



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

CITY OF LOWELL
CITY COUNCIL AGENDA
MONDAY, JULY 17, 2023, 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 19, 2023 Regular and Closed City Council meetings.
- Authorize payment of invoices in the amount of \$697,250.11.

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

- a. Proposed Zoning Ordinance Text Amendment - Ordinance – 23-05
- b. Rezoning Request for 112 Horatio St., 805 E Main St., 825 E. Main St.

5. NEW BUSINESS

- a. Harassment Ordinance – 23-06
- b. Tree Ordinance – 23-07
- c. Grindle Dr & Shepard Blvd Improvements
- d. 2023 Grindle Dr & Shepard Blvd Project Construction Engineering Services
- e. Ottawa and Brook Design Engineering
- f. 2024 Street Improvements Projects Design Engineering Services
- g. Social District Request – Resolution 16-23
- h. Street Sweeping
- i. Request to Purchase a New Police Cruiser

6. BOARD/COMMISSION REPORTS

7. BUDGET REPORT

8. MONTHLY REPORTS

9. MANAGER'S REPORT

10. APPOINTMENTS

11. COUNCIL COMMENTS

12. ADJOURNMENT

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



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

MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Monday, July 17, 2023

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4. OLD BUSINESS

- a. Proposed Zoning Ordinance Text Amendment – Ordinance 23-05. City Clerk Susan Ullery provided a memo.

Recommended Motion: That the Lowell City Council accept the recommendation of the Planning Commission and approve the proposed zoning ordinance text amendment – Ordinance 23-05.

- b. Rezoning request for 112 Horatio St., 805 E. Main St., 825 E. Main St. City Clerk Susan Ullery provided a memo.

Recommended Motion: That the Lowell City Council accept the recommendation of the Planning Commission and approve this rezoning request.

5. NEW BUSINESS

- a. Harassment Ordinance 23-06. City Manager Michael Burns provided a memo.

Recommended Motion: That the Lowell City Council approve Ordinance 23-06 to establish a local misdemeanor harassment ordinance as presented.

- b. Tree Ordinance – 23-07. Public Works Director Daniel Czarnecki provided a memo.

Once Lowell City Council has had the time for review, the final ordinance will be brought back for authorization.

- c. Grindle Dr. & Shepard Blvd Improvements. Public Works Director Daniel Czarnecki provided a memo.

Recommended Motion: That the Lowell City Council approve the 2023 Grindle Dr., and Shepard Blvd. Improvements Project bid from Michigan Paving and Material, Inc. Grand Rapids, Michigan, for a cost of \$457,528.50, and authorize the Mayor to sign the documents.

- d. 2023 Grindle Dr. & Shepard Blvd Project Construction Engineering Services. Public Works Director Daniel Czarnecki provided a memo.

Recommended Motion: That the Lowell City Council approves the 2023 Grindle Dr. and Shepard Blvd. Improvement Project Construction Engineering Services with Williams & Works, as outlined in their scope of services, dated July 11, 2023, for the amount of \$45,600.

- e. Ottawa and Brook Design Engineering. Public Works Director Daniel Czarnecki provided a memo.

Recommended Motion: That the Lowell City Council approve the Design Engineering Services quote for the 2024 Brook St and Ottawa St Resurfacing Project, as proposed by Williams & Works in their letter dated July 7, 2023, for the amount of \$19,800.00.

- f. 2024 Street Improvements Projects Design Engineering Services. Public Works Director Daniel Czarnecki provided a memo.

Recommended Motion: That the Lowell City Council approve the Design Engineering Services quote for the 2024 Lafayette and Cross Streets Resurfacing Project, as proposed by Williams & Works in their letter dated July 10, 2023, for the amount of \$82,000.00.

- g. Social District Request – Resolution 16-23. City Manager Michael Burns provided a memo.

Recommended Motion: That the Lowell City Council approve Resolution 16-23 to allow for Love Wines to participate in the Social District at 217 W. Main as presented.

- h. Street Sweeping. Information will be provided Monday.

- i. Request to Purchase a New Police Cruiser. Police Chief Christopher Hurst provided a memo.

Recommended Motion: That the Lowell City Council approve the purchase of a 2024 Police Interceptor Utility AWD hybrid from Lunghammer Ford in Owosso, the up-fitting from Great Lakes Up-fitting, and the graphics from B&K Graphics at a cost not to exceed \$67,189.71.

6. BOARD/COMMISSION REPORTS
7. BUDGET REPORT
8. MONTHLY REPORTS
9. MANAGER'S REPORT
10. APPOINTMENTS
11. COUNCIL COMMENTS
12. ADJOURNMENT

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, JUNE 19, 2023, 7:00 P.M.**

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

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

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

Absent: None.

Present: City Clerk Sue Ullery, DPW Director Dan Czarnecki, City Manager Michael Burns, City Treasurer Sue Olin, Policewoman Aubrey Culver, City Attorney Jessica Wood.

2. **CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the June 5, 2023 Work Session and Regular City Council meetings.
- Authorize payment of invoices for \$108,435.87.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

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

Perry Beachum who resides at 924 Riverside Drive stated the DPW does a great job, thank you for taking care of problems right away. Also, Beachum stated he is not in favor of changing the ordinance for sound amplifying and for changing time limit of public demonstrations, as well as he is against the Special Land Use for West Michigan Auto Xchange.

5. **OLD BUSINESS**

a. **Cost Recovery Hearing.**

City Attorney Jessica Wood spoke to explain this is a public hearing for Lowell City resident Joe Nelson who asked to be heard regarding his bill related to the Cost Recovery Ordinance 23-03 that allows the police to bill people for non-actual emergencies. He received a bill for such recoveries and wanted to speak about his situation.

Chief of Police Chris Hurst spoke first and explained the Cost Recovery Ordinance and why it has been

put in place. Then Hurst explained that during March and April of 2023, they were overwhelmed with calls that were regarding Joe Nelson and they were not emergency calls. He needs to be a good neighbor and stop all these violations.

Detective Aubrey Culver then spoke and stated that these violations with Joe Nelson have gotten worse. They started in 2021 and have increased since then, she has two folders full of incidents. Culver has recently submitted a draft of an ordinance to the City Manager and City Attorney that is a step up from just the cost recovery ordinance for review.

Joe Nelson who lives at 295 Roberta Jayne then spoke and explained his reasons and situation. Over the months of March and April he stated he had some issues with a stalker and her accomplice. He did not have any gain or benefit from being stalked. He believes the bill belongs to his stalker and not him.

City Councilmembers had no comments.

Mayor DeVore then opened it up to public comments.

Marilyn Branham who resides at 280 Roberta Jayne spoke on violations she has witnessed and recorded that were by Joe Nelson and begged City Councilmembers to uphold the ordinance and charges.

Laura Becker who resides at 249 Roberta Jayne and is a neighbor of Joe Nelson's spoke and complained of all the noises and sounds he makes very early in the morning, along with playing some recordings of it. She hopes the ordinance stands or that the "step up" ordinance becomes enforced.

Paula Meirendorf who resides at 303 Roberta Jayne and lives on the other side of Joe Nelson spoke on Joe Nelson's behavior that is ongoing and not being reasonable and asked City Councilmembers to please consider all the people in the neighborhood.

City Attorney Jessica Wood then stated, "So consistent with the ordinance after a responsible party has been given an opportunity to appear before it, which has occurred tonight, the City Council shall promptly determine whether to confirm modify or avoid the payment of accessible costs."

IT WAS MOVED BY YANKOVICH and seconded by DEVORE that the Lowell City Council uphold the invoice as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

Councilmember Salzwedel would like to know how to move forward from this to keep this neighborhood safe and not have repeat situation.

b. Employee Handbook.

City Manager Michael Burns explained they modified two items in the City of Lowell Employee Handbook. The first item was to identify the new health insurance plan the City offers and the second

was to modify the same vacation policy to provide the same vacation policy to the non-union employees and department heads as we do both unions.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS that the Lowell City Council approve the modifications to the Employee Handbook as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Budget Amendments – Resolution 14-23.

City Manager Michael Burns stated in the City Council meeting packet for June 19, 2023 is Resolution 14-23 to approve budget amendments for the current fiscal year and a spreadsheet identifying all of the adjustments with an explanation as to the need for the adjustment.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that Lowell City Council approve Resolution 14-23 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. NEW BUSINESS

a. Creekside Kingdom Presentation.

City Manager Michael Burns stated City Administration has been working with Cody Chambers and Theresa Mundt with the Rotary Club regarding the rebuilding of Creekside Kingdom. For the past few months we have met with Leathers & Associates, the firm who originally assisted in building the previous structure. In April, they provided us with an assessment report for Creekside Kingdom which was funded via a LCTV fund and to summarize, we found it would be in our best interest to completely rebuild Creekside Kingdom and will cost approximately \$400,000 to do so. Rotary would like to partner with the city in fundraising for all aspects of this project including design. The city would also write a DNR Passport Grant this fall to assist and we would reach out to the different endowment funds also.

Theresa Mundt then spoke on the Rotary project and her experience from being involved in the original build of Creekside Kingdom. The next phase is the design phase and would like to get the public involved. The goal is to start the new build by Spring of 2024.

Perry Beachum hopes Council moves forward on this and gets a lot of input from the public.

Paula Meirendorf stated she knows many love Creekside Kingdom, even from outside of the City.

Councilmember Salzwedel questioned whether it was safe to keep open until rebuild as it sounds like it may not be safe.

IT WAS MOVED BY DEVORE and seconded by GROVES that the Lowell City Council partner with the Lowell Rotary Club to rebuild Creekside Kingdom.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. PROTEC Membership.

City Manager Michael Burns read his memo regarding Protec – The Michigan Coalition to Protect Public Rights-of-Way. The cost of the renewal of membership is \$517.75.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Flock Safety Cameras.

City Manager Michael Burns read his memo regarding the Police Department purchasing four Flock Safety Cameras to be located at various points across the city. The agreement is a two-year agreement for the Flock Safety cameras. DDA agreed to purchase three of the four cameras.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that the Lowell City Council approve a two year agreement with Flock Safety to install four license plate reader cameras in the City of Lowell.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Request to Close South Water Street.

City Manager Michael Burns stated we have received a request from King Milling to close S. Water Street access from the public from July 10 to July 14, 2023. This will be so they can continue their construction at the mill and it will be safer for the public to restrict access. King Milling would also close the public parking on Water Street during this timeframe.

IT WAS MOVED BY SALZWEDEL and seconded by DEVORE that the Lowell City Council approve the closure of S. Water Street as requested.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. City of Hastings Request to Leave Grand Valley Metropolitan Council-Resolution 15-23.

City Manager Michael Burns read his memo regarding the City of Hastings has requested to leave the Grand Valley Metropolitan Council (GVMC). Hastings is the farthest jurisdiction within our region. Their representative, who was on the City Council stepped down and the remaining members of their Council did not want to be represented. The Councilmembers didn't believe being a part of the GVMC would benefit them going forward. At the June 1, 2023 GVMC meeting, the board approved the request for them to leave the Metropolitan Planning Organization. The next step is for each of the governing bodies from the remaining governmental entities to approve via resolution.

IT WAS MOVED BY GROVES and seconded by YANKOVICH that the Lowell City Council approve Resolution 15-23 to honor the City of Hastings request to leave the Grand Valley Metropolitan Council.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

7. BOARD/COMMISSION REPORTS.

Councilmember Yankovich stated that the Historic District Commission received a \$20,000 grant.

Councilmember Salzwedel stated Perry Beachum and Daniel Crawford would like to be reappointed to the Lowell Light & Power Board. It was a general consensus. In addition, Lowell Light & Power almost had zero outages.

Councilmember Groves stated Parks and Recreation meet tomorrow and Chamber of Commerce has the Riverwalk Festival July 6-8, 2023.

Councilmember Chambers stated the Planning Commission decided to table the Special Land Use for the West Michigan Auto Xchange until the next meeting.

8. CITY MANAGERS REPORT.

City Manager Michael Burns went over the following:

- The Community Fund grant for the Splash pad with the Township received \$28,000, we can go back for the rest in September once they are fully funded again.
- Gee Drive issue was fixed the Saturday before last and it was at no cost to the City.
- Grindle and Shepard project bid deadline is July 6, 2023.
- Monroe Street project still seems to be ahead of schedule.
- MERS – Received Actuarial Report, good news, we moved from 67 to 68% - we are in pretty good shape
- water restrictions are still in place, people are being respectful of that.

- 4 issues with vandalism over at the Riverwalk bathrooms and also had a fire. Going to shut down for daily use and only open for special events.

9. **APPOINTMENTS.**

There were no changes.

10. **COUNCIL COMMENTS.**

Councilmember Chambers stated July 10, 2023 the Mayor turns 43 so if you see him out on the street make sure you wish him Happy Birthday.

Councilmember Groves attended the Riverrun Triathlon, thanked Grant and his wife who put it on. Said it was a great event and thank you to the Police and Fire Department for their guidance.

Mayor DeVore visited WION RADIO in Ionia with Marty and Charlie from Lowell Light & Power, learned a lot and WION is a great station near our community. Also visited some of the City's facilities (water facilities and the DPW office). He forgot how impressive they are.

11. **MOTION TO GO INTO CLOSED SESSION TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURES BY STATE AND FEDERAL STATUTE @ 8:29.**

IT WAS MOVED BY CHAMBERS and seconded by GROVES to go into closed sessions @ 8:29.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

12. **MOTION TO GO BACK INTO OPEN SESSION @8:37**

13. **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by CHAMBERS to adjourn @ 9:04 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 14-23

**RESOLUTION ADOPTING AN AMENDMENT TO THE
CITY OF LOWELL ANNUAL BUDGET FOR FISCAL
YEAR 2022-2023**

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

WHEREAS, the City Manager has prepared and presented to the City Council at its meeting on June 19, 2023, a proposed amended budget for the 2022-2023 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 2022-2023 fiscal year budget at the following are the estimated revenues and expenses for the 2022-2023 fiscal year of the City:

	<u>Revenues</u>	<u>Appropriations</u>
General Fund	\$4,114,120.77	\$4,482,366.64
Major Street Fund	\$457,343.33	\$514,871.39
Local Street Fund	\$1,072,253.00	\$838,156.26
DDA	\$857,188.00	\$948,074.22
Designated Contribution	\$218,786.50	\$142,904.67
Airport Fund	\$77,376.00	\$106,575.00
Wastewater Fund	\$1,281,775.02	\$1,367,867.34
Water Fund	\$1,468,058.51	\$1,591,912.70

Data Processing	\$122,456.00	\$180,000.00
Equipment Fund	\$276,450.00	\$457,157.64
Cemetery Fund	\$12,000.00	0

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 Yankovich, Chambers, Groves, Mayor DeVore and
Councilmember Chambers

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED.

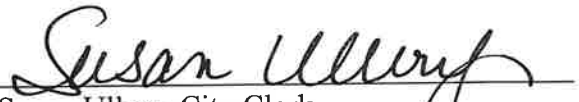
Dated: June 19, 2023


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 19, 2023, 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 19, 2023


Susan Ullery, City Clerk

RESOLUTION 15-23
RESOLUTION TO APPROVE AMENDMENT NO. 41 IN
THE ARTICLES OF INCORPORATION OF
GRAND VALLEY METROPOLITAN COUNCIL

WHEREAS, the members of Grand Valley Metropolitan Council ("Metro Council") have by majority vote approved Amendment No. 41 (Removal of City of Hastings) in the Articles of Incorporation of Grand Valley Metropolitan Council; and

WHEREAS, the amendments have now been submitted for approval by the legislative bodies of the local governmental units that belong to Metro Council; and


WHEREAS, the City Council of the City of Lowell has considered Amendment No. 41 in the Articles of Incorporation of Metro Council.

NOW, THEREFORE, RESOLVED:

1. Amendment No. 41 in the Articles of Incorporation of Grand Valley Metropolitan Council is hereby APPROVED.

ADOPTED this 19th day of June, 2023, by the City Council of the City of Lowell, by a vote of FIVE members voting in favor thereof and ZERO members voting against.

June 19, 2023


Sue Ullery, City Clerk
City of Lowell

AMENDMENT NO. 41

To Remove the City of Hastings as a Member

1. The first paragraph of the Articles of Incorporation is hereby amended to read in its entirety as follows:

ARTICLES OF INCORPORATION GRAND VALLEY METROPOLITAN COUNCIL

These Articles of Incorporation are adopted and executed by the incorporating units ("Units"), the City of Grand Rapids, the City of Kentwood, the City of East Grand Rapids, the City of Grandville, the City of Rockford, the City of Hudsonville, the City of Cedar Springs, Byron Township, Plainfield Township, Alpine Township, Gaines Township, Kent County, Grand Rapids Township, Algoma Township, City of Coopersville, City of Greenville, City of Ionia, City of Walker, Courtland Township, City of Wayland, Village of Middleville, Tallmadge Township, Georgetown Township, Ottawa County, Caledonia Township, Cannon Township, Allendale Township, Cascade Township, Jamestown Township, the City of Wyoming, the City of Lowell, the City of Belding, Ada Township, the Village of Sand Lake, Lowell Township, Nelson Township, the Village of Sparta, and the Village of Caledonia for the purpose of constituting a Metropolitan Council pursuant to the provisions of Act No. 292 of the Michigan Public Acts of 1989 (the "Act").

GRAND VALLEY METROPOLITAN COUNCIL

At a regular meeting of the Grand Valley Metropolitan Council, held on the 1st day of June 2023, at 8:30 a.m., in the Kent County Commission Chambers, Grand Rapids, Michigan.

PRESENT: Artz, Alles, Baker, Balgoyen, Beard, Bennett, Bujak, Burns, Carey, Charles, DeVries, Eggleston, Elenbaas, Gibbs, Henschel, Kepley, LaGrand, Leisman, Lesperance, Lower, Maas, Madura, McCarter, Stadt, Stolsonburg, Terpstra, Thornton, Vanderberg, VanWyngarden, Verhulst, Weersing.

ABSENT: Wells, Washington, Van Haitisma, Vanderwood, Tillema, Porter, Luce, Kidd, Britton, Garland, Green, Hale, Harrison, Donovan

The following resolution was offered by Thornton and seconded by LaGrand:

RESOLUTION TO AMEND ARTICLES OF INCORPORATION SO AS TO REMOVE THE CITY OF HASTINGS AS A PARTICIPATING LOCAL GOVERNMENTAL UNIT

A local governmental unit may join or withdraw from the Grand Valley Metropolitan Council (the “Metro Council”) upon satisfaction of certain requirements set forth in the Metropolitan Council Act, Act 292 of the Public Acts of Michigan of 1989, as amended (the “Act”); and

Pursuant to Articles VIII and XX, of the Articles of Incorporation, the legislative body of the City of Hastings, Barry County, Michigan, has adopted a motion stating it desires to leave the Metro Council.

THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The first paragraph of the Articles of Incorporation of the Metro Council is hereby amended so as to remove the City of Hastings, Barry County, as a participating local governmental unit.

2. This resolution amends the Articles of Incorporation only as stated above. All other provisions of the Articles of Incorporation remain in full force and effect.

3. Upon adoption of this Resolution, the above-stated amendment in the Articles of Incorporation shall be published at least once in a newspaper of general circulation within the participating counties, cities, villages, and townships of the Metro Council.

4. Upon the publication of the above-statement amendment, the amendment shall be submitted for a vote thereon by the members elected to and serving on the legislative body of each participating local governmental unit of the Metro Council.

5. Upon final adoption of the above-stated amendment, a printed copy of the amended Articles of Incorporation shall be filed with the Michigan Secretary of State, with the clerk of each county in which is located all or any part of a participating city, village, or township, and with the clerk of each participating city, village, and township, as required by Sections 9 and 11 of the Act.

Ayes: All

Nays: None

RESOLUTION DECLARED 6/1/23

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Grand Valley Metropolitan Council at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Executive Director

07/14/2023 12:54 PM
User: JVELTKAMP
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 07/01/2023 - 07/14/2023
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 1/3

Vendor Code	Vendor Name Invoice	Description	Amount
00015	ALEXANDER CHEMICAL CORP 69235	WTP CHLORINE	58.00
TOTAL FOR: ALEXANDER CHEMICAL CORP			58.00
10816	AMAZON CAPITAL SERVICES IPMJ-DGMW-3XKM	WTP POP UP CANOPY	78.99
TOTAL FOR: AMAZON CAPITAL SERVICES			78.99
00050	BERNARDS ACE HARDWARE 06/30/23	JUNE ACCOUNT STATEMENT	1,001.75
TOTAL FOR: BERNARDS ACE HARDWARE			1,001.75
11032	BG DEFENSE CO. LLC 4100	COVERTING 10.5 PISTOL'S TO 13.7 RIFLE	3,120.00
TOTAL FOR: BG DEFENSE CO. LLC			3,120.00
00065	BOUWHUIS SUPPLY, INC. 64463	TOWELS & BATH TISSUE	503.11
TOTAL FOR: BOUWHUIS SUPPLY, INC.			503.11
10477	BROWN, CASEY 06/21/23	BURGER NIGHT SUPPLIES	227.97
TOTAL FOR: BROWN, CASEY			227.97
02516	CALEDONIA RENT-ALL & SALES 06/29/23	STUMP GRINDER	515.00
TOTAL FOR: CALEDONIA RENT-ALL & SALES			515.00
11035	CEDAR ROCK BARNS LLC 07/14/23	LIBRARY BARN	3,037.00
TOTAL FOR: CEDAR ROCK BARNS LLC			3,037.00
01343	CL TRUCKING & EXCAVATING 07/14/2023	MONROE IMPROVEMENTS W/S/ROAD	489,510.63
TOTAL FOR: CL TRUCKING & EXCAVATING			489,510.63
10509	CONSUMERS ENERGY 205279521211	STREET LIGHTS	28.27
TOTAL FOR: CONSUMERS ENERGY			28.27
11034	CORPORATE CLEANING & FACILITY 3863	CLEANING SERVICES - JUNE	2,535.00
TOTAL FOR: CORPORATE CLEANING & FACILITY			2,535.00
01156	CURTIS CLEANERS 58F1F1	OFFICER OESCH	8.65
TOTAL FOR: CURTIS CLEANERS			8.65
10670	FAHEY SCHULTZ BURZYCH RHODES PLC 12343	MERC ARBITRATION RULES	416.50
	12344	HANDBOOK CHANGE	78.00
TOTAL FOR: FAHEY SCHULTZ BURZYCH RHODES PLC			494.50
00215	GODWIN ADA VILLAGE HARDWARE 06/28/23	ACCOUNT STATEMENT	60.93
TOTAL FOR: GODWIN ADA VILLAGE HARDWARE			60.93

07/14/2023 12:54 PM

User: JVELTKAMP

DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL

EXP CHECK RUN DATES 07/01/2023 - 07/14/2023

BOTH JOURNALIZED AND UNJOURNALIZED

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Vendor Code	Vendor Name Invoice	Description	Amount
00228	GRAND RAPIDS GRAVEL COMPANY 06/30/23	SAND AND GRAVEL	41.80
TOTAL FOR: GRAND RAPIDS GRAVEL COMPANY			41.80
02295	GRAYMONT WESTERN LIME INC. 35-206751	WTP QUICKLIME	8,849.04
TOTAL FOR: GRAYMONT WESTERN LIME INC.			8,849.04
01508	GTW 316783	CYLINDER RENTAL JUNE 2023	51.85
TOTAL FOR: GTW			51.85
02463	HYDROCORP 0072916	CROSS CONNECTION JUNE 2023	1,806.25
TOTAL FOR: HYDROCORP			1,806.25
CREEKSIDE	KATHERINE C MASON 06/25/23	ABILITY WEAVERS CREEKSIDE DEPOSIT	50.00
TOTAL FOR: KATHERINE C MASON			50.00
10664	LEWIS G. BENDER, PH.D. 07/06/23	COUNCIL WORKSHOP	2,564.35
TOTAL FOR: LEWIS G. BENDER, PH.D.			2,564.35
00347	LOWELL CHARTER TOWNSHIP 07/07/23	CITY PORTION OF GR FOUNDATION SPLASH PAD	28,000.00
TOTAL FOR: LOWELL CHARTER TOWNSHIP			28,000.00
00330	LOWELL LEDGER 06/30/23	JUNE STATEMENT - ADVERTISING / DISPLAY	508.15
TOTAL FOR: LOWELL LEDGER			508.15
00341	LOWELL LIGHT & POWER 05/25/23 - 06/25/	ELECTRIC BILL	23,645.33
	3722	COMCAST / SPECTROTEL - MAY / JUNE	1,035.42
	3724	IP CONSULTING- END OF MAY / JUNE	16,029.67
TOTAL FOR: LOWELL LIGHT & POWER			40,710.42
00426	MODEL COVERALL SERVICE, INC. 07/05/23	LIBRARY RUGS JUNE	314.45
TOTAL FOR: MODEL COVERALL SERVICE, INC.			314.45
00468	NYE UNIFORM COMPANY CO 854681	UNIFORM PANTS FOR SHEARS	159.00
TOTAL FOR: NYE UNIFORM COMPANY CO			159.00
11036	PEPPERIDGE LANDSCAPE & DESIGN 211874	LIBRARY PAD	883.63
TOTAL FOR: PEPPERIDGE LANDSCAPE & DESIGN			883.63
00512	PREIN & NEWHOF, INC. 108138	STONE LAKE TESTING	170.00
TOTAL FOR: PREIN & NEWHOF, INC.			170.00
10953	RASHID, DEBRA 07/13/23	CITY HALL SUPPLIES	72.04
TOTAL FOR: RASHID, DEBRA			72.04

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Vendor Code	Vendor Name Invoice	Description	Amount
02575	SELF SERVE LUMBER 07/01/23	ACCOUNT STATEMENT	224.04
TOTAL FOR: SELF SERVE LUMBER			224.04
10269	SHADOW ENTERPRISES LTD 1677	ELECTRICIAL WORK - HANGAR B2	542.50
TOTAL FOR: SHADOW ENTERPRISES LTD			542.50
10662	SKYLINE ELECTRIC, INC 1958	WATER PUMP - FOOTBALL FIELD	1,459.77
TOTAL FOR: SKYLINE ELECTRIC, INC			1,459.77
10341	STATE OF MICHIGAN 551-619589	SOR JULY 2023	90.00
	551-619823	LIVE SCANS JUNE 2023	86.50
TOTAL FOR: STATE OF MICHIGAN			176.50
10543	TRACTOR SUPPLY CREDIT PLAN 06/20/23	JUNE ACCOUNT STATEMENT	92.96
TOTAL FOR: TRACTOR SUPPLY CREDIT PLAN			92.96
10069	TRUGREEN 07/05/23	REC PARK FIELD CARE	148.74
	7/14/23	LAWN CARE JULY	1,024.15
TOTAL FOR: TRUGREEN			1,172.89
02472	VANVEELEN, BRIAN 07/10/2023	BOOT/ SHOE REIMBURSEMENT 2023	170.00
TOTAL FOR: VANVEELEN, BRIAN			170.00
10969	VEOLIA WATER NORTH AMERICA 9000101565	WWTP - JUNE OPERATIONS	44,090.88
TOTAL FOR: VEOLIA WATER NORTH AMERICA			44,090.88
00666	VERGENNES TOWNSHIP TREASURER 07/14/2023	SUMMER TAX 41-16-35-426-052 (990 N WASH)	1,884.41
	07/14/23	SUMMER TAX 41-16-35-100-601	4,316.85
TOTAL FOR: VERGENNES TOWNSHIP TREASURER			6,201.26
02203	VISA 06/27/23	JUNE MERCANTILE VISA STATEMENT	2,598.07
TOTAL FOR: VISA			2,598.07
11033	WALNUT GROVE HYDROSEEDING, LLC 1051	HYDROSEEDING - BURCH FIELD	750.00
TOTAL FOR: WALNUT GROVE HYDROSEEDING, LLC			750.00
00692	WILLIAMS & WORKS INC. 96390	LOWELL TREE ORDINANCE	1,326.00
	96637	CITY HALL REVIEW	50.00
	96646	WATER / SEWER MONROE ST.	19,795.03
	96647	MONROE ST RPR	24,311.40
	96648	WASHINGTON ST. WATER / SEWER	3,767.50
	96733	GEE DRIVE MILL & FILL	2,742.28
	96736	GRINDLE DR IMPROVEMENTS	1,218.00
	96737	SHEPARD BLVD IMPROVEMENTS	1,200.25
TOTAL FOR: WILLIAMS & WORKS INC.			54,410.46
TOTAL - ALL VENDORS			697,250.11

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Fund 101 GENERAL FUND					
Dept 000					
101-000-040.000	ACCOUNTS RECEIVABLE	LOWELL CHARTER TOWNSHIP	CITY PORTION OF GR FOUNDA	28,000.00	78843
101-000-285.004	CREEKSIDE DEPOSIT	KATHERINE C MASON	ABILITY WEAVERS CREEKSIDE	50.00	78841
Total For Dept 000				28,050.00	
Dept 172 MANAGER					
101-172-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	14.99	78862
101-172-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	14.97	78862
101-172-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	140.00	78862
101-172-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	225.33	78862
Total For Dept 172 MANAGE				395.29	
Dept 210 ATTORNEY					
101-210-802.000	LABOR RELATIONS ATTORNEY	FAHEY SCHULTZ BURZYCH RHO	MERC ARBITRATION RULES	416.50	78835
101-210-802.000	LABOR RELATIONS ATTORNEY	FAHEY SCHULTZ BURZYCH RHO	HANDBOOK CHANGE	78.00	78835
Total For Dept 210 ATTORN				494.50	
Dept 215 CLERK					
101-215-864.000	CONFERENCES & CONVENTIONS	VISA	JUNE MERCANTILE VISA STAT	1,355.10	78862
101-215-900.000	PRINTING	LOWELL LEDGER	JUNE STATEMENT - ADVERTIS	94.16	78844
101-215-900.000	PRINTING	LOWELL LEDGER	JUNE STATEMENT - ADVERTIS	105.93	78844
Total For Dept 215 CLERK				1,555.19	
Dept 265 CITY HALL					
101-265-730.000	POSTAGE	VISA	JUNE MERCANTILE VISA STAT	365.20	78862
101-265-740.000	OPERATING SUPPLIES	RASHID, DEBRA	CITY HALL SUPPLIES	72.04	78852
101-265-740.000	OPERATING SUPPLIES	VISA	JUNE MERCANTILE VISA STAT	20.73	78862
101-265-802.000	CONTRACTUAL	CORPORATE CLEANING & FACI	CLEANING SERVICES - JUNE	585.00	78833
101-265-802.000	CONTRACTUAL	TRUGREEN	LAWN CARE JULY	46.96	78858
101-265-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	COMCAST / SPECTROTEL - MA	351.61	78846
101-265-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING- END OF MA	397.81	78847
101-265-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	3,319.12	78845
Total For Dept 265 CITY H				5,158.47	
Dept 276 CEMETERY					
101-276-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	57.21	78845
Total For Dept 276 CEMETE				57.21	
Dept 301 POLICE DEPARTMENT					
101-301-626.000	REPORTS & FINGERPRINT FEE	STATE OF MICHIGAN	LIVE SCANS JUNE 2023	86.50	78856
101-301-660.002	SEX OFFENDER FEES	STATE OF MICHIGAN	SOR JULY 2023	90.00	78856
101-301-744.000	UNIFORMS	CURTIS CLEANERS	OFFICER OESCH	8.65	78834
101-301-744.000	UNIFORMS	NYE UNIFORM COMPANY CO	UNIFORM PANTS FOR SHEARS	159.00	78849
101-301-802.000	CONTRACTUAL	CORPORATE CLEANING & FACI	CLEANING SERVICES - JUNE	477.00	78833
101-301-802.000	CONTRACTUAL	VISA	JUNE MERCANTILE VISA STAT	118.40	78862
101-301-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	COMCAST / SPECTROTEL - MA	191.39	78846
101-301-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING- END OF MA	280.80	78847
101-301-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	10.00	78862
101-301-984.000	EQUIPMENT	BG DEFENSE CO. LLC	COVERTING 10.5 PISTOL'S T	3,120.00	78826
101-301-984.000	EQUIPMENT	VISA	JUNE MERCANTILE VISA STAT	16.95	78862
Total For Dept 301 POLICE				4,558.69	
Dept 400 PLANNING & ZONING					
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	CITY HALL REVIEW	50.00	78864
101-400-801.000	PROFESSIONAL SERVICES	LOWELL LEDGER	JUNE STATEMENT - ADVERTIS	105.93	78844
101-400-801.000	PROFESSIONAL SERVICES	LOWELL LEDGER	JUNE STATEMENT - ADVERTIS	134.12	78844
Total For Dept 400 PLANNI				290.05	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-740.000	OPERATING SUPPLIES	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	81.93	78825
101-441-740.000	OPERATING SUPPLIES	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	62.77	78825
101-441-740.000	OPERATING SUPPLIES	SELF SERVE LUMBER	ACCOUNT STATEMENT	41.94	78853
101-441-802.000	CONTRACTUAL	CORPORATE CLEANING & FACI	CLEANING SERVICES - JUNE	476.00	78833

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Fund 101 GENERAL FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-802.000	CONTRACTUAL	TRUGREEN	LAWN CARE JULY	84.98	78858
101-441-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	COMCAST / SPECTROTEL - MA	33.66	78846
101-441-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING- END OF MA	187.20	78847
101-441-864.000	CONFERENCES & CONVENTIONS	LEWIS G. BENDER, PH.D.	COUNCIL WORKSHOP	2,564.35	78842
101-441-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	481.06	78845
101-441-926.000	STREET LIGHTING	LOWELL LIGHT & POWER	ELECTRIC BILL	1,147.21	78845
101-441-930.000	REPAIR & MAINTENANCE	WILLIAMS & WORKS INC.	LOWELL TREE ORDINANCE	1,326.00	78864
Total For Dept 441 DEPART				6,487.10	
Dept 747 CHAMBER/RIVERWALK					
101-747-920.000	CHAMBER UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	231.82	78845
Total For Dept 747 CHAMBE				231.82	
Dept 751 PARKS					
101-751-740.000	OPERATING SUPPLIES	SELF SERVE LUMBER	ACCOUNT STATEMENT	47.34	78853
101-751-802.000	CONTRACTUAL	PREIN & NEWHOF, INC.	STONEY LAKE TESTING	170.00	78851
101-751-802.000	CONTRACTUAL	TRUGREEN	REC PARK FIELD CARE	148.74	78858
101-751-802.000	CONTRACTUAL	TRUGREEN	LAWN CARE JULY	597.14	78858
101-751-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	847.42	78845
101-751-930.000	REPAIR & MAINTENANCE	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	178.74	78825
101-751-930.000	REPAIR & MAINTENANCE	CALEDONIA RENT-ALL & SALE	STUMP GRINDER	257.50	78829
101-751-930.000	REPAIR & MAINTENANCE	SKYLINE ELECTRIC, INC	WATER PUMP - FOOTBALL FIE	1,459.77	78855
101-751-930.000	REPAIR & MAINTENANCE	WALNUT GROVE HYDROSEEDING	HYDROSEEDING - BURCH FIEL	750.00	78863
Total For Dept 751 PARKS				4,456.65	
Dept 790 LIBRARY					
101-790-740.000	OPERATING SUPPLIES	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	66.62	78825
101-790-802.000	CONTRACTUAL	CORPORATE CLEANING & FACI	CLEANING SERVICES - JUNE	997.00	78833
101-790-802.000	CONTRACTUAL	MODEL COVERALL SERVICE, I	LIBRARY RUGS JUNE	314.45	78848
101-790-802.000	CONTRACTUAL	TRUGREEN	LAWN CARE JULY	117.41	78858
101-790-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	COMCAST / SPECTROTEL - MA	286.20	78846
101-790-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	1,305.78	78845
101-790-930.000	REPAIR & MAINTENANCE	PEPPERIDGE LANDSCAPE & DE	LIBRARY PAD	883.63	78850
101-790-975.000	BUILDING IMPROVEMENTS	CEDAR ROCK BARNS LLC	LIBRARY BARN	3,037.00	78830
Total For Dept 790 LIBRAR				7,008.09	
Dept 804 MUSEUM					
101-804-887.000	CONTRIBUTIONS & MAINTENAN	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	37.98	78825
101-804-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	387.92	78845
Total For Dept 804 MUSEUM				425.90	
Total For Fund 101 GENERA				59,168.96	
Fund 202 MAJOR STREET FUND					
Dept 450 CAPITAL OUTLAY					
202-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	GEE DRIVE MILL & FILL	2,742.28	78864
Total For Dept 450 CAPITA				2,742.28	
Dept 463 MAINTENANCE					
202-463-930.000	REPAIR & MAINTENANCE	CALEDONIA RENT-ALL & SALE	STUMP GRINDER	257.50	78829
Total For Dept 463 MAINTEN				257.50	
Total For Fund 202 MAJOR				2,999.78	
Fund 203 LOCAL STREET FUND					
Dept 450 CAPITAL OUTLAY					
203-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	SHEPARD BLVD IMPROVEMENTS	1,200.25	78864
203-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	GRINDLE DR IMPROVEMENTS	1,218.00	78864
Total For Dept 450 CAPITA				2,418.25	
Dept 478 WINTER MAINTENANCE					
203-478-740.000	OPERATING SUPPLIES	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	47.99	78825
Total For Dept 478 WINTER				47.99	

