building and would like the western end of the Broadway Parking Lot closed so the construction crews can work safely. This would affect 11 spaces and the time of the closure is during normal working hours Monday through Friday. They will reopen the parking lot on the weekends. Their plan is to begin construction on Monday June 21, 2021 and they believe they will need until December to keep those spaces closed.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve a partial parking lot closure of the Broadway Parking Lot for King Milling during normal working hours from June 21, 2021 to December 31, 2021.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

i. PROTEC Membership.

Burns read this memo stating we received a letter from PROTEC –The Michigan Coalition to Protect Public Rights-of-Way. PROTEC has been an organization for 25 years. Their purpose is to

take the lead to coordinate actions to protect local government interests and to inform municipal officials of significant developments in the area of public right of way management. In the past they have actively been involved in protecting PEG Channels and the fees associated with them. This group is currently involved in the fight regarding Small Cell/DAS legislation that I mentioned previously. The cost of the membership to the City of Lowell is \$472.88.

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

6. BOARD/COMMISSION REPORTS.

Councilmember Groves stated that when she moved in the City of Lowell it was busy and thriving and then COVID 19 hit and she wasn't sure it would ever go back to that, but she is very happy to see that it is busy, happy and thriving again.

Councilmember Chambers was happy that they approved everything they did today.

Councilmember Salzwedel missed the Lowell Light & Power meeting but he did meet with Charlie West on a new solar agreement that the board is working on. They are also down to only 20 meters left that are not automated meters in the City and those that have chosen not to, will be charged a \$10 fee.

Mayor DeVore stated Fire Authority met and discussed a huge facilitation with all the local boards together with Lew Bender. Bids were received for the new fire engine. Spencer has the winning bid and they are looking at about a 400-day build. And the first payment will be due until 2023. The fire department is going to start running priority three medicals.

7. BUDGET REPORT.

There were no updates.

8. MANAGER'S REPORT.

City Manager Michael Burns went over a couple items:

- Foreman Street Project is moving along well and we are in the process of putting the service leak connections in. Very strong possibility that all the sewer work will be done by the end of the week and they will start the road restoration process.
- The Jane Ellen project is scheduled to begin July 7, 2021.
- Dan Czarnecki and I have met with the Showboat garden club about bridge boxes on the River.
- We received our MERS actuarial today, and total system wide went up from 60 % funded to 62% and the City's component (Division 10) went up from 60% to 64%, so we are making some progress.

- The Amity project is scheduled to begin August 31, 2021. Residents affected will be getting letters for the projects affecting them.
- We have had an issue with the Library's air conditioning in the last couple weeks. One of the units has reached its lifespan and the replacement part that has to be done is a \$5,000 replacement. The part we need will be about 3½ weeks to get. Hopefully it will come faster but the Library may need to be shut down if it doesn't and it gets too hot.
- We did receive from the union, a request for an easement vacation, Jessica Wood and I are reviewing it right now. As you recall there is an undesignated street flat between where New Union is now and the property that they also own next to it. Hope to come back with this at our next meeting.

9. **APPOINTMENTS.**

Matthew Silverman has applied for the Arbor Board vacancy
Amanda Schrauben would like to be appointed on the LCTV Endowment Fund Board.
There were no objections so they were both appointed to said boards.

10. **COUNCIL COMMENTS**

Councilmember Yankovich stating it is his understanding that some other small communities are looking at our example with the Lowell Pride and thinking of trying it in their town.

Councilmember Salzwedel thanks the DPW for cleaning up around town. Doing a great job. Concert was off the charts.

Councilmember Chambers stated Riverwalk was a lot of fun. The fire department was doing hot dogs and chicken dinners and it was good to see everyone in the community come together.

Councilmember Groves stated she has two things to mention. Feeding America is partnering with the library, so Monday through Friday at noon they are handing out free lunches to kids. Thank you for all the citizens showing up at the meeting.

Mayor DeVore said the Expo was outside and it was hot but very well attended and organized as well as the Pride Event.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALWEDEL and seconded by CHAMBERS to adjourn at 7:55 p.m.

YES: 5.

NO: None.

ABSENT: None.

MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 08-21

**RESOLUTION ADOPTING AN AMENDMENT TO THE
CITY OF LOWELL ANNUAL BUDGET FOR FISCAL
YEAR 2020-2021**

Councilmember SALZWEDEL supported by Councilmember YANKOVICH moved the adoption of the following resolution:

WHEREAS, the City Manager has prepared and presented to the City Council at its meeting on June 21, 2021, a proposed amended budget for the 2020-2021 fiscal year of the City (the "Amended Budget") in accordance with the City Charter, applicable State of Michigan law and applicable federal law and regulations, if any; and

WHEREAS, the City Charter allows that after a budget has been adopted for a fiscal year the City Council may make adjustments as it deems necessary.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Amended Budget as presented at this meeting is hereby adopted.
2. That in accordance with the Amended Budget the 2020-2021 fiscal year budget at the following are the estimated revenues and expenses for the 2020-2021 fiscal year of the City:

	<u>Revenues</u>	<u>Appropriations</u>
General Fund	\$3,513,969.51	\$3,581,268.32
Major Street Fund	\$278,284.00	\$594,472.98
Local Street Fund	\$469,125.65	\$489,205.68
Historic District	\$60,050.00	\$60,000.00
DDA	\$708,673.00	\$829,815.23
Building Inspector Fund	\$75,000.00	\$75,000.00
Designated Contribution	\$1,380,962.22	\$2,512,060.25
Airport Fund	\$79,316.00	\$97,647.00
Wastewater Fund	\$1,055,439.00	\$1,587,707.56

Water Fund	\$1,140,732.00	\$1,472,825.72
Cable Fund	\$108,479.10	\$108,479.10
Data Processing	\$120,406.00	\$150,800.00
Equipment Fund	\$268,765.00	\$320,213.03
Lee Fund	\$5,000.00	\$5,000.00
Look Fund	\$40,000.00	\$55,843.44

3. That it has been determined that there is sufficient fund balance when budgeted revenues are less than budgeted appropriations.

4. That pursuant to the provisions of the Uniform Budgeting and Accounting Act, Act 2 of the Public Acts of Michigan 1968, as amended ("Act 2"), the City Manager or his designee(s) is hereby authorized to make budgetary transfers within the identified fund in the Amended Budget or between identified activities within a fund. All other budgetary transfers in the Amended Budget shall be in accordance with Act 2 when City Council approval is required.

5. That the City manager or his designee(s) is authorized to make expenditures budgeted in the Amended Budget in accordance with applicable law, ordinances, rules, regulations and policies.

YEAS: Councilmembers Salzwedel, Yankovichm Chambers, Groves and Mayor DeVore

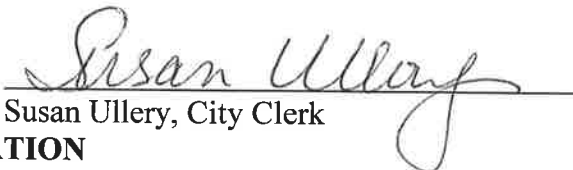
NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED.

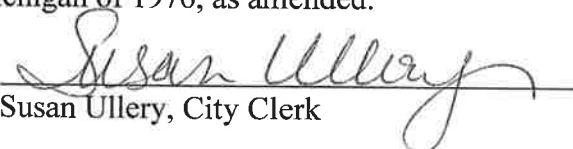
Dated: June 21, 2021


Susan Ullery, City Clerk

CERTIFICATION

I, the undersigned Clerk of the City of Lowell, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, at a meeting held on June 21, 2021, and that public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: June 21, 2021


Susan Ullery, City Clerk

CITY OF LOWELL
KENT COUNTY, MICHIGAN

ORDINANCE NO. 21-04

AN ORDINANCE TO AMEND SECTION 17.04(F), "ADULT USE MARIHUANA ESTABLISHMENTS" OF APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL

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

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment of Section 17.04(F)(5)(b). Section 17.04(F)(5)(b) of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to include a new subsection iv, which reads as follows:

iv. any property located east of the Flat River

Section 2. Publication. After its adoption, the City Clerk shall publish this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

Section 3. Effective Date. This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

YEAS: Councilmembers _____

NAYS: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

ORDINANCE DECLARED ADOPTED.

Dated: _____

Susan Ullery
City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on _____, 2021, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on _____, 2021. I further certify that the above ordinance was entered into the Ordinance Book of the City on _____, 2021, and was effective _____, 2021, ten (10) days after publication.

Dated: _____

Susan Ullery
City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 21-05

**AN ORDINANCE AMENDING SECTION 28-21 "SPECIAL LICENSES"
OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL IN
ORDER TO CLARIFY PROHIBITION OF CERTAIN SPECIALLY-
LICENSED MARIHUANA ESTABLISHMENTS**

Councilmember SALZWEDEL supported by Mayor DEVORE moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment to Section 28-21 of Chapter 28. Section 28-21 "Special Licenses" of Chapter 28 of the Code of Ordinances of the City of Lowell is amended in its entirety to read as follows:

Sec. 28-21 Special Licenses.

Notwithstanding anything in this Chapter to the contrary and notwithstanding the fact that the following establishments may otherwise be classified as Marihuana Establishments, the following license types are prohibited in the City of Lowell and no applications will be accepted to operate or establish the following: Designated Consumption Establishments, Excess Marihuana Growers, Marihuana Event Organizers, Temporary Marihuana Events, or any other future license hereinafter issued by the State unless specifically provided for in this Chapter.

Section 2. Publication. After its adoption, the City Clerk shall publish or cause to be published this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

Section 3. Effective Date. This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published as provided in Section 2 above.

YEAS: Councilmembers Groves, Mayor DeVore, Councilmembers Salzwedel,
Yankovich and Chambers

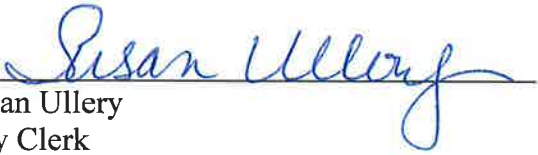
NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

ORDINANCE DECLARED ADOPTED.

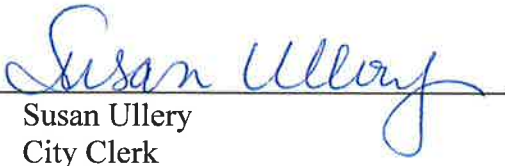
Dated: June 21, 2021


Susan Ullery
City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on June 21, 2021, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including the full ordinance or a summary of its contents and its effective date, was published in the *Lowell Ledger*, on June 23, 2021. I further certify that the above ordinance was entered into the Ordinance Book of the City on July 3, 2021, and was effective July 3, 2021, ten (10) days after publication.

Dated June 21, 2021


Susan Ullery
City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 09-21

**RESOLUTION RECOMMENDING THAT A LOWELL AREA
HISTORICAL MUSEUM OPERATION AND MAINTENANCE
RENEWAL MILLAGE BALLOT PROPOSAL BE SUBMITTED TO THE
ELECTORS OF THE CITY AT THE NOVEMBER 2, 2021, GENERAL
ELECTION**

Councilmember DEVORE supported by Councilmember CHAMBERS moved the adoption of the following resolution:

WHEREAS, the electors of the City at the November 8, 2011, general election approved a .25 of one mill levy to support operation and maintenance of the Lowell Area Historic Museum, a public museum, for a ten-year period commencing July 1, 2013, through June 30, 2023 (the "Museum Millage Levy"); and

WHEREAS, the City Council has determined to submit to the electors of the City a millage ballot proposal to renew the Museum Millage Levy for a ten-year period commencing July 1, 2023, through June 30, 2033, at the November 2, 2021, general election; and

WHEREAS, such renewal levy, if approved by the electors of the City, shall be in addition to the millage the City is currently authorized to levy pursuant to the City Charter and other applicable laws including Act 206 of the Public Acts of Michigan of 1893, as amended.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the following ballot proposal shall be submitted to the electors of the City at the November 2, 2021, general election:

**LOWELL AREA HISTORICAL MUSEUM OPERATIONAL
AND MAINTENANCE RENEWAL MILLAGE BALLOT
PROPOSAL**

Shall the City of Lowell, Kent County, Michigan, levy a renewal special *ad valorem* property tax of .25 of one mill annually (which is equal to \$.25 per \$1,000 of taxable value) on the taxable value of all real and personal property subject to taxation for a ten-year period commencing July 1, 2023, through June 30, 2033, for the purpose of operating and maintaining the Lowell Area Historic Museum? The amount raised by such renewal levy in the first year at the current taxable value is estimated at \$32,050.00 (an estimated \$24,886.00 would be used for museum operations and maintenance and an estimated \$7,164.00 would be disbursed to the City's Downtown Development Authority for its use).