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Fund 203 LOCAL STREET FUND					
		Total For Fund 203 LOCAL		2,466.24	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
248-463-740.000	OPERATING SUPPLIES	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	136.31	78825
248-463-740.000	OPERATING SUPPLIES	BOUWHUIS SUPPLY, INC.	TOWELS & BATH TISSUE	503.11	78827
248-463-740.000	OPERATING SUPPLIES	SELF SERVE LUMBER	ACCOUNT STATEMENT	39.98	78853
248-463-740.000	OPERATING SUPPLIES	TRACTOR SUPPLY CREDIT PLA	JUNE ACCOUNT STATEMENT	24.99	78857
248-463-802.000	CONTRACTUAL	TRUGREEN	LAWN CARE JULY	43.61	78858
248-463-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	456.88	78845
248-463-930.000	REPAIR & MAINTENANCE	GRAND RAPIDS GRAVEL COMPA	SAND AND GRAVEL	41.80	78837
		Total For Dept 463 MAINTENANCE		1,246.68	
Dept 740 COMMUNITY PROMOTIONS					
248-740-880.000	COMMUNITY PROMOTION	VISA	JUNE MERCANTILE VISA STAT	61.40	78862
		Total For Dept 740 COMMUNITY PROMOTIONS		61.40	
		Total For Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY		1,308.08	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-740.000	OPERATING SUPPLIES	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	344.07	78825
581-000-740.000	OPERATING SUPPLIES	BROWN, CASEY	BURGER NIGHT SUPPLIES	227.97	78828
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	STREET LIGHTS	28.27	78832
581-000-930.000	REPAIR & MAINTENANCE	SHADOW ENTERPRISES LTD	ELECTRICIAL WORK - HANGAR	542.50	78854
581-000-955.000	MISCELLANEOUS EXPENSE	VERGENNES TOWNSHIP TREASURY	SUMMER TAX 41-16-35-100-6	4,316.85	78861
		Total For Dept 000		5,459.66	
		Total For Fund 581 AIRPORT FUND		5,459.66	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-043.000	DUE FROM VEOLIA	LOWELL LIGHT & POWER	ELECTRIC BILL	5,325.37	78845
590-000-043.000	DUE FROM VEOLIA	LOWELL LIGHT & POWER	COMCAST / SPECTROTTEL - MA	21.04	78846
590-000-043.000	DUE FROM VEOLIA	LOWELL LIGHT & POWER	IP CONSULTING- END OF MA	117.00	78847
		Total For Dept 000		5,463.41	
Dept 550 TREATMENT					
590-550-802.000	CONTRACTUAL	VEOLIA WATER NORTH AMERICA	WWTP - JUNE OPERATIONS	44,090.88	78860
		Total For Dept 550 TREATMENT		44,090.88	
Dept 551 COLLECTION					
590-551-930.000	REPAIR & MAINTENANCE	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	6.99	78825
590-551-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	127.50	78862
		Total For Dept 551 COLLECTION		134.49	
		Total For Fund 590 WASTEWATER FUND		49,688.78	
Fund 591 WATER FUND					
Dept 570 TREATMENT					
591-570-743.000	CHEMICALS	ALEXANDER CHEMICAL CORP	WTP CHLORINE	58.00	78823
591-570-743.000	CHEMICALS	GRAYMONT WESTERN LIME INC	WTP QUICKLIME	8,849.04	78838
591-570-744.000	UNIFORMS	VANVEELEN, BRIAN	BOOT/ SHOE REIMBURSEMENT	170.00	78859
591-570-802.000	CONTRACTUAL	TRUGREEN	LAWN CARE JULY	134.05	78858
591-570-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	COMCAST / SPECTROTTEL - MA	151.52	78846
591-570-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING- END OF MA	46.80	78847
591-570-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	6,596.69	78845
		Total For Dept 570 TREATMENT		16,006.10	
Dept 571 DISTRIBUTION					
591-571-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	3,336.25	78845
591-571-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WTP POP UP CANOPY	78.99	78824
591-571-930.000	REPAIR & MAINTENANCE	BERNARDS ACE HARDWARE	JUNE ACCOUNT STATEMENT	38.35	78825
591-571-930.000	REPAIR & MAINTENANCE	SELF SERVE LUMBER	ACCOUNT STATEMENT	94.78	78853
591-571-930.000	REPAIR & MAINTENANCE	TRACTOR SUPPLY CREDIT PLA	JUNE ACCOUNT STATEMENT	57.98	78857

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Fund 591 WATER FUND					
Dept 571 DISTRIBUTION					
591-571-955.000	MISCELLANEOUS EXPENSE	VISA	JUNE MERCANTILE VISA STAT	127.50	78862
591-571-955.000	MISCELLANEOUS EXPENSE	VERGENNES TOWNSHIP TREASU	SUMMER TAX 41-16-35-426-0	1,884.41	78861
Total For Dept 571 DISTRI				5,618.26	
Dept 573 ADMINISTRATION					
591-573-801.000	PROFESSIONAL SERVICES	HYDROCOP	CROSS CONNECTION JUNE 202	1,806.25	78840
Total For Dept 573 ADMINI				1,806.25	
Total For Fund 591 WATER				23,430.61	
Fund 596 CAPITAL PROJECTS WATER FUND					
Dept 000					
596-000-801.000	PROFESSIONAL SERVICES	LOWELL LEDGER	JUNE STATEMENT - ADVERTIS	34.00	78844
596-000-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	WASHINGTON ST. WATER / SE	1,054.90	78864
596-000-970.000	CAPITAL OUTLAY	CL TRUCKING & EXCAVATING	MONROE IMPROVEMENTS W/S/R	227,022.71	78831
596-000-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	WATER / SEWER MONROE ST.	18,436.64	78864
596-000-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RPR	24,311.40	78864
Total For Dept 000				270,859.65	
Total For Fund 596 CAPITA				270,859.65	
Fund 597 ELECTRIC CHARGING STATION FUND					
Dept 463 MAINTENANCE					
597-463-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC BILL	152.60	78845
Total For Dept 463 MAINT				152.60	
Total For Fund 597 ELECT				152.60	
Fund 599 CAPITAL PROJECT FUND SEWER					
Dept 000					
599-000-801.000	PROFESSIONAL SERVICES	LOWELL LEDGER	JUNE STATEMENT - ADVERTIS	34.01	78844
599-000-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	WASHINGTON ST. WATER / SE	2,712.60	78864
599-000-970.000	CAPITAL OUTLAY	CL TRUCKING & EXCAVATING	MONROE IMPROVEMENTS W/S/R	262,487.92	78831
599-000-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	WATER / SEWER MONROE ST.	1,358.39	78864
Total For Dept 000				266,592.92	
Total For Fund 599 CAPITA				266,592.92	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-801.000	PROFESSIONAL SERVICES	LOWELL LIGHT & POWER	IP CONSULTING- END OF MA	15,000.06	78847
Total For Dept 000				15,000.06	
Total For Fund 636 DATA P				15,000.06	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-930.000	REPAIR & MAINTENANCE	GODWIN ADA VILLAGE HARDWA	ACCOUNT STATEMENT	60.93	78836
661-895-930.000	REPAIR & MAINTENANCE	GTW	CYLINDER RENTAL JUNE 2023	51.85	78839
661-895-930.000	REPAIR & MAINTENANCE	TRACTOR SUPPLY CREDIT PLA	JUNE ACCOUNT STATEMENT	9.99	78857
Total For Dept 895 FLEET				122.77	
Total For Fund 661 EQUIPM				122.77	

07/14/2023 12:54 PM
User: JVELTKAMP
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 07/01/2023 - 07/14/2023
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 5/5

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

Fund 101	GENERAL FUND	59,168.96
Fund 202	MAJOR STREET FUN	2,999.78
Fund 203	LOCAL STREET FUN	2,466.24
Fund 248	DOWNTOWN DEVELOP	1,308.08
Fund 581	AIRPORT FUND	5,459.66
Fund 590	WASTEWATER FUND	49,688.78
Fund 591	WATER FUND	23,430.61
Fund 596	CAPITAL PROJECTS	270,859.65
Fund 597	ELECTRIC CHARGI	152.60
Fund 599	CAPITAL PROJECT	266,592.92
Fund 636	DATA PROCESSING	15,000.06
Fund 661	EQUIPMENT FUND	122.77

697,250.11



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: July 13, 2023
TO: Michael Burns, City Manager *MB*
FROM: Susan Ullery, City Clerk *SU*
RE: Proposed Zoning Ordinance Text Amendment

At its meeting of July 10, 2023 the Planning Commission reviewed an amendment that represents a comprehensive update and revision to Chapter 20, Signs to include content-neutral regulations. The amendment includes an expanded intent and purpose statement along with revisions to the sign definitions, general sign provisions, signs not requiring permits, supplementary signs and signs permitted by zoning district.

Recommended Motion: That the Lowell City Council accept the recommendation of the Planning Commission and approve the proposed zoning ordinance text amendment – Ordinance 23-05.



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, July 10, 2023, at 7:00 PM. The subject of the hearing will be the following:

Proposed Zoning Ordinance Text Amendment

The amendment represents a comprehensive update and revision to Chapter 20, Signs to include content-neutral regulations. The amendment includes an expanded intent and purpose statement along with revisions to the sign definitions, general sign provisions, signs not requiring permits, supplementary signs, and signs permitted by zoning district. In addition, a substitution clause and savings and severability clause will be added. Copies of the application and the City's Zoning Ordinance are available for public viewing during regular business hours at Lowell City Hall, 301 East Main Street, Lowell, Michigan. Written comments will be received until the night of the hearing.

The City will provide necessary reasonable auxiliary aids and services to those with disabilities planning to attend upon three (3) days' notice to the City Clerk. Individuals who require such services should contact the City at the address listed above or by telephone at 616-897-8457.

Respectfully,


Susan Ullery
Lowell City Clerk

CHAPTER 20. - SIGNS

SECTION 20.01. - INTENT AND PURPOSE.

~~The purpose of this chapter is to regulate the size, number, location and manner of construction and display of signs in the City of Lowell. This Article is further intended to protect all zoning districts from visual chaos and clutter, eliminate distractions hazardous to motorists, protect uses from excessive signage, provide ability for the public to identify premises and establishments, encourage the preservation of Lowell's historic and small-town character through sign design, and enhance the aesthetics of the community.~~

A. Purpose. The purpose of this section is to coordinate the type, placement and physical dimensions of signs within the various zoning districts, to recognize the communication requirements of all sectors of the community, to promote both renovation and proper maintenance of signs, and to guarantee equal treatment under the law. In all respects, it is the intent of this section to comply with Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015). The general objectives of these standards are to promote the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

1. Safety. To promote the safety of persons and property by providing that signs:
 - a. do not create hazards due to collapse, fire, decay, collision or abandonment;
 - b. do not obstruct fire-fighting or security surveillance; and
 - c. do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.
2. Communications efficiency. To promote the efficient transfer of information in sign messages by providing that:
 - a. businesses and services may identify themselves;
 - b. customers and other persons may effectively locate a business or service;
 - c. no person or group is arbitrarily denied the use of the sight lines from the public streets for communication purposes; and
 - d. persons exposed to signs are not overwhelmed by the number or size of messages presented and are able to exercise freedom of choice to observe or ignore messages.
3. Landscape quality and preservation. To protect the public welfare and enhance the appearance and economic value of the landscape by providing that signs:
 - a. do not interfere with scenic views;

b. do not create a nuisance to persons using the public streets;

c. do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;

d. are not detrimental to land or property values; and

e. contribute to the special residential character of particular areas or districts within the city, helping the observer to understand the city and orient oneself within it.

B. Message substitution. Notwithstanding any other provision of this section, noncommercial copy may be substituted for commercial copy or other noncommercial copy on any sign that is permissible under this section.

C. Findings. The city finds that:

1. Content neutrality, viewpoint neutrality and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this section and the constitutionally protected right to free expression.

2. The provisions in this section are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to particular viewpoints.

3. The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant to this section is narrowly tailored, the least restrictive means and no greater than is essential to the furtherance of the important, substantial and compelling public purposes that are set out in this section.

4. The regulation of the location, number, materials, height, size, form and duration of display of temporary signs is essential to prevent sign clutter and to achieve the intent and purpose of this chapter.

D. Temporary signs may be degraded, damaged, moved or destroyed by wind, rain, flooding and sun, and after such degradation, damage, movement or destruction, such signs harm the safety and aesthetics of the public on the city's streets or sidewalks if they are not removed.

SECTION 20.02. - SCOPE.

A. Compliance. It shall be unlawful for any person to erect, place, or maintain a sign in the City of Lowell except in accordance with the provisions of this chapter.

B. Permit Required. Unless otherwise provided by this chapter, all signs shall require permits and payment of fees as determined by the City Council. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

A building permit application shall be submitted along with the supplementary material noted below.

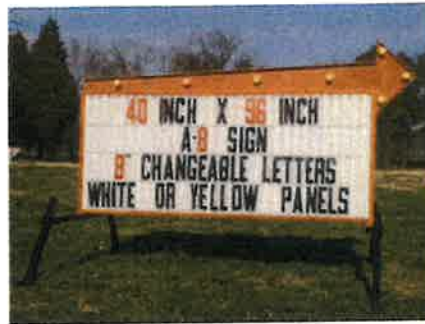
- C. Plan Required. When a site plan is required pursuant to Chapter 18 of the Zoning Ordinance, proposed signage shall be illustrated on the site plan showing the sign area, sign height, clearance between the ground and the bottom of the sign, sign illumination, sign location and setbacks from property lines, and other applicable information to enable the City to determine compliance with the requirements of this chapter. When a site plan is not required, a scaled drawing clearly depicting this information shall accompany the building permit application. The zoning enforcement officer may require that additional information be illustrated on a plan or drawing to determine compliance with this chapter.
- D. Additional Provisions. In addition to the provisions of this chapter, provisions of Section 11.5-6 of Chapter 11.5 of the Code shall apply to signs located in a historic district. Sponsorship signs are permitted and governed by Article IV of Chapter 14 of the Code of Ordinances.

SECTION 20.03. - DEFINITIONS.

The following words shall have the meanings set forth in this section:

- A. *Changeable copy sign:* A sign that consists, in whole or in part, of a message or image that can be changed periodically, whether manually or by automatic or technical means. __
- ~~B. *Construction sign:* A sign which identifies the owners, financiers, contractors, architects, and engineers as well as the name of a project under construction.~~
- ~~C. *Development sign:* A ground sign which identifies the name of a residential development and which is located at an entrance to the development, for the purpose of assisting the public in determining the location of the development.~~
- ~~D. *Directional sign:* A sign which gives directions, instructions, identifying logos without text, or facility information related to the use on the property on which the sign is located, such as parking or exit and entrance signs and which sets forth no other advertisement.~~
- B. *Freestanding sign:* A sign supported by one (1) or more up-rights, poles or braces placed in or upon the ground and not attached to any building and having a clear space of at least eight (8) feet from the ground to the bottom of the sign.
- C. *Government sign:* A temporary or permanent sign erected by the City of Lowell, Kent County, the State of Michigan, or the federal government, ~~for the purpose of street direction or traffic control; to designate hours of activity or use of parking lots, recreational areas, governmental buildings or other public space; to recognize a historic landmark; or for other~~ for public purposes and as the Government's own speech.
- D. *Ground sign:* A sign supported by a foundation or base which is at least half as wide as the sign which it supports when looking at the sign face, with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.

- E. Feather Sign: A freestanding temporary sign typically constructed of a shaft, driven in the ground or standing with supports, with an attached pennant that is vertically elongated and attached to the shaft.
- F. Human sign: A sign which is held by or attached to a human ~~for the purpose of advertising any goods, services, functions or specific business locations being.~~
- I. Incidental sign: A sign that, when visible from the street, identifies street address, entrances and exits, safety precautions, identifying logos, without text, and other such incidental information, and which sets forth no other advertisement. It may also refer to a sign which is not intended to be viewed from the street.
- G. Internal site sign: Smaller signs internal to a parcel not oriented toward the public right-of-way.
- H. Marquee: A permanent structure that projects from the exterior wall of a building.
- I. Marquee sign: A sign attached to a marquee, canopy, or awning projecting from and supported by the building.
- J. Mean grade: A reference plane representing that arithmetic mean of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a sign structure, or in the area between the sign structure foundation line and the lot line, in the case where the sign structure foundation line is less than five (5) feet from the lot line.
- ~~— Memorial sign: A sign, tablet, or plaque memorializing a person, event, structure or site. [May want to eliminate as it is technically content-based.]~~
- K. Mural: A graphic displayed on the exterior of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, fresco, or mosaic, ~~but not including any commercial message or advertising.~~
- O. Off-premise sign or Billboard: An outdoor sign advertising services, products, activities, persons, activities or events which are not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the sign is located.
- P. Placard: A sign which ~~provides notice of a public nature, such as "No Trespassing" or "No Hunting" signs.~~
- Q. Political sign: A temporary sign used in connection with a local, state, or federal election, political topic or opinion, or referendum.
- L. Portable sign: A temporary sign, ~~usually of a temporary nature, not permanently anchored to the ground or to a building or structure,~~ typically containing manually-changeable copy, and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. (see images below)



- M. *Projecting sign*: A sign which projects from and is supported by the wall of a building.
- S. *Real estate sign*: ~~A sign located on premises containing land or buildings for sale, rent or lease, or buildings under construction and intended for sale, rent or lease.~~
- N. *Roof line*: That line which represents the highest portion of any part of the roof structure, excepting gables, chimneys or other incidental architectural features.
- O. *Roof signs*: Any sign erected, constructed, and maintained wholly upon or over the roof of any building with its principal support on the roof structure.
- P. *Sandwich board sign*: A ~~temporary movable~~ sign not secured or attached to the ground surface, constructed in such a manner as to form an "A" or tent-like shape.
- Q. *Sign*: Any device or structure, part thereof, or device attached thereto or painted or represented thereon, or any material or thing which displays numerals, letters, words, trademarks, or any other representational use for direction or designation of any person, firm, organization, place, product, service, business, establishment, activity or industry, which is located upon any land or building, in or upon a window, or indoors in such a manner as to attract attention from outside the building.
- R. *Sign area*: The entire area within a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed.
- S. *Street frontage*: The distance for which the front boundary line of the lot and the street line are coincident.
- T. *Temporary sign*: ~~A display, informational sign, banner, or sign affixed to the ground or a building that is capable of being easily moved from place to place or other advertising device with or without a structural frame and intended for a limited period of display.~~
- U. *Vehicle sign*: A sign ~~shall be considered that is painted on or attached to a vehicle sign or trailer when the such vehicle or trailer upon which the sign is painted or attached is parked or placed primarily for advertising purposes.~~ Currently licensed commercial vehicles in general daily off-site use are not included as part of this definition.
- V. *Wall sign*: A sign which is attached directly to or painted upon a building wall and which does

not extend more than eighteen (18) inches therefrom with the exposed face of the sign in a plane parallel to the building wall.

W. *Window sign:* A sign attached to, or in close proximity to, the window surface so as to be clearly and comprehensively visible from the outside.

SECTION 20.04. - SIGNS PROHIBITED.

The following types of signs are prohibited in all zoning districts:

- A. Abandoned signs, or signs in disrepair.
- B. Air-filled or gas-filled balloon signs.
- C. Signs with moving parts, audible signs, and/or flashing signs (except traffic control devices).
- D. Roof signs.
- E. Signs or illumination imitating or resembling official traffic or government signs or signals.
- F. Vehicle signs.
- G. Off-premise signs or billboards.
- H. Other signs not expressly permitted or which do not conform to the provisions of this chapter.

SECTION 20.05. - GENERAL SIGN PROVISIONS.

A. Sign Placement.

1. Unless otherwise permitted, all signs shall be located on the same parcel for which the sign is intended to serve. The provisions of this Article are not intended to conflict with provisions controlling signs regulated under the authority of MCL 252.301 et seq., the Highway Advertising Act, as amended.
2. No sign shall be located closer than two (2) feet to a public road right-of-way or property line; provided that the zoning enforcement officer or Planning Commission may approve a lesser setback upon finding that the proposed sign will not interfere with motorist or pedestrian visibility and safety. No sign shall overhang a public street right-of-way except as otherwise permitted; and all signs, including wall signs, shall have a minimum ground clearance of eight (8) feet above a sidewalk or walkway.
3. Signs shall be placed in compliance with Section 4.06, Clear Vision, ~~shall be complied with;~~ and no sign shall be placed within the clear vision area as defined in that Section 4.06. No ~~exterior~~ sign (whether a permit is required or not) shall be located or erected in such a manner as to interfere with traffic visibility.
4. A wall sign shall not extend beyond the edge of the wall to which it is affixed; nor shall a wall, marquee, or projecting sign extend above the roof line of a building to which it is attached.

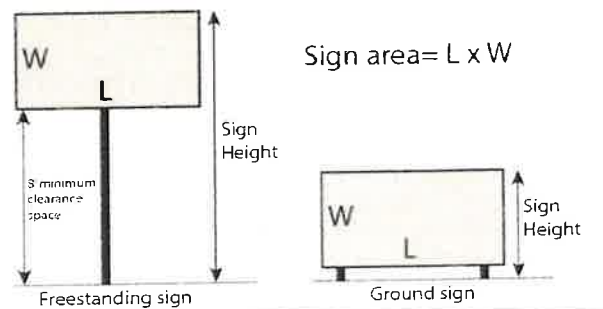
5. No light pole, utility pole, or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.

B. Sign Illumination.

1. Unless otherwise specified by this Ordinance, all signs may be illuminated, except temporary signs and signs for home occupations.
2. Illumination shall not be flashing, blinking, intermittent, oscillating, or an on-and-off type of lighting. No sign may utilize a revolving beacon light.

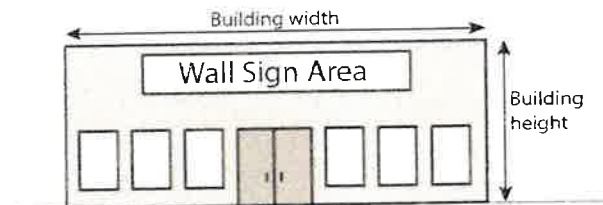
3. Illumination shall be arranged so that light is deflected away from adjacent properties and that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or from any adjacent property. Any external lighting of signs shall be downward facing or otherwise directed to illuminate only the sign face.

4. No illumination or sign shall be so placed or designed to be confused with, or appear similar to, a highway sign or traffic safety device.



5. All lighting on the underside of a vehicle service station canopy, building overhang, or similar structure shall be fully recessed. A maximum of twenty-five (25) percent of each canopy facade area may be internally illuminated. No portion of any canopy facade may be externally illuminated.

Wall sign area = Building width x Building height
x Percent of wall area



6. Internally-lit signs, electronic message boards, back-lit changeable copy signs and signs incorporating light emitting diode (LED), liquid crystal, video or other types of internally-lit systems shall be designed, shielded, and oriented so as not to interfere with adjacent public rights-of-way or private property and such signs shall not emit light exceeding either ten (10) foot candles measured four (4) feet perpendicular to the sign face or one-half (½) foot candle measured at the property line of the adjoining privately-owned property.

- C. Sign Area and Height. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and are at no point more than two (2) feet apart from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or the area of the larger face if the two (2) faces are of unequal area. In the case of a circle or sphere, the total area of the circle or sphere is divided by two (2) for purposes of determining the maximum permitted sign area. Framed and structural members not bearing advertising matter shall not be included in computation of surface area; provided, that the base of a ground sign

cannot exceed two (2) feet in height and the base and structural members of a freestanding sign cannot exceed fifty percent (50%) of the total area of the sign face.

The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is less.

- D. Where a proposed sign appears to meet the definition of more than one (1) sign, the most restrictive requirements and limitations of the defined sign types shall apply, as determined by the zoning enforcement officer.
- E. For buildings with multiple tenants, sign areas for wall signs, projecting signs, and marquee signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall. Where a wall sign, projecting sign, or marquee sign is permitted in a multi-tenant building or site, each individual establishment is permitted one such sign subject to standards applying in the zoning district, in which case wall surface applies to the wall surface of the individual establishment.
- F. All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the Building Inspector or other designated representative. ~~A sign which no longer serves the purpose for which it is intended or is abandoned or is~~An abandoned sign or a sign not maintained in accordance with applicable regulations of the City of Lowell shall be removed by the owner.

SECTION 20.06. - SIGNS NOT REQUIRING PERMITS-

- A. Signs shall not be erected without the issuance of a building or zoning permit, except for the following signs, provided that such signs comply with the provisions of this chapter and other applicable provisions in this Ordinance:
 - 1. Government signs.
 - 2. Signs erected by an essential public services establishments such as those denoting utility lines, railroad lines, hazards, and precautions, including portable flashing signs-
 - ~~3. Real estate signs advertising premises for sale, rent, or lease when not more than thirty-two (32) square feet in area and eight (8) feet in height for a commercial or industrial zoned property, or six (6) square feet in area and four (4) feet in height for other properties. A real estate sign shall be located on the property that is for sale, rent, or lease; and one (1) sign per street frontage shall be permitted.~~
 - ~~4. For non-residential projects, a construction sign not exceeding thirty two (32) square feet in area and having a height not greater than eight (8) feet. There shall be only one construction sign for a development or project. Construction signs shall not be erected until a building permit has been issued and the sign shall be removed immediately upon issuance of a certificate of occupancy. For residential projects, a construction sign not exceeding twenty four (24) feet in area and having a height not greater than six (6) feet;~~

~~shall only be erected upon approval of the project and shall be removed within one year of issuance for the first building permit for a dwelling or structure, or upon the erection of a development sign, whichever occurs first.~~

- ~~36.~~ Signs not larger than twelve (12) square feet in area which are either 1) cut into the face of a masonry surface; or 2) constructed of bronze or other incombustible material when located flat on the face of a building.
- ~~47.~~ Holiday lights, murals, works of art, and decorations with no commercial message.
- ~~58.~~ Placards not exceeding two (2) square feet in area.
- ~~8. Incidental signs or directional6. Internal signs up to six (6) square feet in area, If and four (4) feet in height that, by the nature of their design and location, are not intended to be viewed from the street, only those signs which, in the opinion of the zoning enforcement officer, are necessary to indicate entrances, exits, safety precautions, street addresses, including identifying logos without text, and other such incidental language shall be permitted. Incidental signs and directional signs shall not contain right-of-way.~~
- ~~7. Temporary signs, located on a commercial message. 9. A temporary special event sign, used to advertise a residential parcel that contains an active garage sale or, estate sale on residential property, graduation party, or similar temporary event, provided that such sign does not to exceed six (6) square feet in area. Such sign shall be removed immediately after the completion of the and is not located closer than fifteen (15) feet to any lot line. No more than one (1) temporary special event sign is permitted per frontage and the display of a temporary special event. Such sign shall not exceed twenty one (21) consecutive days.~~
- ~~11. be placed within the property line of the premisesOne two (2) square foot wall sign located on which said sale or event is conducted and shall be removed immediately after the completion of the sale or event. a parcel containing a permitted home occupation~~
- ~~10. Political signs shall be permitted in all zoning districts and there shall be no limit to the number of signs, provided that the cumulative square footage of signage shall not exceed thirty two (32) square feet per lot in nonresidential districts and twelve (12) square feet per lot in residential districts. Political signs shall not be greater than six (6) feet in height in nonresidential zoning districts, or greater than four (4) feet in height in residential zoning districts, and signs shall not be located in a manner which may obstruct vision of vehicular or non-motorized traffic on any street. Political signs erected in connection with an election or referendum shall not be erected more than ninety (90) days prior to the event and must be removed within ten (10) days following the event.~~
- ~~11. A home occupation shall be permitted one two (2) square foot wall sign.~~
- ~~128.~~ Window signs, provided that window signs shall not cover more than fifty percent (50%) of the windows on any building wall.

~~943. Flags or insignia of any nation, state, county, city, community organization, or educational institution. Flags~~ no larger than five (5) feet by eight (8) feet; provided that no more than one (1) such flag shall be permitted on each lot or parcel of land for every twenty (20) linear feet of street frontage. ~~Flags shall not contain a commercial message. The maximum sign height of flagpoles shall be thirty-five (35) feet.~~

~~140. Sandwich Boards.~~ Notwithstanding any other conflicting provisions contained in this Chapter 20, sandwich board signs shall only be permitted, ~~and only permitted, in the C-2 Central Business or MU Mixed Use Districts zone districts.~~

a. A sandwich board sign ~~area~~ shall not exceed:

~~(i)1)~~ twelve (12) square feet per side,

~~2)(ii)~~ a height of four (4) feet, and;

~~3)(iii)~~ a width of three (3) feet ~~and shall not be in any way illuminated.~~

b. A sandwich board sign shall not be permanently moored or anchored to any other object or structure, but shall be designed or weighted to prevent instability or movement by wind or other natural forces.

c. A sandwich board sign may only be placed in front of the facade of the building front of the business or establishment ~~whose information the sign pertains~~ during the hours the business or establishment is open to customers, patrons or the public.

d. Only one (1) sandwich board sign shall be permitted for each business or establishment ~~and it shall not be in any way illuminated.~~

e. All sandwich board signs shall be placed in alignment with city light poles and tree grates and so as not to block neighboring sandwich board signs or unreasonably interfere with pedestrian traffic.

~~115.~~ One (1) human sign is permitted per lot at any given time, provided that the human sign does not block the sidewalk or unreasonably interfere with pedestrian, bicycle, or vehicular movement or circulation.

SECTION 20.07. - SUPPLEMENTARY SIGNS.

In addition to the signs permitted and regulated in this chapter, the signs listed below shall be permitted in accordance with the following standards.

~~A. Temporary Signs. Temporary~~ ~~Unless exempted in Section 20.06 above, Temporary~~ signs shall be permitted in any district subject to the following on a parcel of land zoned C-1, C-2, C-3, PF, I L and I, as follows:

~~1. Non-residential Lots. Temporary signs shall be permitted on nonresidential lots as follows:~~

~~a. Only one~~ One (1) temporary sign shall be permitted for each separate establishment

located on a parcel of land.

b. A temporary sign shall be displayed for not more than sixty (60) days (whether or not consecutive) in a calendar year.

~~3. c.~~ A temporary sign shall not be larger than thirty-five two (3532) square feet and. ~~A temporary sign~~ shall not be illuminated.

d. Interim Signage. Notwithstanding the foregoing, signs on non-residential lots intended to be utilized only until a permanent sign may be obtained and erected may be approved by the zoning administrator for a period not to exceed 60 days. Such signs shall not exceed sign area permitted within the appropriate zoning district

2. Residential Lots. Temporary signs shall be permitted on any lot used as a single-family, two-family, or owner occupied multi-family dwelling, as follows:

a. Up to four (4) non-permanent signs may be generally permitted to be displayed on a pole or stake affixed to the ground.

b. Such signs shall not exceed 6 square feet in area per side, and the top of such sign shall be no more than 6 feet from ground level.

c. Such signs may display noncommercial messages or on-premises commercial messages (including, but not limited to, messages conveying that the dwelling is for sale, that work is being performed on the dwelling by a particular individual or business, or that a garage sale will be held)

d4. A temporary sign shall include any other or subsequent temporary sign of generally similar appearance, nature, and purpose, as compared to the temporary sign initially permitted under the terms of this Section. Accordingly, an applicant shall not seek to extend the time limitation on the display of a temporary sign by the attempted display of a different, though similar, temporary sign following the maximum permitted period of display of a permitted temporary sign.

5. Permit Required. Up to three (3) additional temporary signs may be permitted when displayed and utilized in connection with the grand opening of the commercial enterprise located on the premises, provided that the temporary signs are not displayed more than 21 days for a grand opening. These temporary signs shall comply with all requirements contained in section. The use of balloons as a sign or as a part of a sign shall be permitted only in connection with a grand opening, as provided in this section. 6. —A permit for a temporary sign on a non-residential lot shall be required. An application for the permit, as well as an application fee as set by City Council, shall be submitted and include the following:

a. An accurate sketch, indicating the exact dimensions of the sign, its height, the structure upon which it will be placed, its location in relation to buildings, property lines, driveways and off-street parking areas, and such other information as may be required

by the zoning enforcement officer in order to assure that the sign shall comply with the applicable requirements of this Ordinance.

- b. A statement, signed by the applicant, listing specifically the days, or the span of consecutive days, during which the sign will be displayed, and also the date or dates on which the sign shall be removed and, if applicable, the subsequent date or dates on which the sign shall be re-installed and again removed, during the calendar year.
- c. A listing and description of the other temporary signs, if any, located on the property at the time of the application.

7. Portable Signs. In the C-3, I-L, I, and PF Districts, one (1) portable sign may be erected on a lot in lieu of a temporary sign, subject to the provisions in subsection B above, provided that only one (1) is permitted per lot at any given time, and provided that the portable sign shall not exceed thirty-five two (325) square feet in area. In addition, notwithstanding the provisions of subsection A(1)(b)B above, a portable sign shall not be displayed for more than seven (7) consecutive days and not more than three (3) times in any calendar year.

C. Changeable Copy Signs. All or a portion of a ground or freestanding sign may be a changeable copy sign in compliance with all of the following requirements; provided, that a changeable copy sign is not permitted in any residential zoning district except when ~~used to advertise a city, county, state or public school facility~~ the changeable copy sign is also a government sign.

- 1. The area of a changeable copy sign shall be included in the maximum sign area limitation. The area of a changeable copy sign shall not exceed fifty percent (50%) of the maximum permitted sign area, except that portable signs may consist entirely of changeable copy.
- 2. A changeable copy sign shall not change its message, image, or other graphic material with such frequency as to be a flashing or oscillating sign, whether in whole or in part. For purposes of this Section, a flashing or oscillating sign shall include not only a sign having a message or image that changes with high rapidity, but shall also include a sign having a message or image that changes with a frequency such as to serve as a means of attracting attention to the sign or the land use, rather than for the purpose of providing identification or information. The message, image or other graphic material of a changeable copy sign shall change no more frequently than six (6) seconds and each change shall occur in one (1) second or less.
- 3. The message, image or other graphic material of a changeable copy sign shall, when changing, appear only in its entirety or shall appear in successive letters, words or other graphic elements from left to right only. The message, image or other graphic material shall not appear to flash, move from the center of the sign outward, move from the corners of the sign inward or demonstrate any other unusual movement, oscillation or method of appearance.

SECTION 20.08. - PERMITTED SIGNS BY ZONING DISTRICT:

A. The following sign types shall be permitted in accord with the following regulations, in the SR, R-1, R-2, R-3, MHP and RE Districts:

1. The following sign is permitted ~~identifying at the name entrance~~ of a permitted residential development ~~or on a parcel containing a non-residential use~~:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	20 square feet	6 feet

- ~~2. The following sign is permitted identifying the name of a permitted non-residential use:~~

Type	Maximum Number	Maximum Sign Area	Height
Ground Development	1 per lot or parcel	20 square feet	6 feet

B. The following sign types shall be permitted in accord with the following regulations, in the C-1 and PF Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall OR Marquee	1 per building wall facing a parking lot or public street	15% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

C. The following sign types shall be permitted in accord with the following regulations in the C-2 – Central Business District and the MU – Mixed Use District.

Type	Maximum Number	Maximum Sign Area	Height	Location
Projecting	1 per building wall facing a parking lot or public street	20 square feet	See Section 20.05, A, 4	Cannot extend more than 5 feet from building wall

Wall Marquee	OR 1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4	
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- D. The following sign types shall be permitted in accord with the following regulations, in the C-3 District:

Type	Maximum Number	Maximum Sign Area	Height
Ground OR Freestanding	1 per street frontage; provided that a double-frontage lot is permitted only one freestanding sign	48 square feet, or 32 square feet if the lot has a street frontage of 66 feet or less	6 feet for a ground sign and 20 feet for a freestanding sign
Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

- Each individual establishment in a multi-tenant commercial building or development is not permitted a separate ground or freestanding sign; one (1) collective ground or freestanding sign may be used subject to the standards above, provided that a collective ground or freestanding sign shall be permitted a maximum sign area of 72 square feet.

- E. The following sign types shall be permitted in accord with the following regulations, in the I District and I-L Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall	1 per building wall facing a public street	5% of the wall surface or 50 square feet, whichever is less	See Section 20.05, A, 4

SECTION 20.09. - CONSTRUCTION AND MAINTENANCE.

- All signs shall be constructed and maintained in accordance with the BOCA National Building Code adopted by the City of Lowell.
- Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.
- All signs, sign supports, frames, braces, wiring, guys, and anchors shall not be maintained in such a manner which, in the opinion of the zoning enforcement officer, has the potential to create a hazard for pedestrians and vehicles.
- Signs shall not be allowed to become unsightly through disrepair or action of the elements. Internal framing, light fixtures and bulbs, and wiring shall not be permitted to be exposed to the elements.
- All signs shall be designed to ensure a dead load and wind pressure in any direction of not

less than thirty (30) pounds per square foot of area. All signs shall be securely anchored or otherwise made immobile. Temporary signs, portable signs, or signs made of cloth, fabric, lightweight plastic, or other easily combustible material, or which are produced or originally constructed to flutter in the wind, as determined by the zoning enforcement officer, shall not be placed or left as permanent signs.

SECTION 20.10. - NONCONFORMING SIGNS.

- A. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the standards of this section may be continued, except as hereinafter provided. No nonconforming sign shall:
1. Have any changes made in the words or symbols used or the message displayed on the sign, unless the sign is specifically designed for periodic change of message;
 2. Be structurally altered so as to change the shape, size, type or design of the sign; or
 3. Be reestablished or continued after the activity, business, or use to which it applied has been discontinued for ninety (90) days or longer.
- B. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the size limitations of this section may be changed to another nonconforming sign, provided that the sign replacing the original nonconforming sign is at least thirty-three (33) percent smaller in area than the original nonconforming sign.
- C. No sign shall be required to be removed which was erected in compliance with this section if such sign becomes nonconforming due to a change occurring after the adoption of this ordinance or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located.
- D. If the owner of the premises on which a sign is located changes the use of the building, or changes the location of any property line or sign, so that any sign is rendered nonconforming, such sign must be removed or made to conform to this section.

SECTION 20.11. - DISCONTINUANCE OR ABANDONMENT.

Whenever the activity, business or use of a primary premises to which a sign is attached or related has been discontinued for a period of ninety (90) days or longer, such discontinuance shall be considered conclusive evidence of an intention to abandon the sign attached or related thereto. At the end of this period of abandonment, the sign shall either be removed or altered to conform with the provisions of this section. All costs of removal shall be at the property owner's expense.