Yes ☐

No ☐

2. That the City Clerk is authorized and directed to request the Kent County Election Commission to place the proposal on the November 2, 2021, general election ballot.

3. That all resolutions and parts of resolutions to the extent of any conflict herewith are hereby rescinded.

YEAS: Mayor DeVore, Councilmembers Salzwedel, Yankovich, Chambers and Groves

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED.

Dated: June 21, 2021


Susan Ullery, City Clerk

CERTIFICATION

I, the undersigned Clerk of the City of Lowell, Michigan (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 June 21, 2021, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: June 21, 2021


Susan Ullery, City Clerk

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

RESOLUTION NO. 10-21

**A RESOLUTION CONFIRMING CERTAIN
INFORMATION REQUIRED BY THE MICHIGAN
LIQUOR CONTROL COMMISSION FOR
CONSIDERATION AND APPROVAL OF A DDA LICENSE
PURSUANT TO SECTION 521A OF ACT 58 OF 1998**

Councilmember YANKOVICH supported by Mayor DEVORE moved the adoption of the following resolution:

WHEREAS, Section 521a(1)(b) of the Michigan Liquor Control Code (the “Code”) provides for a specific on-premises license type for businesses that are located in a development district or area that is a downtown district (referred to as a “DDA License”) established under Act 197 of 1975 (formerly codified at MCL 125.1651 *et seq.*) and recodified under Part 2 of the Michigan Recodified Tax Increment Financing Act, Act 57 of 2018 (currently codified at MCL 125.4101 *et seq.*).

WHEREAS, all applicant businesses seeking a new DDA License must submit to the Michigan Liquor Control Commission (the “MLCC”) a resolution from the local government unit that established the development district or area that specifically references the statute under which such district or area was established.

WHEREAS, the City Council received a request for a resolution in accordance with the criteria above in relation to the applicant business, Rio Plano Taqueria LLC (the “Applicant”), preparing to submit its license application for a DDA License to the MLCC.

WHEREAS, the City Council, in accordance with the MLCC’s requirements, now wishes to provide a resolution in support of the Applicant’s application for a DDA License.

NOW, THEREFORE, RESOLVED THAT:

1. The Lowell Downtown Development Authority and Downtown District was established pursuant to Act 197 of 1975 (formerly codified at MCL 125.1651 *et seq.*) and recodified under Part 2 of the Michigan Recodified Tax Increment Financing Act, Act 57 of 2018 (currently codified at MCL 125.4101 *et seq.*) by the unanimous vote of the City Council to adopt Ordinance 92-4 on November 16, 1992.

2. The Applicant is engaged in dining and is open to the general public and has a seating capacity of not less than 25 persons.

3. The Applicant has expended at least \$75,000 for the rehabilitation or restoration of a building over a period of the preceding five years or has committed capital investment of at least \$75,000 that will be expended for the building before the license is issued.

4. The Applicant's business is located within the Lowell Downtown Development Authority District.

5. The total amount of private and public investment in real and personal property in the development district is at least \$200,000 for the preceding 5 years as evidenced by the City Assessor's Affidavit.

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

YEAS: Councilmembers Salzwedel, Yankovich, Chambers, Groves and Mayor DeVore

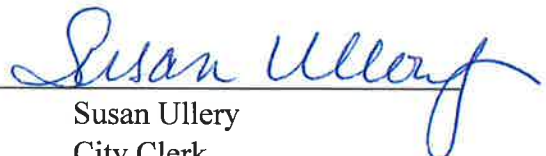
NAY: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED

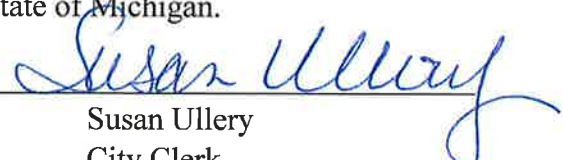
Dated: June 21, 2021


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 June 21, 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: June 21, 2021


Susan Ullery
City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 21-06

AN ORDINANCE TO REZONE PARCEL 41-20-02-376-017 FROM THE C3 GENERAL BUSINESS DISTRICT AND R2 SINGLE OR TWO FAMILY DISTRICT ENTIRELY TO THE C3 GENERAL BUSINESS DISTRICT; AND TO REZONE PARCEL 41-20-02-376-018 FROM THE I GENERAL INDUSTRIAL DISTRICT TO THE C3 GENERAL BUSINESS DISTRICT OF THE CITY OF LOWELL ZONING MAP OF APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL.

Councilmember CHAMBERS supported by Councilmember SALZWEDEL moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

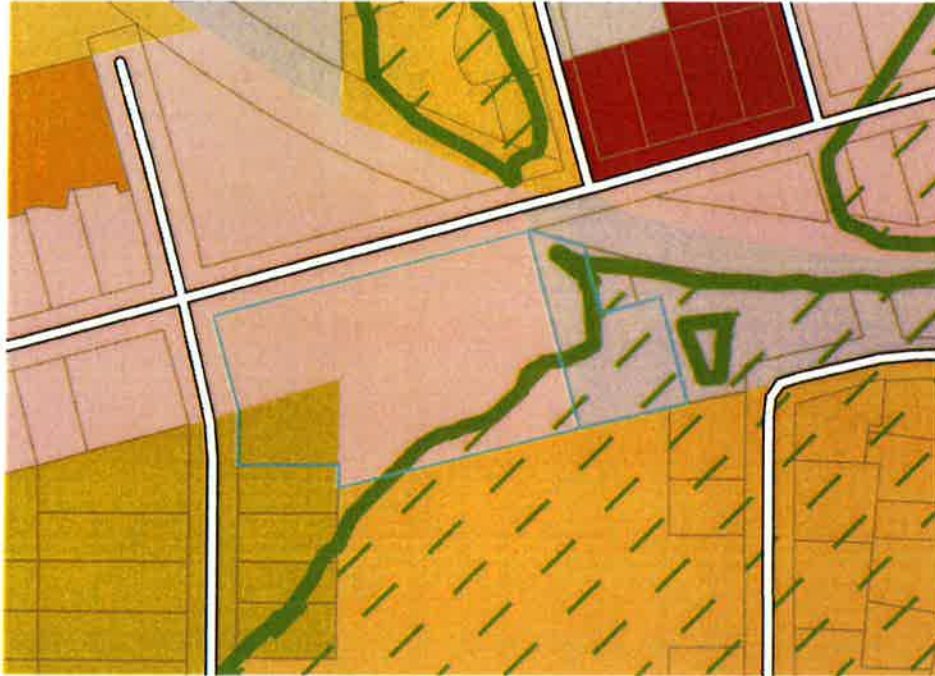
Section 1. Zoning Map Amendment. The Zoning map of the City of Lowell, which is established by and made a part of the City of Lowell Zoning Ordinance, is hereby amended so that a parcel of land located at 746 W. Main Street (PPN 41-20-02-376-017) and a parcel of land located at 728 W. Main Street (PPN 41-20-02-376-018), which are illustrated on the attached exhibit A, are both rezoned to and included in the C3 General Business district.

Section 2. Publication. After its adoption, the City Clerk shall publish this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

Section 3. Effective Date. This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

EXHIBIT A

PPN 41-20-02-376-017 AND PPN 41-20-02-376-018
REZONED FROM R2 AND I TO C3



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


NO: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

ORDINANCE DECLARED ADOPTED.

Dated: June 21, 2021



Susan Ullery
City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on June 21, 2021, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on June 23, 2021. I further certify that the above ordinance was entered into the Ordinance Book of the City on July 3, 2021, and was effective July 3, 2021, ten (10) days after publication.

Dated: June 21, 2021



Susan Ullery
City Clerk

User: LORI

EXP CHECK RUN DATES 06/19/2021 - 07/01/2021

DB: Lowell

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name	Invoice	Description	Amount
01513	ADDORIO TECHNOLOGIES, LLC	8871	WTP - DATA PROCESSING	318.75
TOTAL FOR: ADDORIO TECHNOLOGIES, LLC				318.75
10816	AMAZON CAPITAL SERVICES	1XQ7-KTC3-LNKD	WATER DEPT TUBING CUTTER	57.39
TOTAL FOR: AMAZON CAPITAL SERVICES				57.39
02290	AMERICAN WATER WORKS	7001931143	MEMBERSHIP RENEWAL	231.00
TOTAL FOR: AMERICAN WATER WORKS				231.00
10625	AQUARIUS LAWN SPRINKLING INC	63683	SPRINKLER R & M	118.75
TOTAL FOR: AQUARIUS LAWN SPRINKLING INC				118.75
10327	AUTOMATED BUSINESS EQUIPMENT	21502	SEALING SOLUTION	111.08
TOTAL FOR: AUTOMATED BUSINESS EQUIPMENT				111.08
00045	BARTLETT, SANDY	6/22/2021	JUNE METER READS & MILEAGE	773.94
TOTAL FOR: BARTLETT, SANDY				773.94
10121	BEHRENS LIMITED, LCC	6/29/2021	MUTT MITTS	93.75
TOTAL FOR: BEHRENS LIMITED, LCC				93.75
10686	BETTEN BAKER	141838	#14 2008 CHEVY - CEMETERY R & M	700.53
TOTAL FOR: BETTEN BAKER				700.53
10178	BHS INSURANCE AGENCY INC.	42381	PACKAGE RENEWAL 7/21-7/22	128,232.00
TOTAL FOR: BHS INSURANCE AGENCY INC.				128,232.00
10656	CARLETON EQUIPMENT	02-493742	#37 SKIDSTEER R & M	1,508.27
TOTAL FOR: CARLETON EQUIPMENT				1,508.27
10509	CONSUMERS ENERGY	JUNE 2021	ACCOUNT STATEMENTS	254.07
TOTAL FOR: CONSUMERS ENERGY				254.07
01156	CURTIS CLEANERS	7EC09F	POLICE DRY CLEANING	123.00
TOTAL FOR: CURTIS CLEANERS				123.00
REFUND UB	DICKERSON, CORRINE	07/01/2021	UB refund for account: 6-01221-5	26.23
TOTAL FOR: DICKERSON, CORRINE				26.23
00148	DICKINSON WRIGHT PLLC	1590255	SABOR PR	611.00
		1590256	LEGAL SERVICES	333.00
TOTAL FOR: DICKINSON WRIGHT PLLC				944.00

07/01/2021 03:02 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 2/5

Vendor Code	Vendor Name Invoice	Description	Amount
02035	DIGITAL OFFICE MACHINES, INC. 19596	POLICE COPY MACHINE	263.70
TOTAL FOR: DIGITAL OFFICE MACHINES, INC.			263.70
10485	ELECTIONSOURCE 21-2061	ELECTION HEADPHONES & PENS	127.71
TOTAL FOR: ELECTIONSOURCE			127.71
00744	ETNA SUPPLY COMPANY S104062418.001	WATER DEPT	2,068.60
TOTAL FOR: ETNA SUPPLY COMPANY			2,068.60
10761	FANS IN THE STANDS 1759	UNIFORM SHIRTS	318.00
TOTAL FOR: FANS IN THE STANDS			318.00
01821	FLAT RIVER DEVELOPMENT 6/28/2021	HDC GRANT - ROOF 219 E MAIN	5,000.00
TOTAL FOR: FLAT RIVER DEVELOPMENT			5,000.00
10045	FORD'S SERVICE WORK 5/21/2021	REPLACE WINDOWS AT FOREMAN BLDG	900.00
TOTAL FOR: FORD'S SERVICE WORK			900.00
00225	GRAND RAPIDS COMMUNITY COLLEGE 6/16 - 6/30/2021	TAX DISBURSEMENT	293.86
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE			293.86
01285	GREAT LAKES PAVING 9043	MONROE & KING STREET	350.00
TOTAL FOR: GREAT LAKES PAVING			350.00
10918	GREAT LAKES UPFITTING 2882	2020 FORD PATROL BUILD	9,335.78
TOTAL FOR: GREAT LAKES UPFITTING			9,335.78
00234	HACH COMPANY 12491046	WTP SUPPLIES	375.13
TOTAL FOR: HACH COMPANY			375.13
00248	HOOPER PRINTING 62494	TAX PAPER	93.49
TOTAL FOR: HOOPER PRINTING			93.49
10501	KCAAO JUNE 4, 2021	MEMBERSHIP - D RASHID	50.00
TOTAL FOR: KCAAO			50.00
00291	KENT COUNTY ROAD COMMISSION 412696	REC PARK BRINING	154.21
TOTAL FOR: KENT COUNTY ROAD COMMISSION			154.21
00300	KENT COUNTY TREASURER 6/16 - 6/30/2021	TAX DISBURSEMENT	1,237.26
	6/16-6/30/21	TAX DISBURSEMENT	1,009.14
TOTAL FOR: KENT COUNTY TREASURER			2,246.40

07/01/2021 03:02 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 3/5

Vendor Code	Vendor Name	Invoice	Description	Amount
00303	KENT DISTRICT LIBRARY	6/16 - 6/30/2021	TAX DISBURSEMENT	333.78
TOTAL FOR: KENT DISTRICT LIBRARY				333.78
00302	KENT INTERMEDIATE SCHOOL DIST.	6/16 - 6/30/2021	TAX DISBURSEMENT	936.54
TOTAL FOR: KENT INTERMEDIATE SCHOOL DIST.				936.54
02209	KERKSTRA PORTABLE, INC.	179797	DDA DISTRICT RESTROOM	500.00
		179798	CEMETERY RESTROOM	95.00
TOTAL FOR: KERKSTRA PORTABLE, INC.				595.00
10018	KORE/HI COM, INC.	30469	UNTANGLE PREMIUM	1,080.00
		LOWC0621UNTANGLE	ANNUAL FEE UNTANGLE	1,080.00
TOTAL FOR: KORE/HI COM, INC.				2,160.00
01374	LOWELL AREA HISTORICAL MUSEUM	6/16 - 6/30/2021	TAX DISBURSEMENT	39.27
TOTAL FOR: LOWELL AREA HISTORICAL MUSEUM				39.27
00562	LOWELL AREA SCHOOLS	6/16 - 6/30/2021	TAX DISBURSEMENT	2,926.47
TOTAL FOR: LOWELL AREA SCHOOLS				2,926.47
00347	LOWELL CHARTER TOWNSHIP	6/28/2021	262 KEY HEIGHT PADS	131.00
TOTAL FOR: LOWELL CHARTER TOWNSHIP				131.00
00341	LOWELL LIGHT & POWER	WINTER 2020	DELINQ ELECTRIC - SHERMAN RICARDS	69.87
TOTAL FOR: LOWELL LIGHT & POWER				69.87
10251	MAG PLUMBING SERVICE LLC	2933	LIBRARY, CITY HALL & MUSEUM	1,504.59
TOTAL FOR: MAG PLUMBING SERVICE LLC				1,504.59
10615	MANSZEWSKI LANDSCAPING LLC	496	PAYMENT 1 OF 4 2021	10,260.00
TOTAL FOR: MANSZEWSKI LANDSCAPING LLC				10,260.00
00979	MEADOWBROOK INC.	7511	AIRPORT INS RENEWAL	3,775.00
TOTAL FOR: MEADOWBROOK INC.				3,775.00
10646	MED-1 LEONARD LLC	05/03/2021	2 MED VISITS - REAMSMA, JAMES	366.54
TOTAL FOR: MED-1 LEONARD LLC				366.54
10912	MERIDIAN CABLING SOLUTIONS	6/22/2021	SHOWBOAT AP 4 & 6 SERVICE WORK	585.00
TOTAL FOR: MERIDIAN CABLING SOLUTIONS				585.00
00499	PETTY CASH	6/25/2021	PETTY CASH	76.96
TOTAL FOR: PETTY CASH				76.96

07/01/2021 03:02 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 4/5

Vendor Code	Vendor Name Invoice	Description	Amount
02247	PITNEY BOWES INC. 1018435084	POSTAGE METER	67.99
TOTAL FOR: PITNEY BOWES INC.			67.99
00506	POSTMASTER 06/29/21 6/29/2021	WATER BILL FOR JULY TAX BILLS FOR SUMMER 2021	482.69 567.00
TOTAL FOR: POSTMASTER			1,049.69
10821	PROTEC 7/1/2021	MEMBERSHIP DUES	472.88
TOTAL FOR: PROTEC			472.88
REFUND UB	QUADA, ANDREW 07/01/2021	UB refund for account: 1-01001-4	27.86
TOTAL FOR: QUADA, ANDREW			27.86
10133	RED CREEK WASTE SERVICES INC. 16R00645	TRASH SERVICE	667.58
TOTAL FOR: RED CREEK WASTE SERVICES INC.			667.58
02248	RIVERSIDE INTEGRATED SYSTEMS INC. 157787	SERVICED SYSTEM CITY HALL/POLICE	144.00
TOTAL FOR: RIVERSIDE INTEGRATED SYSTEMS INC.			144.00
00827	RS TECHNICAL SERVICES, INC. DB-1928	WTP EQUIPMENT	1,325.00
TOTAL FOR: RS TECHNICAL SERVICES, INC.			1,325.00
10378	RUESINK, KATHIE 745398/74399	CLEANING SERVICES 6/4 - 6/20/2021	780.00
TOTAL FOR: RUESINK, KATHIE			780.00
10916	SHEARS, IAN 6/28/2021	EXPENSES FOR TRAINING 6/14 - 6/18/2021	170.86
TOTAL FOR: SHEARS, IAN			170.86
10616	SITEONE LANDSCAPE SUPPLY LLC 110187784-001 110289876-001	DDA R & M PARKS SUPPLIES R & M	54.77 317.03
TOTAL FOR: SITEONE LANDSCAPE SUPPLY LLC			371.80
10849	SMART BUSINESS SOURCE OE-39803-1	TOWELS/OFFICE SUPPLIES	245.61
TOTAL FOR: SMART BUSINESS SOURCE			245.61
10412	STATE SUPPLY COMPANY 1336128	WTP R & M	504.54
TOTAL FOR: STATE SUPPLY COMPANY			504.54
10684	STEPHENS, MICHAEL 6/30/2021	REIMBURSEMENT FOR TRAINING	188.26
TOTAL FOR: STEPHENS, MICHAEL			188.26
10583	SUEZ WATER ENVIRONMENTAL SVC INC 20210114 202143116	SURCHARGES MAY 2021 WWTP SERVICES JUNE 2021	1,500.33 38,490.00
TOTAL FOR: SUEZ WATER ENVIRONMENTAL SVC INC			39,990.33

07/01/2021 03:02 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 5/5

Vendor Code	Vendor Name Invoice	Description	Amount
00630	THORNAPPLE RIVER NURSERY, INC. 13728	WOOD CHIPS DDA	420.00
TOTAL FOR: THORNAPPLE RIVER NURSERY, INC.			420.00
10069	TRUGREEN 140311573	DDA LAWN CARE	39.00
	140311878	LIBRARY LAWN CARE	105.00
	140312099	STONEY LAKESIDE PARK LAWN CARE	42.00
	140345928	MUSEUM LAWN CARE	39.00
TOTAL FOR: TRUGREEN			225.00
10860	ULINE 135184535	FIRST AID KITS	492.77
TOTAL FOR: ULINE			492.77
01790	WILLIAM BOS GREENHOUSE 21440	DDA FLOWERS	39.30
TOTAL FOR: WILLIAM BOS GREENHOUSE			39.30
10567	WOLF KUBOTA BYR-104785	#54 STAND UP MOWER	76.81
TOTAL FOR: WOLF KUBOTA			76.81
TOTAL - ALL VENDORS			226,089.94

07/01/2021 03:03 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 1/5

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-001.002	CASH - LIGHT & POWER UTIL MED-1	LEONARD LLC	2 MED VISITS - REAMSMA, J	222.32	75882
101-000-085.000	DUE FROM LIGHT & POWER	LOWELL LIGHT & POWER	DELINQ ELECTRIC - SHERMAN	69.87	75880
101-000-222.001	DUE CO-DELINQ PERS PROP T	KENT COUNTY TREASURER	TAX DISBURSEMENT	1,151.25	75872
101-000-223.001	DUE LIB-DELINQ PERS PROP	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	320.22	75874
101-000-225.001	DUE SCHL-DELINQ PERS PROP	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	2,750.39	75878
101-000-228.009	DUE TO STATE-DELINQ S.E.T	KENT COUNTY TREASURER	TAX DISBURSEMENT	917.40	75873
101-000-234.001	DUE INTERMED SCHL-DELINQ	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	851.40	75875
101-000-235.001	DUE TO COM COLLEGE-DELINQ	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	267.14	75867
101-000-236.001	DUE TO LOWELL HISTORICAL	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	35.70	75877
101-000-274.000	UNDISTRIBUTED DELINQUENT	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	26.72	75867
101-000-274.000	UNDISTRIBUTED DELINQUENT	KENT COUNTY TREASURER	TAX DISBURSEMENT	86.01	75872
101-000-274.000	UNDISTRIBUTED DELINQUENT	KENT COUNTY TREASURER	TAX DISBURSEMENT	91.74	75873
101-000-274.000	UNDISTRIBUTED DELINQUENT	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	13.56	75874
101-000-274.000	UNDISTRIBUTED DELINQUENT	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	85.14	75875
101-000-274.000	UNDISTRIBUTED DELINQUENT	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	3.57	75877
101-000-274.000	UNDISTRIBUTED DELINQUENT	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	176.08	75878
101-000-434.000	TRAILER FEES	LOWELL CHARTER TOWNSHIP	262 KEY HEIGHT PADS	131.00	75879
Total For Dept 000				7,199.51	
Dept 172 MANAGER					
101-172-955.000	MISCELLANEOUS EXPENSE	PROTEC	MEMBERSHIP DUES	472.88	75913
Total For Dept 172 MANAGE				472.88	
Dept 191 ELECTIONS					
101-191-740.000	OPERATING SUPPLIES	ELECTIONSOURCE	ELECTION HEADPHONES & PEN	127.71	75863
Total For Dept 191 ELECTI				127.71	
Dept 209 ASSESSOR					
101-209-955.000	MISCELLANEOUS EXPENSE	KCAAO	MEMBERSHIP - D RASHID	50.00	75870
Total For Dept 209 ASSESS				50.00	
Dept 210 ATTORNEY					
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	LEGAL SERVICES	333.00	75862
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SABOR PR	611.00	75862
Total For Dept 210 ATTORN				944.00	
Dept 215 CLERK					
101-215-955.000	MISCELLANEOUS EXPENSE	PETTY CASH	PETTY CASH	10.00	75884
Total For Dept 215 CLERK				10.00	
Dept 253 TREASURER					
101-253-740.000	OPERATING SUPPLIES	HOOPER PRINTING	TAX PAPER	93.49	75869
101-253-740.000	OPERATING SUPPLIES	POSTMASTER	TAX BILLS FOR SUMMER 2021	567.00	75885
Total For Dept 253 TREASU				660.49	
Dept 265 CITY HALL					
101-265-730.000	POSTAGE	PITNEY BOWES INC.	POSTAGE METER	67.99	75912
101-265-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	TOWELS/OFFICE SUPPLIES	182.83	75890
101-265-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES 6/4 - 6	420.00	75856
101-265-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	69.45	75915
101-265-930.000	REPAIR & MAINTENANCE	RIVERSIDE INTEGRATED SYST	SERVICED SYSTEM CITY HALL	144.00	75886
101-265-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	LIBRARY, CITY HALL & MUSE	553.13	75910
Total For Dept 265 CITY H				1,437.40	
Dept 276 CEMETERY					
101-276-740.000	OPERATING SUPPLIES	PETTY CASH	PETTY CASH	19.06	75884
101-276-740.000	OPERATING SUPPLIES	ULINE	FIRST AID KITS	246.39	75917
101-276-744.000	UNIFORMS	FANS IN THE STANDS	UNIFORM SHIRTS	258.00	75864
101-276-802.000	CONTRACTUAL	KERKSTRA PORTABLE, INC.	CEMETERY RESTROOM	95.00	75908
101-276-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	60.00	75915
Total For Dept 276 CEMETE				678.45	