SECTION 20.12 – SUBSTITUTION CLAUSE

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

SECTION 20.13 – SAVINGS AND SEVERABILITY CLAUSE

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this codechapter is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 23-__

**AN ORDINANCE TO AMEND CHAPTER 20, "SIGNS" 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 to Chapter 20. Chapter 20 "Signs," of Appendix A, "Zoning," of
the Code of Ordinance of the City of Lowell is replaced in its entirety and shall read as follows:

CHAPTER 20. - SIGNS

SECTION 20.01. - INTENT AND PURPOSE.

A. Purpose. The purpose of this section is to coordinate the type, placement and physical dimensions of signs within the various zoning districts, to recognize the communication requirements of all sectors of the community, to promote both renovation and proper maintenance of signs, and to guarantee equal treatment under the law. In all respects, it is the intent of this section to comply with Reed v. Town of Gilbert, 135 S. Ct. 2218 (2015). The general objectives of these standards are to promote the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:

1. Safety. To promote the safety of persons and property by providing that signs:
 - a. do not create hazards due to collapse, fire, decay, collision or abandonment;
 - b. do not obstruct fire-fighting or security surveillance; and
 - c. do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.

2. Communications efficiency. To promote the efficient transfer of information in sign messages by providing that:
 - a. businesses and services may identify themselves;
 - b. customers and other persons may effectively locate a business or service;
 - c. no person or group is arbitrarily denied the use of the sight lines from the public streets for communication purposes; and
 - d. persons exposed to signs are not overwhelmed by the number or size of messages presented and are able to exercise freedom of choice to observe or ignore messages.
 3. Landscape quality and preservation. To protect the public welfare and enhance the appearance and economic value of the landscape by providing that signs:
 - a. do not interfere with scenic views;
 - b. do not create a nuisance to persons using the public streets;
 - c. do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;
 - d. are not detrimental to land or property values; and
 - e. contribute to the special residential character of particular areas or districts within the city, helping the observer to understand the city and orient oneself within it.
- B. Message substitution. Notwithstanding any other provision of this section, noncommercial copy may be substituted for commercial copy or other noncommercial copy on any sign that is permissible under this section.
- C. Findings. The city finds that:
1. Content neutrality, viewpoint neutrality and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this section and the constitutionally protected right to free expression.
 2. The provisions in this section are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to particular viewpoints.
 3. The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant to this section is narrowly tailored, the least restrictive means and no greater than is essential to the furtherance of the important, substantial and compelling public purposes that are set out in this section.

4. The regulation of the location, number, materials, height, size, form and duration of display of temporary signs is essential to prevent sign clutter and to achieve the intent and purpose of this chapter.
- D. Temporary signs may be degraded, damaged, moved or destroyed by wind, rain, flooding and sun, and after such degradation, damage, movement or destruction, such signs harm the safety and aesthetics of the public on the city's streets or sidewalks if they are not removed.

SECTION 20.02. - SCOPE.

- A. Compliance. It shall be unlawful for any person to erect, place, or maintain a sign in the City of Lowell except in accordance with the provisions of this chapter.
- B. Permit Required. Unless otherwise provided by this chapter, all signs shall require permits and payment of fees as determined by the City Council. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs. A building permit application shall be submitted along with the supplementary material noted below.
- C. Plan Required. When a site plan is required pursuant to Chapter 18 of the Zoning Ordinance, proposed signage shall be illustrated on the site plan showing the sign area, sign height, clearance between the ground and the bottom of the sign, sign illumination, sign location and setbacks from property lines, and other applicable information to enable the City to determine compliance with the requirements of this chapter. When a site plan is not required, a scaled drawing clearly depicting this information shall accompany the building permit application. The zoning enforcement officer may require that additional information be illustrated on a plan or drawing to determine compliance with this chapter.
- D. Additional Provisions. In addition to the provisions of this chapter, provisions of Section 11.5-6 of Chapter 11.5 of the Code shall apply to signs located in a historic district. Sponsorship signs are permitted and governed by Article IV of Chapter 14 of the Code of Ordinances.

SECTION 20.03. - DEFINITIONS.

The following words shall have the meanings set forth in this section:

- A. *Changeable copy sign*: A sign that consists, in whole or in part, of a message or image that can be changed periodically, whether manually or by automatic or technical means.
- B. *Freestanding sign*: A sign supported by one (1) or more up-rights, poles or braces placed in or upon the ground and not attached to any building and having a clear space of at least eight (8) feet from the ground to the bottom of the sign.
- C. *Government sign*: A temporary or permanent sign erected by the City of Lowell, Kent County, the State of Michigan, or the federal government for public purposes and as the government's own speech.

- D. *Ground sign*: A sign supported by a foundation or base which is at least half as wide as the sign which it supports when looking at the sign face, with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.
- E. *Feather Sign*: A freestanding temporary sign typically constructed of a shaft, driven in the ground or standing with supports, with an attached pennant that is vertically elongated and attached to the shaft.
- F. *Human sign*: A sign which is held by or attached to a human being.
- G. *Internal site sign*: Smaller signs internal to a parcel not oriented toward the public right-of-way.
- H. *Marquee*: A permanent structure that projects from the exterior wall of a building.
- I. *Marquee sign*: A sign attached to a marquee, canopy, or awning projecting from and supported by the building.
- J. *Mean grade*: A reference plane representing that arithmetic mean of the lowest and highest grade elevations in an area within five (5) feet of the foundation line of a sign structure, or in the area between the sign structure foundation line and the lot line, in the case where the sign structure foundation line is less than five (5) feet from the lot line.
- K. *Mural*: A graphic displayed on the exterior of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, fresco, or mosaic.
- O. *Off-premise sign or Billboard*: An outdoor sign advertising services, products, activities, persons, activities or events which are not made, produced, assembled, stored, distributed, leased, sold, or conducted upon the premises upon which the sign is located.
- L. *Portable sign*: A temporary sign typically containing manually-changeable copy, and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. (see images below)



- M. *Projecting sign*: A sign which projects from and is supported by the wall of a building.
- N. *Roof line*: That line which represents the highest portion of any part of the roof structure, excepting gables, chimneys or other incidental architectural features.

- O. *Roof signs*: Any sign erected, constructed, and maintained wholly upon or over the roof of any building with its principal support on the roof structure.
- P. *Sandwich board sign*: A temporary sign not secured or attached to the ground surface, constructed in such a manner as to form an "A" or tent-like shape.
- Q. *Sign*: Any device or structure, part thereof, or device attached thereto or painted or represented thereon, or any material or thing which displays numerals, letters, words, trademarks, or any other representational use for direction or designation of any person, firm, organization, place, product, service, business, establishment, activity or industry, which is located upon any land or building, in or upon a window, or indoors in such a manner as to attract attention from outside the building.
- R. *Sign area*: The entire area within a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed.
- S. *Street frontage*: The distance for which the front boundary line of the lot and the street line are coincident.
- T. *Temporary sign*: A display, banner, or sign affixed to the ground or a building that is capable of being easily moved from place to place.
- U. *Vehicle sign*: A sign that is painted on or attached to a vehicle or trailer when such vehicle or trailer is parked. Currently licensed commercial vehicles in general daily off-site use are not included as part of this definition.
- V. *Wall sign*: A sign which is attached directly to or painted upon a building wall and which does not extend more than eighteen (18) inches therefrom with the exposed face of the sign in a plane parallel to the building wall.
- W. *Window sign*: A sign attached to, or in close proximity to, the window surface so as to be clearly and comprehensively visible from the outside.

SECTION 20.04. - SIGNS PROHIBITED.

The following types of signs are prohibited in all zoning districts:

- A. Abandoned signs, or signs in disrepair.
- B. Air-filled or gas-filled balloon signs.
- C. Signs with moving parts, audible signs, and/or flashing signs (except traffic control devices).
- D. Roof signs.
- E. Signs or illumination imitating or resembling official traffic or government signs or signals.
- F. Vehicle signs.
- G. Off-premise signs or billboards.

H. Other signs not expressly permitted or which do not conform to the provisions of this chapter.

SECTION 20.05. - GENERAL SIGN PROVISIONS.

A. Sign Placement.

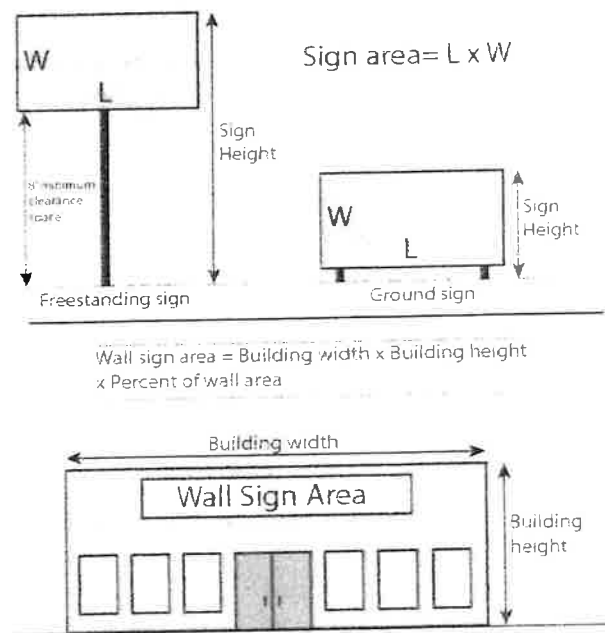
1. Unless otherwise permitted, all signs shall be located on the same parcel for which the sign is intended to serve. The provisions of this Article are not intended to conflict with provisions controlling signs regulated under the authority of MCL 252.301 et seq., the Highway Advertising Act, as amended.
2. No sign shall be located closer than two (2) feet to a public road right-of-way or property line; provided that the zoning enforcement officer or Planning Commission may approve a lesser setback upon finding that the proposed sign will not interfere with motorist or pedestrian visibility and safety. No sign shall overhang a public street right-of-way except as otherwise permitted; and all signs, including wall signs, shall have a minimum ground clearance of eight (8) feet above a sidewalk or walkway.
3. Signs shall be placed in compliance with Section 4.06, Clear Vision; and no sign shall be placed within the clear vision area as defined in that Section 4.06. No sign (whether a permit is required or not) shall be located or erected in such a manner as to interfere with traffic visibility.
4. A wall sign shall not extend beyond the edge of the wall to which it is affixed; nor shall a wall, marquee, or projecting sign extend above the roof line of a building to which it is attached.
5. No light pole, utility pole, or other supporting member shall be used for the placement of any sign unless specifically designed and approved for such use.

B. Sign Illumination.

1. Unless otherwise specified by this Ordinance, all signs may be illuminated, except temporary signs and signs for home occupations.
2. Illumination shall not be flashing, blinking, intermittent, oscillating, or an on-and-off type of lighting. No sign may utilize a revolving beacon light.
3. Illumination shall be arranged so that light is deflected away from adjacent properties and that no direct sources of light shall be visible to any motorist or pedestrian located in a public right-of-way or from any adjacent property. Any external lighting of signs shall be downward facing or otherwise directed to illuminate only the sign face.
4. No illumination or sign shall be so placed or designed to be confused with, or appear similar to, a highway sign or traffic safety device.

5. All lighting on the underside of a vehicle service station canopy, building overhang, or similar structure shall be fully recessed. A maximum of twenty-five (25) percent of each canopy facade area may be internally illuminated. No portion of any canopy facade may be externally illuminated.
6. Internally-lit signs, electronic message boards, back-lit changeable copy signs and signs incorporating light emitting diode (LED), liquid crystal, video or other types of internally-lit systems shall be designed, shielded, and oriented so as not to interfere with adjacent public rights-of-way or private property and such signs shall not emit light exceeding either ten (10) foot candles measured four (4) feet perpendicular to the sign face or one-half (½) foot candle measured at the property line of the adjoining privately-owned property.

C. **Sign Area and Height.** Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that where two (2) such faces are placed back to back and are at no point more than two (2) feet apart from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are of equal area, or the area of the larger face if the two (2) faces are of unequal area. In the case of a circle or sphere, the total area of the circle or sphere is divided by two (2) for purposes of determining the maximum permitted sign area. Framed and structural members not bearing advertising matter shall not be included in computation of surface area; provided, that the base of a ground sign cannot exceed two (2) feet in height and the base and structural members of a freestanding sign cannot exceed fifty percent (50%) of the total area of the sign face.



The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street or the mean grade of the ground immediately beneath the sign, whichever is less.

- D. Where a proposed sign appears to meet the definition of more than one (1) sign, the most restrictive requirements and limitations of the defined sign types shall apply, as determined by the zoning enforcement officer.
- E. For buildings with multiple tenants, sign areas for wall signs, projecting signs, and marquee signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign limits for that portion of the total wall. Where a wall sign, projecting sign, or marquee sign is permitted in a multi-tenant building or site, each individual establishment is permitted one such sign subject to standards applying in the zoning district,

in which case wall surface applies to the wall surface of the individual establishment.

F. All signs shall be maintained in a safe condition with proper bracing, anchorage and foundation and be subject to inspection by the Building Inspector or other designated representative. An abandoned sign or a sign not maintained in accordance with applicable regulations of the City of Lowell shall be removed by the owner. **SECTION 20.06. - SIGNS NOT REQUIRING PERMITS**

A. Signs shall not be erected without the issuance of a building or zoning permit, except for the following signs, provided that such signs comply with the provisions of this chapter and other applicable provisions in this Ordinance:

1. Government signs.
2. Signs erected by an essential public services establishments such as those denoting utility lines, railroad lines, hazards, and precautions, including portable flashing signs
3. Signs not larger than twelve (12) square feet in area which are either 1) cut into the face of a masonry surface; or 2) constructed of bronze or other incombustible material when located flat on the face of a building.
4. Holiday lights, murals, works of art, and decorations with no commercial message.
5. Placards not exceeding two (2) square feet in area.
6. Internal signs up to six (6) square feet in area and four (4) feet in height that, by the nature of their design and location, are not intended to be viewed from the street right-of-way.
7. One two (2) square foot wall sign located on a parcel containing a permitted home occupation
8. Window signs, provided that window signs shall not cover more than fifty percent (50%) of the windows on any building wall.
9. Flags no larger than five (5) feet by eight (8) feet; provided that no more than one (1) such flag shall be permitted on each lot or parcel of land for every twenty (20) linear feet of street frontage. The maximum sign height of flagpoles shall be thirty-five (35) feet.
10. Sandwich Boards. Notwithstanding any other conflicting provisions contained in this Chapter 20, sandwich board signs shall only be permitted in the C-2 Central Business or MU Mixed Use Districts.
 - a. A sandwich board sign shall not exceed:
 - 1) twelve (12) square feet per side,
 - 2) a height of four (4) feet, and;
 - 3) a width of three (3) feet

- b. A sandwich board sign shall not be permanently moored or anchored to any other object or structure, but shall be designed or weighted to prevent instability or movement by wind or other natural forces.
 - c. A sandwich board sign may only be placed in front of the facade of the building front of the business or establishment during the hours the business or establishment is open to customers, patrons or the public.
 - d. Only one (1) sandwich board sign shall be permitted for each business or establishment and it shall not be in any way illuminated.
 - e. All sandwich board signs shall be placed in alignment with city light poles and tree grates and so as not to block neighboring sandwich board signs or unreasonably interfere with pedestrian traffic.
11. One (1) human sign is permitted per lot at any given time, provided that the human sign does not block the sidewalk or unreasonably interfere with pedestrian, bicycle, or vehicular movement or circulation.

SECTION 20.07. - SUPPLEMENTARY SIGNS

In addition to the signs permitted and regulated in this chapter, the signs listed below shall be permitted in accordance with the following standards.

- A. Temporary Signs. Temporary signs shall be permitted in any district subject to the following:
- 1. Non-residential Lots. Temporary signs shall be permitted on nonresidential lots as follows:
 - a. One (1) temporary sign shall be permitted for each separate establishment located on a parcel of land.
 - b. A temporary sign shall be displayed for not more than sixty (60) days (whether or not consecutive) in a calendar year.
 - c. A temporary sign shall not be larger than thirty-two (32) square feet and shall not be illuminated.
 - d. Interim Signage. Notwithstanding the foregoing, signs on non-residential lots intended to be utilized only until a permanent sign may be obtained and erected may be approved by the zoning administrator for a period not to exceed 60 days. Such signs shall not exceed sign area permitted within the appropriate zoning district
 - 2. Residential Lots. Temporary signs shall be permitted on any lot used as a single-family, two-family, or owner occupied multi-family dwelling, as follows:
 - a. Up to four (4) non-permanent signs per street frontage may be generally permitted to be displayed on a pole or stake affixed to the ground.
 - b. Such signs shall not exceed 6 square feet in area per side, and the top of such sign

shall be no more than 6 feet from ground level.

- c. Such signs may display noncommercial messages or on-premises commercial messages (including, but not limited to, messages conveying that the dwelling is for sale, that work is being performed on the dwelling by a particular individual or business, or that a garage sale will be held)
 - d. A temporary sign shall include any other or subsequent temporary sign of generally similar appearance, nature, and purpose, as compared to the temporary sign initially permitted under the terms of this Section. Accordingly, an applicant shall not seek to extend the time limitation on the display of a temporary sign by the attempted display of a different, though similar, temporary sign following the maximum permitted period of display of a permitted temporary sign.
5. Permit Required. A permit for a temporary sign on a non-residential lot shall be required. An application for the permit, as well as an application fee as set by City Council, shall be submitted and include the following:
- a. An accurate sketch, indicating the exact dimensions of the sign, its height, the structure upon which it will be placed, its location in relation to buildings, property lines, driveways and off-street parking areas, and such other information as may be required by the zoning enforcement officer in order to assure that the sign shall comply with the applicable requirements of this Ordinance.
 - b. A statement, signed by the applicant, listing specifically the days, or the span of consecutive days, during which the sign will be displayed, and also the date or dates on which the sign shall be removed and, if applicable, the subsequent date or dates on which the sign shall be re-installed and again removed, during the calendar year.
 - c. A listing and description of the other temporary signs, if any, located on the property at the time of the application.
7. Portable Signs. In the C-3, I-L, I, and PF Districts, one (1) portable sign may be erected on a lot in lieu of a temporary sign, subject to the provisions in subsection B above, provided that only one (1) is permitted per lot at any given time, and provided that the portable sign shall not exceed thirty-two (32) square feet in area. In addition, notwithstanding the provisions of subsection A(1)(b) above, a portable sign shall not be displayed for more than seven (7) consecutive days and not more than three (3) times in any calendar year.
- C. Changeable Copy Signs. All or a portion of a ground or freestanding sign may be a changeable copy sign in compliance with all of the following requirements; provided, that a changeable copy sign is not permitted in any residential zoning district except when the changeable copy sign is also a government sign.
- 1. The area of a changeable copy sign shall be included in the maximum sign area limitation. The area of a changeable copy sign shall not exceed fifty percent (50%) of the maximum

permitted sign area, except that portable signs may consist entirely of changeable copy.

2. A changeable copy sign shall not change its message, image, or other graphic material with such frequency as to be a flashing or oscillating sign, whether in whole or in part. For purposes of this Section, a flashing or oscillating sign shall include not only a sign having a message or image that changes with high rapidity, but shall also include a sign having a message or image that changes with a frequency such as to serve as a means of attracting attention to the sign or the land use, rather than for the purpose of providing identification or information. The message, image or other graphic material of a changeable copy sign shall change no more frequently than six (6) seconds and each change shall occur in one (1) second or less.
3. The message, image or other graphic material of a changeable copy sign shall, when changing, appear only in its entirety or shall appear in successive letters, words or other graphic elements from left to right only. The message, image or other graphic material shall not appear to flash, move from the center of the sign outward, move from the corners of the sign inward or demonstrate any other unusual movement, oscillation or method of appearance.

SECTION 20.08. - PERMITTED SIGNS BY ZONING DISTRICT

- A. The following sign types shall be permitted in accord with the following regulations, in the SR, R-1, R-2, R-3, MHP and RE Districts:

1. The following sign is permitted at the entrance of a permitted residential development or on a parcel containing a non-residential use:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	20 square feet	6 feet

- B. The following sign types shall be permitted in accord with the following regulations, in the C-1 and PF Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall OR Marquee	1 per building wall facing a parking lot or public street	15% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

- C. The following sign types shall be permitted in accord with the following regulations in the C-2 – Central Business District and the MU – Mixed Use District.

Type	Maximum Number	Maximum Sign Area	Height	Location
Projecting	1 per building wall facing a parking lot or public street	20 square feet	See Section 20.05, A, 4	Cannot extend more than 5 feet from building wall
Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4	

- D. The following sign types shall be permitted in accord with the following regulations, in the C-3 District:

Type	Maximum Number	Maximum Sign Area	Height
Ground OR Freestanding	1 per street frontage; provided that a double-frontage lot is permitted only one freestanding sign	48 square feet, or 32 square feet if the lot has a street frontage of 66 feet or less	6 feet for a ground sign and 20 feet for a freestanding sign
Wall OR Marquee	1 per building wall facing a parking lot or public street	20% of the wall surface or 30% of marquee face, as applicable, or 50 square feet, whichever is less	See Section 20.05, A, 4

- Each individual establishment in a multi-tenant commercial building or development is not permitted a separate ground or freestanding sign; one (1) collective ground or freestanding sign may be used subject to the standards above, provided that a collective ground or freestanding sign shall be permitted a maximum sign area of 72 square feet

- E. The following sign types shall be permitted in accord with the following regulations, in the I and I-L Districts:

Type	Maximum Number	Maximum Sign Area	Height
Ground	1 per lot or parcel	32 square feet	6 feet
Wall	1 per building wall facing a public street	5% of the wall surface or 50 square feet, whichever is less	See Section 20.05, A, 4

SECTION 20.09. - CONSTRUCTION AND MAINTENANCE.

- All signs shall be constructed and maintained in accordance with the BOCA National Building Code adopted by the City of Lowell.
- Signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.
- All signs, sign supports, frames, braces, wiring, guys, and anchors shall not be maintained in such a manner which, in the opinion of the zoning enforcement officer, has the potential to create a hazard for pedestrians and vehicles.
- Signs shall not be allowed to become unsightly through disrepair or action of the elements. Internal framing, light fixtures and bulbs, and wiring shall not be permitted to be exposed to the elements.
- All signs shall be designed to ensure a dead load and wind pressure in any direction of not

less than thirty (30) pounds per square foot of area. All signs shall be securely anchored or otherwise made immobile. Temporary signs, portable signs, or signs made of cloth, fabric, lightweight plastic, or other easily combustible material, or which are produced or originally constructed to flutter in the wind, as determined by the zoning enforcement officer, shall not be placed or left as permanent signs.

SECTION 20.10. - NONCONFORMING SIGNS.

- A. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the standards of this section may be continued, except as hereinafter provided. No nonconforming sign shall:
 - 1. Have any changes made in the words or symbols used or the message displayed on the sign, unless the sign is specifically designed for periodic change of message;
 - 2. Be structurally altered so as to change the shape, size, type or design of the sign; or
 - 3. Be reestablished or continued after the activity, business, or use to which it applied has been discontinued for ninety (90) days or longer.
- B. Signs lawfully erected prior to the adoption of this ordinance or applicable amendment thereto which do not meet the size limitations of this section may be changed to another nonconforming sign, provided that the sign replacing the original nonconforming sign is at least thirty-three (33) percent smaller in area than the original nonconforming sign.
- C. No sign shall be required to be removed which was erected in compliance with this section if such sign becomes nonconforming due to a change occurring after the adoption of this ordinance or applicable amendment thereto in the location of a building, streets, or other signs, and which change is beyond the control of the owner of the premises on which the sign is located.
- D. If the owner of the premises on which a sign is located changes the use of the building, or changes the location of any property line or sign, so that any sign is rendered nonconforming, such sign must be removed or made to conform to this section.

SECTION 20.11. - DISCONTINUANCE OR ABANDONMENT.

Whenever the activity, business or use of a primary premises to which a sign is attached or related has been discontinued for a period of ninety (90) days or longer, such discontinuance shall be considered conclusive evidence of an intention to abandon the sign attached or related thereto. At the end of this period of abandonment, the sign shall either be removed or altered to conform with the provisions of this section. All costs of removal shall be at the property owner's expense.

SECTION 20.12 – SUBSTITUTION CLAUSE

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

SECTION 20.13 – SAVINGS AND SEVERABILITY

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this chapter is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

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.

YES: Councilmembers _____

NO: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2023

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 _____ 2023, 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 _____, 2023. I further certify that the above ordinance was entered into the Ordinance Book of the City on _____, 2023, and was effective _____, 2023, ten (10) days after publication.

Dated: _____, 2023

Susan Ullery

City Clerk



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: July 13, 2023
TO: Michael Burns, City Manager *MB*
FROM: Susan Ullery, City Clerk *SU*
RE: Rezoning Request for 112 Horatio St., 805 E. Main St., 825 E. Main St.

At its meeting of July 10, 2023 the Planning Commission reviewed a request from CopperRock Construction to rezone three parcels of land located at 112 Horatio St., 805 E. Main St., and 825 E. Main St to MU Mixed Use.

The purpose of the rezoning request is to facilitate the development of a 44-unit multiple-family residential development that would include approximately 3,800 square feet of commercial space.

Recommended Motion: That the Lowell City Council accept the recommendation of the Planning Commission and approve this rezoning request.

williams&works

engineers | surveyors | planners

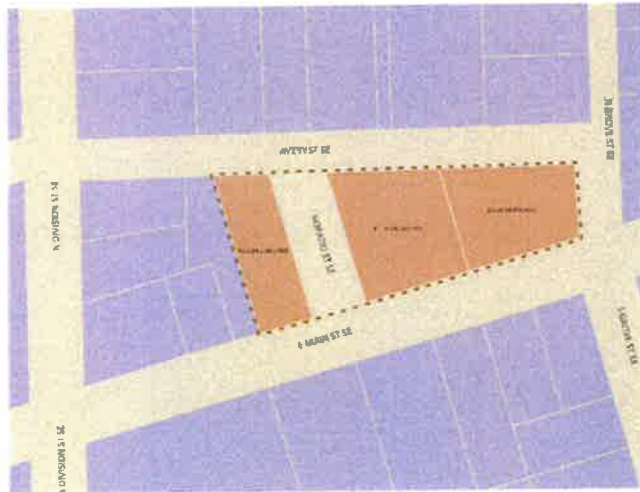
MEMORANDUM

To: City of Lowell Planning Commission
Date: July 6, 2023
From: Andy Moore, AICP
Aman Pannu
RE: **Mixed Use Development - 805 & 825 E Main and 112 Horatio**

Mr. Greg Taylor from CopperRock Construction has submitted an application for rezoning and site plan review for parcels located on 805 & 825 E Main St and 112 Horatio St. The purpose of this memorandum is to review the request pursuant to Chapter 16 & 22 of the Lowell Zoning Ordinance.

Background. As shown in the figure on the right, the subject property consists of three parcels that are separated by the Horatio Street right-of-way. The total acreage of all the properties combined (including Horatio St) is approximately 1.46 acres.

The applicant is presenting plans for a mixed-use building that will consist of a 44-unit apartment complex and around 3,800 square feet of commercial space. The proposal includes a layout of 12 units per floor spread across three floors. The commercial space will be located on the first floor, specifically on the west side of the building, while the second and third floors will house the multi-family units.



Parcel No.	Address	Acres	Zoning District
41-20-01-302-001	805 E Main St SE	0.45	C3 General Business
41-20-01-302-005	825 E Main St SE	0.39	C3 General Business
41-20-01-301-008	112 Horatio St SE	0.29	R3 Multiple Family Residential

REZONING

Any amendments to the zoning map must be reviewed pursuant to Section 22.05 of the Zoning Ordinance. The applicant has provided all the items and the application is complete for review. The review criteria have three standards, those standards, and our comments regarding each are below:

- a. If the proposed zoning amendment is consistent with the goals, policies, and future land use map of the city's master plan; or, if conditions have changed significantly since the master plan was adopted, if the zoning amendment is consistent with recent development trends in the area.

Remarks. The future land use map in the master plan proposes the three subject properties to have a Mixed Use designation. This allows for a combination of residential, office, and commercial land uses, although not necessarily in a downtown-style building. The proposed site plan will align with this future land use designation once the properties are rezoned to the MU (Mixed Use) zoning district, which was enacted several years ago to specifically implement the Master Plan and foster this type of development. It appears that the proposed change in zoning is in line with the city's master plan, reflecting its goals, policies, and vision for future land use.

- b. If the zoning amendment is compatible with existing or future land uses in the vicinity.

Remarks. The site currently consists of two buildings: a vacant, large two-story building and a two-story single-family house. Since these buildings are not currently in use, they would be removed to create a larger building that spans over the three parcels when combined. The existing zoning of the parcels, which is a combination of C3 (allowing commercial use) and R3 (allowing multiple-family use), is consistent with the proposed mixed-use zoning district. The future land use map in the master plan also designates the subject properties for mixed land use, further supporting the compatibility with the existing zoning. The proposed multiple-family residential buildings is also compatible with the residential and commercial uses in the vicinity. There are additional homes in the area, that the Planning Commission will need to evaluate the impact of the proposed zoning change on these residences as part of its deliberations.

- c. If the site is capable of accommodating all uses allowed by the zoning change, considering existing or planned public infrastructure, including streets, sanitary sewers, storm water, water, sidewalks, and street lighting.

Remarks. The subject property is well-connected to the existing street and sidewalk network, with access to sanitary sewers, stormwater systems, and the public water system. It is also adequately illuminated by the existing on-street lighting and there is on-street parking nearby as well. Each of the three subject parcels has the capacity to accommodate

the proposed zoning change and can support all uses permitted by right in the Mixed Use District.

At the July 11th public hearing, the Planning Commission should carefully listen to the input from the applicant, the other residents, and the public. Subject to those comments, we suggest that the Planning Commission recommend approval of the request to the City Council.

Note that, Section 3.04 of the Zoning Ordinance states "Whenever all or part of street, alley or other public way is vacated, it shall automatically become a part of the district to which it attaches. If the vacated lot is bordered by two different districts, the area is divided along a line halfway between them according to the abutting zone, unless the City Council shall otherwise designate." If the rezoning request is approved by the Planning Commission and the City Council, the Horatio Street land will automatically be zoned MU Mixed District.

SITE PLAN REVIEW

Completeness of Submittal. Section 18.04.B lists the required items necessary for a final site plan review. The applicant has submitted all necessary items and we find this application to be generally complete for review.

Setbacks and Dimensional Requirements. The property is evaluated as if it were within the MU Mixed Use district. All dimensional requirements of the MU district are met.

Landscaping and Screening. Section 4.26 E provides specific landscape requirements. Because the MU district seeks a downtown-style development pattern, extensive landscaping is not required. The applicant has proposed landscaping in several locations along E Main Street in front of the proposed building, adjacent to the sidewalk. Additional landscaping is proposed to the east side of the property near Grove Street.

A dumpster enclosure is proposed on the north side of the building, between the two parking areas. It would be enclosed but accessible from both the east and west sides to accommodate the restaurant along with the residential uses.

A 3-foot fence is proposed along the south side of Avery Street, between the parking lot and the street. This is consistent with the parking lot screening requirements of Section 4.26(E)(3)(b)(1).

Parking. Dwelling units require two spaces per unit, and restaurants require 2 spaces for each two persons permitted based on the maximum occupancy load, or 1 per 100 square feet, whichever is greater. The applicant has proposed a total of 110 spaces. It is worth noting that the applicant is slightly deficient on parking for the residential units, as 88 spaces would be required for 44 units. The site plan proposes two spaces per unit for the two-bedroom units and only one space per unit for the one-bedroom units, resulting in a total of 71 spaces for the residential component. The restaurant component of the building requires 38 spaces. 22 of these spaces are provided in the parking lot to the rear (north) of the restaurant. In addition, the applicant may count public on-street and off-street parking spaces within 400 feet toward the

required minimum. The site plan indicates that 17 on-street spaces would be available along the north side of E Main Street, which appears to be a reasonable approximation. Further, another 15 on-street spaces are located on the south side of Main Street across from the property.

The Zoning Ordinance grants the Planning Commission significant in the application of parking requirements to allow for maximally productive uses of land in the City. The Planning Commission should evaluate the proposed parking layout and determine if it feels that the parking as proposed is adequate for the site.

On-site, a total of 93 spaces are proposed. When the additional 17 spaces are counted along the north side of Main Street, the total amount of parking available on or immediately adjacent to the site is 110 spaces.

Signage. Signage is proposed on the east side of the property. The sign appears to meet zoning requirements. As a condition of approval, the Planning Commission may require the applicant to receive a sign permit and comply with Chapter 20 of the Zoning Ordinance.

Site Plan Review Criteria. The proposed application must meet the standards listed in Section 18.06 of the Zoning Ordinance. Those standards are as follows, along with our comments on each.

- A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.

Remarks. The proposed use of the building as a multiple-dwelling residential unit with a commercial (restaurant) use is permitted by right in the Mixed Use Zoning District. The site is located on Main St and does not seem to impede the normal and orderly development or improvement of surrounding property for uses permitted in the zoning ordinance. The Planning Commission may find that this standard is met.

- B. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets, and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.

Remarks. The applicant intends to remove Horatio St, allowing for the combination of three parcels and creating a larger corner lot that connects E Main St, Grove St, and Avery St. Pedestrians can easily access the site through sidewalks. Vehicular traffic can enter and exit the site using two points on Avery St. The entrance located near the western boundary provides access to the restaurant's parking lot, which is separate from the parking lot designated for the multifamily residential building. The entrance near the eastern boundary leads to the parking lot specifically designated for residential use of the property. It is recommended that the plan be reviewed by the City engineer or

emergency personnel to verify if sufficient ingress/egress points have been provided, considering the traffic flow generated by the multifamily residential units.

- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the City of Lowell.

Remarks. As mentioned earlier, the City engineer or emergency personnel should review and verify if sufficient ingress/egress points have been provided, considering the traffic flow generated by the multifamily residential units. The Planning Commission may discuss this with the applicant.

- D. Removal or alteration of significant natural features shall be restricted to those areas, which are reasonably necessary to develop the site in accordance with the requirements of this ordinance. The planning commission requires that approved landscaping, buffers, and/or greenbelts be continuously maintained to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

Remarks. The existing properties lack notable natural features as the site is vacant and in need of improvement. To make space for the proposed structure, some trees on the subject parcel will need to be removed. As a measure to create a separation between the proposed structure and the residential dwellings across Avery St, the applicant suggests installing a 3-foot fence along the northern boundary of the property. Additionally, canopy trees, shrubs, and grass cover will be incorporated to enhance the landscaping around the proposed building. A total of 17 trees and 45 shrubs have been proposed in the landscape plan which meets the minimum landscaping requirement in the zoning ordinance. The Planning Commission will have an opportunity to discuss this matter with the applicant, hear public comments, and assess whether additional landscaping is necessary.

- E. Satisfactory assurance shall be provided that the requirements of all other applicable ordinances, codes, and requirements of the City of Lowell will be met.

Remarks. This should be added as a condition of approval.

- F. The general purposes and spirit of this ordinance and the Comprehensive Plan of the City of Lowell shall be maintained.

Remarks. As mentioned above, the current zoning of the parcels aligns with the proposed mixed-use zoning district, as it combines both commercial (C3) and multiple-family (R3) uses. This consistency between the existing zoning and the proposed mixed-use district is reinforced by the future land use map in the master plan, which designates the subject properties for mixed land use. This demonstrates the compatibility between the existing zoning and the envisioned land use in the future. The Planning Commission may find this standard met.

Recommendation. At the July 10 public hearing, the Planning Commission should carefully listen to the input from the applicant, the neighboring residents, and the public. If the Planning Commission is inclined to recommend approval of the project, two motions will be appropriate:

1. A motion to recommend that the City Council approve the rezoning of the subject properties to the MU Mixed Use Zoning District.
2. A motion to approve the site plan. If approved, the following conditions are suggested along with any others deemed necessary.
3. Prior to issuance of any City permits, the applicant shall have paid all application, permit, reimbursable escrow, and other fees related to the request.
4. No grading, preliminary or final earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
5. The applicant shall continually comply with applicable ordinances, codes, and requirements of the City of Lowell.
6. Horatio Street shall be vacated in accordance with proper procedures prior to any construction activities occurring on the site.
7. This site plan approval is expressly contingent on the rezoning of the site to the MU- Mixed Use district being approved by City Council and becoming effective pursuant to proper statutory procedures.
8. The City engineer and emergency department personnel should review if the proposed buildings can be reached by emergency vehicles, and if the vehicular traffic flow will be efficient as provided by the applicant.

As always, feel free to contact me if there are any questions.



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

CITY OF LOWELL

PUBLIC NOTICE

Please take notice that the Lowell Planning Citizens Advisory Commission will hold a public hearing at Lowell City Hall, located at 301 East Main Street, Lowell, MI 49331 on Monday, July 10, 2023, at 7:00 PM. The subject of the hearing will be the following:

Rezoning Request for 112 Horatio St, 805 E Main St, 825 E Main St.

An application for rezoning has been submitted by CopperRock Construction to rezone three parcels of land located at 112 Horatio St, 805 E Main St, and 825 E Main St as follows:

Address	Current Zoning District	Proposed Zoning District
112 Horatio Street	R-3 Multiple Family Residential	MU Mixed Use
805 E Main Street	C-3 General Commercial	MU Mixed Use
825 E Main Street	C-3 General Commercial	MU Mixed Use

The purpose of the rezoning request is to facilitate the development of a 44-unit multiple-family residential development that would include approximately 3,800 square feet of commercial space.

Copies of the application and the City's Zoning Ordinance are available for public viewing during regular business hours at Lowell City Hall, 301 East Main Street, Lowell, Michigan. Written comments will be received until the night of the hearing.

The City will provide necessary reasonable auxiliary aids and services to those with disabilities planning to attend upon three (3) days' notice to the City Clerk. Individuals who require such services should contact the City at the address listed above or by telephone at 616-897-8457.

Respectfully,

Susan Ullery

Lowell City Clerk

SECTION I. Zoning Map Amendment

1. Street Address and/or Location of Request: 805 & 825 E. Main; and 112 Horatio
41-20-01-302-001; 41-20-01-302-005; and
2. Parcel Identification Number (Tax I.D. No.): # 41-20-01-301-008
CopperRock Construction
3. Applicant's Name for an entity to be named Phone Number (616) 920-1655
Address 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Street City State Zip
Fax Number N/A Email Address gregt@copperrockconstructi
on.com
4. Are You: ☐ Property Owner ☒ Owner's Agent ☐ Contract Purchaser ☐ Option Holder
5. Applicant is being represented by: Greg Taylor Phone Number (616) 920-1655
Address 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Vacant building, parking
6. Present Zoning of Parcel C3 & R3 Present Use of Parcel lot, and 2-unit residential
7. Master Plan Future Land Use Classification _____
8. Please use the lines below to state the request and the reason(s) for the request:
(attach additional pages as necessary)
Applicant respectfully requests the zoning of the property, and any amendments
necessary be made to rezone the subject properties from C3 and R3 to MU -
Mixed Use to permit the proposed development of this vacant building and site.
Reasons for this request include: Improving the east gateway entrance to the
downtown; increasing the local housing options and rental opportunities;
removing a vacant property from lack of use; increasing the number of residents
in the downtown area; and providing additional customers to downtown
businesses; and growth of the property values in the City of Lowell.
9. For this application to be complete, the following information must be included:
- ☐ A map clearly illustrating the property to be considered for a zoning change, and the current zoning of all properties within ¼ mile, if applicable
- ☒ A legal description of the property to be considered for a rezoning, if applicable (See attached survey)

The facts presented above are true and correct to the best of my knowledge.

Signature:  Date: June 9, 2023

Type or Print Your Name Here: Gregory Taylor

SECTION II. Zoning Text Amendment

1. Applicant's Name : CopperRock Construction for an entity to be named Phone Number (616) 920-1655
Address 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504
Fax Number: N/A Email address: gregt@copperrockconstruction.com

2. Applicant is being represented by: Greg Taylor Phone Number (616) 840-5516
Address: 601 Fifth Street, Suite 300, Grand Rapids, Michigan 49504

3. I request consideration of the following change in text of the City of Lowell Zoning Ordinance:

The requested text change is: Subject to confirmation with City of Lowell Staff and consultants.

- ☐ A change in wording to existing Section(s):
- ☐ An addition to Section(s):
- ☐ A deletion of wording at existing Section(s):

Below is the text requested to be changed, added or deleted: *(attach additional page(s) as necessary)*

Existing Section To Be Determined Proposed Section To Be Determined

To be confirmed by City of Lowell Staff and City Attorney.

4. What is the intended effect of this request? *(attach additional page(s) as necessary)*

To permit the develop of a 44-unit apartment complex, with approximately 3,800 sq. ft. of commercial space consistent with the Master Plan of the city and the recommendations of City of Lowell Staff and third-party consultants.

The facts presented above are true and correct to the best of my knowledge.

Signature:  Date: June 9, 2023

Type or Print Your Name Here: Gregory Taylor



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: July 13, 2023

TO: Mayor DeVore and the Lowell City Council

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

RE: Harassment Ordinance

At our June 19th, 2023 City Council Meeting, the Police Department expressed their interest in creating a Harassment Ordinance to better address some issues they are facing. We can enforce the Michigan statute for misdemeanor criminal harassment under the local ordinance, however, some of the issues our Police Department is facing doesn't necessarily fall in line with the Michigan statute.

Our Police Department has researched other Michigan communities' statutes and worked with the City Attorney to craft a municipal harassment ordinance we can enforce locally rather than having the Kent County Prosecutor's Office enforce for us.

This misdemeanor would allow officers to make arrests as needed and would set a \$500 fine for each violation.

I have attached Ordinance 23-06 for your review. The City Attorney will explain this further if needed.

I recommend the Lowell City Council approve Ordinance 23-06 to establish a local misdemeanor harassment ordinance as presented.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 23 -06

**AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES, CITY OF LOWELL, MICHIGAN, BY
ADDING A NEW SECTION 13-69 AND TO AMEND
SECTION 27-8 OF THE CODE OF ORDINANCES, CITY OF
LOWELL, MICHIGAN, TO REGULATE HARASSMENT.**

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

THE CITY OF LOWELL ORDAINS AS FOLLOWS:

Section 1. Addition of Section 13-69. Section 13-69 is added to Article IV, “Offenses
Against Public Peace,” Chapter 13, “Offenses,” of the Code of Ordinances of the City of Lowell
to read as follows:

Sec. 13-69. – Insulting, Harassing, Annoying Others.

It shall be unlawful for any person, with intent to harass, annoy, or
alarm another person, to:

- (1) Follow a person in or about a public place or places;
- (2) Engage in a course of conduct or repeatedly commits acts that
alarm or seriously annoy another person and that serve no legitimate
purpose;
- (3) Insult, accost, molest, or otherwise annoy another person, either
by word of mouth, sign, motion, or action, in a public space under
circumstances in which that conduct is likely to provoke a retaliatory
response.

Section 2. Amendment to Section 27-8. Section 27-8, “Violations Constituting
Municipal Infractions,” Chapter 27, “Municipal Civil Infractions,” of the Code of Ordinance of
the City of Lowell is amended to read as follows:

Sec. 27-8. - Violations Constituting Municipal Civil Infractions.

A municipal civil infraction shall include the following offenses set forth in this Code:

- (1) Violations of chapter 5, "Animals," of this Code.
- (2) Violations of chapter 6, "Auctions and Auctioneers," of this Code.
- (3) Violations of chapter 7, "Buildings and Building Regulations," of this Code.
- (4) Violations of chapter 9, "Cemeteries," of this Code.
- (5) Violations of chapter 10, "Fire Prevention and Protection" of this Code except for section 10-5.
- (6) Violations of chapter 11, "Garbage, Trash and Refuse," of this Code.
- (7) Violations of chapter 11.5, "Historic District," of this Code.
- (8) Violations of chapter 12, "Nuisances," of this Code.
- (9) Violations of chapter 13, "Offenses," of this Code except sections 13-2, 13-3, 13-4, 13-21, 13-22, 13-23, 13-42, 13-43, 13-44, 13-61, 13-63, 13-64, 13-65, 13-66, 13-67, 13-68, 13-69, 13-86, 13-87, 13-108, 13-133, 13-151, 13-152, 13-153, 13-154, 13-155, 13-156, 13-176, 13-177, 13-178, 13-179, 13-180, 13-196 and 13-198.
- (10) Violations of chapter 14, "Parks and Recreation," of this Code except section 14.55.
- (11) Violations of chapter 15, "Peddlers, Solicitors and Transient Merchants," of this Code.
- (12) Violations of chapter 19, "Streets, Sidewalks and Other Public Places," of this Code.
- (13) Violations of chapter 21, "Traffic and Motor Vehicles," of this Code.
- (14) Violations of chapter 23, "Vegetation," of this Code.
- (15) Violations of chapter 24, "Vehicles for Hire," of this Code.
- (16) Violations of chapter 25, "Water and Sewage Disposal Service," of this Code.
- (17) Violation of Appendix A, "Zoning," of this Code except chapter 17A.

Upon the effective date of this chapter, the offenses noted above are municipal civil infractions only and shall no longer constitute misdemeanor criminal offenses or subject the violator to any criminal sanctions, except as provided for by state law. This, however, shall not affect the sanctions provided for by state law or this chapter for a violator's or alleged violator's failure to comply

with an order or judgment of the 63rd District Court nor shall this section limit or restrict the authority of the court to enforce its orders by appropriate sanctions or actions. This section shall not restrict, limit or bar any action permitted under any other provision of law.

Section 3. Repeal. All ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. 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 5. 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 _____, 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 _____, 2023. I further certify that the above ordinance was entered into the Ordinance Book of the City on _____, 2023, and was effective _____, 2023, ten (10) days after publication.

Dated: _____, 2023

Susan Ullery
City Clerk



PUBLIC WORKS

Memorandum

DATE: April 14, 2023

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

RE: Tree Ordinance Updating

Earlier this year we came across an issue with the City's ordinance on Trees not covering all the aspects of how to go about maintaining trees in the public way within our community. Some issues that were lacking included proper tree planting procedures, types of trees allowed and their location within the right-of-way, process for review of trees for removal, and replacement fees. In April the City hired Williams & Works to review our current ordinance and help the Arbor Board review and update the existing ordinance.

The ordinance review work has been completed, and an updated ordinance is attached for review (including a redlined version of the original ordinance).

Some of the significant changes include:

- Defining and establishing the tree fund for replacement of trees. A fee is mentioned in the original ordinance under tree removals/replacement, however, it was not clearly defined. The new ordinance explains the tree fund, how the fee is established, and fund usage reporting procedures to City Council and to the Arbor Board.
- Review of existing trees, and procedures for the recommendations for removal, trimming, and/or replacement of trees to the City Manager by staff with follow up by arborists or landscape architects. Cooperation has been established within the ordinance to have staff from the Department of Public Works and Lowell Light and Power work together on the review and recommendation of tree trimming/removal for those trees that may affect both departments.
- Tree trimming and removal requirements.
- Procedure for the public to dispute tree trimming/removals.
- Allowable areas to plant trees in the right-of-way or on public property, and allowable types of trees for these different public spaces.
- Species of trees allowed to be planted on public property, and those prohibited.
- Better defined tree trimming standards.
- Protection standards for trees during construction activities.
- More defined procedures for tree removals.
- More details for the replacement of trees, such as defining the rate for replacement of trees on city property, size of new trees to be planted, and how the fee is established.

Once City Council has had time for review, the final ordinance will be brought back for authorization.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 23-__

**AN ORDINANCE TO REPLACE IN ITS ENTIRETY CHAPTER 23,
"VEGETATION" TO 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. Restatement of Chapter 23. Chapter 23, 'Vegetation' of the Code of Ordinances of the City of Lowell is restated in its entirety as follows:

Chapter 23 - VEGETATION

ARTICLE I. - IN GENERAL

Sec. 23-1. - Intent.

It is the intent of this article to promote and protect the public health, safety, and welfare by regulating the planting, maintenance and removal of trees, shrubs, and other woody plants within the city to maintain a healthy tree canopy, encourage biodiversity, reduce impacts of stormwater and urban heat island effects, provide habitat for wildlife, and enhance community aesthetics. It is the further intent of this article to cause the replacement of each approved tree species that is removed from public street right-of-ways, city parks and other city-owned property. Such replacements shall be of an approved species and at locations as shall be determined by the city manager or their designee; thereby ensuring the variety and longevity of the city tree inventory.

Additionally, the City of Lowell is a recognized Tree City USA, as established by the Arbor Day Foundation. To maintain this designation, the City must satisfy the following standards: (1) it must maintain a tree board or department, (2) it must adopt a community tree ordinance, (3) it must spend at least \$2 per capita on urban forestry, and (4) it must celebrate Arbor Day.

Sec. 23-2. - Definitions.

For purposes of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) Boulevard: A landscaped median in the center of a street, typically lined with trees.

- (b) City arbor board: An advisory board established by the City of Lowell tasked with the development and annual update of the city's tree plan, documenting the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in public parks, along public streets and roads, within public right-of-ways and within other public areas.
- (c) Caliper: Thickness or diameter of the trunk of a tree taken at a standard height, used in specifying nursery stock. Trees under four (4) inch caliper are measured at six (6) inches above the soil line; trees over four (4) inch caliper are measured at twelve (12) inches above the soil line.
- (d) Certified arborist: A professional who possesses the technical competence gained through experience and related training to provide for or supervise the management of trees and other woody plants in residential, commercial, and public landscapes. A professional arborist is certified by the International Society of Arboriculture (ISA).
- (e) Critical root zone (CRZ): Area of soil around a tree where the minimum amount of roots considered critical to the structural stability or health of the tree are located.
- (f) Drip line: The imaginary vertical line that extends downward from the outermost tips of tree branches to the ground.
- (g) Public property: Land owned by the city, including, but not limited, to rights-of-way, easements, parks, trails, cemeteries, or government facilities.
- (h) Root collar: Transition zone from trunk to roots where the trunk expands into the buttress or structural roots. Also known as root crown, root flare, and trunk flare.
- (i) Department of Public Works (DPW): City of Lowell Department of Public Works.
- (j) Diameter Breast Height (DBH): Thickness or diameter of the trunk of a tree taken at four and one-half feet above the existing grade, used in measuring established trees. DBH is measured in inches.
- (k) Landscape Architect: A professional who performs services such as consultation, investigation, research, planning, design, or responsible field observation in connection with the development of land areas where, and to the extent that the dominant purpose of the services is the preservation, enhancement, or determination of proper land uses, natural land resources, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, natural drainage, and the consideration and determination of inherent problems of the land relating to erosion, use and stress, blight, or other hazards. A landscape architect is licensed by the Michigan Department of Licensing and Regulatory Affairs.
- (l) Lowell Light and Power (LLP): City of Lowell owned and operated electric utility, governed by an appointed board.

- (m) Parkway: A landscaped edge of a street, typically lined with trees. Parkways are often situated between paved areas along the street edge, like sidewalks and the back of curb.
- (n) Private property: Land owned by non-governmental entities, which includes, but is not limited to, residences, businesses, or churches.
- (o) Topping: The severe pruning of limbs to such a degree so as to remove the normal canopy and disfigure the tree.
- (p) Tree, dead or dying: A tree that is diseased or damaged beyond repair, has no live tissue or is determined to have less than 10% live tissue by a certified arborist.
- (q) Tree fund: A budget account to be used for activities associated with public tree inventory, protection, maintenance and planting.
- (r) Tree, fruit bearing: Trees that produce fleshy fruit, such as a berry or drupe. This does not include trees that create seeds in the form of cones, capsules, pods, samaras, or nuts.
- (s) Tree, healthy: A tree showing good structural integrity, free of serious diseases, and maintaining normal appearance appropriate to the species including size of tree and leaves, normal coloration, and displaying normal vigor and growth characteristics.
- (t) Tree, limited use: See Sec. 23-70.
- (u) Tree, powerline friendly: Woody perennial having one dominant trunk and an estimated mature height equal to or less than twenty (20) feet, that when fully grown, will have minimal conflict with overhead power utilities while allowing clear passage of people, animals and/or vehicles below its crown.
- (v) Tree, prohibited: See Sec. 23-70.
- (w) Tree protection plan (TPP): A plan which outlines specific measures to protect trees during construction or other site disturbance. The TPP also addresses requirements for offsetting or mitigating impacts to protected trees, such as transplanting or planting replacement trees.
- (x) Tree, street: Woody perennial with good tolerance of urban conditions, having one dominant trunk and an estimated mature height greater twenty-five (25) feet and, when fully grown, will provide shade and/or shelter for the land beneath while allowing clear passage of people, animals and/or vehicles below its crown.
- (y) Tree, unsafe condition: A tree that, by reason of its nature, inappropriate location, or lifecycle, is injurious to public utilities, blocks clear vision of traffic control devices, damages or impedes zones of travel, or is dead or diseased.

Secs. 23-3. – 23.22. - Reserved.

ARTICLE II. - CITY ARBOR BOARD

Sec. 23-23. - Creation.

There is hereby created a board of the city to be known as the city arbor board to accomplish the public purposes and who shall have such powers, duties, and responsibilities as hereinafter set forth.

Sec. 23-24. - Duties and responsibilities.

- (a) The city arbor board shall study, investigate, counsel, and develop, annually update, and administer, a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in public parks, along public streets and roads, within public right-of-ways, and within other public areas. Such plan as annually updated shall be for the immediately succeeding fiscal year of the city and shall be presented to the city council in April of each year. Upon review, acceptance, and approval by the city council, it shall constitute the official comprehensive tree plan of the city. In addition, the city arbor board shall, at the request of the city council, consider, investigate, make findings, report, and make recommendations to the city council on any matter or question within the scope of its work as set forth in this article.
- (b) To ensure the intent of this ordinance and the city's tree plan are being followed, the city arbor board shall review and make recommendations on projects that may impact the care, preservation, pruning, placement, removal or disposition of trees and shrubs on public property. This may include, but is not limited to, the following project types:
 - (1) Public road construction/reconstruction and/or streetscape enhancements;
 - (2) Utility placement and/or removal that may conflict with existing trees or inhibit the placement of future trees;
 - (3) Park, cemetery, or public facility site construction/reconstruction;
 - (4) Public or private development projects that may remove five (5) or more trees measuring 6 inch DBH or greater on public property.
- (c) City arbor board review is not required for the removal of hazardous and diseased trees which pose a threat to public health, safety, and welfare.

Sec. 23-25. - Composition.

The city arbor board shall consist of five (5) voting members, all of whom shall be registered electors of the city. One (1) voting member shall be a currently serving city councilperson and one (1) voting member shall be a current member of the city board of Lowell Light and Power. All members shall be approved by the mayor and confirmed by a majority of the members then serving on the city council, provided, however, the councilperson to be appointed shall not vote on the confirmation of his or her appointment. In addition, the city may appoint not more than one (1) ex-officio nonvoting member who shall be a certified tree arborist, landscape architect, horticulturalist, or other similar professional who need not be a registered elector of the city, who shall be identified by the city manager, and who shall agree to serve in such capacity.

Sec. 23-26. - Term of office.

The term of office for city arbor board voting members, other than the member also serving on the city council and the member also serving on the city board of Lowell Light and Power, shall be for three (3) years, provided, that for the first members appointed, one (1) member shall be appointed for a three-year term, one (1) member shall be appointed for a two-year term, and one (1) member shall be appointed for a one-year term. Except for the initial appointment of such board members where a member's term shall commence upon appointment, all terms of such members shall commence on July 1. If such board member's term has expired, and a successor has not been appointed, such board member shall continue to serve until a successor is appointed. The terms of the board member appointed as a currently serving city councilperson and the board member appointed as a current member of the city board of Lowell Light and Power shall begin on the date of appointment and end on date such member is no longer a city councilperson or member of the city board of Lowell Light and Power. Such board members shall not continue to serve after their term has ended even if a successor has not been appointed.

Sec. 23-27. - Vacancies.

Vacancies on the city arbor board shall be filled in the same manner as regular appointments for the remainder of the unexpired term of the appointment vacated.

Sec. 23-28. - Removal from office.

A board member may be removed from the city arbor board by the city council at any time for cause as determined solely by the city council upon receiving a recommendation for removal by the city arbor board.

Sec. 23-29. - Compensation.

Members of the city arbor board shall receive no compensation, but shall be entitled to their actual and necessary reasonable expenses incurred in the performance of their duties as approved by the city council.

Sec. 23-30. - Rules of procedure.

The city arbor board may adopt such rules of procedure for carrying out its powers, duties and responsibilities that are not inconsistent with the provisions of this article.

Sec. 23-31. - Meetings.

All meetings of the city arbor board shall, except as otherwise permitted by law, be open to the public and held in compliance with the Michigan Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976, as amended (MCL 15.261 et seq.). Meetings of the city arbor board may be called by the board chairperson or by any two (2) of its board members.

Sec. 23-32. - Quorum.

A majority of the voting board members then serving on the city arbor board shall constitute a quorum for the conducting of the business of the board.

Sec. 23-33. - Chairperson.

The members of the city arbor board shall annually elect one (1) of its members as chairperson. The chairperson shall be responsible for conducting all meetings of the board. Another member of the board, selected by board members present at the meeting, may serve as temporary chairperson for a meeting at which the chairperson is absent.

Sec. 23-34. - Execution of contracts and commitment of funds.

- (a) The city arbor board may advise and make recommendations to the city council regarding the entering into contracts or the expenditure of city funds in connection with its duties and responsibilities, but may not itself enter into contracts or commit city funds.
- (b) A tree fund shall be established and reserved for the replacement of and/or planting of new trees on public property. The city arbor board should be provided status updates of the tree fund balance during each regular meeting to inform recommended expenditures to the city council. The city manager or their designee shall provide an annual report to the city arbor board at the final meeting of each calendar year that summarized the prior year's activities, expenditures, and shall include an estimate of necessary funding for the upcoming year based on anticipated tree replacement and planting needs.

Secs. 23-35—23-45. - Reserved.

ARTICLE III. - NOXIOUS SHRUBS, WEEDS AND GRASS

Sec. 23-46. - Property conditions declared a public nuisance.

The following conditions are declared to be a public nuisance:

- (1) Trees, shrubs, bushes, weeds, or other plant growth obstructing a public sidewalk or pedestrian walkway, a road or street right-of-way, or other public way;
- (2) Weeds, grasses, or other plant growth that endanger public property or the health or safety of the public, or interfere with, obstruct or render dangerous any public way including noxious weeds, as defined in Section 2 of Act 359 of the Public Acts of Michigan of 1941, as amended, including ragweed, poison ivy, poison sumac, poison oak, and Canada thistle;
- (3) Weeds, grasses, and undergrowth higher than twelve (12) inches; and
- (4) Dead trees deemed hazardous to the public or to an adjacent property.

Sec. 23-47. - Nuisances prohibited.

- (a) For all residentially zoned properties and all other properties on which residential uses are located regardless of the zone district, a property owner, tenant, or other responsible party shall maintain such property, occupied or vacant, improved or unimproved, free of the nuisances described in section 23-46 in the following areas:

- (1) On areas of developed lots, parcels, and units where a traditional lawn has been established;
 - (2) The front twenty-five (25) feet measured from the improved right-of-way of residentially zoned lots or parcels, whether or not vacant, or lots or parcels with residential uses in which more than eighty-five (85) percent of the lot or parcel has been developed (for corner lots and parcels, the front twenty-five (25) feet shall be measured from both improved public rights-of-ways); and
 - (3) All cleared and graded areas of lots and parcels where lawns or other landscaped improvements are intended to be planted, but have not yet been established.
- (b) For all business and industrial zoned property and all other properties on which there are commercial, office, business, and industrial uses regardless of the zone district, a property owner, tenant or other responsible party shall maintain all landscaped areas of the property free of the nuisances described in section 23-46.
- (c) This article is not intended to prohibit or discourage the practice of developing natural groundcover areas, prairie yards, or gardens and lawns using accepted xerophytic plantings and techniques. It is intended to abate and eliminate situations where property is in a state of actual neglect and shows no distinct plan or pattern of upkeep or maintenance.

Sec. 23-48. - Responsibility for maintenance of adjacent properties.

Every property that is to be maintained pursuant to subsections 23-47(a) and (b) shall also include the same maintenance by a property owner, tenant, or other responsible party of such property in the area between that property's front property line and an improved public road or street, and in the case of private roads and streets, between the improved private road or street and the front property line.

Sec. 23-49. - Notice of violation.

- (a) In the event that a property owner fails to comply or cause compliance with this article, the city shall notify the property owner of the violation and direct that the nuisance be abated. Such notice shall be in writing, addressed to the property owner as shown on the latest ad valorem property tax assessment roll, and shall inform the property owner:
- (1) Of the nature of the violation;
 - (2) Of the time in which the violation must be abated, which shall not be less than five (5) days;
 - (3) That the city may act to abate any violation that is not abated within the time prescribed;
 - (4) That if the city abates the nuisance, the cost of such abatement plus an administrative fee as prescribed in section 23-51 shall be assessed as a lien against the property until paid; and

(5) That failure of the property owner to abate or cause the abatement of the nuisance may result in civil enforcement or criminal prosecution and/or abatement of the nuisance by the city.

(b) The failure to receive such notice shall not be a defense against the city's right to collect the costs of nuisance abatement including administrative fees or the initiation of civil enforcement or criminal prosecution of the violation.

Sec. 23-50. - Abatement.

Upon failure, neglect or refusal of a property owner to comply or cause compliance with the provisions of this article, the city or its authorized contractor or designee is authorized to enter upon the property of the property owner to abate the nuisance.

Sec. 23-51. - Administrative fee.

An administrative fee reflecting the city's cost of enforcing this article and as established by resolution of the city council shall be added to the actual costs charged to a property owner for abating a nuisance under this article.

Sec. 23-52. - Charges a lien on property.

Unpaid charges and administrative fees related to the failure to abate a nuisance to a property shall be a lien on such property and, if delinquent, may be collected in the same manner as the collection of delinquent ad valorem property taxes.

Secs. 23-53—23-65. - Reserved.

ARTICLE IV. - TREES

Sec. 23-66. - Permits for tree planting, care, and removal.

The city manager or their designee shall have control of the planting, removal, and care of trees, shrubs, and other woody plants in the public street right-of-way, city parks, and other city-owned property, subject to the provisions of this article. The Department of Public Works (DPW) director and Lowell Light and Power (LLP) distribution manager shall review all permits for tree planting, care, and removal, and provide recommendations to the city manager or their designee. The city manager may request input on tree condition, removal, and replacement from a certified arborist or licensed landscape architect. The owner of land abutting a public street right-of-way may, upon obtaining a written permit from the city manager or his/her designee, prune, plant, remove, spray, and otherwise maintain trees, shrubs, and other woody plants in that part of the street right-of-way abutting such owners land not used for pedestrian or vehicular travel. No person shall otherwise prune, plant, remove, spray, or otherwise maintain trees, shrubs, and other woody plants in any public street right-of-way, city park or other city-owned property. Each permit shall specify the extent and conditions of authorization.

Sec. 23-67. - Road commission jurisdiction.

For those public street right-of-ways in the city which the Kent County Road Commission has jurisdiction or maintenance responsibility, the tree policy of the road commission, rather than the provisions of this article, shall apply.

Sec. 23-68. - Persons engaged in trimming, pruning and removal.

All persons, firms, and companies providing trimming, pruning, and removal services of trees, shrubs, and woody plants within the public street right-of-ways or in city parks or other city-owned property shall be, if required, currently licensed by the appropriate state authority, if any, and shall have in effect a general liability policy of insurance which names the city as an additional or co-insured. A copy of the policy or a certificate of insurance shall be filed with the city clerk before beginning work within the city.

(a) Responsibility of persons engaged in trimming, pruning, and removal services.

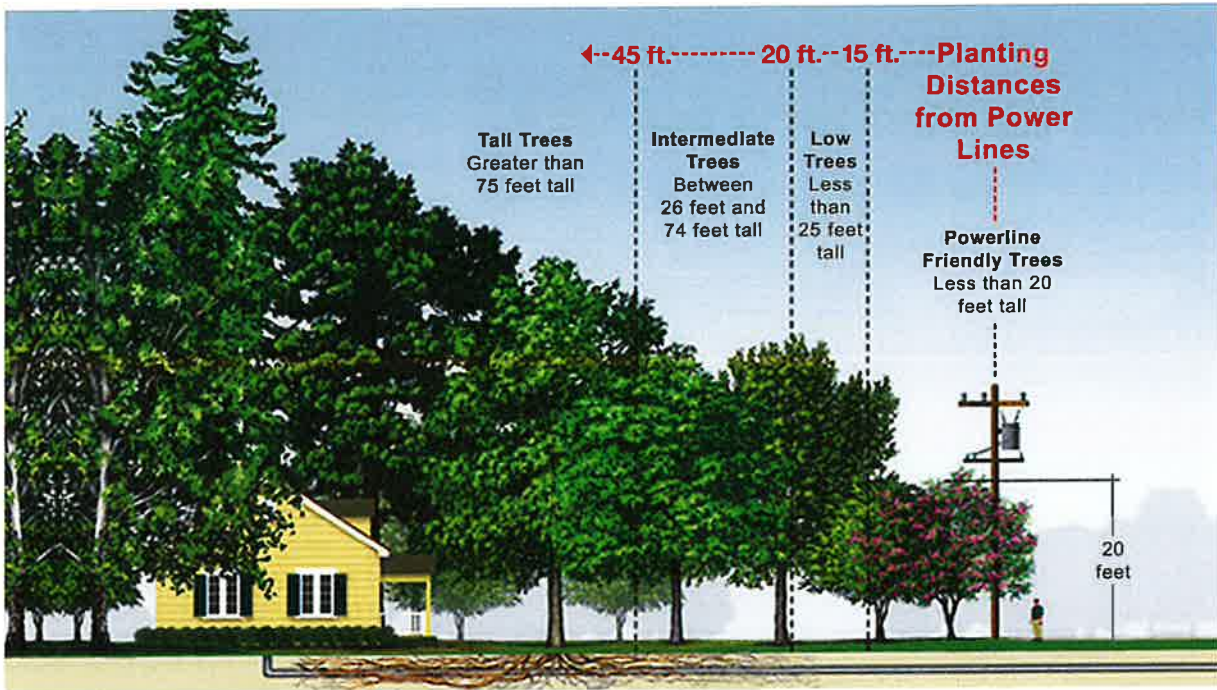
- (1) Following trimming, pruning, and removal, all debris and brush shall be cleared from the site and properly disposed. Wood 4" in diameter and larger shall be left for the property owner, if so requested, or removed from the site entirely.
- (2) When a tree is removed from city property, the persons completing said tree removal shall remove the tree stump and restore the lawn or surrounding groundcover, including any backfilling of clean topsoil necessary for future viable plant growth.
- (3) If a tree is to be replaced in the same or near approximate location as the removed tree, full stump removal will be required. If no tree is planned for the location of the removed tree, stump grinding to a depth of 6" below grade will be required, pending DPW director approval.

Sec. 23-69. - Community feedback regarding trees on public property.

- (a) Persons with concern or comment regarding the removal or placement of trees on public property may submit a completed tree feedback form to the city, which will be reviewed by the DPW director and shared with the city arbor board at their next regularly scheduled meeting. The City may seek assistance from a certified arborist or licensed landscape architect to help review these concerns.
- (b) In the case of a dispute regarding property lines, right-of-way locations, or similar issues, a survey may be ordered to determine the actual boundary. In such cases, the person raising the boundary dispute shall be responsible for the costs associated with this determination.

Sec. 23-70. - Planting trees on public property.

- (a) Consent required for planting trees. Whenever any person desires to plant any shade or ornamental trees in any of the public highways, streets, or avenues of the city, they shall submit an application to the city manager in writing specifying the number and kind of trees they desire to plant and the location. The city manager shall determine by an order providing whether such person may plant any trees upon such highway, street, or avenue without injury or detriment to the public interest.
- (b) Clear vision clearance. No trees, shrubs, woody plants, other plantings, fencing, or other obstruction shall be located or maintained on a corner lot which will obstruct the view of the driver or operator of a vehicle within the public street right-of-way. Such unobstructed view area shall mean a triangular area formed by the private property lines along each public street right-of-way and a line connecting them at a point twenty-five (25) feet from the private property lines extended. Trees, shrubs, woody plants, and other plantings may be located in such unobstructed view area provided they will not achieve a height at maturity greater than thirty (30) inches. In addition, no trees, shrubs, woody plants, or other plantings shall be located or maintained in any front, side or rear yard of a lot which, in the opinion of the city manager or his/her designee will obstruct the view from vehicles entering or leaving the lot from driveways or adjacent private roadways.
- (c) Planting and spacing of trees. The planting of trees, shrubs, and other woody plants in public street right-of-ways, city parks, and other city-owned property shall be authorized by the city manager or their designee in accordance with prescribed planting practices. The planting and spacing of city-provided trees on private property shall be mutually approved by the property owner and the city manager or their designee. Methods and timing for tree planting and establishment shall conform to the United States Department of Agriculture (USDA) Code 612 regarding tree/shrub establishment in Michigan. Thirty (30) feet on-center planting should be used as a minimum spacing for street trees, when feasible. For newly-planted trees, spacing from the on-center measurement of the tree to the following items is required:
- (1) 15 feet from fire hydrants, utility junction boxes, and utility poles
 - (2) 10 feet from alleys, driveways, or other curb cuts
 - (3) 10 feet from underground utility service lines and stormwater catch basins



(d) Protection of sidewalks and streets

- (1) Covering soil surface near trees; sidewalks. No person shall place within the public street right-of-way any material which will impede or redirect the full and free passage of water, air, fertilizer, or other plant food to the roots of any tree, shrub, or other woody plant except for a sidewalk of authorized width and location. Where there are sidewalks within the public street right-of-way, every effort shall be made to place materials that will prevent the growth of root structures from impacting the sidewalk. This includes providing proper spacing between sidewalks and planting areas, providing adequate soil volumes for trees to thrive, and the use of root barriers near underground utilities and curbs, when necessary.
- (2) Parkway and boulevard authorized widths. Trees planted in parkways and boulevards should be centered within the landscape area, when feasible. Consideration should be given to the placement of new trees so that conflicts with future sidewalks will not occur and parkway widths will provide enough space to meet the following requirements. Parkway and boulevard widths shall adhere to the minimum dimensional standards described below to protect sidewalks, curbs, and roads from pavement due to root growth:
 - i. Parkway or boulevards that will accommodate large canopy trees with a mature canopy of thirty-six (36) feet wide or greater shall provide a minimum landscape area of eight (8) feet wide.

- ii. Parkways or boulevards that will accommodate medium canopy trees with a mature canopy between thirty-five (35) feet and twenty-six (26) feet wide shall provide a minimum landscape area of six (6) feet wide.
 - iii. Parkways and boulevards that will accommodate small canopy trees with a mature canopy of twenty-five (25) feet wide or less shall provide a minimum landscape area of four (4) feet wide.
- (e) Species of trees. It is the policy of the city that it will not plant more than fifty (50) percent of the trees in one (1) area of the city with one (1) single species of trees during a calendar year. It is recommended that the species of trees planted throughout the city be staggered to prevent the loss of inventory from disease or infestation. Species indicated on the recommended tree species list shall be planted in the public street right-of-way, city parks, or other city-owned property with funds made available from the designated city tree fund.
- (1) Prohibited Trees. The following trees are not permitted in an effort to protect the health, safety, and welfare of the city. The species listed below have characteristics that make them poor fits for urban spaces, such as being prone to splitting; having wood that is brittle and breaks easily; roots that clog drains and sewers; have been identified as invasive species, or may be unusually susceptible to disease or pests.

Prohibited Trees	
Common Name	Botanical Name
Norway Maple	<i>Acer platanoides</i>
Tree of Heaven	<i>Ailanthus species</i>
Russian Olive	<i>Elaeagnus Angustifolia</i>
Ash	<i>Fraxinus species (without Emerald Ash Borer resistance)</i>
Female Ginkgo	<i>Ginkgo biloba</i>
Honey Locust (with thorns)	<i>Gleditsia triacanthos (with thorns)</i>
Populus nigra var. italica	<i>Lombardy Poplar</i>
Mulberry	<i>Morus species (non-native varieties)</i>
Bradford Pear	<i>Pyrus calleryana 'Bradford'</i>
Black Locust	<i>Robinia species</i>
Willow Tree	<i>Salix tree species (non-native varieties)</i>
Elm	<i>Ulmus (without Dutch Elm disease resistance or treatment)</i>
Chinese Elm	<i>Ulmus Parvifolia</i>

- (2) **Limited Use Trees.** Trees listed under the Limited Use category are permitted in locations with open spaces, like parks or large greens, where there is limited contact with people spaces (walkways, picnic areas, etc.), vehicles, utilities, and structures.

Limited Use Trees	
Common Name	Botanical Name
Box Elder	<i>Acer negundo</i>
Silver Maple	<i>Acer Saccharinum</i>
Catalpa	<i>Catalpa speciosa</i>
Black Walnut	<i>Juglans Nigra</i>
Mulberry	<i>Morus rubra</i>
Eastern Cottonwood	<i>Populus deltoids</i>
Black Willow	<i>Salix nigra</i>

- (3) **Recommended Trees.** The following table includes suggested trees that meet USDA plant hardiness standards for the City of Lowell and have characteristics that make them more tolerant of urban conditions. This list is non-exhaustive, but is intended to provide a standard reference for pre-approved trees that may be considered for use on public property.

- i. A mixture of species to increase biodiversity and the use of native species is encouraged. Native species or cultivars in the recommended trees list are identified with an (N) at the end of the botanical name.
 - ii. Fruit bearing trees shall not be planted in the right of way because of the associated maintenance burden, unless they are fruitless varieties or male selections. Fruit bearing trees with favorable characteristics for urban conditions are included in the recommended trees list and are identified with an asterisk (*) at the end of the botanical name.
- (4) Trees shall be selected based on specific environmental conditions and space needs. This includes sourcing trees regionally so that they are acclimated to USDA plant hardiness zone 5. Tree form (single trunk) should be specified for all species selected as street trees. Powerline friendly trees are illustrated in the following table. The mature height of selected powerline friendly trees should not conflict with the height of overhead utilities placed nearby.