07/01/2021 03:03 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 2/5

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 294 UNALLOCATED MISCELLANEOUS					
101-294-910.000	UNALLOCATED INSURANCE	BHS INSURANCE AGENCY INC.	PACKAGE RENEWAL7/21-7/22	128,232.00	75900
Total For Dept 294 UNALLO				128,232.00	
Dept 301 POLICE DEPARTMENT					
101-301-626.000	REPORTS & FINGERPRINT FEE	PETTY CASH	PETTY CASH	5.00	75884
101-301-727.000	OFFICE SUPPLIES	SMART BUSINESS SOURCE	TOWELS/OFFICE SUPPLIES	11.38	75890
101-301-744.000	UNIFORMS	CURTIS CLEANERS	POLICE DRY CLEANING	123.00	75902
101-301-955.000	MISCELLANEOUS EXPENSE	MED-1 LEONARD LLC	2 MED VISITS - REAMSMA, J	144.22	75882
101-301-957.000	TRAINING	SHEARS, IAN	EXPENSES FOR TRAINING 6/1	170.86	75888
101-301-957.000	TRAINING	STEPHENS, MICHAEL	REIMBURSEMENT FOR TRAININ	188.26	75916
101-301-981.000	POLICE VEHICLES	GREAT LAKES UPFITTING	2020 FORD PATROL BUILD	9,335.78	75907
Total For Dept 301 POLICE				9,978.50	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-740.000	OPERATING SUPPLIES	PETTY CASH	PETTY CASH	7.90	75884
101-441-740.000	OPERATING SUPPLIES	ULINE	FIRST AID KITS	246.38	75917
101-441-802.000	CONTRACTUAL	MANSZEWSKI LANDSCAPING LL	PAYMENT 1 OF 4 2021	1,020.00	75881
101-441-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	277.86	75915
101-441-930.000	REPAIR & MAINTENANCE	FORD'S SERVICE WORK	REPLACE WINDOWS AT FOREMA	900.00	75866
Total For Dept 441 DEPART				2,452.14	
Dept 751 PARKS					
101-751-740.000	OPERATING SUPPLIES	PETTY CASH	PETTY CASH	35.00	75884
101-751-740.000	OPERATING SUPPLIES	BEHRENS LIMITED, LCC	MUTT MITTS	93.75	75899
101-751-802.000	CONTRACTUAL	KENT COUNTY ROAD COMMISSI	REC PARK BRINING	154.21	75871
101-751-802.000	CONTRACTUAL	MANSZEWSKI LANDSCAPING LL	PAYMENT 1 OF 4 2021	8,460.00	75881
101-751-802.000	CONTRACTUAL	TRUGREEN	STONEY LAKESIDE PARK LAWN	42.00	75894
101-751-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	209.77	75915
101-751-930.000	REPAIR & MAINTENANCE	AQUARIUS LAWN SPRINKLING	SPRINKLER R & M	59.38	75859
101-751-930.000	REPAIR & MAINTENANCE	SITEONE LANDSCAPE SUPPLY	PARKS SUPPLIES R & M	317.03	75889
Total For Dept 751 PARKS				9,371.14	
Dept 790 LIBRARY					
101-790-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	TOWELS/OFFICE SUPPLIES	51.40	75890
101-790-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES 6/4 - 6	360.00	75856
101-790-802.000	CONTRACTUAL	TRUGREEN	LIBRARY LAWN CARE	105.00	75894
101-790-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE	50.50	75915
101-790-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	LIBRARY, CITY HALL & MUSE	161.60	75910
Total For Dept 790 LIBRAR				728.50	
Dept 804 MUSEUM					
101-804-887.000	CONTRIBUTIONS & MAINTENAN	AQUARIUS LAWN SPRINKLING	SPRINKLER R & M	59.37	75859
101-804-887.000	CONTRIBUTIONS & MAINTENAN	TRUGREEN	MUSEUM LAWN CARE	39.00	75894
101-804-887.000	CONTRIBUTIONS & MAINTENAN	MAG PLUMBING SERVICE LLC	LIBRARY, CITY HALL & MUSE	789.86	75910
Total For Dept 804 MUSEUM				888.23	
Total For Fund 101 GENERA				163,230.95	
Fund 238 HISTORICAL DISTRICT FUND					
Dept 000					
238-000-880.000	COMMUNITY PROMOTION	FLAT RIVER DEVELOPMENT	HDC GRANT - ROOF 219 E MA	5,000.00	75865
Total For Dept 000				5,000.00	
Total For Fund 238 HISTOR				5,000.00	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
248-463-740.000	OPERATING SUPPLIES	THORNAPPLE RIVER NURSERY,	WOOD CHIPS DDA	420.00	75893
248-463-740.000	OPERATING SUPPLIES	WILLIAM BOS GREENHOUSE	DDA FLOWERS	39.30	75895
248-463-802.000	CONTRACTUAL	TRUGREEN	DDA LAWN CARE	39.00	75894
248-463-802.000	CONTRACTUAL	KERKSTRA PORTABLE, INC.	DDA DISTRICT RESTROOM	500.00	75908
248-463-930.000	REPAIR & MAINTENANCE	SITEONE LANDSCAPE SUPPLY	DDA R & M	54.77	75889

07/01/2021 03:03 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 3/5

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
		Total For Dept 463 MAINTENANCE		1,053.07	
		Total For Fund 248 DOWNTOWN		1,053.07	
Fund 260 DESIGNATED CONTRIBUTIONS					
Dept 751 PARKS					
260-751-970.000	CAPITAL OUTLAY	MERIDIAN CABLING SOLUTION	SHOWBOAT AP 4 & 6 SERVICE	585.00	75883
		Total For Dept 751 PARKS		585.00	
		Total For Fund 260 DESIGN		585.00	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-910.000	INSURANCE	MEADOWBROOK INC.	AIRPORT INS RENEWAL	3,775.00	75911
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	254.07	75861
		Total For Dept 000		4,029.07	
		Total For Fund 581 AIRPORT		4,029.07	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-276.000	Sewer Inside 5/8"	DICKERSON, CORRINE	UB refund for account: 6-	12.91	75903
590-000-276.000	Sewer Inside 5/8"	QUADA, ANDREW	UB refund for account: 1-	13.72	75914
		Total For Dept 000		26.63	
Dept 550 TREATMENT					
590-550-802.000	CONTRACTUAL	SUEZ WATER ENVIRONMENTAL	SURCHARGES MAY 2021	1,500.33	75892
590-550-802.000	CONTRACTUAL	SUEZ WATER ENVIRONMENTAL	WWTP SERVICES JUNE 2021	38,490.00	75892
		Total For Dept 550 TREATMENT		39,990.33	
Dept 551 COLLECTION					
590-551-864.000	CONFERENCES & CONVENTIONS	AMERICAN WATER WORKS	MEMBERSHIP RENEWAL	115.50	75897
590-551-930.000	REPAIR & MAINTENANCE	ETNA SUPPLY COMPANY	WATER DEPT	413.72	75905
590-551-930.000	REPAIR & MAINTENANCE	GREAT LAKES PAVING	MONROE & KING STREET	175.00	75906
		Total For Dept 551 COLLECTION		704.22	
Dept 552 CUSTOMER ACCOUNTS					
590-552-703.000	SALARIES-METER READS	BARTLETT, SANDY	JUNE METER READS & MILEAGE	353.65	75855
590-552-730.000	POSTAGE	POSTMASTER	WATER BILL FOR JULY	241.35	75896
590-552-740.000	OPERATING SUPPLIES	AUTOMATED BUSINESS EQUIPMENT	SEALING SOLUTION	55.54	75898
590-552-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	JUNE METER READS & MILEAGE	33.32	75855
		Total For Dept 552 CUSTOMER		683.86	
		Total For Fund 590 WASTEWATER		41,405.04	
Fund 591 WATER FUND					
Dept 000					
591-000-276.000	Water Inside 5/8"	DICKERSON, CORRINE	UB refund for account: 6-	13.32	75903
591-000-276.000	Water Inside 5/8"	QUADA, ANDREW	UB refund for account: 1-	14.14	75914
		Total For Dept 000		27.46	
Dept 570 TREATMENT					
591-570-740.000	OPERATING SUPPLIES	HACH COMPANY	WTP SUPPLIES	375.13	75868
591-570-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	WTP - DATA PROCESSING	318.75	75857
591-570-930.000	REPAIR & MAINTENANCE	RS TECHNICAL SERVICES, INC.	WTP EQUIPMENT	1,325.00	75887
591-570-930.000	REPAIR & MAINTENANCE	STATE SUPPLY COMPANY	WTP R & M	504.54	75891
		Total For Dept 570 TREATMENT		2,523.42	
Dept 571 DISTRIBUTION					
591-571-744.000	UNIFORMS	FANS IN THE STANDS	UNIFORM SHIRTS	60.00	75864
591-571-802.000	CONTRACTUAL	MANSZEWski LANDSCAPING LLC	PAYMENT 1 OF 4 2021	780.00	75881
591-571-864.000	CONFERENCES & CONVENTIONS	AMERICAN WATER WORKS	MEMBERSHIP RENEWAL	115.50	75897
591-571-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WATER DEPT TUBING CUTTER	57.39	75858
591-571-930.000	REPAIR & MAINTENANCE	ETNA SUPPLY COMPANY	WATER DEPT	1,654.88	75905
591-571-930.000	REPAIR & MAINTENANCE	GREAT LAKES PAVING	MONROE & KING STREET	175.00	75906
		Total For Dept 571 DISTRIBUTION		2,842.77	

07/01/2021 03:03 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 4/5

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 572 CUSTOMER ACCOUNTS					
591-572-703.000	SALARIES-METER READS	BARTLETT, SANDY	JUNE METER READS & MILEAG	353.65	75855
591-572-730.000	POSTAGE	POSTMASTER	WATER BILL FOR JULY	241.34	75896
591-572-740.000	OPERATING SUPPLIES	AUTOMATED BUSINESS EQUIPM	SEALING SOLUTION	55.54	75898
591-572-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	JUNE METER READS & MILEAG	33.32	75855
Total For Dept 572 CUSTOM				683.85	
Total For Fund 591 WATER				6,077.50	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-801.000	PROFESSIONAL SERVICES	KORE/HI COM, INC.	ANNUAL FEE UNTANGLE	1,080.00	75876
636-000-801.000	PROFESSIONAL SERVICES	KORE/HI COM, INC.	UNTANGLE PREMIUM	1,080.00	75909
636-000-802.000	CONTRACTUAL	DIGITAL OFFICE MACHINES,	POLICE COPY MACHINE	263.70	75904
Total For Dept 000				2,423.70	
Total For Fund 636 DATA P				2,423.70	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-930.000	REPAIR & MAINTENANCE	BETTEN BAKER	#14 2008 CHEVY - CEMETERY	700.53	75860
661-895-930.000	REPAIR & MAINTENANCE	CARLETON EQUIPMENT	#37 SKIDSTEER R & M	1,508.27	75901
661-895-930.000	REPAIR & MAINTENANCE	WOLF KUBOTA	#54 STAND UP MOWER	76.81	75918
Total For Dept 895 FLEET				2,285.61	
Total For Fund 661 EQUIPM				2,285.61	

07/01/2021 03:03 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/19/2021 - 07/01/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 5/5

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund Totals:					
			Fund 101 GENERAL FUND	163,230.95	
			Fund 238 HISTORICAL DISTR	5,000.00	
			Fund 248 DOWNTOWN DEVELOP	1,053.07	
			Fund 260 DESIGNATED CONTR	585.00	
			Fund 581 AIRPORT FUND	4,029.07	
			Fund 590 WASTEWATER FUND	41,405.04	
			Fund 591 WATER FUND	6,077.50	
			Fund 636 DATA PROCESSING	2,423.70	
			Fund 661 EQUIPMENT FUND	2,285.61	
				<hr/>	
				226,089.94	



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: July 1, 2021
TO: Mayor Mike DeVore and Lowell City Council
FROM: Michael T. Burns, City Manager *MB*
RE: Alleyway vacation

The City of Lowell has received a request to vacate an undesignated street plat between 420 W. Main and 508 W. Main. Tyler Velting, who is one of the owners of the New Union Brewery, owns both properties while under separate limited liability corporations.

They are requesting to vacate the alleyway as part of a future expansion of the New Union Brewery. This is different from the vacation of High Street, as this requires approval from the governing body. In the previous vacation, this required a circuit court action as this was adjacent to a public waterway.

I have attached the vacation request. I confirmed with the Kent County Register of Deeds that there are no claims or easements to the alleyway. The applicant also conducted a title search (attached) which finds the same.

In addition, the City Attorney has drafted Resolution 11-21. **I recommend the Lowell City Council approve Resolution 11-21 to vacate the undesignated street plat between 420 & 508 W. Main Street.**

SLOT LAW GROUP, PLLC
77 Monroe Center NW, Suite 700
Grand Rapids, MI 49503

Ph: (616) 456-5457- Direct: (616) 288-0181- Fax: (616) 456-5434- pslot@slotlaw.com
www.slotlaw.com

June 9, 2021

Mr. Michael Burns
City Manager for the City Lowell
301 East Main St.
Lowell, Michigan 49331

Re: **Request for Vacation of Alleyway**

Dear Mr. Burns,

Please accept this letter as a formal request for approval of an action for the vacation of an alleyway on behalf of Main Drive Properties LLC. I submit to you the following request:

1. Requesting Party:

Main Drive Properties LLC
By: Phillip B. Slot, its attorney
Slot Law Group, PLLC
77 Monroe Center NW Suite 700
Grand Rapids, Michigan 49503
(616) 456-5457
pslot@slotlaw.com

Company Contact: Tyler Velting
Resident Agent
3024 Buttrick Ave. SE
Ada, Michigan 49301

2. Legal Description of Alley Right-of-Way to be Vacated:

That portion of Lincoln Lake Avenue lying South of Main Street, being part of Richard and Wickham's Plat of the Village (now City) of Lowell, being part of the Southwest 1/4 of Section 2, T6N, R9W, City of Lowell, Kent County, Michigan, described as the following:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 19 OF SAID VILLAGE OF LOWELL; THENCE SOUTHERLY 132.0 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE SOUTHWEST

CORNER OF SAID LOT 4; THENCE WESTERLY 66.0 FEET ALONG THE SOUTH LINE OF SAID VILLAGE OF LOWELL TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 20, OF SAID VILLAGE OF LOWELL; THENCE NORTHERLY 132.0 FEET ALONG THE EAST LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE EASTERLY 66.0 FEET ALONG THE SOUTH LINE OF MAIN STREET TO THE POINT OF BEGINING

LOTS 1 & 2 BLK 20 * RICHARDS & WICKHAM'S PLAT

An aerial map of the area, including the alleyway requested to be vacated, is enclosed as EXHIBIT A.

3. Owners of Property Abutting the Alleyway Requested to be Vacated:

Owner: Main Drive Properties LLC
Address: 3024 Buttrick Ave. SE Ada, Michigan 49301
Parcel Number: 41-20-02-345-007
Legal Description: LOTS 1 & 2 BLK 20 * RICHARDS & WICKHAM'S PLAT

Owner: New Union Land Development LLC
Address: 1961 Pine Ridge Dr. SW Jenison, Michigan 49428
Parcel Number: 41-20-02-346-001
Legal Description: S 48 FT OF LOTS 1 & 2 ALSO LOTS 3 & 4 BLK 19 * RICHARDS & WICKHAM'S PLAT

Owner: Mid-Michigan Rail Road, Inc.
Address: 40600 Ann Arbor Rd. E. Suite 201 Plymouth, Michigan, 48170
Parcel Number: 41-20-02-501-020
Legal Description: 412002501020 PART OF SEC 2 COM AT INT OF ELY LINE OF MID-MICHIGAN RR R/W /FORMERLY C&O RR 100 FT WIDE/ & W LINE OF FOX ADD TH SLY & ELY ALONG ELY & NLY LINE OF SD RR R/W TO SLY LINE OF RICHARDS & WICKHAM'S PLAT TH ELY ALONG SD SLY LINE TO CL OF HUDSON ST TH S ALONG SD CL TO NLY LINE OF MRS SNELLS ADD SD POINT BEING ALSO INT OF CL OF SD ST & SLY LINE OF SD MID- MICHIGAN RR R/W TH WLY & NLY ALONG SLY & WLY LINE OF SD RR R/W TO W LINE OF FOX ADD TH N ALONG SD W LINE TO BEG EX THAT PART OF RR LYING N OF FOREMAN ST & EX COM 78.50 FT S 0D 00M 00S W ALONG E LINE OF BLK 38 OF RICHARDS & WICKMANS PLAT FROM NE COR OF SD BLK TH S 0D 00M 00S W ALONG SD E LINE 16.0 FT TH NWLY 233.33 ON A 1471.02 FT RAD CURVE TO RT /LONG CHORD BEARS N 66D 06M 07S W 233.08 FT/ TO N LINE OF MAIN ST TH S 89D 55M 45S E ALONG SD N LINE 32.0 FT TH SELY 198.09 FT ALONG SD NLY LINE ON A 1587.02 FT RAD CURVE TO LT /LONG CHORD BEARS S 66D 33M 46S E

197.96 FT/ TO BEG ALSO PART OF GOVT LOTS 7 & 8 COM 55.03 FT S 14D 23M 30S E ALONG WLY LINE OF BROADWAY ST /66 FT WIDE/ FROM FORMER NLY LINE OF C&O RR R/W /100 FT WIDE/ TH S 14D 23M 30S E ALONG SD WLY LINE TO A PT WHICH IS 15.60 FT N 14D 23M 30S W & 15.60 FT N 12D 55M 30S E FROM FORMER SLY LINE OF C&O RR R/W TH S 80D 34M W 320.46 FT TO ELY LINE OF HUDSON ST /66 FT WIDE/ TH NLY ALONG SD ELY LINE TO A LINE BEARING S 80D 34M W FROM BEG TH N 80D 34M E 300.75 FT TO BEG ALSO PART OF LOTS A B & C COM 17.60 FT S 14D 23M 30S E ALONG WLY LINE OF VAC WATER ST /66 FT WIDE/ FROM NE COR OF LOT C OF MRS SNELLS ADD TH WLY 155.49 FT ON A 696.78 FT RAD CURVE TO LT /LONG CHORD BEARS S 86D 57M 35S W 155.17 FT/ TH S 80D 33M 50S W 97.08 FT TO ELY LINE OF BROADWAY ST /66 FT WIDE/ TH NLY ALONG ELY LINE TO A PT 58.40 FT S 14D 23M 30S E ALONG SD ELY LINE FROM NW COR OF LOT B OF SD PLAT TH N 80D 33M 50S E 99.85 FT TH ELY 152.42 FT ON A 728.78 FT RAD CURVE TO RT /LONG CHORD BEARS N 86D 33M 29S E 152.14 FT/ TO WLY LINE OF VAC WATERS ST /66 FT WIDE/ TH S ALONG SD WLY LINE TO BEG ALSO COM AT INT OF WLY LINE OF VAC WATER ST & NLY LINE OF MID MICHIGAN RR R/W TH NELY ALONG SD NLY LINE TO E LINE OF W 1/2 OF VAC WATER ST TH SELY ALONG SD E LINE TO SLY LINE OF SD RR R/W TH SWLY ALONG SD SLY LINE TO WLY LINE OF SD ST TH NWLY ALONG SD WLY LINE TO BEG MRS SNELL'S ADD * ALSO PART OF GOVT LOTS 3 & 4 COM 20.0 FT SLY ALONG ELY LINE OF MID-MICHIGAN RR R/W /FORMERLY C&O RR/ FROM S LINE OF AVERY'S PLAT TH NWLY ALONG SD ELY LINE 55.0 FT TO A PT 140.0 FT SWLY FROM NE COR OF LOT 1 OF BLK 21 OF AVERY'S PLAT TH NELY ALONG SD ELY LINE TO SLY LINE OF SD PLAT ON A LINE WHICH EXT WOULD INT NE COR OF SD LOT 1 TH WLY ALONG SD SLY LINE TO WLY LINE OF LAFAYETTE ST /33 FT WIDE/ TH NLY ALONG SD WLY LINE TO N LINE OF SD RR R/W TH W ALONG SD NLY LINE TO W LINE OF GOVT LOT 3 TH S ALONG SD W LINE TO S LINE OF SD RR R/W TH ELY & SLY ALONG SLY & WLY LINE OF SD RR R/W TO S SEC LINE TH E ALONG S SEC LINE TO ELY LINE OF SD RR R/W TH N ALONG SD ELY LINE TO BEG * SEC 2 T6N R9W 17.61 A. SPLIT/COMBINED ON 01/30/2012 FROM 41-20-02-501-018; SPLIT/COMBINED ON 02/14/2012 FROM 41-20-02-501-018;

4. Reasons for the Vacation:

This vacation is to vacate the platted street and to apportion the vacated property equally between Main Dr. Properties LLC and New Union Land Development LLC so that both owners can develop their properties as they expand their business.

5. Pledge to Undertake Vacation Action:

Main Drive Properties LLC promises to commence and complete a Circuit Court action to vacate the Alleyway.

6. Attestation:

The applicant attests that the information contained in this Request is true, accurate, and complete

7. Sealed Drawing

A topographic and boundary survey is enclosed as EXHIBIT B.

8. Identification of Properties Within 300 Feet of the Alleyway Requested to be Vacated

The legal description of the properties owned by the following are attached as EXHIBIT C.

- Parcel 1: Main Drive Properties LLC
Pnum: 41-20-02-345-007
Address: 508 W. Main St. SE
- Parcel 2: Jean L Jeltema & Geoffrey A. and Eric A. Stormzand
Pnum: 41-20-02-345-002
Address: 516 W. Main St. SE
- Parcel 3: Andrew Stormzand
Pnum: 41-20-02-345-001
Address: 522 W. Main St. SE
- Parcel 4: Mid-Michigan RR Inc.
Pnum: 41-20-02-501-002
Address: 700 W. Main St. SE
- Parcel 5: New Union Land Development LLC
Pnum: 41-20-02-346-001
Address: 420 W. Main St. SE
- Parcel 6: New Union Land Development LLC
Pnum: 41-20-02-346-002
Address: 400 W. Main St. SE
- Parcel 7: Cosgrove Hugh Trust
Pnum: 41-20-02-342-005
Address: 423 W. Main St. SE
- Parcel 8: Beacon Boulevard Corporation
Pnum: 41-20-02-342-010
Address: 403 W. Main St. SE

- Parcel 9: Dek Family Properties II LLC
Pnum: 41-20-02-341-007
Address: 505 W. Main St. SE
- Parcel 10: Revalk Properties LLC
Pnum: 41-20-02-341-006
Address: 521 W. Main St. SE
- Parcel 11: Main Xiaofang
Pnum: 41-20-02-342-009
Address: 119 Lincoln Lake Ave. SE
- Parcel 12: Matthew Schwedler
Pnum: 41-20-02-342-004
Address: 118 N. Hudson St. SE
- Parcel 13: Bieri Auto Body, Inc.
Pnum: 41-20-02-377-007
Address: 501 Ottawa St. SE
- Parcel 14: Chris Bieri
Pnum: 41-20-02-377-008
Address: 132 S. Hudson St. SE
- Parcel 15: Lombardos Ottawa Real Estate, LLC
Pnum: 41-20-02-377-005
Address: 411 Ottawa St. SE
- Parcel 16: Debbie Corbin
Pnum: 41-20-02-377-006
Address: 150 S. Hudson St. SE

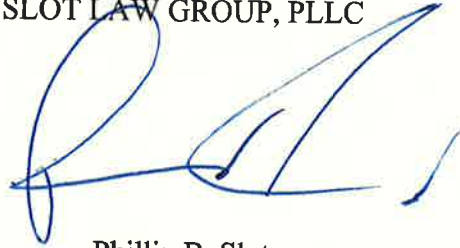
9. Owners of Any Non-City Utilities That May Have Facilities Within the Right-of-Way Proposed for Vacation

- DTE Gas Company
- Consumers Electric Company
- Comcast Cable Holdings, LLC

Please process our request according to the applicable ordinance. If additional information is required, please let me know. Thank you.