Recommended Trees		
Tree Type	Common Name	Botanical Name
Street Trees	Freeman Maple	<i>Acer × freemanii</i>
	Red Maple	<i>Acer rubrum (N)</i>
	Sugar Maple	<i>Acer saccharum (N)</i>
	Allegheny Serviceberry	<i>Amelanchier laevis (N)*</i>
	River Birch	<i>Betula nigra (N)</i>
	European Hornbeam	<i>Carpinus betulus</i>
	American Hornbeam	<i>Carpinus caroliniana (N)</i>
	Hackberry	<i>Celtis occidentalis (N)*</i>
	Fringe Tree	<i>Chionanthus virginicus (N)*</i>
	American Hazelnut	<i>Corylus americana (N)</i>
	Cockspur hawthorn	<i>Crataegus crus-galli (N)*</i>
	Washington Hawthorn	<i>Crataegus phaenopyrum (N)*</i>
	Hardy Rubber Tree	<i>Eucommia ulmoides</i>
	Ginkgo (Male)	<i>Ginkgo biloba*</i>
	Thornless Honeylocust	<i>Gleditsia triacanthos f. inermis (N)</i>
	Kentucky Coffee Tree (Seedless Varieties)	<i>Gymnocladus dioicus (N)</i>
	Golden Rain Tree	<i>Koelreuteria paniculata</i>
	Sweetgum	<i>Liquidambar styraciflua</i>
	Amur Maackia	<i>Maackia amurensis</i>
	Osage orange (Fruitless Varieties)	<i>Machura pomifera (N)*</i>
	Black Gum	<i>Nyssa sylvatica (N)*</i>
	Ironwood	<i>Ostrya virginiana (N)</i>
	Sycamore	<i>Platanus occidentalis (N)</i>
	Sawtooth Oak	<i>Quercus acutissima</i>
	White Oak	<i>Quercus alba (N)</i>
	Northern Pink Oak	<i>Quercus ellipsoidalis (N)</i>

Recommended Trees Continued		
Tree Type	Common Name	Botanical Name
Street Trees	Fastigate Columnar Oak	<i>Quercus robur f. fastigiata</i>
	Red Oak	<i>Quercus rubra (N)</i>
	Shumard Oak	<i>Quercus shumardii</i>
	Black Oak	<i>Quercus velutina (N)</i>
	Littleleaf Linden	<i>Tilia cordata</i>
	Silver Linden	<i>Tilia tomentosa</i>
	Valley Forge American Elm	<i>Ulmus americana 'Valley Forge' (N)</i>
	Japanese Zelkova	<i>Zelkova serrata</i>
Powerline Friendly Trees	Trident Maple	<i>Acer buergerianum</i>
	Grandiflora Serviceberry (Select Cultivars)	<i>Amelanchier × grandiflora</i> 'Autumn Brilliance'; 'Princess Diana'*
	Eastern Red Bud	<i>Cercis canadensis (N)</i>
	Tokyo Tower Fringe Tree	<i>Chionanthus retusus 'Tokyo Tower'*</i>
	Pagoda Dogwood	<i>Cornus alternifolia (N)*</i>
	Kousa Dogwood	<i>Cornus kousa*</i>
	English hawthorn (Select Cultivars)	<i>Crataegus laevigata 'Paul's Scarlet'*</i>
	Crabapple (Select Cultivars)	<i>Malus 'Adirondack'*</i> ; 'Schmidtcutleaf'*; 'Red Barron'*; 'Jewelcole'*
	Ornamental Plum (Select Cultivars)	<i>Prunus 'Newport'*</i> ; 'Thundercloud'*
	Sargent Cherry	<i>Prunus sargentii*</i>
	Ivory Silk Japanese Tree Lilac	<i>Syringa reticulata 'Ivory Silk'</i>
	Summer Sprite Linden	<i>Tilia cordata 'Halka'</i>

Sec. 23-71. - Tree protection and maintenance

- (a) Injuring or destroying trees. It shall be unlawful to cut, destroy, or otherwise injure any shade or ornamental tree or shrub growing within the limits of any public street, highway, or place within the city, without the consent of the city manager.

- (b) Trimming of trees by city. It shall be lawful for the DPW director to cause to be properly and necessarily trimmed all trees standing in or that may overhang any highways, streets, or avenues. Trimming may occur upon mutual agreement between the DPW director and the LLP distribution manager for trees which in any manner obstruct the public electrical lines or lighting of the city.
- (c) Tree trimming standards. All trees, shrubs, and other woody plants that are subject to this article shall be trimmed and pruned in accordance with the then current standards established by the American National Standard Institute for tree care operations (American National Standards Institute (ANSI) A-300) or, with respect to any activities of the city board of Lowell Light and Power related to this article, the Lowell Light and Power Operating Policy 6-9 for Power Line Clearance as it may be revised from time to time. In no case shall a tree be "topped" or improperly pruned.
- (1) Removal of more than twenty-five (25) percent of the tree canopy within an annual growing season shall be considered tree removal and necessitate replacement.
- (2) Removal of more than twenty (20) percent of the tree root zone within a two year period shall be considered tree removal and necessitate replacement.
- (d) Maintenance of trees on private property. The owner of a tree located on private property which overhangs onto a public street right-of-way shall periodically be responsible for trimming its branches (a) so the tree does not obstruct the light from any street lamp or the clear view of any public street intersection, and (b) so there is a clear space of thirteen (13) feet above the surface of the public street right-of-way. The owner of a dead, diseased, infested, or dangerous tree, or a tree with broken or decayed limbs on private property which constitutes a danger to public safety, shall promptly remove such tree or limbs. The city has the right to trim any tree, shrub, or other woody plant that obstructs the light of any street lamp in the public street right-of-way or interferes with the visibility of any traffic control device or sign. Such trimming shall be confined to the area immediately above the public street right-of-way.
- (e) Protection of trees during construction. A tree protection plan shall be prepared for all construction projects on public property that require engineered or architectural drawings. This plan will outline specific measures to protect trees during construction and offset or mitigate impacts to protected trees.
- (1) All trees to be preserved in construction work zones shall be protected by a protection fencing that extends to the drip line of the protected tree(s). Construction activities, including driving of machinery or pedestrian movements, and the storage of equipment, shall not occur within these protected areas. The fence shall be four (4) feet in height, clearly signed, and firmly anchored into the ground. Barriers shall be erected before demolition, grading, or construction begins and remain in place until all construction activities have been completed.

- (2) When utility work or excavation near a tree to be protected must be carried out, damage can be limited by root pruning or directional boring.
 - i. Root pruning shall be completed before grading is started and shall occur outside the protective tree fencing. When root pruning is necessary, clean cuts perpendicular to the natural growth direction shall be made, excavated areas shall be backfilled within an hour of pruning, and watering shall occur within twenty-four (24) hours. Not more than thirty-three percent (33%) of the critical root zone shall be disturbed.
 - ii. Directional boring, sometimes referred to as tunneling, moling, or trenchless technology, may be utilized to repair or place utility lines or conduit near a tree to be protected, so long as the pits for machinery access are located outside of the critical root zone. Boring shall occur at least 36 inches below grade and be offset horizontally by a minimum of 6 inches from the outer edge of the tree trunk.

Sec. 23-72. - Removal and replacement of trees on public property

(a) Procedures for tree removal:

- (1) Submit a completed tree removal permit to the city, as described in Sec. 23-66.
- (2) If the request for tree removal includes five (5) or more trees measuring six (6) inch DBH or greater, the request will be sent to the city arbor board for review and recommendation.
- (3) A determination by the DPW director and LLP Distribution Manager shall be made to the city manager or their designee regarding the removal request, and the city manager will provide a written denial or issued permit.
- (4) Additional terms of the tree removal permit may include tree protection measures for adjacent trees and/or replacement of the tree(s) to be removed in accordance with this section.

- (b) Tree removal for non-utility operation or public safety requests. If the DPW director or LLP Distribution Manager, or their designee, determine that an existing tree, shrub, or other woody plant located in the public street right-of-way, a city park, or other city-owned property has died or is diseased, is disfigured, or is partially destroyed, they shall recommend the city manager authorize its removal. The preservation of woodland areas, individual trees, similar woody vegetation, and related natural resources, shall have priority over development when there are other functional on-site location/design alternatives. Trees proposed for removal to accommodate new public site features, such as sidewalks, roads, or buildings, will be addressed on a case-by-case basis.

- (c) Tree removal for utility operation or public safety. If a public or private utility company (which shall include LLP) or the city manager or their designee determines that a tree, shrub, or other woody plant located in a public street right-of-way, city park or other city-owned property is a detriment to utility operations or a public safety concern, it may be trimmed or removed to provide the necessary and appropriate clearance or to otherwise eliminate the operational or public safety concern. Any tree, shrub, or other woody plant removed shall be replaced at a location determined by the city manager or their designee.
- (d) Tree replacement and fees. All trees that are removed from public street right-of-ways, city parks, and other city-owned property shall be replaced by the city as follows:
- (1) Preference will be given to placing replacement trees at or adjacent to the former location of the removed tree, if feasible. If the tree was removed due to conflict with utilities, lines of site, or new site features, such as sidewalks, roads, or public buildings, a more appropriate tree species or alternate location for the tree replacement shall be determined by the city manager or their designee.
 - (2) Trees removed for public safety concerns, such as utility or line of site conflict, tree death, disease, disfigurement, or partial destruction due to natural causes shall be replaced on a per tree basis.
 - (3) Trees removed because of proposed site features, such as sidewalks, roads, or public buildings, shall be replaced in caliper inches at a rate of 50% the total DBH removed or as determined by the City Manager or the designee's discretion. The City manager shall only permit a replacement of less than 50% of the DBH removed if one or more of the following factors exist:
 - i. If compliance would be unnecessarily burdensome or otherwise impractical
 - ii. If compliance would be contrary to the purpose and intent of this Ordinance or would be detrimental to the public health, safety, or welfare
 - iii. If compliance would adversely impact neighboring public or private property
 - (4) Tree replacement for trail projects in wooded landscapes is not required but the adjustment of proposed trail alignments to preserve trees over six (6) inch DBH is highly encouraged.
 - (5) Replacement trees shall be at least two and a half (2.5) caliper inches upon installation.

- (6) At the time of the authorization and removal of a healthy tree on public property, a fee as established annually based on the average local pricing of the below listed two and a half (2.5) caliper inch trees, including installation, shall be paid by the party responsible for removal and deposited in a designated city tree fund for its replacement. Parties responsible for removal may include, but are not limited to, public and private entities.

Trees to be averaged annually for replacement fee establishment		
Average Cost	Common Name	Botanical Name
\$	Freeman Maple	<i>Acer × freemanii</i>
\$	Ginkgo (Male)	<i>Ginkgo biloba</i>
\$	Sycamore	<i>Platanus occidentalis</i>
\$	Littleleaf Linden	<i>Tilia cordata</i>
\$	Japanese Zelkova	<i>Zelkova serrata</i>
Replacement Fee = Total Average Costs ÷ 5		

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.

YES: Councilmembers _____

NO: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmember _____

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 _____, 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 A _____. I further certify that the above ordinance was entered into the Ordinance Book of the City on A _____, and was effective _____, ten (10) days after publication.

Dated: _____

Susan Ullery
City Clerk

Existing Ordinance Organization

ARTICLE I. - IN GENERAL

Secs. 23-1—23-25. - Reserved.

ARTICLE II. - TREES AND SHRUBS

Sec. 23-26. - Injuring or destroying trees.

Sec. 23-27. - Trimming of trees by city.

Sec. 23-28. - City manager consent required for planting trees.

Secs. 23-29—23-45. - Reserved.

ARTICLE III. - NOXIOUS SHRUBS, WEEDS AND GRASS[2]

Sec. 23-46. - Property conditions declared a public nuisance.

Sec. 23-47. - Nuisances prohibited.

Sec. 23-48. - Responsibility for maintenance of adjacent properties.

Sec. 23-49. - Notice of violation.

Sec. 23-50. - Abatement.

Sec. 23-51. - Administrative fee.

Sec. 23-52. - Charges a lien on property.

Secs. 23-53—23-65. - Reserved.

ARTICLE IV. - CITY ARBOR BOARD

Sec. 23-66. - Creation.

Sec. 23-67. - Duties and responsibilities.

Sec. 23-68. - Composition.

Sec. 23-69. - Term of office.

Sec. 23-70. - Vacancies.

Sec. 23-71. - Removal from office.

Sec. 23-72. - Compensation.

Sec. 23-73. - Rules of procedure.

Sec. 23-74. - Meetings.

Sec. 23-75. - Quorum.

Sec. 23-76. - Chairperson.

Sec. 23-77. - Execution of contracts and commitment of funds.

Secs. 23-78—23-90. - Reserved.

ARTICLE V. - TREES

Sec. 23-91. - Intent.

Sec. 23-92. - Permits for tree planting, care and removal.

Sec. 23-93. - Tree removal and replacement.

Sec. 23-94. - Planting and spacing of trees.

Sec. 23-95. - Covering soil surface near trees; sidewalks.

Sec. 23-96. - Clear vision clearance.

Sec. 23-97. - Tree removal for utility operation or public safety.

Sec. 23-98. - Maintenance of trees on private property.

Sec. 23-99. - Tree trimming standards.

Sec. 23-100. - Persons engaged in trimming, pruning and removal.

Sec. 23-101. - Species of trees.

Sec. 23-102. - Road commission jurisdiction.

Proposed Ordinance Organization

ARTICLE I. - IN GENERAL

Sec. 23-1. - Intent.

Sec. 23-2. - Definitions.

Secs. 23-3. – 23.22. - Reserved.

ARTICLE II. - CITY ARBOR BOARD

Sec. 23-23. - Creation.

Sec. 23-24. - Duties and responsibilities.

Sec. 23-25. - Composition.

Sec. 23-26. - Term of office.

Sec. 23-27. - Vacancies.

Sec. 23-28. - Removal from office.

Sec. 23-29. - Compensation.

Sec. 23-30. - Rules of procedure.

Sec. 23-31. - Meetings.

Sec. 23-32. - Quorum.

Sec. 23-33. - Chairperson.

Sec. 23-34. - Execution of contracts and commitment of funds.

Secs. 23-35—23-45. - Reserved.

ARTICLE III. - NOXIOUS SHRUBS, WEEDS AND GRASS

Sec. 23-46. - Property conditions declared a public nuisance.

Sec. 23-47. - Nuisances prohibited.

Sec. 23-48. - Responsibility for maintenance of adjacent properties.

Sec. 23-49. - Notice of violation.

Sec. 23-50. - Abatement.

Sec. 23-51. - Administrative fee.

Sec. 23-52. - Charges a lien on property.

Secs. 23-53—23-65. - Reserved.

ARTICLE IV. - TREES

Sec. 23-66. - Permits for tree planting, care, and removal.

Sec. 23-67. - Road commission jurisdiction.

Sec. 23-68. - Persons engaged in trimming, pruning and removal.

Sec. 23-69. - Community feedback regarding trees on public property.

Sec. 23-70. - Planting trees on public property.

Sec. 23-71. - Tree protection and maintenance

Sec. 23-72. - Removal and replacement of trees on public property

REORGANIZATION NOTES: All content from the existing ordinance has been carried over, modified, and/or added to for the proposed draft ordinance.

Content from ARTICLE II – TREES AND SHRUBS and Article V. TREES from the existing ordinance was consolidated into a single section, ARTICLE IV. – TREES, for the proposed draft ordinance.

The CITY ARBOR BOARD section was moved to ARTICLE II to reinforce the intent of this ordinance.

The NOXIOUS SHRUBS, WEEDS AND GRASS section was moved to ARTICLE III, preceeding ARTICLE IV. – TREES

Chapter 23 - VEGETATION^[1]

Footnotes:

~~—(1)—~~

~~Charter reference— Authority to regulate location of trees and shrubs, § 3.1(b)(3)(j); to provide for planting, care, protection and removal of trees and shrubs, §§ 3.1(b)(3)(m), (b)(3)(o).~~

~~Cross reference— Nuisances, Ch. 12; offenses, Ch. 13.~~

ARTICLE I. - IN GENERAL

~~Secs. 23-1 - 23-25. —Reserved.~~

ARTICLE II. ~~TREES AND SHRUBS~~

~~Sec. 23-1. - Intent. 23-26. Injuring or destroying trees.~~

~~It is the intent of this article to promote and protect the public health, safety, and welfare by regulating the planting, maintenance and removal of trees, shrubs, and other woody plants within the city to maintain a healthy tree canopy, encourage biodiversity, reduce impacts of stormwater and urban heat island effects, provide habitat for wildlife, and enhance community aesthetics. It is the further intent of this article to cause the replacement of each approved tree species that is removed from public street right-of-ways, city parks and other city-owned property. Such replacements shall be unlawful to cut, destroy of an approved species and at locations as shall be determined by the city manager or otherwise injure any shade or ornamental tree or shrub growing within the limits of any public street, highway or place within their designee; thereby ensuring the city, without the consent variety and longevity of the city manager tree inventory.~~

~~(Code 1971, § 22-16)~~

~~Additionally, the City Sec. 23-27. — of Lowell is a recognized Tree City USA, as established by the Arbor Day Foundation. To maintain this designation, the City must satisfy the following standards: (1) it must maintain a tree board or department, (2) it must adopt a community tree ordinance, (3) it must spend at least \$2 per capita on urban forestry, and (4) it must celebrate Arbor Day.~~

~~Trimming of trees by city~~

~~It shall be lawful for the city manager to cause to be properly and necessarily trimmed all trees standing in or that may overhang any highways, streets or avenues, or which in any manner obstruct the public lighting of the city.~~

~~(Code 1971, § 22-17)~~

~~Sec. 23-28. City manager consent required for planting trees.~~

~~Whenever any person desires to plant any shade or ornamental trees in any of the public highways, streets and avenues of the city, he shall make application to~~ **Sec. 23-2. - Definitions.**

~~For purposes of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

- (a) Boulevard: A landscaped median in the center of a street, typically lined with trees.
- (b) City arbor board: An advisory board established by the City of Lowell tasked with the development and annual update of the city's tree plan, documenting the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in public parks, along public streets and roads, within public right-of-ways and within other public areas.
- (c) Caliper: Thickness or diameter of the trunk of a tree taken at a standard height, used in specifying nursery stock. Trees under four (4) inch caliper are measured at six (6) inches above the soil line; trees over four (4) inch caliper are measured at twelve (12) inches above the soil line.
- (d) Certified arborist: A professional who possesses the technical competence gained through experience and related training to provide for or supervise the management of trees and other woody plants in residential, commercial, and public landscapes. A professional arborist is certified by the International Society of Arboriculture (ISA).
- (e) Critical root zone (CRZ): Area of soil around a tree where the minimum amount of roots considered critical to the structural stability or health of the tree are located.
- (f) Drip line: The imaginary vertical line that extends downward from the outermost tips of tree branches to the ground.
- (g) Public property: Land owned by the city, including, but not limited, to rights-of-way, easements, parks, trails, cemeteries, or government facilities.
- (h) Root collar: Transition zone from trunk to roots where the trunk expands into the buttress or structural roots. Also known as root crown, root flare, and trunk flare.
- (i) Department of Public Works (DPW): City of Lowell Department of Public Works.
- (j) Diameter Breast Height (DBH): Thickness or diameter of the trunk of a tree taken at four and one-half feet above the existing grade, used in measuring established trees. DBH is measured in inches.
- (k) Landscape Architect: A professional who performs services such as consultation, investigation, research, planning, design, or responsible field observation in connection with the development of land areas where, and to the extent that the dominant purpose of the services is the preservation, enhancement, or determination of proper land uses, natural land resources, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, natural drainage, and the consideration and determination of inherent problems of the land relating to erosion, use and stress, blight, or other hazards. A landscape architect is licensed by the Michigan Department of Licensing and Regulatory Affairs.
- (l) Lowell Light and Power (LLP): City of Lowell owned and operated electric utility, governed by an appointed board.

- (m) Parkway: A landscaped edge of a street, typically lined with trees. Parkways are often situated between paved areas along the street edge, like sidewalks and the back of curb.
- (n) Private property: Land owned by non-governmental entities, which includes, but is not limited to, residences, businesses, or churches.
- (o) Topping: The severe pruning of limbs to such a degree so as to remove the normal canopy and disfigure the tree.
- (p) Tree, dead or dying: A tree that is diseased or damaged beyond repair, has no live tissue or is determined to have less than 10% live tissue by a certified arborist.
- (q) Tree fund: A budget account to be used for activities associated with public tree inventory, protection, maintenance and planting.
- (r) Tree, fruit bearing: Trees that produce fleshy fruit, such as a berry or drupe. This does not include trees that create seeds in the form of cones, capsules, pods, samaras, or nuts.
- (s) Tree, healthy: A tree showing good structural integrity, free of serious diseases, and maintaining normal appearance appropriate to the species including size of tree and leaves, normal coloration, and displaying normal vigor and growth characteristics.
- (t) Tree, limited use: See Sec. 23-70.
- (u) Tree, powerline friendly: Woody perennial having one dominant trunk and an estimated mature height equal to or less than twenty (20) feet, that when fully grown, will have minimal conflict with overhead power utilities while allowing clear passage of people, animals and/or vehicles below its crown.
- (v) Tree, prohibited: See Sec. 23-70.
- (w) Tree protection plan (TPP): A plan which outlines specific measures to protect trees during construction or other site disturbance. The TPP also addresses requirements for offsetting or mitigating impacts to protected trees, such as transplanting or planting replacement trees.
- (x) Tree, street: Woody perennial with good tolerance of urban conditions, having one dominant trunk and an estimated mature height greater twenty-five (25) feet and, when fully grown, will provide shade and/or shelter for the land beneath while allowing clear passage of people, animals and/or vehicles below its crown.
- (y) Tree, unsafe condition: A tree that, by reason of its nature, inappropriate location, or lifecycle, is injurious to public utilities, blocks clear vision of traffic control devices, damages or impedes zones of travel, or is dead or diseased.

Secs. 23-3. – 23.22. - Reserved.

ARTICLE II. - CITY ARBOR BOARD

Sec. 23-23. - Creation.

There is hereby created a board of the city to be known as the city arbor board to accomplish the public purposes and who shall have such powers, duties, and responsibilities as hereinafter set forth.

Sec. 23-24. - Duties and responsibilities.

- (a) The city arbor board shall study, investigate, counsel, and develop, annually update, and administer, a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in public parks, along public streets and roads, within public right-of-ways, and within other public areas. Such plan as annually updated shall be for the immediately succeeding fiscal year of the city and shall be presented to the city council in April of each year. Upon review, acceptance, and approval by the city council, it shall constitute the official comprehensive tree plan of the city. In addition, the city arbor board shall, at the request of the city council, consider, investigate, make findings, report, and make recommendations to the city council on any matter or question within the scope of its work as set forth in this article.
- (b) To ensure the intent of this ordinance and the city's tree plan are being followed, the city arbor board shall review and make recommendations on projects that may impact the care, preservation, pruning, placement, removal or disposition of trees and shrubs on public property. This may include, but is not limited to, the following project types:
- (1) Public road construction/reconstruction and/or streetscape enhancements;
 - (2) Utility placement and/or removal that may conflict with existing trees or inhibit the placement of future trees;
 - (3) Park, cemetery, or public facility site construction/reconstruction;
 - (4) Public or private development projects that may remove five (5) or more trees measuring 6 inch DBH or greater on public property.
- (c) City arbor board review is not required for the removal of hazardous and diseased trees which pose a threat to public health, safety, and welfare.

Sec. 23-25. - Composition.

The city arbor board shall consist of five (5) voting members, all of whom shall be registered electors of the city. One (1) voting member shall be a currently serving city councilperson and one (1) voting member shall be a current member of the city board of Lowell Light and Power. All members shall be approved by the mayor and confirmed by a majority of the members then serving on the city council, provided, however, the councilperson to be appointed shall not vote on the confirmation of his or her appointment. In addition, the city may appoint not more than one (1) ex-officio nonvoting member who shall be a certified tree arborist, landscape architect, horticulturalist, or other similar professional who need not be a registered elector of the city, who shall be identified by the city manager, and who shall agree to serve in such capacity.

Sec. 23-26. - Term of office.

The term of office for city arbor board voting members, other than the member also serving on the city council and the member also serving on the city board of Lowell Light and Power, shall be for three (3) years, provided, that for the first members appointed, one (1) member shall be appointed for a three-year term, one (1) member shall be appointed for a two-year term, and one (1) member shall be appointed for a one-year term. Except for the initial appointment of such board members where a member's term shall commence upon appointment, all terms of such members shall commence on July 1. If such board member's term has expired, and a successor has not been appointed, such board member shall continue to serve until a successor is appointed. The terms of the board member appointed as a currently serving city councilperson and the board member appointed as a current member of the city board of Lowell Light and Power shall begin on the date of appointment and end on date such member is no longer a city councilperson or member of the city board of Lowell Light and Power. Such board members shall not continue to serve after their term has ended even if a successor has not been appointed.

Sec. 23-27. - Vacancies.

Vacancies on the city arbor board shall be filled in the same manner as regular appointments for the remainder of the unexpired term of the appointment vacated.

Sec. 23-28. - Removal from office.

A board member may be removed from the city arbor board by the city council at any time for cause as determined solely by the city council upon receiving a recommendation for removal by the city arbor board.

~~the city manager in writing, specifying the number and kind he desires to plant and the highway, street and avenue where he desires to plant the same. Whereupon the city manager shall determine by an order providing whether such person may plant any trees upon such highway, street or avenue without injury or detriment to the public interest.~~

~~(Code 1971, § 22-18)~~

~~Sees.~~ **Sec. 23-29. - Compensation.**

Members of the city arbor board shall receive no compensation, but shall be entitled to their actual and necessary reasonable expenses incurred in the performance of their duties as approved by the city council.

Sec. 23-30. - Rules of procedure.

The city arbor board may adopt such rules of procedure for carrying out its powers, duties and responsibilities that are not inconsistent with the provisions of this article.

Sec. 23-31. - Meetings.

All meetings of the city arbor board shall, except as otherwise permitted by law, be open to the public and held in compliance with the Michigan Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976, as amended (MCL 15.261 et seq.). Meetings of the city arbor board may be called by the board chairperson or by any two (2) of its board members.

Sec. 23-32. - Quorum.

A majority of the voting board members then serving on the city arbor board shall constitute a quorum for the conducting of the business of the board.

Sec. 23-33. - Chairperson.

The members of the city arbor board shall annually elect one (1) of its members as chairperson. The chairperson shall be responsible for conducting all meetings of the board. Another member of the board, selected by board members present at the meeting, may serve as temporary chairperson for a meeting at which the chairperson is absent.

Sec. 23-34. - Execution of contracts and commitment of funds.

(a) The city arbor board may advise and make recommendations to the city council regarding the entering into contracts or the expenditure of city funds in connection with its duties and responsibilities, but may not itself enter into contracts or commit city funds.

(b) A tree fund shall be established and reserved for the replacement of and/or planting of new trees on public property. The city arbor board should be provided status updates of the tree fund balance during each regular meeting to inform recommended expenditures to the city council. The city manager or their designee shall provide an annual report to the city arbor board at the final meeting of each calendar year that summarized the prior year's activities, expenditures, and shall include an estimate of necessary funding for the upcoming year based on anticipated tree replacement and planting needs.

Secs. 23-35—23-45. - Reserved.

ARTICLE III. - NOXIOUS SHRUBS, WEEDS AND GRASS⁽²⁾

Footnotes:

—(2)—

Editor's note—Ord. No. 08-06, § 1, adopted Dec. 15, 2008, amended Art. III in its entirety to read as herein set out. Former Art. III, § 23-46, pertained to grass and noxious weeds, and derived from Code 1971, § 11-10.

Sec. 23-46. - Property conditions declared a public nuisance.

The following conditions are declared to be a public nuisance:

- (1) ~~(1)~~—Trees, shrubs, bushes, weeds, or other plant growth obstructing a public sidewalk or pedestrian walkway, a road or street right-of-way, or other public way;
- (2) ~~(2)~~—Weeds, grasses, or other plant growth that endanger public property or the health or safety of the public, or interfere with, obstruct or render dangerous any public way including noxious weeds, as defined in Section 2 of Act 359 of

the Public Acts of Michigan of 1941, as amended, including ragweed, poison ivy, poison sumac, poison oak, and Canada thistle;

- (3) ~~(3)~~—Weeds, grasses, and undergrowth higher than twelve (12) inches; and
- (4) ~~(4)~~—Dead trees deemed hazardous to the public or to an adjacent property.

~~(Ord. No. 08-06, § 1, 12-15-08)~~

Sec. 23-47. - Nuisances prohibited.

- (a) ~~(a)~~—For all residentially zoned properties and all other properties on which residential uses are located regardless ~~to of~~ the zone district, a property owner, tenant, or other responsible party shall maintain such property, occupied or vacant, improved or unimproved, free of the nuisances described in section 23-46 in the following areas:

- (1) ~~(1)~~—On areas of developed lots, parcels, and units where a traditional lawn has been established;
- (2) ~~(2)~~—The front twenty-five (25) feet measured from the improved right-of-way of residentially zoned lots or parcels, whether or not vacant, or lots or parcels with residential uses in which more than eighty-five (85) percent of the lot or parcel has been developed (for corner lots and parcels, the front twenty-five (25) feet shall be measured from both improved public ~~right~~rights-of-ways); and
- (3) ~~(3)~~—All cleared and graded areas of lots and parcels where lawns or other landscaped improvements are intended to be planted, but have not yet been established.

- (b) ~~(b)~~—For all business and industrial zoned property and all other properties on which there are commercial, office, business, and industrial uses regardless of the zone district, a property owner, tenant or other responsible party shall maintain all landscaped areas of the property free of the nuisances described in section 23-46.

- (c) ~~(c)~~—This article is not intended to prohibit or discourage the practice of developing natural groundcover areas, prairie yards, or gardens and lawns using accepted xerophytic plantings and techniques. It is intended to abate and eliminate situations where property is in a state of actual neglect and shows no distinct plan or pattern of upkeep or maintenance.

~~(Ord. No. 08-06, § 1, 12-15-08)~~

Sec. 23-48. - Responsibility for maintenance of adjacent properties.

~~For~~ Every property that is to be maintained pursuant to subsections 23-47(a) and (b), shall also include the same maintenance by a property owner, tenant, or other responsible party of such property in the area between that property's front property line and an improved public road or street, and in the case of private roads and streets, between the improved private road or street and the front property line.

~~(Ord. No. 08-06, § 1, 12-15-08)~~

Sec. 23-49. - Notice of violation.

(a) ~~(a)~~—In the event that a property owner fails to comply or cause compliance with this article, the city shall notify the property owner of the violation and direct that the nuisance be abated. Such notice shall be in writing, addressed to the property owner as shown on the latest ad valorem property tax assessment roll, and shall inform the property owner:

- (1) ~~(1)~~—Of the nature of the violation;
- (2) ~~(2)~~—Of the time in which the violation must be abated, which shall not be less than five (5) days;
- (3) ~~(3)~~—That the city may act to abate any violation that is not abated within the time prescribed;
- (4) ~~(4)~~—That if the city abates the nuisance, the cost of such abatement plus an administrative fee as prescribed in section 23-51 shall be assessed as a lien against the property until paid; and
- (5) ~~(5)~~—That failure of the property owner to abate or cause the abatement of the nuisance may result in civil enforcement or criminal prosecution and/or abatement of the nuisance by the city.

(b) ~~(b)~~—The failure to receive such notice shall not be a defense against the city's right to collect the costs of nuisance abatement including administrative fees or the initiation of civil enforcement or criminal prosecution of the violation.

~~(Ord. No. 08-06, § 1, 12-15-08)~~

Sec. 23-50. - Abatement.

Upon failure, neglect or refusal of a property owner to comply or cause compliance with the provisions of this article, the city or its authorized contractor or designee is authorized to enter upon the property of the property owner to abate the nuisance.

~~(Ord. No. 08-06, § 1, 12-15-08)~~

Sec. 23-51. - Administrative fee.

An administrative fee reflecting the city's cost of enforcing this article and as established by resolution of the city council shall be added to the actual costs charged to a property owner for abating a nuisance under this article.

~~(Ord. No. 08-06, § 1, 12-15-08)~~

Sec. 23-52. - Charges a lien on property.

Unpaid charges and administrative fees related to the failure to abate a nuisance to a property shall be a lien on such property and, if delinquent, may be collected in the same manner as the collection of delinquent ad valorem property taxes.

~~Secs. 23-53—23-65. - Reserved.~~

~~(Ord. No. 08-06, § 1, 12-15-08)~~

~~Secs. 23-53—23-65. - Reserved.~~

~~ARTICLE IV. —CITY ARBOR BOARD~~

~~Sec. 23-66. —Creation:~~

~~There is hereby created a board of the city to be known as the city arbor board to accomplish the public purposes and who shall have such powers, duties and responsibilities as hereinafter set forth.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~Sec. 23-67. —Duties and responsibilities.~~

~~The city arbor board shall study, investigate, counsel, and develop, annually update and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in public parks, along public streets and roads, within public right-of-ways and within other public areas. Such plan as annually updated shall be for the immediately succeeding fiscal year of the city and shall be presented to the city council in April of each year. Upon review, acceptance and approval by the city council it shall constitute the official comprehensive tree plan of the city. In addition, the city arbor board shall, at the request of the city council, consider, investigate, make findings, report and make recommendations to the city council on any matter or question within the scope of its work as set forth in this section.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~Sec. 23-68. —Composition:~~

~~The city arbor board shall consist of five (5) voting members, all of whom shall be registered electors of the city. One (1) voting member shall be a currently serving city councilperson and one (1) voting member shall be a current member of the city board of light and power. All members shall be approved by the mayor and confirmed by a majority of the members then serving on the city council, provided, however, the councilperson to be appointed shall not vote on the confirmation of his or her appointment. In addition, there shall be one (1) ex-officio nonvoting member who shall be a certified tree arborist who need not be a registered elector of the city, who shall be identified by the city manager and who shall agree to serve in such capacity.~~

~~(a) (Ord. No. 07-06, § 1, 5-21-07; Ord. No. 08-01, § 1, 1-22-08)~~

~~Sec. 23-69. —Term of office:~~

~~The term of office for city arbor board voting members, other than the member also serving on the city council and the member also serving on the city board of Light and Power, shall be for three (3) years, provided, that for the first members appointed, one (1) member shall be~~

~~appointed for a three-year term, one (1) member shall be appointed for a two-year term, and one (1) member shall be appointed for a one-year term. Except for the initial appointment of such board members where a member's term shall commence upon appointment, all terms of such members shall commence on July 1. If such board member's term has expired, and a successor has not been appointed, such board member shall continue to serve until a successor is appointed. The terms of the board member appointed as a currently-serving city councilperson and the board member appointed as a current member of the city board of light and power shall begin on the date of appointment and end on date such member is no longer a city councilperson or member of the city board of light and power. Such board members shall not continue to serve after their term has ended even if a successor has not been appointed.~~

~~(Ord. No. 07-06, § 1, 5-21-07; Ord. No. 08-01, § 1, 1-22-08)~~

~~**Sec. 23-70. Vacancies.**~~

~~Vacancies on the city arbor board shall be filled in the same manner as regular appointments for the remainder of the unexpired term of the appointment vacated.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~**Sec. 23-71. Removal from office.**~~

~~A board member may be removed from the city arbor board by the city council at any time for cause as determined solely by the city council upon receiving a recommendation for removal by the city arbor board.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~**Sec. 23-72. Compensation.**~~

~~Members of the city arbor board shall receive no compensation, but shall be entitled to their actual and necessary reasonable expenses incurred in the performance of their duties as approved by the city council.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~**Sec. 23-73. Rules of procedure.**~~

~~The city arbor board may adopt such rules of procedure for carrying out its powers, duties and responsibilities that are not inconsistent with the provisions of this article.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~**Sec. 23-74. Meetings.**~~

~~All meetings of the city arbor board shall, except as otherwise permitted by law, be open to the public and held in compliance with the Michigan Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976, as amended (MCL 15.261 et seq.). Meetings of the city arbor board may be called by the board chairperson or by any two (2) of its board members.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~Sec. 23-75. Quorum.~~

~~A majority of the voting board members then serving on the city arbor board shall constitute a quorum for the conducting of the business of the board.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~Sec. 23-76. Chairperson.~~

~~The members of the city arbor board shall annually elect one (1) of its members as chairperson. The chairperson shall be responsible for conducting all meetings of the board. Another member of the board, selected by board members present at the meeting, may serve as temporary chairperson for a meeting at which the chairperson is absent.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~Sec. 23-77. Execution of contracts and commitment of funds.~~

~~(a) The city arbor board may advise and make recommendations to the city council regarding the entering into contracts or the expenditure of city funds in connection with its duties and responsibilities, but may not itself enter into contracts or commit city funds.~~

~~(Ord. No. 07-06, § 1, 5-21-07)~~

~~Secs. 23-78—23-90. Reserved.~~

ARTICLE V. TREES

~~Sec. 23-91. Intent.~~

~~It is the intent of this article to promote and protect the public health, safety and welfare by providing for the regulation of the planting, maintenance and removal of trees, shrubs and other woody plants within the city. It is the further intent of this article to cause the replacement of each approved tree species that is removed from public street right-of-ways, city parks and other city-owned property. Such replacements shall be of an approved species as designated by the city arbor board and at locations as shall be determined by the city manager or his/her designee; thereby ensuring the variety and longevity of the city tree inventory.~~

~~(Ord. No. 08-04, § 1, 11-3-08)~~

~~66~~~~Sec. 23-92. - Permits for tree planting, care, and removal.~~

The city manager or ~~his/her~~their designee shall have control of the planting, removal, and care of trees, shrubs, and other woody plants in the public street right-of-~~ways~~way, city parks, and other city-owned property, subject to the provisions of this article. The Department of Public Works (DPW) director and Lowell Light and Power (LLP) distribution manager shall review all permits for tree planting, care, and removal, and provide recommendations to the city manager or their designee. The city manager may request input on tree condition, removal, and replacement from a certified arborist or licensed landscape architect. The owner of land abutting a public street right-of-way may, upon obtaining a written permit from the city manager or his/her designee, prune, plant,

remove, spray, and otherwise maintain trees, shrubs, and other woody plants in that part of the street right-of-way abutting such owners land not used for pedestrian or vehicular travel. No person shall otherwise prune, plant, remove, spray, or otherwise maintain trees, shrubs, and other woody plants in any public street right-of-way, city park or other city-owned property. Each permit shall specify the extent and conditions of authorization.

~~and other woody plants in any public street right-of-way, city park or other city-owned property. Each permit shall specify the extent and conditions of authorization.~~

~~(Ord. No. 08-04, § 1, 11-3-08)~~

Sec. 23-67. - Road commission jurisdiction.

For those public street right-of-ways in the city which the Kent County Road Commission has jurisdiction or maintenance responsibility, the tree policy of the road commission, rather than the provisions of this article, shall apply.

Sec. 23-68. - Persons engaged in trimming, pruning and removal.

93. - Tree removal and replacement.

~~If the city manger or his/her designee shall determine that an existing tree, shrub or other woody plant located in the public street right-of-way, a city park or other city-owned property has died or is diseased, disfigured or partially destroyed, he/she shall authorize its removal. All trees, shrubs and other woody plants that are removed from public street right-of-ways, city parks and other city-owned property shall be replaced on a one to one basis at a location to be determined by the city manager or his/her designee. At the time of the authorization and removal of a tree, shrub or other woody plant a fee as established from time to time by resolution of the city council shall be paid by the party responsible for removal and deposited in a designated city tree fund for its replacement unless otherwise provided by resolution of the city council.~~

~~(Ord. No. 08-04, § 1, 11-3-08)~~

All persons, firms, and companies providing trimming, pruning, and removal services of trees, shrubs, and woody plants ~~See. 23-94. - Planting and spacing of trees.~~

~~The planting of trees, shrubs and other woody plants in public street right-of-ways, city parks and other city-owned property shall be authorized by the city manager or his/her designee in accordance with prescribed planting practices and their location and spacing shall be determined by the city manager or his/her designee. The planting and spacing of city provided trees on private property shall be mutually approved by the property owner and the city manager or his/her designee.~~

~~(Ord. No. 08-04, § 1, 11-3-08)~~

Sec. 23-95. - Covering soil surface near trees; sidewalks.

~~No person shall place within the public street right-of-ways any material which will impede or redirect the full and free passage of water, air or fertilizer in city parks or other city-owned property shall be, if required, currently licensed by the appropriate state authority, if any, and shall have in effect a general liability policy of insurance which names the city as an~~

additional or co-insured. A copy of the policy or a certificate of insurance shall be filed with the city clerk before beginning work within the city.

(a) Responsibility of persons engaged in trimming, pruning, and removal services.

- (1) Following trimming, pruning, and removal, all debris and brush shall be cleared from the site and properly disposed. Wood 4" in diameter and larger shall be left for the property owner, if so requested, or removed from the site entirely.
- (2) When a tree is removed from city property, the persons completing said tree removal shall remove the tree stump and restore the lawn or surrounding groundcover, including any backfilling of clean topsoil necessary for future viable plant feed to the roots of any tree, shrub or other woody plant except for a sidewalk of authorized width and growth.
- (3) If a tree is to be replaced in the same or near approximate location as the removed tree, full stump removal will be required. If no tree is planned for the location of the removed tree, stump grinding to a depth of 6" below grade will be required, pending DPW director approval.

Sec. 23-- ~~Where there are sidewalks within the~~ **69. - Community feedback regarding trees on public street property.**

(a) Persons with concern or comment regarding the removal or placement of trees on public property may submit a completed tree feedback form to the city, which will be reviewed by the DPW director and shared with the city arbor board at their next regularly scheduled meeting. The City may seek assistance from a certified arborist or licensed landscape architect to help review these concerns.

(a)(b) ~~In the case of a dispute regarding property lines, right-of-way, every effort shall be made to place materials that will inhibit the growth of root structures under the sidewalk, locations, or similar issues, a survey may be ordered to determine the actual boundary. In such cases, the person raising the boundary dispute shall be responsible for the costs associated with this determination.~~

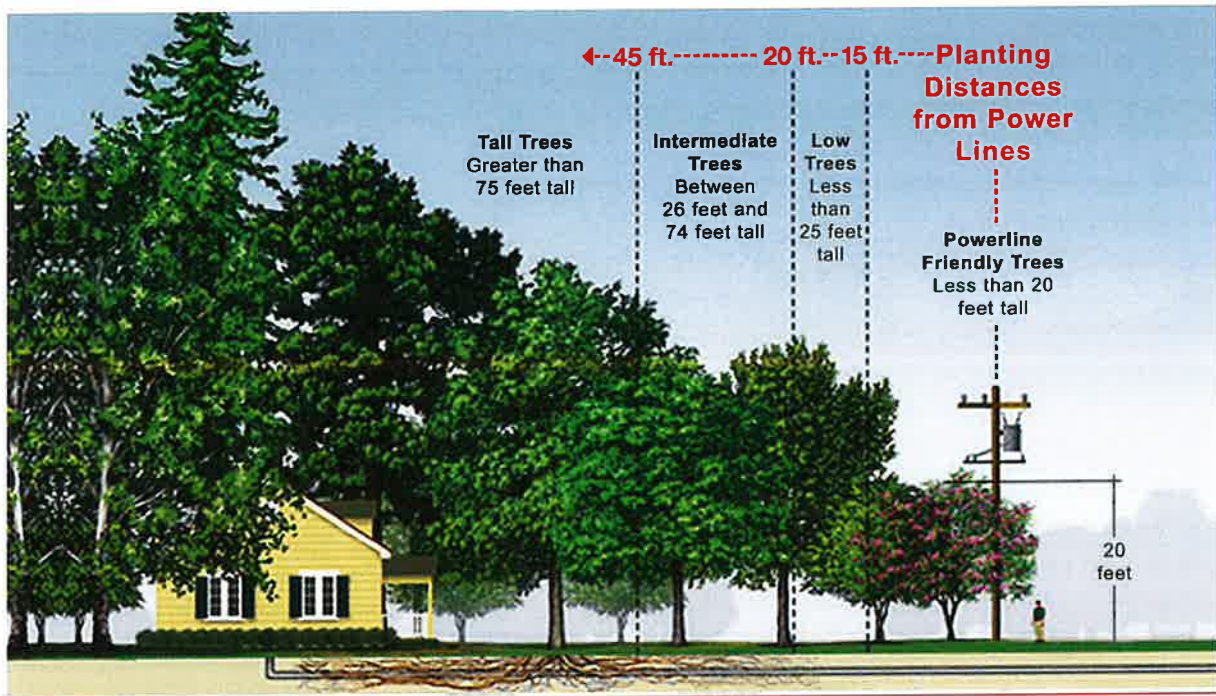
Sec. 23-96-70. - Planting trees on public property.

(a) Consent required for planting trees. Whenever any person desires to plant any shade or ornamental trees in any of the public highways, streets, or avenues of the city, they shall submit an application to the city manager in writing specifying the number and kind of trees they desire to plant and the location. The city manager shall determine by an order providing whether such person may plant any trees upon such highway, street, or avenue without injury or detriment to the public interest.

(a)(b) Clear vision clearance. No trees, shrubs, woody plants, other plantings, fencing, or other obstruction shall be located or maintained on a corner lot which will obstruct the view of the driver or operator of a vehicle within the public street right-of-way. Such unobstructed view area shall mean a triangular area formed by the private property lines along each public street right-of-way and a line connecting them at a point twenty-five (25) feet from the private property lines extended. Trees, shrubs, woody plants, and other plantings may be located in such unobstructed view area provided they will not achieve a height at maturity greater than thirty (30) inches. In addition, no trees, shrubs, woody plants, or other plantings shall be located or maintained in any front, side or rear yard of a lot which, in the opinion of the city manager or his/her designee will obstruct the view from vehicles entering or leaving the lot from driveways or adjacent private roadways.

(c) Planting and spacing of trees. The planting of trees, shrubs, and other woody plants in public street right-of-ways, city parks, and other city-owned property shall be authorized by the city manager or their designee in accordance with prescribed planting practices. The planting and spacing of city-provided trees on private property shall be mutually approved by the property owner and the city manager or their designee. Methods and timing for tree planting and establishment shall conform to the United States Department of Agriculture (USDA) Code 612 regarding tree/shrub establishment in Michigan. Thirty (30) feet on-center planting should be used as a minimum spacing for street trees, when feasible. For newly-planted trees, spacing from the on-center measurement of the tree to the following items is required:

- (1) 15 feet from fire hydrants, utility junction boxes, and utility poles
- (2) 10 feet from alleys, driveways, or other curb cuts
- (3) 10 feet from underground utility service lines and stormwater catch basins



(d) Protection of sidewalks and streets

(1) Covering soil surface near trees: sidewalks. No person shall place within the public street right-of-way any material which will impede or redirect the full and free passage of water, air, fertilizer, or other plant food to the roots of any tree, shrub, or other woody plant except for a sidewalk of authorized width and location. Where there are sidewalks within the public street right-of-way, every effort shall be made to place materials that will prevent the growth of root structures from impacting the sidewalk. This includes providing proper spacing between sidewalks and planting areas, providing adequate soil volumes for trees to thrive, and the use of root barriers near underground utilities and curbs, when necessary.

(2) Parkway and boulevard authorized widths. Trees planted in parkways and boulevards should be centered within the landscape area, when feasible. Consideration should be given to the placement of new trees so that conflicts with future sidewalks will not occur and parkway widths will provide enough space to meet the following requirements. Parkway and boulevard widths shall adhere to the minimum dimensional standards described below to protect sidewalks, curbs, and roads from pavement due to root growth:

- i. Parkway or boulevards that will accommodate large canopy trees with a mature canopy of thirty-six (36) feet wide or greater shall provide a minimum landscape area of eight (8) feet wide.

- ii. Parkways or boulevards that will accommodate medium canopy trees with a mature canopy between thirty-five (35) feet and twenty-six (26) feet wide shall provide a minimum landscape area of six (6) feet wide.
- iii. Parkways and boulevards that will accommodate small canopy trees with a mature canopy of twenty-five (25) feet wide or less shall provide a minimum landscape area of four (4) feet wide.

Species of trees. It is the policy of the city that it will not plant more than fifty (50) percent of the trees in one (1) area of the city with one (1) single species of trees during a calendar year. It is recommended that the species of trees planted throughout the city be staggered to prevent the loss of inventory from disease or infestation. (Ord. No. 08-04, § 1, 11-3-08)

Sec. 23-97. Tree removal for utility operation or public safety.

(c) If a public or private utility company (which shall include the city department of light and power) or the city manager or his/her designee determines that a recommended tree, shrub or other woody plant located on the city species list shall be planted in the public street right-of-way, city parks, or other city-owned property is a detriment to utility operations or a public safety concern it may be trimmed or removed to provide the necessary and appropriate clearance or to otherwise eliminate the operational or public safety concern. Any tree, shrub or other woody plant removed shall be replaced at a location determined by the city manager or his/her designee. At the time of removal, a fee as established with funds made available from time to time by resolution of the city council shall be paid by the party responsible for the removal and deposited in a designated city tree fund to pay.

(1) Prohibited Trees. The following trees are not permitted in an effort to protect the health, safety, and welfare of the city. The species listed below have characteristics that make them poor fits for urban spaces, such as being prone to splitting; having wood that is brittle and breaks easily; roots that clog drains and sewers; have been identified as invasive species, or may be unusually susceptible to disease or pests.

<u>Prohibited Trees</u>	
<u>Common Name</u>	<u>Botanical Name</u>
<u>Norway Maple</u>	<u><i>Acer platanoides</i></u>
<u>Tree of Heaven</u>	<u><i>Ailanthus species</i></u>
<u>Russian Olive</u>	<u><i>Elaeagnus Angustifolia</i></u>
<u>Ash</u>	<u><i>Fraxinus species (without Emerald Ash Borer resistance)</i></u>
<u>Female Ginkgo</u>	<u><i>Ginkgo biloba</i></u>

<u>Honey Locust (with thorns)</u>	<u><i>Gleditsia triacanthos (with thorns)</i></u>
<u>Populus nigra var. italica</u>	<u><i>Lombardy Poplar</i></u>
<u>Mulberry</u>	<u><i>Morus species (non-native varieties)</i></u>
<u>Bradford Pear</u>	<u><i>Pyrus calleryana 'Bradford'</i></u>
<u>Black Locust</u>	<u><i>Robinia species</i></u>
<u>Willow Tree</u>	<u><i>Salix tree species (non-native varieties)</i></u>
<u>Elm</u>	<u><i>Ulmus (without Dutch Elm disease resistance or treatment)</i></u>
<u>Chinese Elm</u>	<u><i>Ulmus Parvifolia</i></u>

(2) Limited Use Trees. Trees listed under the Limited Use category are permitted in locations with open spaces, like parks or large greens, where there is limited contact with people spaces (walkways, picnic areas, etc.), vehicles, utilities, and structures.

<u>Limited Use Trees</u>	
<u>Common Name</u>	<u>Botanical Name</u>
<u>Box Elder</u>	<u><i>Acer negundo</i></u>
<u>Silver Maple</u>	<u><i>Acer Saccharinum</i></u>
<u>Catalpa</u>	<u><i>Catalpa speciosa</i></u>
<u>Black Walnut</u>	<u><i>Juglans Nigra</i></u>
<u>Mulberry</u>	<u><i>Morus rubra</i></u>
<u>Eastern Cottonwood</u>	<u><i>Populus deltoids</i></u>
<u>Black Willow</u>	<u><i>Salix nigra</i></u>

(3) Recommended Trees. The following table includes suggested trees that meet USDA plant hardiness standards for the City of Lowell and have characteristics that make them more tolerant of urban conditions. This list is non-exhaustive, but is intended to provide a standard reference for pre-approved trees that may be considered for use on public property.

- i. A mixture of species to increase biodiversity and the use of native species is encouraged. Native species or cultivars in the recommended trees list are identified with an (N) at the replacement end of the botanical name.

ii. Fruit bearing trees shall not be planted in the right of way because of the associated maintenance burden, unless they are fruitless varieties or male selections. Fruit bearing trees with favorable characteristics for urban conditions are included in the recommended trees list and are identified with an asterisk (*) at the end of the botanical name.

(4) Trees shall be selected based on specific environmental conditions and space needs. This includes sourcing trees regionally so that they are acclimated to USDA plant hardiness zone 5. Tree form (single trunk) should be specified for all species selected as street trees. Powerline friendly trees are illustrated in the following table. The mature height of selected powerline friendly trees should not conflict with the height of overhead utilities placed nearby.

<u>Recommended Trees</u>		
<u>Tree Type</u>	<u>Common Name</u>	<u>Botanical Name</u>
<u>Street Trees</u>	<u>Freeman Maple</u>	<u><i>Acer × freemanii</i></u>
	<u>Red Maple</u>	<u><i>Acer rubrum (N)</i></u>
	<u>Sugar Maple</u>	<u><i>Acer saccharum (N)</i></u>
	<u>Allegheny Serviceberry</u>	<u><i>Amelanchier laevis (N)*</i></u>
	<u>River Birch</u>	<u><i>Betula nigra (N)</i></u>
	<u>European Hornbeam</u>	<u><i>Carpinus betulus</i></u>
	<u>American Hornbeam</u>	<u><i>Carpinus caroliniana (N)</i></u>
	<u>Hackberry</u>	<u><i>Celtis occidentalis (N)*</i></u>
	<u>Fringe Tree</u>	<u><i>Chionanthus virginicus (N)*</i></u>
	<u>American Hazelnut</u>	<u><i>Corylus americana (N)</i></u>
	<u>Cockspur hawthorn</u>	<u><i>Crataegus crus-galli (N)*</i></u>
	<u>Washington Hawthorn</u>	<u><i>Crataegus phaenopyrum (N)*</i></u>
	<u>Hardy Rubber Tree</u>	<u><i>Eucommia ulmoides</i></u>
	<u>Ginkgo (Male)</u>	<u><i>Ginkgo biloba*</i></u>
	<u>Thornless Honeylocust</u>	<u><i>Gleditsia triacanthos f. inermis (N)</i></u>
	<u>Kentucky Coffee Tree (Seedless Varieties)</u>	<u><i>Gymnocladus dioica (N)</i></u>
	<u>Golden Rain Tree</u>	<u><i>Koelreuteria paniculata</i></u>

	<u>Sweetgum</u>	<u>Liquidambar styraciflua</u>
	<u>Amur Maackia</u>	<u>Maackia amurensis</u>
	<u>Osage orange</u> (Fruitless Varieties)	<u>Maclura pomifera (N)*</u>
	<u>Black Gum</u>	<u>Nyssa sylvatica (N)*</u>
	<u>Ironwood</u>	<u>Ostrya virginiana (N)</u>
	<u>Sycamore</u>	<u>Platanus occidentalis (N)</u>
	<u>Sawtooth Oak</u>	<u>Quercus acutissima</u>
	<u>White Oak</u>	<u>Quercus alba (N)</u>
	<u>Northern Pink Oak</u>	<u>Quercus ellipsoidalis (N)</u>
<u>Recommended Trees Continued</u>		
<u>Tree Type</u>	<u>Common Name</u>	<u>Botanical Name</u>
<u>Street Trees</u>	<u>Fastigate Columnar Oak</u>	<u>Quercus robur f. fastigiata</u>
	<u>Red Oak</u>	<u>Quercus rubra (N)</u>
	<u>Shumard Oak</u>	<u>Quercus shumardii</u>
	<u>Black Oak</u>	<u>Quercus velutina (N)</u>
	<u>Littleleaf Linden</u>	<u>Tilia cordata</u>
	<u>Silver Linden</u>	<u>Tilia tomentosa</u>
	<u>Valley Forge American Elm</u>	<u>Ulmus americana 'Valley Forge' (N)</u>
	<u>Japanese Zelkova</u>	<u>Zelkova serrata</u>
<u>Powerline Friendly Trees</u>	<u>Trident Maple</u>	<u>Acer buergerianum</u>
	<u>Grandiflora Serviceberry</u> (Select Cultivars)	<u>Amelanchier × grandiflora</u> <u>'Autumn Brilliance': 'Princess</u> <u>Diana'*</u>
	<u>Eastern Red Bud</u>	<u>Cercis canadensis (N)</u>
	<u>Tokyo Tower Fringe Tree</u>	<u>Chionanthus retusus 'Tokyo</u> <u>Tower'*</u>
	<u>Pagoda Dogwood</u>	<u>Cornus alternifolia (N)*</u>
	<u>Kousa Dogwood</u>	<u>Cornus kousa*</u>
	<u>English hawthorn</u> (Select Cultivars)	<u>Crataegus laevigata 'Paul's</u> <u>Scarlet'*</u>

<u>Crabapple (Select Cultivars)</u>	<u><i>Malus 'Adirondack'*</i> ; 'Schmidtcutleaf'* ; 'Red Barron'* ; 'Jewelcole'*</u>
<u>Ornamental Plum (Select Cultivars)</u>	<u><i>Prunus 'Newport'*</i> ; 'Thundercloud'*</u>
<u>Sargent Cherry</u>	<u><i>Prunus sargentii*</i></u>
<u>Ivory Silk Japanese Tree Lilac</u>	<u><i>Syringa reticulata 'Ivory Silk'</i></u>
<u>Summer Sprite Linden</u>	<u><i>Tilia cordata 'Halka'</i></u>

Sec. 23-71. - Tree protection and maintenance

(a) Injuring or destroying trees. It shall be unlawful to cut, destroy, or otherwise injure any shade or ornamental tree or shrub growing within the limits of any public street, highway, or place within the city, without the consent of the city manager.

(a)(b) Trimming of trees by city. ~~otherwise provided by resolution~~ It shall be lawful for the DPW director to cause to be properly and necessarily trimmed all trees standing in or that may overhang any highways, streets, or avenues. Trimming may occur upon mutual agreement between the DPW director and the LLP distribution manager for trees which in any manner obstruct the public electrical lines or lighting of the city council.

(c) Tree trimming standards. All trees, shrubs, and other woody plants that are subject to this article shall be trimmed and pruned in accordance with the then current standards established by the American National Standard Institute for tree care operations (American National Standards Institute (ANSI) A-300) or, with respect to any activities of the city board of Lowell Light and Power related to this article, the Lowell Light and Power Operating Policy 6-9 for Power Line Clearance as it may be revised from time to time. In no case shall a tree be "topped" or improperly pruned.

~~(Ord. No. 08-04, § 1, 11-3-08)~~

(1) ~~Sec. 23-98.~~ Removal of more than twenty-five (25) percent of the tree canopy within an annual growing season shall be considered tree removal and necessitate replacement.

(2) Removal of more than twenty (20) percent of the tree root zone within a two year period shall be considered tree removal and necessitate replacement.

~~(b)(d)~~ Maintenance of trees on private property. The owner of a tree located on private property which overhangs onto a public street right-of-way shall periodically be responsible for trimming its branches (a) so the tree does not obstruct the light from any street lamp or the clear view of any public street intersection, and (b) so there is a clear space of thirteen (13) feet above the surface of the public street right-of-way. The owner of a dead, diseased, infested, or dangerous tree, or a tree with broken or decayed

limbs on private property which constitutes a danger to public safety, shall promptly remove such tree or limbs. The city has the right to trim any tree, shrub, or other woody plant that obstructs the light of any street lamp in the public street right-of-way or interferes with the visibility of any traffic control device or sign. Such trimming shall be confined to the area immediately above the public street right-of-way.

~~{Ord. No. 08-04, § 1, 11-3-08}~~

~~Sec. 23-99. Tree trimming standards.~~

~~(c)(a) All trees, shrubs and other woody plants that are subject to this article shall be trimmed and pruned in accordance with the then current standards established by the American National Standard Institute for tree care operations (ANSI A-300) or, with respect to any activities of the city board of light and power related to this article, the Lowell Light and Power Operating Policy 5-14 for Power Line Clearance as it may be revised from time to time. In no case shall a tree be "topped" or improperly pruned.~~

~~{Ord. No. 08-04, § 1, 11-3-08}~~

~~Sec. 23-100. Persons engaged in trimming, pruning and removal.~~

~~All persons, firms and companies providing trimming, pruning and removal services of trees, shrubs and woody plants within the public street right-of-ways or in city parks or other city-owned property shall be, if required, currently licensed by the appropriate state authority, if any, and shall have in effect a general liability policy of insurance which names the city as an additional or co-insured. A copy of the policy or a certificate of insurance shall be filed with the city clerk before beginning work within the city.~~

~~{Ord. No. 08-04, § 1, 11-3-08}~~

~~(c) Sec. 23-101. Species of trees. It is the policy of the city that it will not plant more than fifty (50) percent of the trees in one (1) area of the city with one (1) single species of trees during a calendar year. It is recommended that the species of trees planted throughout the city be staggered to prevent the loss of inventory from disease or infestation. A list of approved~~ Protection of trees during construction. A tree protection plan shall be prepared for all construction projects on public property that require engineered or architectural drawings. This plan will outline specific measures to protect trees during construction and offset or mitigate impacts to protected trees.

(1) All trees to be preserved in construction work zones shall be protected by a protection fencing that extends to the drip line of the protected tree(s). Construction activities, including driving of machinery or pedestrian movements, and the storage of equipment, shall not occur within these protected areas. The fence shall be four (4) feet in height, clearly signed, and firmly anchored into the ground. Barriers shall be erected before demolition, grading, or construction begins and remain in place until all construction activities have been completed.

(2) When utility work or excavation near a tree species compiled by the city arbor board to be protected must be carried out, damage can be limited by root pruning or directional boring.

- i. Root pruning shall be kept by the city clerk completed before grading is started and shall be available occur outside the protective tree fencing. When root pruning is necessary, clean cuts perpendicular to the general public upon request. Only species indicated on such list natural growth direction shall be made, excavated areas shall be backfilled within an hour of pruning, and watering shall occur within twenty-four (24) hours. Not more than thirty-three percent (33%) of the critical root zone shall be disturbed.
- ii. Directional boring, sometimes referred to as tunneling, moling, or trenchless technology, may be utilized to repair or place utility lines or conduit near a tree to be protected, so long as the pits for machinery access are located outside of the critical root zone. Boring shall occur at least 36 inches below grade and be offset horizontally by a minimum of 6 inches from the outer edge of the tree trunk.

Sec. 23-72, planted - Removal and replacement of trees on public property

(a) Procedures for tree removal:

- (1) Submit a completed tree removal permit to the city, as described in Sec. 23-66.
- (2) If the request for tree removal includes five (5) or more trees measuring six (6) inch DBH or greater, the request will be sent to the city arbor board for review and recommendation.
- (3) A determination by the DPW director and LLP Distribution Manager shall be made to the city manager or their designee regarding the removal request, and the city manager will provide a written denial or issued permit.
- (4) Additional terms of the tree removal permit may include tree protection measures for adjacent trees and/or replacement of the tree(s) to be removed in accordance with this section.

(b) Tree removal for non-utility operation or public safety requests. If the DPW director or LLP Distribution Manager, or their designee, determine that an existing tree, shrub, or other woody plant located in the public street right-of-ways, city parkway, a city park, or other city-owned property has died or is diseased, is disfigured, or is partially destroyed, they shall recommend the city manager authorize its removal. The preservation of woodland areas, individual trees, similar woody vegetation, and related natural resources, shall have priority over development when there are other functional on-site location/design alternatives. Trees proposed for removal to accommodate new public site features, such as sidewalks, roads, or buildings, will be addressed on a case-by-case basis.

(c) Tree removal for utility operation or public safety. If a public or private utility company (which shall include LLP) or the city manager or their designee determines that a tree, shrub, or other woody plant located in a public street right-of-way, city park or other city-owned property ~~or with funds made available from theis~~ a detriment to utility operations or a public safety concern, it may be trimmed or removed to provide the necessary and appropriate clearance or to otherwise eliminate the operational or public safety concern. Any tree, shrub, or other woody plant removed shall be replaced at a location determined by the city manager or their designee.

(d) Tree replacement and fees. All trees that are removed from public street right-of-ways, city parks, and other city-owned property shall be replaced by the city as follows:

(1) Preference will be given to placing replacement trees at or adjacent to the former location of the removed tree, if feasible. If the tree was removed due to conflict with utilities, lines of site, or new site features, such as sidewalks, roads, or public buildings, a more appropriate tree species or alternate location for the tree replacement shall be determined by the city manager or their designee.

(2) Trees removed for public safety concerns, such as utility or line of site conflict, tree death, disease, disfigurement, or partial destruction due to natural causes shall be replaced on a per tree basis.

(3) Trees removed because of proposed site features, such as sidewalks, roads, or public buildings, shall be replaced in caliper inches at a rate of 50% the total DBH removed or as determined by the City Manager or the designee's discretion. The City manager shall only permit a replacement of less than 50% of the DBH removed if one or more of the following factors exist:

- i. If compliance would be unnecessarily burdensome or otherwise impractical
- ii. If compliance would be contrary to the purpose and intent of this Ordinance or would be detrimental to the public health, safety, or welfare
- iii. If compliance would adversely impact neighboring public or private property

(4) Tree replacement for trail projects in wooded landscapes is not required but the adjustment of proposed trail alignments to preserve trees over six (6) inch DBH is highly encouraged.

(5) Replacement trees shall be at least two and a half (2.5) caliper inches upon installation.

(+)(6) At the time of the authorization and removal of a healthy tree on public property, a fee as established annually based on the average local pricing of the below listed two and a half (2.5) caliper inch trees, including installation, shall be paid by the party responsible for removal and deposited in a designated city tree fund- for its replacement. Parties responsible for removal may include, but are not limited to, public and private entities.

(Ord. No. 08-04, § 1, 11-3-08)

Sec. 23-102-

~~—Road commission jurisdiction—~~

~~For those public street right-of-ways in the city which the Kent County Road Commission has jurisdiction or maintenance responsibility, the tree policy of the road commission, rather than the provisions of this article shall apply.~~

(Ord. No. 08-04, § 1, 11-3-08)

<u>Trees to be averaged annually for replacement fee establishment</u>		
<u>Average Cost</u>	<u>Common Name</u>	<u>Botanical Name</u>
<u>\$</u>	<u>Freeman Maple</u>	<u><i>Acer × freemanii</i></u>
<u>\$</u>	<u>Ginkgo (Male)</u>	<u><i>Ginkgo biloba</i></u>
<u>\$</u>	<u>Sycamore</u>	<u><i>Platanus occidentalis</i></u>
<u>\$</u>	<u>Littleleaf Linden</u>	<u><i>Tilia cordata</i></u>
<u>\$</u>	<u>Japanese Zelkova</u>	<u><i>Zelkova serrata</i></u>
<u>Replacement Fee = Total Average Costs ÷ 5</u>		



PUBLIC WORKS

Memorandum

DATE: July 12, 2023

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

RE: Grindle Dr & Shepard Blvd Improvements

Our street improvement project for 2023 is Grindle Dr. and Shepard Blvd. The current 7-year street plan listed Grindle for this construction year. Due to the proximity of Shepard Blvd to this project, the need to repair the Shepard Blvd. street surface and drainage, and having funding available, Shepard Blvd. was added to this year's project.

The main portion of the work consists of removing the existing, worn out pavement, repair any gravel subbase that has failed, and then pave the street back. Grindle Dr. will see resurfacing of the entire city street. There will be some gravel repairs, drainage work and curb repairs. On Shepard Blvd. the street drainage will be adjusted and the majority of the drainage will be redirected toward the east side drainage swale near the intersection with Grindle Dr. At this time, we do not anticipate performing any underground utility work on the water distribution or sanitary sewer collection system, nor any driveway approach replacement.

Bid specifications were developed and posted at the construction clearinghouse websites. The City opened bids for the construction on July 6, 2023. We receive 3 bid proposals.

Michigan Paving and Materials	\$457,528.50
Georgetown Construction	\$475,250.00
Rieth-Riley Construction	\$542,154.10

The engineers estimate for the project was \$550,960.00.

Michigan Paving and Materials, Inc. recently performed our Gee Dr. paving late last fall. While the Gee Dr. project did not go perfectly, the contractor did step up and made the proper repairs this spring, at no additional cost to the City. Past experiences working with Michigan Paving and Materials (previously Woodland Paving) have been positive.

It is my recommendation: **That the Lowell City Council approve the 2023 Grindle Dr. and Shepard Blvd. Improvement Project bid from Michigan Paving and Materials, Inc., Grand Rapids, Michigan, for a cost of \$457,528.50, and authorize the Mayor to sign the documents.**

williams&works

engineers | surveyors | planners

July 6, 2023

Mr. Dan Czarnecki
Public Works Director
City of Lowell
301 E. Main Street
Lowell, MI 49331-1798

RE: Grindle Dr and Shepard Blvd Improvements - Bid Summary

Dear Mr. Czarnecki:

On July 6, 2023 the City received bids for the Grindle Dr and Shepard Blvd Improvement project which includes resurfacing Grindle Drive and Shepard Blvd and storm sewer work. A total of 3 bids were received and the results of the reviewed bid amounts are presented below. A detailed tabulation of all the bids is attached.

Bidder	As Read	As Corrected
Michigan Paving and Materials	\$458,025.50	\$457,528.50
Georgetown Construction	\$475,250.00	
Rieth-Riley Construction	\$542,154.10	

*Math Error

The Engineer's estimate for the project was \$550,960.00.

The low bidder was Michigan Paving and Materials, Inc. and most recently performed work on the Gee Drive Mill & Fill Project. MPM was very responsive and is a good candidate for this project given their corrective action on Gee Drive that ultimately provided an acceptable product. Georgetown Construction will be the sub-contractor for MPM and would be performing all the earthwork. Georgetown construction has worked on Williams & Works designed projects in the past and have delivered good finished products.

The second low bidder was Georgetown Construction and they had teamed with Michigan Paving for their submittal as well. Both of these bids are very similar in nature.

Mr. Dan Czarnecki
City of Lowell
July 6, 2023
Page 2 of 2

Please feel free to contact us should you have any questions regarding this bid summary.

Respectfully, |

A handwritten signature in black ink, appearing to be 'Katie Mendez', written over a horizontal line.

Williams & Works

Katie Mendez, E.I.T.

cc: Michael Burns – City of Lowell

Lowell 222192 - Grindle Dr and Shepard Blvd Improvements Project
July 6th, 2023

As-Bid

				Michigan Paving and Materials		Georgetown Construction		Rieth-Riley Construction	
Item	Description	Units	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	LSUM	1	\$12,000.00	\$12,000.00	\$20,000.00	\$20,000.00	\$36,000.00	\$36,000.00
2	Maintaining Traffic (Max \$5,000)	LSUM	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
3	Erosion and Sedimentation Control	LSUM	1	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
4	Curb and Gutter, Rem	Ft	430	\$10.00	\$4,300.00	\$10.00	\$4,300.00	\$10.00	\$4,300.00
5	Gutter Pan	Ft	85	\$40.00	\$3,400.00	\$50.00	\$4,250.00	\$40.00	\$3,400.00
6	HMA Base, Crush and Shape	Syd	12520	\$2.25	\$28,170.00	\$2.50	\$31,300.00	\$1.58	\$19,781.60
7	Conc Curb and Gutter	Ft	720	\$39.00	\$28,080.00	\$40.00	\$28,800.00	\$39.00	\$28,080.00
8	Storm Sewer, 8 inch	Ft	136	\$55.00	\$7,480.00	\$55.00	\$7,480.00	\$55.00	\$7,480.00
9	Storm Sewer, 12 inch	Ft	205	\$95.00	\$19,475.00	\$95.00	\$19,475.00	\$95.00	\$19,475.00
10	Dr structure, Catch Basin, 48 inch Dia	Ea	4	\$3,500.00	\$14,000.00	\$3,500.00	\$14,000.00	\$3,500.00	\$14,000.00
11	Dr Structure, Storm, 48 inch Dia	Ea	1	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
12	Core and Boot, 12 inch Storm Sewer	Ea	2	\$600.00	\$1,200.00	\$600.00	\$1,200.00	\$600.00	\$1,200.00
13	Machine Grading	STA	47.3	\$445.00	\$21,048.50	\$500.00	\$23,650.00	\$375.00	\$17,737.50
14	Material, Surplus and Unsuitable, Rem, LM	Cyd	1220	\$5.00	\$6,100.00	\$3.00	\$3,660.00	\$5.00	\$6,100.00
15	Dr. Structure cover, Adj	Ea	10	\$800.00	\$8,000.00	\$800.00	\$8,000.00	\$800.00	\$8,000.00
16	Gate Box, Adj	Ea	2	\$250.00	\$500.00	\$250.00	\$500.00	\$250.00	\$500.00
17	3EML	TON	1515	\$100.00	\$151,500.00	\$102.00	\$154,530.00	\$125.00	\$189,375.00
18	4EML	Ton	1165	\$105.00	\$122,325.00	\$107.00	\$124,655.00	\$135.00	\$157,275.00
19	Slope Restoration	LSUM	1	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
20	Agg Base 6 inch	Syd	50	\$20.00	\$1,000.00	\$20.00	\$1,000.00	\$20.00	\$1,000.00
21	Flared End Section, 8 inch	Ea	1	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
22	Concrete Flume	Ea	1	\$1,300.00	\$1,300.00	\$1,300.00	\$1,300.00	\$1,300.00	\$1,300.00
				Total Base	\$457,528.50	Total Base	\$475,250.00	Total Base	\$542,154.10
				As Read	\$ 458,025.50	As Read	\$475,250.00	As Read	\$542,154.10
					\$ 497.00		\$0.00		\$0.00



Memorandum

DATE: July 12, 2023

TO: Michael Burns, City Manager

PUBLIC WORKS

FROM: Daniel Czarnecki, Public Works Director

RE: 2023 Grindle Dr & Shepard Blvd Project
Construction Engineering Services

Oversight during construction on Grindle Dr. and Shepard Blvd. is needed. Our engineers, Williams & Works, have provided us with a scope of services for this work. Their services will include contract documentation, construction staking, construction observation of the proposed work, construction engineering as required to address and resolve issues as they arise, documentation of construction activities and pay item quantities, and coordinate material testing. The proposed project drainage adjustments may need field changes to assure as much street surface water is captured as possible. Williams & Works will also handle all the contract administration including execution of contract documents, arrange and attend pre-construction and progress meetings, review request for construction payments, and finalize paperwork at the end of the project.

Williams & Works has indicated they can do all the construction engineering, administration, and materials testing work for a cost not exceed \$45,600. Material testing work such as compaction testing, asphalt sampling and testing, concrete testing, etc., will be performed by a subcontractor and will be coordinated through Williams & Works.

It is my recommendation: **That the Lowell City Council approves the 2023 Grindle Dr. and Shepard Blvd. Improvement Project Construction Engineering Services with Williams & Works, as outlined in their scope of services, dated July 11, 2023, for the amount of \$45,600.**

williams&works

engineers | surveyors | planners

July 11, 2023

Mr. Dan Czarnecki, Public Works Director
City of Lowell
301 E. Main Street
Lowell, MI 49331-1798

RE: 2023 Grindle Dr and Shepard Blvd Improvement Project
Construction Engineering Services

Dear Mr. Czarnecki:

Following is our proposed Scope of Services and budget for the construction phase of the **Grindle Drive and Shepard Blvd Improvement** project.

Schedule

- For the purpose of budgeting, we are basing our service on an assumed construction time frame of 60 calendar days. Currently, the Contractor is expecting to begin this work in Mid-August.
- For on-site construction observation, we have assumed a total 240 on-site hours. This is based on an average of 24 hours per week for 5 weeks and 40 hours per week for 3 weeks, plus final inspections. *Our efforts and fees will be adjusted with the Contractor's actual completion time.*

Services

- **Contract Document Preparation** – Collect and review Contractor bonds, insurances and assemble Contract Documents for review and signature by all parties.
- **Preconstruction Meeting** – Participate in CDBG preconstruction meeting. Prepare agenda, conduct meeting and issue minutes.
- **Public Notices & Information Meeting** – Provide the City with written notices for the City to issue to impacted residents & businesses. Arrange and conduct public information meeting prior to construction if desired by the City.
- **Construction Staking** – Staking will be provided as necessary to establish grade of new curb and storm sewer additions.
- **On-Site Field Observation** – Provide periodic, part time field observation services.
 - Provide pre-construction video and photographs of entire project area.
 - Confirm the work limits with the Contractor and the City including intersections, driveway approaches, curb, castings, etc.

- Once the existing material has been removed, we will observe the existing base and recommend areas that may need improvement before paving.
- Check grades and forms at curbs and drive approaches before concrete work is completed. Observe finished concrete work.
- Provide on-site observation during all paving activities.
- Conduct on-site progress meetings as required.
- Interact with and inform impacted property owners during construction.
- Conduct post completion walk thru with City and Contractor to develop punch list.
- Record as-constructed information and prepare as-constructed drawings for submittal to the City.
- **Materials Testing** – We will subcontract with an independent testing facility for concrete and density testing. Our budget includes an allowance of \$7,000 for these contracted services.
- **Administration** – Provide as-needed construction administration services.
 - Prepare any necessary field orders and change orders.
 - Review all requests for payment by the Contractor and recommend payment to the City Council. Provide breakdown of project costs by department for submittal to City Treasurer.
 - Attend on-site progress meetings as necessary.
 - Provide project update updates at City Council meetings as needed.

Proposed Budget – Based on the above services, we recommend the City budget a total of \$45,600 as follows:

Construction Engineering -	\$ 38,600
<u>Materials Testing Allowance -</u>	<u>\$ 7,000</u>
Total	\$ 45,600

After you have had an opportunity to review this proposed budget, we'd be happy to meet with you to discuss any questions you may have.

Sincerely,

Williams & Works



Katie Mendez, E.I.T.