Very Truly Yours,

SLOT LAW GROUP, PLLC

A handwritten signature in blue ink, appearing to read 'P. Slot', with a large loop on the left and a long horizontal stroke extending to the right.

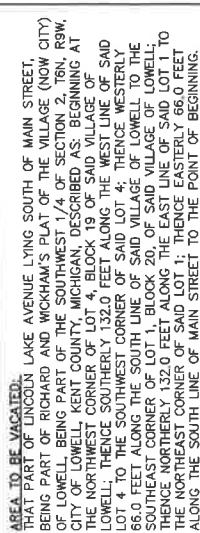
Phillip B. Slot

PBS
Enclosures

EXHIBIT A
Aerial Map of Proposed Vacated Property



EXHIBIT B
SEALED DRAWING OF PROPOSED VACATED PROPERTY



SCALE: 1" = 30'

LEGEND

- | | | |
|---|---|-------------------------|
| ○ | = | IRON STAKE FOUND |
| ● | = | IRON STAKE SET |
| ⦿ | = | UTILITY POLE & GUY WIRE |
| ✱ | = | LIGHT POLE |
| ⋈ | = | SIGN |
| ⊙ | = | BOLLARD |
| ⦿ | = | HYDRANT |
| ⦿ | = | WATERMAIN VALVE |
| ⦿ | = | STOP BOX |
| ⦿ | = | CLEAN OUT |
| ⦿ | = | CATCH BASIN |
| ○ | = | MANHOLE |
| ⦿ | = | TELEPHONE BOX |
| ⦿ | = | OVERHEAD WIRES |



LINCOLN LAKE - VACATION
RE: WEST MAIN ST., LOWELL, MI

FOR: SLOT LAW GROUP
ATTN: EDWARD LEUSCHNER
226 SHORE HAVEN DR. SE
GRAND RAPIDS, MI 49546.

GRAND RAPIDS, MI 49546.
PART OF THE SW 1/4 SECTION 2, T6N, R9W, CITY OF LOWELL KENT COUNTY, MICHIGAN

excel engineering, inc.
planners • engineers • surveyors
5252 Clyde Park, S.W. • Grand Rapids, MI 49509
Phone: (616) 231-3660
www.excelengineering.com

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
<div style="display: flex; justify-content: space-between;"> <div> <p>PROJ. ENG.:</p> <p>PROJ. SURV.:</p> <p>DATE:</p> </div> <div> <p>JUS</p> <p>JCB</p> <p>5/21/2022</p> </div> <div> <p>SHEET</p> <p>1 of 1</p> </div> </div>																																																																																																			

SURVEY NOTES: Utility structures shown on the ground surface have been located and shown per actual measurements. Underground utility structures have been shown per available records and should not be interpreted as exact locations or the only utilities in this area. Lacking excavation, the exact location of underground features cannot be accurately, completely, or reliably depicted. This survey was made from the description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements, and exceptions.

EXHIBIT C
LEGAL DESCRIPTIONS FROM TITLE SEARCHES OF
ALL PROPERTIES WITHIN 300 FEET



First American Title Insurance Company

4362 Cascade Road SE, Suite 109, Grand Rapids, MI 49546

Phone: (616)975-4102 Fax: (866)416-9827

PROPERTY PROFILE REPORT

June 03, 2021

Prepared for:	Slot Law Group, PLLC 77 Monroe Center NW, Suite 700 Grand Rapids, MI 49503	Order No.:	929338
		Beginning Search Date:	06/19/1899
		Ending Search Date:	03/16/2021, Revision A
Borrower			
Name & Address:	Various Parcels, Lowell, MI 49331	County of:	Kent

Public Record Information

Grantee in Last Document of Record: Michael Gramza and Ericka Gramza, Trustees of the Michael and Ericka Gramza Trust, U/A/D April 3, 2018, as amended, as to Parcel 1, Jean Louise Jeltrema, Geoffrey Allan Stormzand, and Eric Andrew Stormzand, as joint tenants with full rights of survivorship, as to Parcel 2, Andrew Stormzand, as to Parcel 3, Grand Rapids Belding & Saginaw Railroad Company, and Pere Marquette Railroad Co., as to Parcel 4, Kassouni Holdings, LLC, a Michigan limited liability company, as to Parcels 5 and 6, Hugh C. Cosgrove Living Trust, as to Parcel 7, Beacon Boulevard Corporation, a Michigan corporation, as to Parcel 8, DEK Family Properties II, LLC, a Michigan limited liability company, as to Parcel 9, Peter Klaver and Revalk Properties, LLC, as to Parcel 10, Xiaofang Main, as to Parcel 11, Matthew Schwedler, as to Parcel 12, Chris Bieri, as to Parcel 13, Chris and Mary Jo Bieri, husband and wife, as to Parcel 14, Lombardo's Ottawa Real Estate, LLC, a Michigan limited liability company, as to Parcel 15, and Debbie Corbin, as to Parcel 16

Undischarged Mortgages and Other Liens of Record:

1. The interest of Main Drive Properties, LLC, a Michigan limited liability company, vendee(s), from Michael and Ericka Gramza, Trustees of the Michael and Ericka Gramza Trust, U/A/D April 3, 2018, as amended, vendor(s), and the Terms, Covenants, Conditions and Provisions of said Land Contract, as disclosed by Memorandum of Land Contract dated March 03, 2020, recorded March 06, 2020, in Instrument No. 202003060019972, as to Parcel 1.
2. The interest of New Union Land Development, LLC, a Michigan limited liability company, vendee(s), from Kassouni Holdings, LLC, a Michigan limited liability company, vendor(s), and the Terms, Covenants, Conditions and Provisions of said Land Contract, as disclosed by Memorandum of Land Contract dated May 31, 2019, recorded June 03, 2019, in Instrument No. 201906030037839, as to Parcels 5 and 6.
3. The interest of Michael W. Main and Audra J.R. Main, husband and wife, vendee(s), from Belding-Ionia Masonic Temple Association, a Domestic Nonprofit Corporation, vendor(s), and the Terms, Covenants, Conditions and Provisions of said Land Contract, as disclosed by Memorandum of Land

IMPORTANT - READ CAREFULLY: THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.

Contract dated November 13, 2015, recorded November 19, 2015, in Instrument No. 20151119-0102471, as to Parcel 11.

4. Mortgage in the original amount of \$134,250.00 executed by Matthew Schwedler, a married man to Mortgage Electronic Registration Systems, Inc as nominee for Lake Michigan Credit Union, dated January 12, 2021, recorded January 27, 2021, in Instrument No. 202101270009865, as to Parcel 12.
5. Mortgage in the original amount of \$124,645.00 executed by Debbie Corbin to Mortgage Electronic Registration Systems, Inc as nominee for Ditech Financial, LLC, dated January 25, 2018, recorded January 29, 2018, in Instrument No. 201801290007686. Said mortgage has been assigned to Ditech Financial, LLC, a Delaware Limited Liability Company, as disclosed by Assignment of Mortgage dated December 26, 2018 and recorded December 26, 2018, in Instrument No. 201812260099898. Said mortgage has been assigned to New Residenital Mortgage, LLC, as disclosed by Assignment of Mortgage, dated November 27, 2019, recorded December 03, 2019, in Instrument No. 201912030094609, as to Parcel 16.

Tax Information:

6. Taxes Not Examined.

IMPORTANT - READ CAREFULLY: THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.

Legal Description of Property:

Land situated in the City of Lowell, County of Kent, State of Michigan, is described as follows:

PARCEL 1 (For reference Parcel Number 41-20-02-345-007)

Lot(s) 1 and 2, Block 20, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 2 (For reference Parcel Number 41-20-02-345-002)

Lot(s) 3, Block 20, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 3 (For reference Parcel Number 41-20-02-345-001)

Lot(s) 4, EXCEPT Railroad, Block 20, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 4 (For reference Parcel Number 41-20-02-501-002)

That part of the following described parcel which lies East of the East line of Block 38 of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records, ALSO Part of Section 2, Town 6 North, Range 9 West, City of Lowell, Kent County, Michigan, commencing at the intersection of the Easterly line of Mid-Michigan Railroad Right-of-Way (formerly C & O Railroad, 100' wide) and the West line of Fox's Addition to the City of Lowell; thence Southerly and Easterly along the Easterly and Northerly line of said Railroad Right-of-Way to the Southerly line of Richards & Wickham's Plat; thence Easterly along the Southerly line of said plat to the centerline of Hudson Street; thence South along the centerline of said Street to the Northerly line of Mrs. Snell's Addition, said point being also the intersection of the centerline of said Street and the Southerly line of said Mid-Michigan Railroad Right-of-Way; thence Westerly and Northerly along the Southerly and Westerly line of said Railroad Right-of-Way to the West line of said Fox's Addition; thence North along the West line of said Addition to the point of beginning.

PARCEL 5 (For reference Parcel Number 41-20-02-346-001)

Lot(s) 3 and 4 and the South 48 feet of Lot(s) 1 and 2, Block 19, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 6 (For reference Parcel Number 41-20-02-346-002)

The North 84 feet of Lot(s) 1 and 2, Block 19, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 7 (For reference Parcel Number 41-20-02-342-005)

Lot(s) 4, Block 18, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 8 (For reference Parcel Number 41-20-02-342-010)

Lot(s) 1 through 3, both inclusive, Block 18, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 9 (For reference Parcel Number 41-20-02-341-007)

Lot(s) 1 through 3, both inclusive, and Lot(s) 6 through 8, both inclusive, Block 21, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records. Together with the North 8 feet of the vacated alley adjoining the South.

PARCEL 10 (For reference Parcel Number 41-20-02-006)

Lot(s) 4, and 8 feet adjacent on the North and Lot(s) 5, Block 21, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 11 (For reference Parcel Number 41-20-02-342-009)

Lot(s) 5 and 6, Block 18, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber

2 of Plats, Page 55, Kent County Records.

PARCEL 12 (For reference Parcel Number 41-20-02-342-004)

Lot(s) 8, Block 18, of RICHARDS AND WICKHAM'S PLAT, according to the plat thereof as recorded in Liber 2 of Plats, Page 55, Kent County Records.

PARCEL 13 (For reference Parcel Number 41-20-02-377-007)

Part of Government Lot 8, Section 2, Town 6 North, Range 9 West, City of Lowell, Kent County, Michigan, described as: Commencing at the Northeast corner of the intersection of Amity and Ottawa Streets and running thence Easterly along the North line of Ottawa Street 100 feet; thence running Northerly at right angles to Ottawa Street 34 feet to the South line of the right-of-way of the Pere Marquette Railroad Company; thence Westerly along the said South right-of-way line to the East line of Amity Street; thence Southerly 56.75 feet to place of beginning.

ALSO

Part of Government Lot 8, Section 2, Town 6 North, Range 9 West, City of Lowell, Kent County, Michigan, described as: Commencing on the North line of Ottawa Street 100 feet Easterly of the Northeast corner of Amity Street and Ottawa Street; thence Easterly on the produced North line of Ottawa Street, 164 feet; thence North 16 degrees West to the Southerly line of the Pere Marquette Railroad right-of-way; thence Westerly on said right-of-way line to a point North 16 degrees West from beginning; thence South 16 degrees East to beginning. EXCEPT that part of said parcel lying East of the East line of Maple Street extended North to the South line of the C&O Railroad right-of way.

ALSO

Part of vacated Ottawa Street and vacated Maple Street, Section 2, Town 6 North, Range 9 West, City of Lowell, Kent County, Michigan, commencing at the point of intersection of the Northerly line of Ottawa Street with the Easterly line of Maple Street; thence Southwesterly on the Northerly line of Ottawa Street, 226.42 feet to its intersection with the Easterly line of Amity Street; thence Southerly on the extension of the Easterly line of Amity Street; thence Southerly on the extension of the Easterly line of Amity Street, 18.9 feet; thence Easterly 205.12 feet to the Easterly line of Maple Street at a point 56.3 feet Southerly from the place of beginning; thence Northerly on the Easterly line of Maple Street, 56.3 feet to the place of beginning.

PARCEL 14 (For reference Parcel Number 41-20-02-377-008)

Part of Government Lot 8 of Section 2, Township 6 North, Range 9 West, commencing on the Westerly line of Hudson St, 57 feet Northerly from the North line of Ottawa Street; thence Westerly 138 feet; thence Northerly 95 feet to the Southerly line of the Pere Marquette Railroad Right-of-Way; thence Northeasterly along said Railroad Right of Way, 153 feet to the Westerly line of Hudson Street; and thence Southerly 156 feet to the place of beginning.

ALSO

That part of Government Lot 8 to Village (now City) of Lowell, described as: commencing on the North line of Ottawa Street 146 feet West of the Westerly line of Hudson Street; thence Northerly parallel to Hudson Street 57 feet; thence Easterly parallel to Ottawa Street 8 feet; thence Northerly parallel to Hudson Street 95 feet to the Southerly line of Ottawa Oakland Railway Right-of-Way; thence West along said Right of Way 140 feet to the Easterly line of Maple Street; thence Southerly along said street line 96 feet to the Northerly line of Ottawa Street; thence Easterly along said street 121 feet to beginning, Section 2, Town 6 North, Range 9 West.

PARCEL 15 (For reference Parcel Number 41-20-02-377-005)

A strip of land 46 feet in width off from the Westerly end of premises described as: commencing at the Northwest corner of Hudson and Ottawa Street in said Village (now City) of Lowell; thence running Westerly along Northerly line of Ottawa Street 146 feet; thence Northerly parallel to Hudson Street 57 feet; thence Easterly parallel to Ottawa Street, 146 feet to Westerly line of Hudson Street and thence Southerly along Hudson Street 57 feet to the place of beginning, all in Section 2, Town 6 North, Range 9 West.

PARCEL 16 (For reference Parcel Number 41-20-02-377-006)

All that certain parcel of land situated in the City of Lowell, County of Kent, State of Michigan, being known and designated as follows: Part of the Southwest 1/4 of Section 2, Town 6 North, Range 9 West, City of Lowell, Kent County, Michigan, described as: Commencing at the Northwest corner of Hudson and Ottawa Streets in said City of Lowell; thence Westerly along the Northerly line of Ottawa Street 146 feet; thence Northerly parallel to Hudson

Street 57 feet; thence Easterly parallel to Ottawa Street 146 feet to Westerly line of Hudson Street; thence Southerly along said Westerly line 57 feet to the place of beginning, EXCEPT the Westerly 46 feet thereof.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 11-21

**RESOLUTION TO VACATE PORTION OF
LINCOLN LAKE AVENUE RIGHT-OF-WAY**

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

WHEREAS, the City Council believes it is in the best interests of the public health, safety
and welfare to vacate a portion of the Lincoln Lake Avenue right-of-way, south of Main Street.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Council hereby vacates a portion of the Lincoln Lake Avenue right-of-
way legally described as follows:

That portion of Lincoln Lake Avenue lying South of Main Street, being part of Richard and
Wickham's Plat of the Village (now City) of Lowell, being part of the Southwest 1/4 of
Section 2, T6N, R9W, City of Lowell, Kent County, Michigan, described as the following:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 19 OF SAID
VILLAGE OF LOWELL; THENCE SOUTHERLY 132.0 FEET ALONG THE WEST
LINE OF SAID LOT 4 TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE
WESTERLY 66.0 FEET ALONG THE SOUTH LINE OF SAID VILLAGE OF LOWELL
TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 20, OF SAID VILLAGE OF
LOWELL; THENCE NORTHERLY 132.0 FEET ALONG THE EAST LINE OF SAID
LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE EASTERLY 66.0
FEET ALONG THE SOUTH LINE OF MAIN STREET TO THE POINT OF
BEGINNING

(the "Vacated Street Segment").

2. The City reserves, for itself and for its successors and assigns, a permanent utility
easement on, over, across and under the Vacated Street Segment, for the purpose of constructing,
installing, replacing, repairing, maintaining, and improving utilities, including, without limitation,
communication lines, sanitary sewers, storm sewers and watermain, along with related
appurtenances, together with the right of ingress and egress for the purposes above described.

3. The City Clerk is authorized and directed to record this resolution with the Kent County Register of Deeds.

4. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are rescinded.

YEAS: Councilmembers _____

NAYS: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

RESOLUTION DECLARED ADOPTED.

Dated: July 6, 2021

Susan Ullery
City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting held on July 6, 2021, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: July 6, 2021

Susan Ullery
City Clerk

Memorandum



DATE: July 1, 2021

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director *MCB*

PUBLIC WORKS

RE: Water System SCADA Upgrades *M*

Since 2018 the water department has been working towards improved communications and operations within the treatment facility, upgrading the original equipment that was installed in 1979. The system improvements, called SCADA (Supervisory Control And Data Acquisition) allows water treatment plant personnel to see all aspects of the facility operations at one time and can utilize the data being acquired to operate the different functions of the treatment facility based on the current needs of the system. The recent VFD addition to one high service pump earlier this year is one operation that is now constantly monitored and controlled by the SCADA system. The two remaining high service pumps will see VFD's added to them later this fiscal year.

Outside information from the system, such as water storage tank levels, distribution pump operations, and communications of these areas can be added to the overall SCADA system for better operation of our water system. At this time the Northeast Pump Booster Station on Shepherd Drive is in need of upgrades to the pumps and controls. We have looked into providing these improvements utilizing more efficient operations and monitoring/controls through the SCADA network. Current operations are preset utilizing hard tank level set points that operate the pumps to bring the high pressure system up to the proper water levels and system pressures. Any changes to the controls or to overcome emergencies we need to send someone to the station to manage the situation.

We have been in contact with RS Technical Services on the set up of the SCADA and operational system at the NE pump station. RS Technical has been our SCADA contractor since the City started to convert over the system. They designed the water plant SCADA and will design the NE pump station SCADA so the will smoothly integrate together. They have provided us with a quote for the necessary equipment and labor to upgrade with new control panels, upgrade the electrical wiring, installation of necessary monitors and communications devices, upgrading of the three pumps with variable frequency drives, and all the necessary labor the installations of the system. Installation of VFD's on the three pumps will allow the pumps to be controlled to meet system demands utilizing a variable speed drive. They will start off slow and ramp up to the necessary speed to provided water and then be able to adjust the speed to meet the system needs. On shutdown they will slow down as system needs are reduced. The

pumps currently turn on when needed at their high speed capacity, and shut off as they meet system demands. The hard starts and stops do not lend any leeway to equalize electrical demands when the pumps need to meet lesser flow needs.

We had intended to perform this work in the 2020-2021 fiscal year as funds were allocated in both the treatment (\$40,000) and distribution (\$50,000) areas for this work. The timing for this work is such that it needs to be installed during the winter months when demand is at its lowest as the entire NE pump station will need to be manual run while the new equipment is installed. Also, some of the computer equipment may take time to procure due to the shortage of computer chips.

This upgrade to the water treatment facility and the NE pump station will help to bring our water system into a better operational and system safety position. It should also save the water fund on energy costs by utilizing the VFD's on the pumps. There are other pump improvements that will be seen through these upgrades. Having the ability to observe the operations of the system at any time, to have instantaneous information available on all the components of the system, to be able to make changes to meet emergency pumping needs from the water plant, will all help to improve the operation of our water system.

It is my recommendation: **That the Lowell City Council approve the quote from RS Technical Services, Inc., Lowell, MI, dated May 3, 2021, for the installation and all necessary wiring of the SCADA system and pump upgrades at the Northeast Pump Station, for a cost of \$96,817.36.**

QUOTATION

RS Technical Services, Inc.

695 Lincoln Lake Ave.
Lowell, Michigan 49331
(616)-897-7041 Fax (616)-897-3015

Quote # **CO- 16773**

Date **5/3/2021**

Job No:

To: **LOWELL WTP, CITY OF**
1596 BOWES RD
LOWELL MI 49331
Attn: Ralph
Phone 616 897 5234 Fax: (616) 897-4085

Ship To: **NE Booster Station Upgrades**
Shepherd Drive
Lowell
Attn:

Shipping Details

☐ No Partial ☐ Partials ☐ F.O.B. Dest ☐ F.O.B. Ship Point

Item#	Qty	Part Number	Description	Unit Price	Amount
1	2	22C-D022N103	Allen Bradley PowerFlex 400, Fan & Pump Drive. 480 VAC, 3 PH. 22 Amps. 15 HP, Frame Size C, IP20 (Open). Fixed Keypad. RS485 (without Brake IGBT)	2250.00	4500.00
2	2	1321-3R25-B	AB-S LINE REACTOR, OPEN, 25 AMP	331.00	662.00
3	1	22C-D088A103	Allen Bradley PowerFlex 400 VFD: 88 Amps @ 480VAC, 60 HP	7790.00	7790.00
4	1	1321-3R80-B	Line Reactor, 3% Impedance, 60 HP, 80 Amps, IP00 (NEMA/UL Type Open)	557.14	557.14
5	3	22-COMM-E	Allen Bradley PowerFlex Component Class, EtherNet/IP Adapter	589.00	1767.00
6	3	1585J-M8HB-5	Ethernet cable, 600V rated teal jacket, RJ45 straight male plug x flying leads, 5 meters	57.00	171.00
7	3	1585J-M8CC-H	Allen Bradley Insulation Displacement Connector, RJ45, for CAT6 cable, 26...22 AWG wires	45.00	135.00
8	3	MISC	600V rated, 2-conductor shielded control signal cable for VFD start/stop control	25.00	75.00
9	3	700-HN153	3PDT Relay Socket, Blade Type, 11 pin	25.53	76.59

Subtotal: \$96,417.36

Estimated Shipping Charges \$400.00

Salestax: \$0.00

**** Please sign and return so that we can proceed with your order. ****

Net 30 Day Total: \$96,817.36

Net 31 - 60 Day Total: \$98,269.62

Net 61 - 90 Day Total: \$99,743.66

PLEASE REFERENCE THIS CO NUMBER WHEN PLACING ORDER - MINIMUM ORDER \$25.00 - EXCLUDING SHIPPING

This quotation is valid for 30 days and subject to the attached terms and conditions. Thereafter it is subject to change without notice. Quoted pricing and or discounts are predicated on receiving a single order for the quantities as listed. Order deviations may result in price or discount changes. All freight is now prepaid and added to invoices. "Destination" customers: add freight charge to any parts price before issuing your purchase order. All returns subject to 25% restocking fee. Credit Card Order minimum is \$100.00. Thank you for this opportunity to quote.

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Authorized

Signature: _____

Date: _____

Quoted By: continued on next page

QUOTATION

RS Technical Services, Inc.