Memorandum



DATE: July 12, 2023

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

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PUBLIC WORKS

RE: Ottawa and Brook Design Engineering

Within the Downtown Development Area we are looking at resurfacing Ottawa St. from Hudson St. to Brook St., utilizing DDA funding. Upon review of the deterioration of the connecting street, it was determined to include Brook St. for resurfacing. In order to obtain bids for the construction work, design engineering is needed.

The proposed construction work will consist of the removal and replacement of the existing asphalt. If necessary, the gravel base may also be replaced. Any broken, settled, or missing curb and gutter will be replaced.

Williams & Works has proposed design services that include soil borings to determine the existing base materials, survey work to identify existing features and help set the limits of the work, and design of the street work to be completed. They will also prepare all construction documents and will bid the work for the City of Lowell. For their services, Williams & Works has provided a proposed fee of \$19,800. The DDA will be responsible for \$11,500 of this amount, with local streets picking up the remainder of the cost.

It is my recommendation: **That the Lowell City Council approve the Design Engineering Services quote for the 2024 Brook St and Ottawa St Resurfacing Project, as proposal by Williams & Works in their letter dated July 7, 2023, for the amount of \$19,800.00.**

williams&works

engineers | surveyors | planners

Mr. Dan Czarnecki, Public Works Director
City of Lowell
301 E. Main Street
Lowell, MI 49331

Via email to:
dczarnecki@ci.lowell.mi.us

JULY 7, 2023

**Re: 2024 Brook St and Ottawa St Resurfacing Project
Design Engineering Services**

Dear Mr. Czarnecki:

The city desires to proceed with the improvements of Brook Street and Ottawa Street during the 2024 construction season. This letter details our proposed services for the necessary design engineering tasks.

Project Scope

The primary scope of the proposed construction project includes the pavement resurfacing of the following local street sections:

Brook Street - The scope includes Brook Street from Ottawa St. to Grand St. will be improved with the removal of the existing pavement, replacement of any unsuitable sand and gravel base material, and improvements to existing drainage structures and paving with a new Hot Mix Asphalt (HMA) surface.

Ottawa Street – The proposed scope includes removal of the existing pavement, replacement of any unsuitable sand and gravel base material, and improvements to existing drainage structures to improve drainage and paving with a new Hot Mix Asphalt (HMA) surface.

These projects will be constructed with local funds and do not involve any state or federal grants. At this time, no underground utility improvements (water, sanitary sewer) are planned for these project areas. Drainage improvements may be necessary in some of the areas. The preliminary construction estimates for the above improvements is approximately \$248,000.

Brook Street -	\$ 105,000
<u>Ottawa Street-</u>	<u>\$ 143,000</u>
Brook and Ottawa Street Construction - Total	\$ 248,000

Design Engineering Services

- **Soil Borings** – We recommend that a total of 3 soil borings, spaced approximately 500 ft., at a depth of 10 feet, be taken on the site to verify the thickness of the HMA, make-up of the underlying materials and check for ground water. This will help determine the proper resurfacing process and identify areas for potential base material upgrades.
- **Survey** – A topographic survey will be provided to identify the elevations of the existing centerline and gutters. It will also include a few features such as driveway openings, utility castings, and power poles. This will aid in the bidding process and will be information available to the city for future utility and sidewalk work if needed. The survey limits would be 50 feet either side of the centerline and connecting intersections.
- **Design Engineering** – Using the soil boring and survey information, we will prepare preliminary plans, specifications, and estimate. Once complete, we will review the documents in detail with the city. After review, we will address all comments and prepare a final set of all construction documents, and submit a bid package for review by the city.
- **Advertisement & Bidding** – On behalf of the City of Lowell, we will advertise the project for bidding in late fall 2023 to allow for a Spring 2024 construction. We will advertise the project in the state wide MITN web site and will alert local contractors directly. We propose a 3-week advertisement period. We will attend the bid opening and review the bids received for accuracy. If necessary, we will check references on the lowest qualified bidders and issue a letter to the city summarizing the results.

Schedule

Williams & Works can begin work on this project immediately upon authorization. We will pursue the design efforts to allow the city to bid the project at their earliest convenience in the coming year.


Proposed Fee

We propose to provide the design engineering services as defined above for the 2024 Brook St and Ottawa St Resurfacing Project for the proposed fee of **\$19,800**.

Brook Street -	\$ 8,300
<u>Ottawa Street-</u>	<u>\$ 11,500</u>
Brook and Ottawa Street- Total	\$ 19,800

Thank you for this opportunity to be of service and please feel free to contact us should you have any questions.

Respectfully,


Williams & Works

Katie Mendez, E.I.T.
Project Engineer

cc: Mike Burns, City of Lowell
Brandon Mieras P.E., Williams & Works



PUBLIC WORKS

Memorandum

DATE: July 12, 2023

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

RE: 2024 Street Improvements Projects
Design Engineering Services

To go along with the reconstruction of Washington St. and its water/sewer utilities, the 7-year street plan has an aggressive construction season scheduled for 2024 in the same vicinity. For next year Lafayette St. and all the connecting streets between Lafayette and Jefferson will be resurfaced. With North Jefferson St. paved in 2017 and Monroe St. scheduled to be paved sometime this fall, the 2024 street improvement project will complete a huge area of needed street resurfacing in our community.

For the 2024 Street Improvement Projects, the City of Lowell proposes resurfacing the following streets:

- Lafayette St. from King St. to the north end (approx. 1700-ft)
- Pine St. from Lafayette St. to Monroe St. (approx. 300-ft)
- Grant St. from Lafayette St. to Washington St. (approx. 825-ft)
- Marsac St. from Lafayette St. to Monroe St. (approx. 300-ft)
- North St. from Lafayette St. to Jefferson St. (approx. 1025-ft)
- King St. from Washington St. to Jefferson St. (approx. 350-ft)
- High St. from Monroe St. to Jefferson St. (approx. 725-ft)
- Sherman St. from Monroe St. to Washington St. (approx. 500-ft)

The construction work will consist of the removal and replacement of the existing asphalt. If necessary, the gravel base may also be replaced. Any broken, settled, or missing curb and gutter will be replaced. The sidewalk ramps will also be addressed, as needed. While most of these streets are of typical street construction including curb/gutter, a few of these streets are not. Sherman St. and Pine St. are narrow and have minimal drainage. These streets will be looked into during the design process and adjustments made if needed.

Preliminary construction estimates for the all the work listed is about \$1,023,000. This estimate could change once the design work is completed.

Williams & Works has proposed design services that include soil borings to determine the existing base materials, survey work to identify existing features and help set the limits of the work, and design of the street work to be completed. They will also prepare all construction documents and will bid the work for the City of Lowell. For their services, Williams & Works has provided a proposed fee of \$82,000.

It is my recommendation: **That the Lowell City Council approve the Design Engineering Services quote for the 2024 Lafayette and Cross Streets Resurfacing Project, as proposal by Williams & Works in their letter dated July 10, 2023, for the amount of \$82,000.00.**

williams&works

engineers | surveyors | planners

Mr. Dan Czarnecki, Public Works Director
City of Lowell
301 E. Main Street
Lowell, MI 49331

Via email to:
dczarnecki@ci.lowell.mi.us

JULY 10, 2023

**Re: 2024 Lafayette and Cross Streets Resurfacing Project
Design Engineering Services**

Dear Mr. Czarnecki:

The city desires to proceed with the improvements of Lafayette and Cross Streets during the 2024 construction season. This letter details our proposed services for the necessary design engineering tasks.

Project Scope

The primary scope of the proposed construction project includes the pavement resurfacing of the following local street sections:

The scope includes Lafayette St from King St to the northern dead end; Pine St, Grant St and Marsac St from Lafayette to Monroe St; North Street from Lafayette St to Jefferson, King St from Washington to Jefferson; Sherman from Monroe to Washington; and High and from Monroe to Jefferson. The proposed scope includes removal of the existing pavement, replacement of any unsuitable sand and gravel base material, and improvements to existing drainage structures to improve drainage and paving with a new Hot Mix Asphalt (HMA) surface.

These projects will be constructed with local funds and do not involve any state or federal grants. At this time, no underground utility improvements (water, sanitary sewer) are planned for these project areas. Drainage improvements may be necessary in some of the areas.

The preliminary construction estimate for the above improvements is approximately \$1,023,000.

Lafayette Street – King St to North Dead End	\$ 315,000
Pine Street – Lafayette to Monroe	\$ 61,000
Grant Street – Lafayette to Washington	\$ 153,000
Marsac Street – Lafayette to Monroe	\$ 52,000
North Street – Lafayette to Jefferson	\$ 197,000
King Street – Washington to Jefferson	\$ 69,000
High Street – Monroe to Jefferson	\$ 119,000
<u>Sherman Street – Monroe to Washington</u>	<u>\$ 57,000</u>
Lafayette and Cross Streets Construction Total -	\$1,023,000

Design Engineering Services

- **Soil Borings** – We recommend that a total of 18 soil borings, spaced approximately 500 ft., at a depth of 10 feet, be taken on the site to verify the thickness of the HMA, make-up of the underlying materials and check for ground water. This will help determine the proper resurfacing process and identify areas for potential base material upgrades.
- **Survey** – A topographic survey will be provided to identify the elevations of the existing centerline and gutters. It will also include a few features such as driveway openings, utility castings, and power poles. This will aid in the bidding process and will be information available to the city for future utility and sidewalk work if needed. The survey limits would be 50 feet either side of the centerline and connecting intersections.
- **Design Engineering** – Using the soil boring and survey information, we will prepare preliminary plans, specifications, and estimate. Once complete, we will review the documents in detail with the city. After review, we will address all comments and prepare a final set of all construction documents, and submit a bid package for review by the city.
- **Advertisement & Bidding** – On behalf of the City of Lowell, we will advertise the project for bidding in late fall 2023 to allow for a Spring 2024 construction. We will advertise the project in the state wide MITN web site and will alert local contractors directly. We propose a 3-week advertisement period. We will attend the bid opening and review the bids received for accuracy. If necessary, we will check references on the lowest qualified bidders and issue a letter to the city summarizing the results.

Schedule

Williams & Works can begin work on this project immediately upon authorization. We will pursue the design efforts to allow the city to bid the project at their earliest convenience in the coming year.

Proposed Fee

We propose to provide the design engineering services as defined above for the 2024 Lafayette and Cross Streets Resurfacing Project for the proposed fee of **\$82,000**.

Design Surveying and Engineering -	\$ 70,000
<u>Soil Boring Allowance-</u>	<u>\$ 12,000</u>
Lafayette and Cross Streets - Total	\$ 82,000

Thank you for this opportunity to be of service and please feel free to contact us should you have

any questions.

Respectfully,

Williams & Works

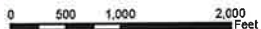
A handwritten signature in black ink, appearing to read 'Katie Mendez', is written over the company name.

Katie Mendez, E.I.T.
Project Engineer

cc: Mike Burns, City of Lowell
Brandon Mieras P.E., Williams & Works

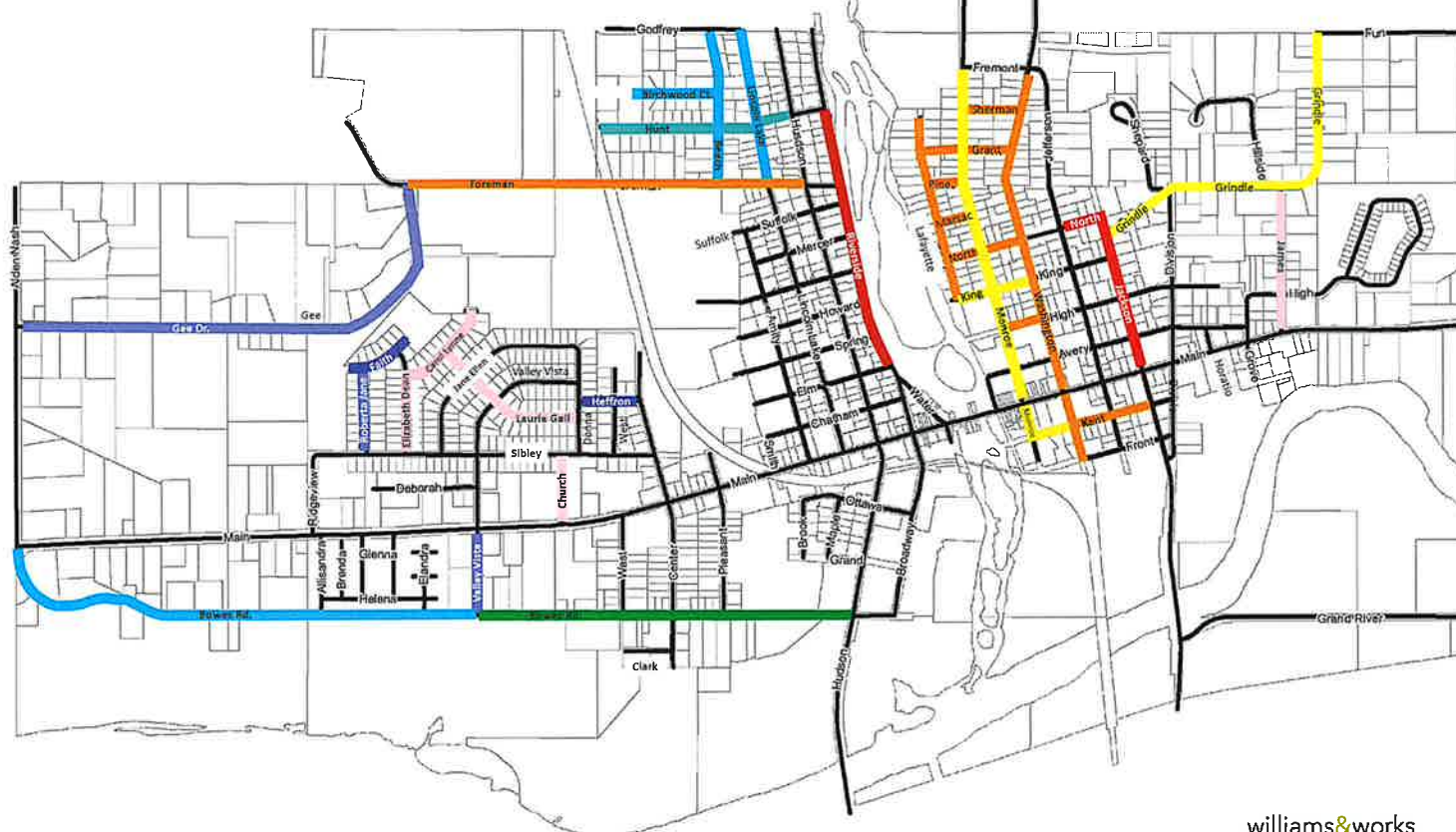
City of Lowell, Michigan

1 inch = 1,000 feet



DRAFT

2022-2028
Street Improvement Areas



2022	
2023	
2024	
2025	
2026	
2027	
2028	

March 31, 2022

williams&works
engineers | surveyors | planners



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: July 13, 2023
TO: Mayor Mike DeVore and Lowell City Council
FROM: Michael T. Burns, City Manager *MTB*
RE: Social District Request

The City has received a request from Red Barn Mercantile via Love Wines regarding being added to the Social District. If you recall, Red Barn Mercantile LLC has partnered with Love Wines in Ludington to sell their product directly here in Lowell. Red Barn via Love Wines will be able to sell products out the door. Additionally, they will also be able to have wine tasting events and sell by the glass at 217 W. Main.

In order for Love Wines to receive a Social District endorsement on their liquor licenses, they must fall within the district boundaries and be approved via City Council Resolution. 217 W. Main does fall in the district boundaries. Attached is Resolution 16-23 for consideration.

If approved, I will request the City Manager and City Attorney address any clerical issues which may occur in dealing with the Michigan Liquor Control Commission with this resolution rather than have to re-issue a resolution if they require changes.

I recommend approval for Resolution 16-23 to allow for Love Wines to participate in the Social District at 217 W. Main as presented.

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

RESOLUTION NO. 16-23

**A RESOLUTION APPROVING AND RECOMMENDING
MICHIGAN LIQUOR CONTROL COMMISSION
CONSIDERATION AND APPROVAL OF LICENSEE FOR
SOCIAL DISTRICT PERMIT PURSUANT TO PUBLIC ACT
124 OF 2020**

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

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

WHEREAS, the City Council designated a social district that contains a commons area clearly marked with signs and established local management and maintenance plans for the commons area including, but not limited to, hours of operation, and the City of Lowell maintains the social district and commons areas in a manner that protects the health and safety of the community; and

WHEREAS, the City Council must approve licensee applications for social district permits prior to such applications being sent to the MLCC for consideration and issuance; and

WHEREAS, Love Wines, LLC, a licensee business located at 217 West Main Street, Lowell, MI 49331 (the "Applicant Licensee"), has applied for a social district permit; and

WHEREAS, the premises of the Applicant Licensee is shared by and contiguous to the designated commons area in the social district and is otherwise eligible for consideration for a social district permit.

NOW, THEREFORE, RESOLVED THAT:

1. The City Council hereby finds that the application for a social district permit from the Applicant Licensee set forth on the attachment hereto is recommended by this body for approval by the MLCC.
2. The licensed premises of the aforementioned Applicant Licensee is shared by and contiguous to the commons area as designated by this City Council pursuant to MCL 436.1551.
3. All resolutions and parts of resolutions in conflict herewith are rescinded.

YEAS: Councilmembers _____

NAY: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

RESOLUTION DECLARED ADOPTED

Dated: July 17, 2023

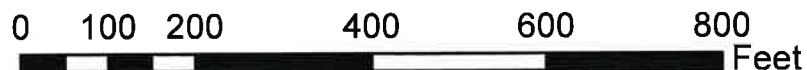
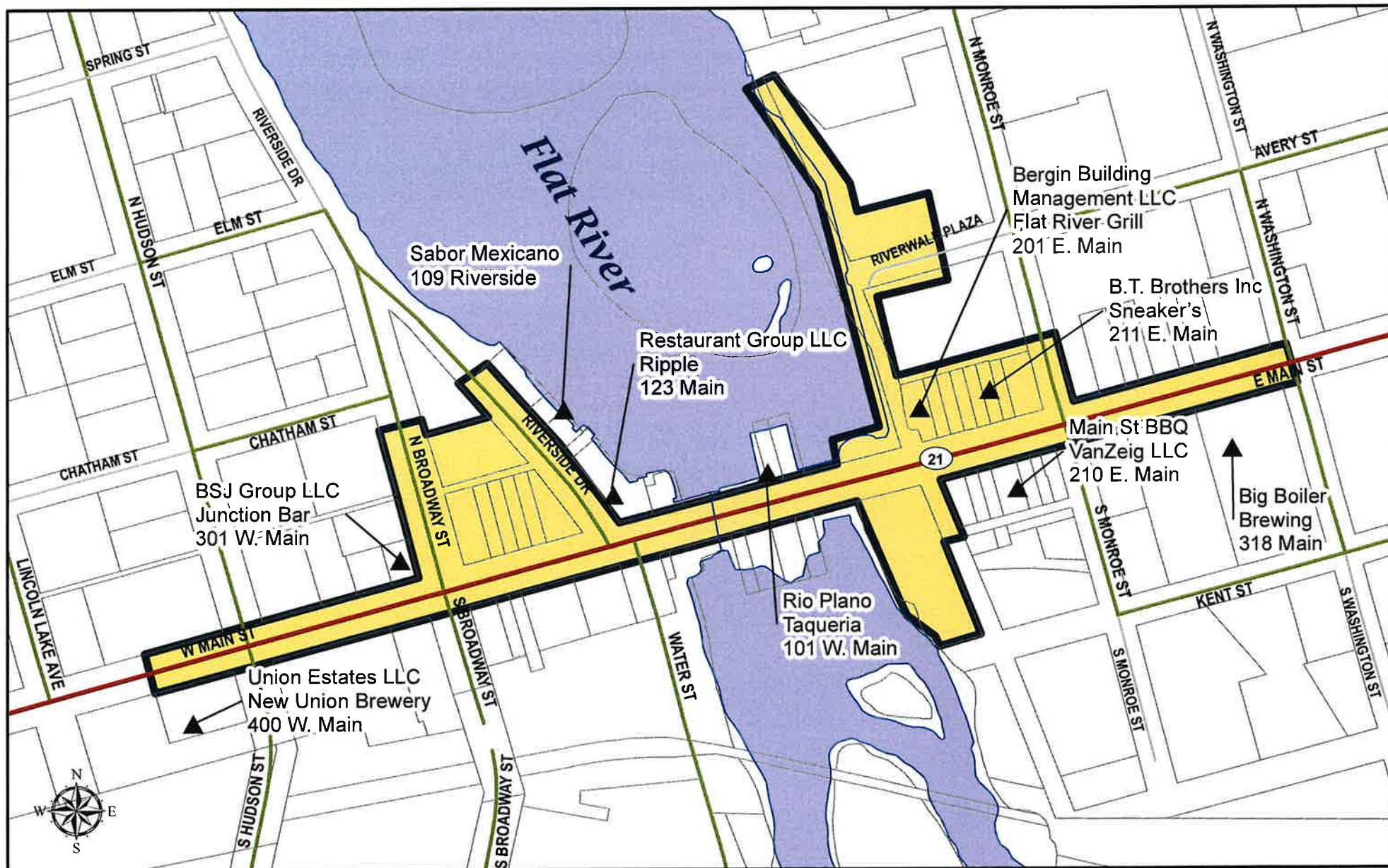
Susan Ullery
City Clerk

CERTIFICATION




I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lowell at a regular meeting held on July 17, 2023, and that public notice of said meetings were given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: July 17, 2022

Susan Ullery
City Clerk



Legend

-  Social District Boundary
-  Social District Commons Area
-  Licensed Liquor Establishment

City of Lowell Downtown Social District

Police Department

Christopher Hurst
Chief of Police



July 17, 2023

To: Michael Burns, City Manager

Re: Request to purchase a new police cruiser

Attachments: Quote from Lunghammer Ford (Formerly Signature Ford)
Quote from Great Lakes Upfitting
Quote from B&K Graphics

The Lowell Police Department is requesting to purchase a new police cruiser.

The police department currently operates with four, Ford Police Interceptor versions of the Ford Explorer.

Cruiser #837 is a 2016 vehicle with 87,000+ miles. Cruiser #837 has outlived its warranty and has reached its useful life span as an emergency vehicle. The police department is asking to purchase a replacement for this vehicle.

We would like to purchase is a 2024 Ford Police Interceptor Utility All Wheel Drive Hybrid. Our department already owns a 2021 and 2023 hybrid Police Interceptor. We have noticed an increase in fuel efficiency with the hybrid technology. Currently our gasoline only cruisers average 9.3 miles per gallon, our hybrid cruiser is averaging 19.1 miles per gallon.

The new cruiser has been spec'd out by Lunghammer Ford in Owosso, MI. It will come equipped with a police wiring harness assembly (front and rear), the Dark Car feature for office safety, an on-demand rear view camera for officer safety, Police engine idle feature, a class III towing package, and an extended 5-year premium care warranty (100,000-mile coverage). The current bid from Lunghammer Ford for the Hybrid Interceptor is \$51,544.00.

The new cruiser will be up-fitted with a push bumper, new emergency lights and siren, center console to house a new in-car printer, a partition, and a plastic prisoner seat by Great Lakes Upfitting. Great Lakes Up-Fitting is the same company that outfitted our latest cruiser. Unfortunately, the partition, rear seat, light bar and center console from our 2016 cruiser will not fit the new 2024 body style, and will need to be purchased. Great Lakes Upfitting offered a quote \$15,759.49. This cost includes labor and parts.

B&K Graphics will sticker the new vehicle for \$390.00. The decals will be identical to the ones we have now. B&K Graphics has stickered our latest fleet of cars, has our design on file, and we are satisfied with their work.

I've attached quotes from Signature Ford, Great lakes Upfitting, and B&K Graphics for your review.

2022 Ford Interceptor Vehicle	\$51,544.00
Great Lakes Upfitting	\$15,255.71
B&K Graphics	<u>\$ 390.00</u>
Total Cost	\$67,189.71

The new cruiser is a planned budgeted item and will be paid via our funds allocated from the American Recovery Plan.

I recommend the Lowell City Council approve the purchase of a 2024 Police Interceptor Utility AWD hybrid from Lunghammer Ford in Owosso, the up-fitting from Great Lakes Up-fitting, and the graphics from B&K Graphics at a cost not exceed \$67,189.71.

Respectfully Submitted,



Chief Christopher Hurst



June 21, 2023

City of Lowell Police Department
Attn: Chief Christopher Hurst
301 East Main Street
Lowell, Michigan 49331

Dear Chief Christopher Hurst:

Price on 2024 Vehicle State of Michigan Contract# 071B7700180 and Macomb County Contract# 21-18 Bid:

2024 Ford Police Interceptor Utility AWD in Dark Blue \$51,544.00 ea

Service Contract: 36,000 miles or 36 months factory bumper to bumper warranty and 100,000 miles or 60 months powertrain warranty.

Delivery date: Current lead time to order is estimated at 30 + weeks from receipt of Purchase Order.

Order Cutoff Date: DRAFT TBD.

Ford Motor Company does not guarantee delivery---Ford Motor Company will make reasonable efforts to schedule orders received prior to fleet order cut-off date.

Payment requirements: All departments to pay on delivery of vehicle. 10-day grace period will be given if previous arrangements have been made. An \$8.00 per day floor plan will be charged if payment is not at the dealership within 10 days of delivery of the vehicle (s).
If you have any questions please call me, 888-92-Fleet (888-923-5338).

Respectfully Submitted,

Bill Campbell

Bill Campbell
Government & Fleet Sales

DRAFT PRICING

State of Michigan 2024 Utility Police Interceptor Major Standard Equipment

MECHANICAL

- Axle Ratio – 3.73 (AWD)
- Brakes – 4-Wheel Heavy-Duty Disc w/H.D. Front and Rear Calipers
- Column Shifter
- DC/DC converter – 220-Amp (in lieu of alternator)
- Drivetrain – All-Wheel-Drive
- Electric Power-Assist Steering (EPAS) – Heavy-Duty
- Engine – 3.3L V6 Direct-Injection Hybrid Engine System
- Engine – 3.3L V6 Direct-Injection FFV with 10-Speed Automatic Transmission (136-MPH Top Speed)
- Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank
- Engine – 3.0L V6 EcoBoost® with 10-Speed Automatic Transmission – (148-MPH Top Speed)
- Note: Deletes Regenerative Braking and Lithium-Ion Battery Pack; adds 250-Amp Alternator, replaces H7 AGM battery (800 CCA/80-amp) with H7 SLI battery (730 CCA/80-amp) and replaces 19-gallon tank with 21.4-gallon tank
- Engine Hour Idle Meter
- Engine Hour Meter
- Engine Oil Cooler
- Fuel Tank – 19-gallons
- H7 AGM Battery (800 CCA/80-amp)
- Lithium-Ion Battery Pack
- Suspension – independent front & rear
- Transmission – 10-speed automatic

EXTERIOR

- Antenna, Roof-mounted
- Cladding – Lower bodyside cladding MIC
- Door Handles – Black (MIC)
- Exhaust True Dual (down-turned)
- Front-Door-Lock Cylinders (Front Driver / Passenger / Liftgate)
- Glass – 2nd Row, Rear Quarter and Liftgate Privacy Glass
- Grille – Black (MIC)
- Headlamps – Automatic, LED Low-and-High-Beam
- Note: Includes Front Headlamp / Police Interceptor Housing (with LED wig-wag feature)
- Pre-drilled hole for side marker police use, does not include LED strobe, but includes LED wig-wag functionality (eliminates need to drill housing assemblies and provides LED wig-wag feature)
- Pre-molded side warning LED holes with standard sealed capability (does not include LED installed lights)
- Wig-wag default is traditional ping-pong pattern; can be programmed to triple-burst pattern or ping-pong / triple-burst
- Note: Must be wired to vehicle's light controller to enable wig-wag functionality; recommend Ready for the Road Package (67H) or Ultimate Wiring Package (67U)
- Liftgate – Manual 1-Piece – Fixed Glass w/Door-Lock Cylinder
- Mirrors – Black Caps (MIC), Power Electric Remote, Manual Folding with Integrated Spotter (integrated blind spot mirrors not included when equipped with BLIS®)
- Spare – Full size 18" Tire w/TPMS
- Spoiler – Painted Black
- Tailgate Handle – (MIC)
- Tail lamps – LED
- Tires – 255/60R18 A/S BSW
- Wheel-Lip Molding – Black (MIC)
- Wheels – 18" x 8.0 painted black steel with wheel hub cover
- Windshield – Acoustic Laminated

INTERIOR/COMFORT

- Cargo Hooks
- Climate Control – Dual-Zone Electronic Automatic Temperature Control (DEATC)
- Door-Locks
- Power
- Rear-Door Handles and Locks Operable
- Fixed Pedals (Driver Dead Pedal)
- Floor – Flooring – Heavy-Duty Thermoplastic Elastomer
- Glove Box – Locking/non-illuminated
- Grab Handles – (1 – Front-passenger side, 2-Rear)

INTERIOR/COMFORT (continued)

- Liftgate Release Switch located in overhead console (45 second timeout feature)
- Lighting
- Overhead Console
- Red/White Task Lighting in Overhead Console
- 3rd row overhead map light
- Mirror – Day/night Rear View
- Particulate Air Filter
- Powerpoints – (1) First Row
- Rear-door closeout panels
- Rear-window Defrost
- Scuff Plates – Front & Rear
- Seats
- 1st Row Police Grade Cloth Trim, Dual Front Buckets with reduced bolsters
- 1st Row – Driver 6-way Power track (fore/aft. Up/down, tilt with manual recline, 2-way manual lumbar)
- 1st Row – Passenger 2-way manual track (fore/aft. with manual recline)
- Built-in steel intrusion plates in both driver/passenger seatbacks
- 2nd Row Vinyl, 35/30/35 Split Bench Seat (manual fold-flat, no tumble) – fixed seat track
- Speed (Cruise) Control
- Speedometer – Calibrated (includes digital readout)
- Steering Wheel – Manual / Tilt / Telescoping, Urethane wheel finish w/Silver Painted Bezels with Speed Controls and 4-user configurable latching switches
- Sun visors, color-keyed, non-illuminated
- Universal Top Tray – Center of I/P for mounting aftermarket equipment
- Windows, Power, 1-touch Up/Down Front Driver/Passenger-Side with disable feature

SAFETY/SECURITY

- AdvanceTrac® w/RSC® (Roll Stability Control™)
- Airbags, dual-stage driver & front-passenger, side seat, passenger-side knee, Roll Curtain Airbags and Safety Canopy®
- Anti-Lock Brakes (ABS) with Traction Control
- Brakes – Police calibrated high-performance regenerative braking system
- Belt-Minder® (Front Driver / Passenger)
- Child-Safety Locks (capped)
- Individual Tire Pressure Monitoring System (TPMS)
- LATCH (Lower Anchors and Tethers for Children) system on rear outboard seat locations
- Rearview Camera with Washer viewable in 4.2" center stack.
- Seat Belts, Pretensioner/Energy-Management System w/adjustable height in 1st Row
- SOS Post-Crash Alert System™

FUNCTIONAL

- Audio
- AM/FM / MP3 Capable / Clock / 4-speakers
- Bluetooth® interface
- 4.2" Color LCD Screen Center-Stack "Smart Display"
- Note: Standard radio does not include USB Port or Aux. Audio Input Jack; Aux. Audio Input Jack requires SYNC 3®
- Easy Fuel® Capless Fuel-Filler
- Ford Telematics™ – Includes Ford Modem and complimentary 2-year trial subscription
- Front door tether straps (driver/passenger)
- Power pigtail harness
- Recovery Hooks; two in front and trailer bar in rear
- Simple Fleet Key (w/o microchip, easy to replace; 4-keys)
- Two-way radio pre-wire
- Two (2) 50 amp battery ground circuits – power distribution junction block (behind 2nd row passenger seat floorboard)
- Wipers – Front Speed-Sensitive Intermittent; Rear Dual Speed Wiper Wipers – Front

WARRANTY

- 3 Year / 36,000 Miles Bumper / Bumper
- 8 Year / 100,000 Miles Hybrid Unique Components

POWERTRAIN CARE EXTENDED SERVICE PLAN

- 5-year/100,000-mile Powertrain CARE Extended Service Plan (zero deductible) – Standard

Police Interceptor Utility Base Prices

<input type="checkbox"/>	Utility All Wheel Drive (3.3L V6 Direct-Injection FFV, 136 MPH, 99B/44U) K8A/500A	\$44,591.00
<input type="checkbox"/>	Utility All Wheel Drive (3.0L V6 EcoBoost, 148 MPH, 99C/44U) K8A/500A	\$47,965.00
<input checked="" type="checkbox"/>	Utility All Wheel Drive (3.3L V6 Direct-Injection Hybrid Eng., 136 MPH, 99W/44B) K8A/500A	\$47,118.00

VEHICLE COLOR: Order Code	Interior Trim Color Charcoal Black (96)	
Arizona Beige Metallic Clearcoat	[E3]	[]
Medium Brown Metallic	[BU]	[]
Dark Toreador Red Metallic	[JL]	[]
Dark Blue	[LK]	[x]
Royal Blue	[LM]	[]
Light Blue Metallic	[LN]	[]
Vermillion Red	[E4]	[]
Smokestone Metallic	[HG]	[]
Silver Grey Metallic	[TN]	[]
Iconic Silver Metallic	[JS]	[]
Agate Black	[UM]	[]
Oxford White	[YZ]	[]
Blue Metallic	[FT]	[]
Sterling Grey Metallic	[UJ]	[]
Medium Titanium Metallic	[YG]	[]
Carbonized Grey	[M7]	[]

INTERCEPTOR OPTIONAL FEATURES:

Flooring/Seats

	Code	\$Cost
<input type="checkbox"/> 1st and 2nd row carpet floor covering	16C	125.00
<input type="checkbox"/> 2nd Row Cloth Seats	F6/ 88F	60.00
<input type="checkbox"/> Power passenger seat (6-way) w/manual recline and lumbar	87P	325.00
<input type="checkbox"/> Rear Console Plate (Not available with Interior Upgrade Pkg – 65U)	85R	45.00
<input checked="" type="checkbox"/> Interior Upgrade Package	65U	390.00

- 1st and 2nd Row Carpet Floor Covering
- Cloth Seats – Rear
- Center Floor Console less shifter w/unique Police console finish plate
- Includes Console and Top Plate with 2 cup holders
- Floor Mats, front and rear (carpeted)
- Deletes the standard console mounting plate (85D)
- SYNC® 3
 - Enhanced Voice Recognition Communications and Entertainment System
 - 4.2" Color LCD Screen Center-Stack "Smart Display"
 - AppLink®
 - 911 Assist®

Note: SYNC® AppLink® lets you control some of your favorite compatible mobile apps with your voice. It is compatible with select smartphone platforms.

Lamps/Lighting

<input checked="" type="checkbox"/> Dark Car Feature – Courtesy lamp disable when any door is opened	43D	20.00
<input type="checkbox"/> Daytime Running Lamps	942	45.00
<input type="checkbox"/> Side Marker Lights in Skull Caps	63B/60A	340.00
<input type="checkbox"/> Rear Quarter Glass Side Marker Lights	63L	575.00
<input type="checkbox"/> Front Warning Auxiliary Light (Driver side – Red / Passenger side – Blue)	21L/60A	600.00
<input type="checkbox"/> Rear Auxiliary Liftgate Lights (Red/Blue LED Lights; located beneath liftgate glass in applique panel)	43A	395.00
<input type="checkbox"/> Front Interior Windshield Warning Lights (Red/Blue with take down)	96W	1145.00
<input type="checkbox"/> Rear Spoiler Traffic Warning Light	96T	1495.00
<input type="checkbox"/> Dome Lamp – Red/White in Cargo Area	17T	50.00
<input type="checkbox"/> Pre-wiring for grille lamp, siren, and speaker	60A	50.00
<input checked="" type="checkbox"/> Spot Lamp – Driver Only (LED Bulbs) (Unity)	51R	395.00
<input type="checkbox"/> Spot Lamp – Driver Only (LED Bulbs) (Whelen)	51T	420.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (LED Bulbs) (Unity)	51S	620.00
<input type="checkbox"/> Spot Lamp – Dual (driver and passenger) (LED Bulbs) (Whelen)	51V	665.00

Body

[] Glass – Solar Tint 2nd and 3rd Row (Deletes Privacy Glass)	92G	120.00
[] Glass – Solar Tint 2nd Row (Privacy Glass on Rear Quarter and Liftgate Window)	92R	85.00
[] Deflector Plate	76D	335.00

Wheels

[] Wheel Covers (18" Full Face Wheel Cover)	65L	60.00
[] 18" Painted Aluminum Wheel	64E	475.00

Misc

[] Engine Block Heater	41H	90.00
[] License Plate Bracket – Front	153	N/C
[] Badge Delete (Police Interceptor Badge Only)	16D	N/C
[] 100 Watt Siren/Speaker (includes bracket and pigtail)	18X	300.00
[] Aux Air Conditioning	17A	610.00
[] Noise Suppression Bonds (Ground Straps)	60R	100.00
[] OBD-II Split Connector – Allows up to 2 devices to be connected to the vehicle's OBD-II port	61B	55.00

Audio/Video

[] Rear View Camera (Includes Electrochromic Rear View Mirror – Video is displayed in rear view mirror)	87R	N/C
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Note: This option would replace the camera that comes standard in the 4" center stack area.