695 Lincoln Lake Ave.
Lowell, Michigan 49331
(616)-897-7041 Fax (616)-897-3015

Quote # **CO- 16773**

Date **5/3/2021**
Job No:

To: **LOWELL WTP, CITY OF**

1596 BOWES RD

LOWELL MI

49331

Attn: Ralph

Phone 616 897 5234

Fax: (616) 897-4085

Ship To: **NE Booster Station Upgrades**

Shepherd Drive

Lowell

Attn:

Shipping Details

☐ No Partial ☐ Partials ☐ F.O.B. Dest ☐ F.O.B. Ship Point

Item#	Qty	Part Number	Description	Unit Price	Amount
10	3	700-HB33A1-3-4	Control Relay: 120VAC coil, 15 AMP, PTT & Manual Override, LED indicator, 3PDT	41.21	123.63
11	3	MISC	DIN rail, end anchors, heat shrink for terminating new VFD start/stop control wires in individual MCC buckets	25.00	75.00
12	1	EQUIPMENT	Flood sensor	100.00	100.00
13	1	EQUIPMENT	Air Temperature Transmitter: 2215-RBF185L3-T-441-385U-S(0-160)F Wall Mount Thermostat Temperature Sensor: Single Element RTD, 100 ohm Platinum	310.00	310.00
14	1	EQUIPMENT	Laser Level Sensor for Pressure Tank	4095.00	4095.00
15	2	4460-A	George Risk Industries Door Switch	25.00	50.00
16	1	EQUIPMENT	Motion Detector	150.00	150.00
17	1	MISC	ELECTRICAL INSTALLATION LABOR & MATERIALS by Clorwell Electric (see attached details)	13480.00	13480.00
18	1	EQUIPMENT	CONTROL PANEL UPGRADES: includes new back panel with CompactLogix PLC, wiring, power supplies and new managed network switch & radio communication equipment, new 15" color touch screen	45500.00	45500.00

Subtotal: \$96,417.36

Estimated Shipping Charges \$400.00

Salestax: \$0.00

**** Please sign and return so that we can proceed with your order. ****

Net 30 Day Total: \$96,817.36

Net 31 - 60 Day Total: \$98,269.62

Net 61 - 90 Day Total: \$99,743.66

PLEASE REFERENCE THIS CO NUMBER WHEN PLACING ORDER - MINIMUM ORDER \$25.00 - EXCLUDING SHIPPING

This quotation is valid for 30 days and subject to the attached terms and conditions. Thereafter it is subject to change without notice. Quoted pricing and or discounts are predicated on receiving a single order for the quantities as listed. Order deviations may result in price or discount changes. All freight is now prepaid and added to invoices. "Destination" customers: add freight charge to any parts price before issuing your purchase order. All returns subject to 25% restocking fee. Credit Card Order minimum is \$100.00. Thank you for this opportunity to quote.

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Authorized
Signature: _____

Date: _____

Quoted By: continued on next page

QUOTATION

RS Technical Services, Inc.

695 Lincoln Lake Ave.
Lowell, Michigan 49331
(616)-897-7041 Fax (616)-897-3015

Quote # **CO- 16773**

Date **5/3/2021**

Job No:

To: **LOWELL WTP, CITY OF**

1596 BOWES RD

LOWELL MI 49331

Attn Ralph

Phone 616 897 5234

Fax: (616) 897-4085

Ship To: **NE Booster Station Upgrades**

Shepherd Drive

Lowell

Attn:

Shipping Details

☐ No Partial ☐ Partials ☐ F.O.B. Dest ☐ F.O.B. Ship Point

Item#	Qty	Part Number	Description	Unit Price	Amount
19	160	FSH	RSTS LABOR ESTIMATE: design work, on site control panel installation; VFD, PLC, HMI & radio programming at both NE & WTP; VFD startup service	105.00	16800.00

Subtotal: \$96,417.36

Estimated Shipping Charges \$400.00

Salestax: \$0.00

**** Please sign and return so that we can proceed with your order. ****

Net 30 Day Total: \$96,817.36

Net 31 - 60 Day Total: \$98,269.62

Net 61 - 90 Day Total: \$99,743.66

PLEASE REFERENCE THIS CO NUMBER WHEN PLACING ORDER - MINIMUM ORDER \$25.00 - EXCLUDING SHIPPING

This quotation is valid for 30 days and subject to the attached terms and conditions. Thereafter it is subject to change without notice. Quoted pricing and or discounts are predicated on receiving a single order for the quantities as listed. Order deviations may result in price or discount changes. All freight is now prepaid and added to invoices. "Destination" customers: add freight charge to any parts price before issuing your purchase order. All returns subject to 25% restocking fee. Credit Card Order minimum is \$100.00. Thank you for this opportunity to quote.

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Authorized

Signature: _____

Date: _____

Quoted By: **NATE SEIF**

Memorandum



DATE: July 1, 2021

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

RE: Bowes Rd. Sewer Repairs

PUBLIC WORKS

Recently the City was called out to a potential sewer backup in the 800 block of Bowes St. While we did not find a backup in the City's sewer main at this location, we did discover large rocks in the section of pipe and in a pipe to the west of Pleasant St. We had Plummer's Environmental Service out to videotape the sewer main in this area.

Through their cleaning and videotaping of the line they discovered two sections of pipe that have deteriorated and in need of repair. One section is 12.5 ft in length where the pipe has several cracks. A second section of pipe approximately 17.5 ft in length is broken.

Plummer's Environmental has proposed making the repairs utilizing the Cured-in Place method. This method cleans the pipe in the area of repair, removes any obstacles that may be in the way, and installs a resin soaked sleeve into the pipe. Once the sleeve is in place the pipe is filled with water to cause the resin to harden. After the sleeve cures and hardens the water is removed and the sleeve remains in the pipe in a solid condition, restoring the integrity of the pipe. The sewer water flow is bypassed pumped around this section of pipe during the repair.

Plummer's Environmental has quoted us a cost of \$9,900.00 to perform this repair work.

It is my recommendation: **That the Lowell City Council approve the quote from Plummer's Environmental Services, Inc., Byron Center, MI, dated June 23, 2021, for the Cured-in-Place repair to the Bowes St sanitary sewer main, for a cost of \$9,900.00.**

Utilities Finder

Active: Sanitary Sewer Utilities

Icons: [Map Tools]



Contact Name:	Ralph Brecken	Quote #:	Q-C09-98D-AB22
Customer Name:	City of Lowell	Date:	06/23/2021
Customer Address:	301 East Main Street Lowell, MI 49331	Prepared By:	Jeff Root
Office Phone:	(616) 897-6457	Office Phone:	616-877-3930
Mobile Phone:	616-481-9804	Mobile Phone:	(616) 813-0873
Customer Email:	rbrecken@ci.lowell.mi.us	Email:	jroot@plummersenv.com

Statement of Work:

We hereby submit a proposal to install multiple cured in place spot repairs on Bowes Rd in the City of Lowell.

Our Cured-In-Place-Pipe restores structural integrity to damaged pipes. The Cured-In-Place-Pipe (CIPP) process eliminates the need for digging by creating a pipe within a pipe with minimal change to the original diameter. Our Cured-In-Place-Pipe spot repairs are manufactured by Source One Environmental and meet the ASTM 1216 specifications for cured in place pipe. We will provide you with a pre and post video of the repair.

To cut out the obstruction, we will provide a crew along with our Schwalm Robotic Cutter to cut the encrustation out of the main. Our Robotic Cutter can mill out concrete or encrustation from a line, cut out protruding obstacles, or clean with specialized brushes or high pressure jetters attached to the head. All while being CCTV'd to ensure quality and prevent damage to pipe.

All work performed inside of the manholes will be performed by a confined space certified entry team and will follow all OSHA regulations for a permit-required confined space entry per 1910.146 standards.

Services:				
Description	Est Qty	Price	UOM	Ext Amt
1. Cured in Place Spot Repair at 12.5' (Fracture)	1.00	\$3,200.000000	EA	\$3,200.00
2. Cured in Place Spot Repair at 17.5' (Broken Pipe)	1.00	\$3,500.000000	EA	\$3,500.00
Bypass Pumping to install Repair(s)	1.00	\$3,200.000000	EA	\$3,200.00
Sub-Total:				\$9,900.00

Summary of Estimated Charges

Category	Est Total
Services	\$9,900.00
Total Estimated Charges	\$9,900.00

STANDARD TERMS AND CONDITIONS

In this agreement "you", "your" and the "Customer" refer to the person signing this Contract ("Contract") with Plummer's Environmental Services Inc. ("Company").

- You agree to purchase the material and services described in this Contract from the Company at the price and according to the terms stated in this Contract.
- A service charge of 1 1/2% per month (18% per year) will be paid on past due amounts starting thirty (30) days after the invoice date. If Customer desires to pay invoice by credit card, an additional 3% credit card processing fee will be added to Customer's invoice.
- All material is guaranteed to be as specified. All work to be completed in a good, workmanlike manner according to standard practices and using the standard of care commonly used by environmental professionals and by-product transporters practicing in the State of Michigan. Company's workers are fully covered by Worker's Compensation insurance. In the event of cancellation of a job in progress by Customer, Customer will reimburse Company for all labor and/or material costs. Company shall have the right to stop work if payments are not made when due. Company shall be held harmless from all liabilities related to the hold up during such period.
- All terms and conditions in this Contract supersede any other terms and conditions, prior proposals or prior bids. This written Contract constitutes the complete integration of all statements and agreements relating to the Contract and there are no representations or warranties other than those expressly incorporated herein nor is this Contract dependent upon or subject to any conditions or approvals precedent or subsequent not herein stated. No subsequent agreement relating hereto shall be binding upon Customer or Company unless in writing and signed by the party being bound.
- If Customer requests changes, alteration or deviation from specifications involving extra cost, such work will only be performed upon written change orders, and will become an extra charge over and above the Contract price. Company may, by giving written notice to Customer, terminate this Contract if Customer breaches this Contract and such breach is not cured within a reasonable period (in any event such period not to exceed thirty days) or such breach is not capable of being cured within a reasonable period.
- The actual completion time is contingent upon access to Customer's facility, labor strikes, material shortages, accidents, weather, acts of God, changes caused by a body of government, and the like. Change orders will affect the time necessary for completion. Company shall not be liable for any damages suffered by Customer as a result of any delay occasioned by these contingencies.
- EXCEPT AS EXPRESSLY STATED HEREIN, THERE ARE NO OTHER WARRANTIES, EXPRESS OR IMPLIED, BY OPERATIONS OF LAW OR OTHERWISE, OF THE MATERIALS OR SERVICES FURNISHED UNDER THIS CONTRACT BY COMPANY. COMPANY SPECIFICALLY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE OR ARISING FROM A COURSE OF DEALING OR USAGE OR TRADE. COMPANY SHALL HAVE NO OTHER LIABILITY TO CUSTOMER IN CONNECTION WITH THE MATERIALS OR SERVICES FURNISHED UNDER THIS CONTRACT, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ANY LIABILITY FOR DIRECT, INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES OR ANY INJURY OR DAMAGES TO PERSONS AND PROPERTY.
- Customer shall maintain at its sole cost and expense insurance policies meeting the minimum insurance levels set forth below and shall provide certificates of such insurance evidencing the limits and expiration dates upon request;
 - Worker's Compensations - in accordance with applicable statutory requirements;

b. Commercial General Liability - not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate,

c. Automobile Liability - not less than \$1,000,000 per occurrence;

All policies of insurance shall name Plummer's Environmental Services, Inc. as an additional insured and will provide Plummer's thirty (30) days prior written notice of cancellation.

9. All issues concerning the construction, validity, enforcement and interpretation of this Contract shall be governed by and construed in accordance with the laws of the State of Michigan. The parties agree that venue is hereby exclusively established in the County of Kent, State of Michigan for any dispute or claim arising out of this Contract. Company, if it prevails in any action shall be entitled to all reasonable attorneys' fees, costs and other expenses incurred in such action and in any subsequent efforts to collect the amount awarded.

10. Any portion of this Contract found to be not enforceable by a court of competent jurisdiction will not invalidate the remaining portions of this Contract. Any term of this Contract which is found to be ambiguous shall not be construed against the Company. Nothing herein shall exclude any other rights or remedies to which Company is entitled by law or equity.

11. Customer agrees to indemnify and hold Company harmless, and assume any legal liability to defend Company, its agents, employees, officers and members from any claim or action by any third party arising out of the performance of work pursuant to this Contract except those claims or actions arising out of incidents caused by employees or agents of the Company.

12. All the terms and provisions of this Contract shall be binding upon, shall inure to the benefit of, and shall be enforceable by the respective heirs, beneficiaries, personal representatives, successors and assigns of the parties to this Contract. This Contract is for the benefit of the parties, their successors and assigns, and is not for the benefit of any third party.

13. Plummer's Environmental Services is not responsible for any sewer back up on private or commercial properties while cleaning sewer lines due to inadequate ventilation on the owners sewer.

Name:

Ralph Brecken

Signature:

X

Date:

APPOINTMENTS

	Expires
Board of Review Vacancy (alternate)	01/01/2023
Construction Board of Appeals Vacancy	01/01/2021
Lowell Light and Power Vacancy (Jeff Dickerman Resigned)	06/30/2021
Lowell Area Fire and Emergency Services Authority Vacancy (Dave Pasquale – Currently Serving)	01/01/2020
Planning Commission Vacancy (Bruce Barker – Currently Serving)	06/30/2021