[x] Rear Camera On-Demand – allows driver to enable rear camera on-demand	19V	230.00
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Doors/Windows

[x] Global Lock / Unlock feature (Door-panel switches will lock/unlock all doors and rear liftgate. Eliminates the overhead console liftgate unlock switch) ***** OLD STYLE REAR HATCH LOCK / UNLOCK *****	18D	N/C
--	-----	-----

[] Hidden Door Lock Plunger, Rear Door Handle and Rear Windows Inoperable	52P	160.00
--	-----	--------

[x] Rear Door Handles Inoperable/Locks Inoperable and Rear Windows Inop.	68G	75.00
--	-----	-------

[] Lock system; Single Key/All Vehicles Keyed Alike	59	50.00
Keyed Alike 1284x= 59B Keyed Alike 1294x= 59C Keyed Alike 0135x= 59D		
Keyed Alike 1435x= 59E Keyed Alike 0576x= 59F Keyed Alike 0151x= 59G		
Keyed Alike 1111x= 59J		

Safety & Security

[] Ballistic Door Panels – Driver Front Door Only (Level 3)	90D	1585.00
[] Ballistic Door Panels – Driver & Pass Front Doors (Level 3)	90E	3170.00
[] Ballistic Door Panels – Driver Front Door Only (Level 4+)	90F	2415.00
[] Ballistic Door Panels – Driver & Pass Front Doors (Level 4+)	90G	4830.00
[] BLIS® – Blind Spot Monitoring with Cross Traffic Alert	55B/54Z	545.00
[] Police Perimeter Alert – detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I. Doors will lock and windows will automatically go up at level II. Includes visual display in instrument cluster with tracking.	68B	675.00
[] Pre-Collision Assist with Pedestrian Detection (includes Forward Collision Warning and Automatic Emergency Braking and unique disable switch for Law Enforcement use) Note: Not available with option 96W	76P	145.00
[] Mirrors– Heated, Non BLIS	549	60.00
[] Perimeter Anti-Theft Alarm – Activated by Hood, Door, or Decklid	593/55F	460.00
[x] Remote Keyless Entry w/4 Key Fobs (w/o Keypad)	55F	340.00
[x] Police Engine Idle Feature	47A	260.00
[x] Extra Key \$6.00x 6 =	Parts	36.00
[] Remote Starter (Must Order Keyless Entry 55F)	Parts	550.00
[] Reverse Sensing	76R	275.00
[x] Class III Trailer Tow Lighting Package (4-pin and 7-pin connectors and wiring)	52T	80.00
[] H8 AGM Battery (900 CCA/92-amp)	19K	110.00
[] Gun Vault (Not Available with (17A) Aux Air Conditioning)	63V	245.00

[] 12.1" Integrated Computer Screen	47E	2745.00
<ul style="list-style-type: none"> Includes 12.1" touchscreen display in center stack and allows for operation of laptop in remote location to free up cabin space in front passenger area Includes Audio Video extender (AVX) box, (2) AVX cables, (2) USB cables and (1) HDMI cable Includes SYNC 3 @ 		
[] Front Headlamp Lighting Solution	66A	895.00
<ul style="list-style-type: none"> Includes LED Low beam/High beam headlamp, Wig-wag function and Red/Blue/White LED side warning lights (driver's side White/Red / passenger side White/Blue) Includes pre-wire for grille LED lights, siren and speaker (60A) Wiring, LED lights included. Controller "not" Included 		
Note: Not available with option: 67H		
Note: Recommend using Ultimate Wiring Package (67U)		
[x] Police Wire Harness Connector Kit – Front/Rear	67V	185.00
For connectivity to Ford PI Package solutions includes:		
• Front		
– (2) Male 4-pin connectors for siren		
– (5) Female 4-pin connectors for lighting/siren/speaker		
– (1) 4-pin IP connector for speakers		
– (1) 4-pin IP connector for siren controller connectivity		
– (1) 8-pin sealed connector		
– (1) 14-pin IP connector		
• Rear		
– (2) Male 4-pin connectors for siren		
– (5) Female 4-pin connectors for lighting/siren/speaker		
– (1) 4-pin IP connector for speakers		
– (1) 4-pin IP connector for siren controller connectivity		
– (1) 8-pin sealed connector		
– (1) 14-pin IP connector		
Note: Note: See Upfitters guide for further detail www.fordpoliceinterceptorupfit.com		
[x] Tail lamp/Police Interceptor Housing Only	86T	60.00
<ul style="list-style-type: none"> Pre-existing holes with standard twist lock sealed capability (does not include LED Strobe lights) (eliminates need to drill housing assemblies) 		
Note: Not available with options: 66B and 67H		
[] Tail Lamp Lighting Solution	66B	430.00
<ul style="list-style-type: none"> Includes LED lights plus two (2) rear integrated hemispheric lighthouse white LED side Warning lights in taillamps 		
• LED lights only. Wiring, controller "not" included		
Note: Not available with option: 67H		
Note: Recommend using Ultimate Wiring Package (67U)		
[] Rear Lighting Solution	66C	455.00
<ul style="list-style-type: none"> Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / passenger side blue) mounted to inside liftgate glass 		
<ul style="list-style-type: none"> Includes two (2) backlit flashing linear high-intensity LED lights (driver's side red / Passenger side blue) installed on inside lip of liftgate (lights activate when liftgate is open) 		
• LED lights only. Wiring, controller "not" included		
Note: Not available with option: 67H		
Note: LED lights only – does "not" include wiring or controller		
Note: Recommend using Ultimate Wiring Package (67U)		
[] Ultimate Wiring Package	67U	560.00
<ul style="list-style-type: none"> Rear console mounting plate (85R) – contours through 2nd row; channel for wiring 		
<ul style="list-style-type: none"> Pre-wiring for grille LED lights, siren and speaker (60A) 		
<ul style="list-style-type: none"> Wiring harness I/P to rear cargo area (overlay) 		
<ul style="list-style-type: none"> Two (2) light cables – supports up to six (6) LED lights (engine compartment/grille) 		
<ul style="list-style-type: none"> One (1) 10-amp siren/speaker circuit engine cargo area 		
<ul style="list-style-type: none"> Rear hatch/cargo area wiring – supports up to six (6) rear LED lights 		
<ul style="list-style-type: none"> Does "not" include LED lights, side connectors or controller 		
<ul style="list-style-type: none"> Recommend Police Wire Harness Connector Kit 67V 		
Note: Not available with options: 65U, 67H		

[] Ready for the Road Package All-in Complete Package 67H 3595.00

All-in Complete Package – Includes Police Interceptor Packages: 66A, 66B, 66C, plus

- Whelen Cencom Light Controller Head with dimmable backlight
 - Whelen Cencom Relay Center / Siren / Amp w/Traffic Advisor control (mounted behind 2nd row seat)
 - Light Controller / Relay Cencom Wiring (wiring harness) w/additional input/output pigtails
 - High current pigtail
 - Whelen Specific WECAN Cable (console to cargo area) connects Cencom to Control Head
 - Pre-wiring for grille LED lights, siren and speaker (60A)
 - Rear console plate (85R) – contours through 2nd row; channel for wiring
 - Grille linear LED Lights (Red / Blue) and harness
 - 100-Watt Siren / Speaker
 - Hidden Door-Lock Plunger w/Rear-door controls inoperable (locks, handles and windows) (52P)
- Note: Not available with options: 66A, 66B, 66C, 67U and 65U

Extended Warranty Option's (\$0.00 Deductible) 100,000 Mile Coverage

[x] 5-Year Premium Care Warranty (500 Plus Components Coverage) 2745.00

Total Price \$51,544.00 ea

Estimate: SO-1262

6/28/2023

2020+ Ford PIU - Patrol

Lowell Police Department

Lowell Police Department

111 North Monroe Street

Lowell, MI 49331

churst@ci.lowell.mi.us

Purchase Order



Great Lakes Upfitting

Great Lakes Upfitting

45 Barry Street Southeast

Grand Rapids, MI 49548

contact@greatlakesupfitting.com

616-202-6585

Unit

Description	Quantity	Rate	Amount
Installation of New Emergency Vehicle Equipment			\$2,700.00
GO RHINO LR Series Push Bumper - 2020+ PI Utility, Aluminum, Textured Black - 2-Light - Soundoff Signal nForce - 5344A-2L51	1	\$700.50	\$700.50
SOS nFORCE Warning Module (only), SAE Class 1, 10-16v, 18 LED Tricolor - Blue/Red/White - ENFRMS4BRW - A	2	\$105.74	\$211.48
TROY 2020+ PI Utility Partition Kit - Recessed Panel Front Partition, Sliding Poly Window w/ Metal Mesh Protection Screen, Extra Seat-Back Recline, Ki - KIT-TP-SL6U-BB-SS	1	\$1,077.25	\$1,077.25
TROY 2020+ PI Utility Rear Cage w/ Plastic Prisoner Seat & Officer-Safety Seatbelts, Poly Window w/ Driver Side Fire Ext Panel - PS-20-UVFX-OS-RL	1	\$1,829.25	\$1,829.25
TROY Electronics Storage - AC-TP-E-TRAY	1	\$604.74	\$604.74
GAMBER JOHNSON 2020+ Ford Police Interceptor® Utility Short Console Box with Cup Holder, Armrest, and Mongoose® XE 9" Motion Attachment - 7170-0735-09	1	\$936.54	\$936.54
GAMBER JOHNSON Motorola APX 1500-8500 Remote Head, APX Series Radio and XTL 2500/5000 Control Head Full Faceplate - 7160-0321	1	\$30.60	\$30.60
GAMBER JOHNSON SoundOff Signal 500 Series Remote Head Faceplate - 20032	1	\$23.27	\$23.27
TROY Single Weapon Mount - GM-SGL-MNT	1	\$278.25	\$278.25
TROY Handcuff Style Weapon Lock Bracket, Increased Pitch - GM-B-OP-SC5-BKT	1	\$0.00	\$0.00
Universal XL Weapon Lock, Handcuff Key Override - LCK010Y	1	\$216.50	\$216.50
SOS 55"/139cm 10-16 Volt MPOWER 6 INCH LED LIGHTBAR W/ LIN DSC TECHNOLOGY /D08/D08/D12/D12/D12/T18/D12/D12/D12/D08/D08/R_W/R_W/R_W/R_W - EMPLB00Z2W-033	1	\$2,640.27	\$2,640.27
SOS Universal UnderCover Screw-In LED Insert Single Light Kit, 9-32 Vdc w/ 10' 5-wire harness: includes insert, Lens #1 (Extreme Angle) & Inline Flash - ELUC3H010W - A	2	\$91.42	\$182.84

Description	Quantity	Rate	Amount
SOS mpower 4" Fascia Light w/ Quick Mount, 18" hard wire w/ sync option, 9-32 Vdc, Black Housing, 18 LED, Tricolor - Red/Blue/White - EMPS2QMS5RBW	2	\$149.80	\$299.60
SOS mpower 4" Fascia Light w/ Stud Mount, Black Housing, 18 LED, Tricolor - Red/Blue/White - EMPS2STS5RBW	2	\$149.80	\$299.60
SOS Window Shroud Kit for 4" Light w/ Stud Mount - Black - PMP2WSSSB	2	\$16.67	\$33.33
SOS Bolt 2 Surface Mount Light, Dual Color - Red/Blue - E1XS2SME5RB	2	\$76.00	\$152.00
SOS bluePRINT Link® Micro Module and Vehicle Harness for Ford Transit 2020-2021, Ford Explorer / Police Interceptor Utility (PIU) 2016-2021, Ford F150 - ENGLMK008	1	\$403.17	\$403.17
SOS BLUEPRINT SYNC MODULE W/ ANTENNA - ENGSYMD01	1	\$271.36	\$271.36
SOS bluePRINT 500 Series Remote Control System with Knob Control, 10-16v - 100 watt - ENGSA5100RSR	1	\$830.78	\$830.78
SOS 100J Series Composite Speaker w/ Universal Bail Bracket - 100 watt - ETSS100J5	1	\$241.39	\$241.39
SOS LED Dome Light, 6" Round, Red/White, 10-30v - ECVDMLTAL00	1	\$75.45	\$75.45
SOS Interior Cargo/LED Dome Light, Flush Surface Mount w/ Grey Base, 6" x 3" - White LEDs - ECVDMLTST4G	2	\$31.76	\$63.52
Magnetic Mic Kit - MMSU-1	2	\$37.01	\$74.02
SOS Intersector Surface Mount Light, 9-32 Vdc, Black Housing, 16 LEDs, Dual Color - Red/White - ENT3B3D	1	\$204.87	\$204.87
SOS Intersector Surface Mount Light, 9-32 Vdc, Black Housing, 16 LEDs, Dual Color - Blue/White - ENT3B3E	1	\$204.87	\$204.87
SOS Under Mirror Mount Bracket Kit - PMP2BKUMB4	2	\$23.25	\$46.51
		Subtotal	\$14,631.96
Installation of Transfer Equipment - Single Antenna Radar			\$250.00
		Subtotal	\$250.00
Installation of Transfer Equipment - Video - ProVision			\$625.00
		Subtotal	\$625.00
		Shop Supplies	\$252.53
		Labor	\$3,575.00
		Parts	\$11,931.96
		Subtotal	\$15,759.49
		Exempt - Gov't	\$0.00
		(0% of \$12,184.49)	

Description	Quantity	Rate	Amount
			Total \$15,759.49

*: Core charges not included in total. You will be charged for any core that is not in returnable condition. This charge may be applied on a separate invoice.

1) All sales estimates are CONFIDENTIAL and PROPRIETARY between Great Lakes Upfitting and its Customers.

2) Quoted pricing is valid for 30 DAYS from the date of Estimate, unless otherwise agreed.

3) Accounts not paid within 60 days from the date of the invoice are subject to a 1.5% monthly finance charge.

4) Credit card transactions are subject to a fee not greater than the applicable merchant discount rate for credit card transactions. A 3.5% convenience fee will be assessed to help cover the cost of accepting credit cards.

5) Our Warranty - Purchased parts for the duration of the Manufacturer's warranty period and Workmanship for 3 years.



1000 100th ST SW Suite D
Byron Center, MI 49315

Estimate

Date	Estimate No.
6/28/2023	80254

Name / Address
LOWELL POLICE DEPARTMENT 111 North Monroe Street Lowell, MI 49331

**This estimate is
good for 60
days from date.**

Item	Description	Qty	Cost	Total
TRUCK GRAPHIC...	VEHICLE GRAPHICS/LETTERING PER CUSTOMER APPROVED PROOF 2024 FORD EXPLORER SIDE LOGOS/POLICE LOWELL MICHIGAN; FLAG REAR LOWELL POLICE W/911 AND UNIT #'S FULL COLOR DIGITAL PRINT ON WHITE REFLECTIVE W/GLOSS OVER LAMINATE INSTALLED	1	390.00	390.00

Subtotal \$390.00

info@bkgraphicsinc.com
616-532-9430
www.bkgraphicsinc.com

Total \$390.00

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REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL FUND						
Revenues						
TAXES	TAXES	2,447,418.30	2,281,910.77	68,866.17	165,507.53	93.24
STATE	STATE GRANTS	841,413.47	802,310.57	84,532.00	39,102.90	95.35
LICPER	LICENSES AND PERMITS	102,158.00	89,515.59	5,725.00	12,642.41	87.62
CHARGES	CHARGES FOR SERVICES	367,183.00	347,477.15	5,102.25	19,705.85	94.63
FED	FEDERAL GRANTS	0.00	0.00	0.00	0.00	0.00
OTHER	OTHER REVENUE	11,400.00	11,452.71	1,502.16	(52.71)	100.46
INT	INTEREST AND RENTS	1,500.00	1,926.22	1,926.22	(426.22)	128.41
TRANSIN	TRANSFERS IN	291,737.00	291,737.00	0.00	0.00	100.00
LOCAL	LOCAL CONTRIBUTIONS	12,611.00	16,014.38	3,870.50	(3,403.38)	126.99
FINES	FINES AND FORFEITURES	4,700.00	5,376.05	877.00	(676.05)	114.38
UNCLASSIFIED	Unclassified	34,000.00	33,253.21	0.00	746.79	97.80
TOTAL REVENUES		4,114,120.77	3,880,973.65	172,401.30	233,147.12	94.33
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
101	COUNCIL	21,375.00	20,393.46	764.13	981.54	95.41
172	MANAGER	300,745.64	289,100.45	42,380.02	11,645.19	96.13
191	ELECTIONS	11,343.00	8,895.50	65.50	2,447.50	78.42
209	ASSESSOR	70,994.00	63,639.33	7,409.42	7,354.67	89.64
210	ATTORNEY	100,000.00	76,256.76	9,887.00	23,743.24	76.26
215	CLERK	173,204.23	171,776.84	18,861.39	1,427.39	99.18
253	TREASURER	307,203.51	312,028.49	21,625.54	(4,824.98)	101.57
265	CITY HALL	197,522.46	208,528.60	29,705.94	(11,006.14)	105.57
276	CEMETERY	159,140.40	142,784.91	17,110.61	16,355.49	89.72
294	UNALLOCATED MISCELLANEOUS	105,000.00	108,627.33	0.00	(3,627.33)	103.45
301	POLICE DEPARTMENT	1,034,011.46	934,658.56	109,295.42	99,352.90	90.39
305	CODE ENFORCEMENT	25,891.20	0.00	0.00	25,891.20	0.00
336	FIRE	184,656.00	187,443.18	0.00	(2,787.18)	101.51
371	BUILDING INSPECTION DEPARTMENT	0.00	0.00	0.00	0.00	0.00
400	PLANNING & ZONING	58,400.89	58,413.92	7,927.43	(13.03)	100.02
426	EMERGENCY MANAGEMENT	0.00	0.00	0.00	0.00	0.00
441	DEPARTMENT OF PUBLIC WORKS	328,792.00	272,739.83	34,084.46	56,052.17	82.95
442	SIDEWALK	18,449.50	1,045.00	76.28	17,404.50	5.66
443	ARBOR BOARD	0.00	0.00	0.00	0.00	0.00
523	TRASH	0.00	72.60	72.60	(72.60)	100.00
651	AMBULANCE	0.00	0.00	0.00	0.00	0.00
672	SENIOR CITIZEN CONTRIBUTION	0.00	0.00	0.00	0.00	0.00
728	ECONOMIC DEVELOPMENT	0.00	0.00	0.00	0.00	0.00
747	CHAMBER/RIVERWALK	9,500.00	5,607.12	559.32	3,892.88	59.02
751	PARKS	264,793.99	223,871.59	18,025.29	40,922.40	84.55
757	SHOWBOAT	10,615.00	0.00	0.00	10,615.00	0.00
758	DOG PARK	0.00	0.00	0.00	0.00	0.00
774	RECREATION CONTRIBUTIONS	5,000.00	5,000.00	0.00	0.00	100.00
790	LIBRARY	101,723.05	93,643.22	15,976.12	8,079.83	92.06
803	HISTORICAL DISTRICT COMMISSION	0.00	0.00	0.00	0.00	0.00
804	MUSEUM	64,268.31	54,512.77	4,502.39	9,755.54	84.82
906	DEBT SERVICE	0.00	0.00	0.00	0.00	0.00
965	TRANSFERS OUT	929,737.00	931,875.47	250,000.00	(2,138.47)	100.23
TOTAL EXPENDITURES		4,482,366.64	4,170,914.93	588,328.86	311,451.71	93.05
TOTAL REVENUES		4,114,120.77	3,880,973.65	172,401.30	233,147.12	94.33
TOTAL EXPENDITURES		4,482,366.64	4,170,914.93	588,328.86	311,451.71	93.05

REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

GL NUMBER	DESCRIPTION	2022-23	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		AMENDED BUDGET	06/30/2023	MONTH 06/30/2023	BALANCE	USED
Fund 101 - GENERAL FUND						
NET OF REVENUES & EXPENDITURES		(368,245.87)	(289,941.28)	(415,927.56)	(78,304.59)	78.74

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REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 202 - MAJOR STREET FUND						
Revenues						
STATE	STATE GRANTS	0.00	0.00	0.00	0.00	0.00
FED	FEDERAL GRANTS	63,333.33	0.00	0.00	63,333.33	0.00
OTHER	OTHER REVENUE	394,010.00	341,356.98	39,469.74	52,653.02	86.64
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		457,343.33	341,356.98	39,469.74	115,986.35	74.64
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
450	CAPITAL OUTLAY	111,250.00	62,659.97	3,492.28	48,590.03	56.32
463	MAINTENANCE	59,324.30	53,404.69	11,226.37	5,919.61	90.02
474	TRAFFIC	11,564.03	8,608.09	1,706.22	2,955.94	74.44
478	WINTER MAINTENANCE	73,034.06	73,946.51	636.89	(912.45)	101.25
483	ADMINISTRATION	17,444.00	16,404.27	0.00	1,039.73	94.04
906	DEBT SERVICE	0.00	0.00	0.00	0.00	0.00
965	TRANSFERS OUT	242,255.00	242,255.00	242,255.00	0.00	100.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		514,871.39	457,278.53	259,316.76	57,592.86	88.81
TOTAL REVENUES		457,343.33	341,356.98	39,469.74	115,986.35	74.64
TOTAL EXPENDITURES		514,871.39	457,278.53	259,316.76	57,592.86	88.81
NET OF REVENUES & EXPENDITURES		(57,528.06)	(115,921.55)	(219,847.02)	58,393.49	201.50

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REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 203 - LOCAL STREET FUND						
Revenues						
STATE	STATE GRANTS	0.00	0.00	0.00	0.00	0.00
CHARGES	CHARGES FOR SERVICES	0.00	0.00	0.00	0.00	0.00
FED	FEDERAL GRANTS	66,333.00	0.00	0.00	66,333.00	0.00
OTHER	OTHER REVENUE	150,565.00	140,971.97	20,550.36	9,593.03	93.63
INT	INTEREST AND RENTS	100.00	0.00	0.00	100.00	0.00
TRANSIN	TRANSFERS IN	855,255.00	855,143.47	492,255.00	111.53	99.99
LOCAL	LOCAL CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		1,072,253.00	996,115.44	512,805.36	76,137.56	92.90
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
450	CAPITAL OUTLAY	613,975.00	393,455.49	4,043.25	220,519.51	64.08
463	MAINTENANCE	96,692.37	61,618.15	10,476.98	35,074.22	63.73
474	TRAFFIC	13,559.28	7,724.12	1,495.07	5,835.16	56.97
478	WINTER MAINTENANCE	93,767.61	73,068.94	803.08	20,698.67	77.93
483	ADMINISTRATION	20,162.00	20,122.27	0.00	39.73	99.80
906	DEBT SERVICE	0.00	0.00	0.00	0.00	0.00
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		838,156.26	555,988.97	16,818.38	282,167.29	66.33
TOTAL REVENUES		1,072,253.00	996,115.44	512,805.36	76,137.56	92.90
TOTAL EXPENDITURES		838,156.26	555,988.97	16,818.38	282,167.29	66.33
NET OF REVENUES & EXPENDITURES		234,096.74	440,126.47	495,986.98	(206,029.73)	188.01

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REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 238 - HISTORICAL DISTRICT FUND						
Revenues						
OTHER	OTHER REVENUE	50,000.00	20,000.00	20,000.00	30,000.00	40.00
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		50,000.00	20,000.00	20,000.00	30,000.00	40.00
Expenditures						
000		50,000.00	38,755.00	1,380.00	11,245.00	77.51
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		50,000.00	38,755.00	1,380.00	11,245.00	77.51
TOTAL REVENUES		50,000.00	20,000.00	20,000.00	30,000.00	40.00
TOTAL EXPENDITURES		50,000.00	38,755.00	1,380.00	11,245.00	77.51
NET OF REVENUES & EXPENDITURES		0.00	(18,755.00)	18,620.00	18,755.00	100.00

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY						
Revenues						
TAXES	TAXES	854,928.00	854,928.06	0.00	(0.06)	100.00
STATE	STATE GRANTS	0.00	0.00	0.00	0.00	0.00
OTHER	OTHER REVENUE	1,760.00	1,760.90	0.00	(0.90)	100.05
INT	INTEREST AND RENTS	500.00	0.00	0.00	500.00	0.00
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		857,188.00	856,688.96	0.00	499.04	99.94
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
450	CAPITAL OUTLAY	262,500.00	243,932.12	7,203.31	18,567.88	92.93
463	MAINTENANCE	139,122.79	118,065.07	26,004.66	21,057.72	84.86
483	ADMINISTRATION	77,314.43	77,527.94	7,214.16	(213.51)	100.28
740	COMMUNITY PROMOTIONS	75,000.00	73,524.09	61.40	1,475.91	98.03
906	DEBT SERVICE	102,400.00	101,319.93	0.00	1,080.07	98.95
965	TRANSFERS OUT	291,737.00	291,737.00	0.00	0.00	100.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		948,074.22	906,106.15	40,483.53	41,968.07	95.57
TOTAL REVENUES		857,188.00	856,688.96	0.00	499.04	99.94
TOTAL EXPENDITURES		948,074.22	906,106.15	40,483.53	41,968.07	95.57
NET OF REVENUES & EXPENDITURES		(90,886.22)	(49,417.19)	(40,483.53)	(41,469.03)	54.37

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 249 - BUILDING INSPECTION FUND						
Revenues						
CHARGES	CHARGES FOR SERVICES	90,000.00	53,913.00	5,048.00	36,087.00	59.90
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		90,000.00	53,913.00	5,048.00	36,087.00	59.90
Expenditures						
371	BUILDING INSPECTION DEPARTMENT	90,000.00	45,480.60	4,543.20	44,519.40	50.53
TOTAL EXPENDITURES		90,000.00	45,480.60	4,543.20	44,519.40	50.53
TOTAL REVENUES		90,000.00	53,913.00	5,048.00	36,087.00	59.90
TOTAL EXPENDITURES		90,000.00	45,480.60	4,543.20	44,519.40	50.53
NET OF REVENUES & EXPENDITURES		0.00	8,432.40	504.80	(8,432.40)	100.00

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 260 - DESIGNATED CONTRIBUTIONS						
Revenues						
STATE	STATE GRANTS	218,286.50	0.00	0.00	218,286.50	0.00
CHARGES	CHARGES FOR SERVICES	0.00	30,346.40	100.00	(30,346.40)	100.00
OTHER	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
INT	INTEREST AND RENTS	500.00	1,855.00	55.00	(1,355.00)	371.00
TRANSIN	TRANSFERS IN	0.00	2,250.00	0.00	(2,250.00)	100.00
LOCAL	LOCAL CONTRIBUTIONS	0.00	2,750.00	0.00	(2,750.00)	100.00
UNCLASSIFIED	Unclassified	0.00	4,475.00	0.00	(4,475.00)	100.00
TOTAL REVENUES		218,786.50	41,676.40	155.00	177,110.10	19.05
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
265	CITY HALL	0.00	0.00	0.00	0.00	0.00
276	CEMETERY	0.00	0.00	0.00	0.00	0.00
301	POLICE DEPARTMENT	53,000.00	52,188.93	3,626.93	811.07	98.47
336	FIRE	85,854.67	85,854.67	0.00	0.00	100.00
442	SIDEWALK	0.00	0.00	0.00	0.00	0.00
443	ARBOR BOARD	0.00	0.00	0.00	0.00	0.00
474	TRAFFIC	0.00	0.00	0.00	0.00	0.00
747	CHAMBER/RIVERWALK	0.00	471.00	471.00	(471.00)	100.00
751	PARKS	0.00	0.00	0.00	0.00	0.00
758	DOG PARK	1,950.00	1,324.44	0.00	625.56	67.92
759	COMMUNITY GARDEN	0.00	250.00	0.00	(250.00)	100.00
774	RECREATION CONTRIBUTIONS	2,100.00	1,655.72	0.00	444.28	78.84
790	LIBRARY	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		142,904.67	141,744.76	4,097.93	1,159.91	99.19
TOTAL REVENUES		218,786.50	41,676.40	155.00	177,110.10	19.05
TOTAL EXPENDITURES		142,904.67	141,744.76	4,097.93	1,159.91	99.19
NET OF REVENUES & EXPENDITURES		75,881.83	(100,068.36)	(3,942.93)	175,950.19	131.87

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 351 - GENERAL DEBT SERVICE (NON-VOTED BONDS)						
Revenues						
OTHER	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TRANSIN	TRANSFERS IN	292,000.00	291,737.00	0.00	263.00	99.91
TOTAL REVENUES		292,000.00	291,737.00	0.00	263.00	99.91
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
906	DEBT SERVICE	292,357.00	291,485.45	0.00	871.55	99.70
TOTAL EXPENDITURES		292,357.00	291,485.45	0.00	871.55	99.70
TOTAL REVENUES		292,000.00	291,737.00	0.00	263.00	99.91
TOTAL EXPENDITURES		292,357.00	291,485.45	0.00	871.55	99.70
NET OF REVENUES & EXPENDITURES		(357.00)	251.55	0.00	(608.55)	70.46

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 402 - FIRE CAPITAL FUND						
Revenues						
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TRANSIN	TRANSFERS IN	100,000.00	25,000.00	0.00	75,000.00	25.00
TOTAL REVENUES		100,000.00	25,000.00	0.00	75,000.00	25.00
Expenditures						
336	FIRE	157,000.00	98,000.00	0.00	59,000.00	62.42
TOTAL EXPENDITURES		157,000.00	98,000.00	0.00	59,000.00	62.42
TOTAL REVENUES		100,000.00	25,000.00	0.00	75,000.00	25.00
TOTAL EXPENDITURES		157,000.00	98,000.00	0.00	59,000.00	62.42
NET OF REVENUES & EXPENDITURES		(57,000.00)	(73,000.00)	0.00	16,000.00	128.07

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 581 - AIRPORT FUND						
Revenues						
CHARGES	CHARGES FOR SERVICES	25,376.00	28,091.34	0.00	(2,715.34)	110.70
OTHER	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
INT	INTEREST AND RENTS	52,000.00	50,144.00	2,120.00	1,856.00	96.43
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		77,376.00	78,235.34	2,120.00	(859.34)	101.11
Expenditures						
000		106,575.00	75,909.95	9,910.50	30,665.05	71.23
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		106,575.00	75,909.95	9,910.50	30,665.05	71.23
TOTAL REVENUES		77,376.00	78,235.34	2,120.00	(859.34)	101.11
TOTAL EXPENDITURES		106,575.00	75,909.95	9,910.50	30,665.05	71.23
NET OF REVENUES & EXPENDITURES		(29,199.00)	2,325.39	(7,790.50)	(31,524.39)	7.96

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 590 - WASTEWATER FUND						
Revenues						
STATE	STATE GRANTS	0.00	0.00	0.00	0.00	0.00
CHARGES	CHARGES FOR SERVICES	1,215,542.02	1,148,274.77	105,446.23	67,267.25	94.47
FED	FEDERAL GRANTS	63,333.00	0.00	0.00	63,333.00	0.00
OTHER	OTHER REVENUE	1,500.00	50.00	0.00	1,450.00	3.33
INT	INTEREST AND RENTS	1,400.00	0.00	0.00	1,400.00	0.00
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
LOCAL	LOCAL CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
UNCLASSIFIED	Unclassified	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		1,281,775.02	1,148,324.77	105,446.23	133,450.25	89.59
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
550	TREATMENT	599,717.10	601,566.37	92,453.72	(1,849.27)	100.31
551	COLLECTION	284,214.22	259,671.51	79,135.98	24,542.71	91.36
552	CUSTOMER ACCOUNTS	89,844.52	94,244.59	6,112.52	(4,400.07)	104.90
553	ADMINISTRATION	394,091.50	293,318.50	1,438.75	100,773.00	74.43
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		1,367,867.34	1,248,800.97	179,140.97	119,066.37	91.30
TOTAL REVENUES		1,281,775.02	1,148,324.77	105,446.23	133,450.25	89.59
TOTAL EXPENDITURES		1,367,867.34	1,248,800.97	179,140.97	119,066.37	91.30
NET OF REVENUES & EXPENDITURES		(86,092.32)	(100,476.20)	(73,694.74)	14,383.88	116.71

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 591 - WATER FUND						
Revenues						
CHARGES	CHARGES FOR SERVICES	1,396,725.18	1,574,288.45	434,421.49	(177,563.27)	112.71
OTHER	OTHER REVENUE	68,333.33	8,044.47	50.00	60,288.86	11.77
INT	INTEREST AND RENTS	3,000.00	1,560.00	0.00	1,440.00	52.00
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		1,468,058.51	1,583,892.92	434,471.49	(115,834.41)	107.89
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
552	CUSTOMER ACCOUNTS	0.00	0.00	0.00	0.00	0.00
570	TREATMENT	585,234.23	679,652.20	68,477.71	(94,417.97)	116.13
571	DISTRIBUTION	524,112.45	546,702.92	63,892.68	(22,590.47)	104.31
572	CUSTOMER ACCOUNTS	97,828.52	96,915.95	4,404.89	912.57	99.07
573	ADMINISTRATION	384,737.50	225,692.44	3,890.94	159,045.06	58.66
906	DEBT SERVICE	0.00	0.00	0.00	0.00	0.00
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		1,591,912.70	1,548,963.51	140,666.22	42,949.19	97.30
TOTAL REVENUES		1,468,058.51	1,583,892.92	434,471.49	(115,834.41)	107.89
TOTAL EXPENDITURES		1,591,912.70	1,548,963.51	140,666.22	42,949.19	97.30
NET OF REVENUES & EXPENDITURES		(123,854.19)	34,929.41	293,805.27	(158,783.60)	28.20

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 597 - ELECTRIC CHARGING STATION FUND						
Revenues						
CHARGES	CHARGES FOR SERVICES	0.00	1,147.42	95.49	(1,147.42)	100.00
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		0.00	1,147.42	95.49	(1,147.42)	100.00
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
463	MAINTENANCE	0.00	1,998.24	305.31	(1,998.24)	100.00
TOTAL EXPENDITURES		0.00	1,998.24	305.31	(1,998.24)	100.00
TOTAL REVENUES		0.00	1,147.42	95.49	(1,147.42)	100.00
TOTAL EXPENDITURES		0.00	1,998.24	305.31	(1,998.24)	100.00
NET OF REVENUES & EXPENDITURES		0.00	(850.82)	(209.82)	850.82	100.00

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 598 - CABLE TV FUND						
Revenues						
OTHER	OTHER REVENUE	108,000.00	79,559.63	0.00	28,440.37	73.67
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		108,000.00	79,559.63	0.00	28,440.37	73.67
Expenditures						
000		104,000.00	59,389.63	0.00	44,610.37	57.11
906	DEBT SERVICE	4,000.00	0.00	0.00	4,000.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		108,000.00	59,389.63	0.00	48,610.37	54.99
TOTAL REVENUES		108,000.00	79,559.63	0.00	28,440.37	73.67
TOTAL EXPENDITURES		108,000.00	59,389.63	0.00	48,610.37	54.99
NET OF REVENUES & EXPENDITURES		0.00	20,170.00	0.00	(20,170.00)	100.00

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 636 - DATA PROCESSING FUND						
Revenues						
OTHER	OTHER REVENUE	2,000.00	1,107.21	0.00	892.79	55.36
INT	INTEREST AND RENTS	130,456.00	130,906.00	0.00	(450.00)	100.34
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		132,456.00	132,013.21	0.00	442.79	99.67
Expenditures						
000		180,000.00	94,501.97	19,639.97	85,498.03	52.50
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		180,000.00	94,501.97	19,639.97	85,498.03	52.50
TOTAL REVENUES		132,456.00	132,013.21	0.00	442.79	99.67
TOTAL EXPENDITURES		180,000.00	94,501.97	19,639.97	85,498.03	52.50
NET OF REVENUES & EXPENDITURES		(47,544.00)	37,511.24	(19,639.97)	(85,055.24)	78.90

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 661 - EQUIPMENT FUND						
Revenues						
CHARGES	CHARGES FOR SERVICES	268,000.00	258,076.89	28,116.86	9,923.11	96.30
OTHER	OTHER REVENUE	8,400.00	8,377.79	0.00	22.21	99.74
INT	INTEREST AND RENTS	50.00	0.00	0.00	50.00	0.00
TRANSIN	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		276,450.00	266,454.68	28,116.86	9,995.32	96.38
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
895	FLEET MAINT. & REPLACEMENT	457,157.64	242,294.09	19,249.69	214,863.55	53.00
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		457,157.64	242,294.09	19,249.69	214,863.55	53.00
TOTAL REVENUES		276,450.00	266,454.68	28,116.86	9,995.32	96.38
TOTAL EXPENDITURES		457,157.64	242,294.09	19,249.69	214,863.55	53.00
NET OF REVENUES & EXPENDITURES		(180,707.64)	24,160.59	8,867.17	(204,868.23)	13.37

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 711 - CEMETERY FUND						
Revenues						
CHARGES	CHARGES FOR SERVICES	12,000.00	13,546.00	2,475.00	(1,546.00)	112.88
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
UNCLASSIFIED	Unclassified	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		12,000.00	13,546.00	2,475.00	(1,546.00)	112.88
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		12,000.00	13,546.00	2,475.00	(1,546.00)	112.88
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		12,000.00	13,546.00	2,475.00	(1,546.00)	112.88

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GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 714 - LEE FUND						
Revenues						
	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
OTHER	INTEREST AND RENTS	2,700.00	2,892.42	274.56	(192.42)	107.13
INT						
TOTAL REVENUES		2,700.00	2,892.42	274.56	(192.42)	107.13
Expenditures						
000		2,700.00	0.00	0.00	2,700.00	0.00
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		2,700.00	0.00	0.00	2,700.00	0.00
TOTAL REVENUES		2,700.00	2,892.42	274.56	(192.42)	107.13
TOTAL EXPENDITURES		2,700.00	0.00	0.00	2,700.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	2,892.42	274.56	(2,892.42)	100.00

07/14/2023 02:00 PM
User: SUE
DB: Lowell

REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

Page: 20/24

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 715 - LOOK FUND						
Revenues						
OTHER	OTHER REVENUE	45,000.00	0.00	0.00	45,000.00	0.00
INT	INTEREST AND RENTS	0.00	4,943.61	630.01	(4,943.61)	100.00
TOTAL REVENUES		45,000.00	4,943.61	630.01	40,056.39	10.99
Expenditures						
000		45,000.00	27,711.00	5,000.00	17,289.00	61.58
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		45,000.00	27,711.00	5,000.00	17,289.00	61.58
TOTAL REVENUES		45,000.00	4,943.61	630.01	40,056.39	10.99
TOTAL EXPENDITURES		45,000.00	27,711.00	5,000.00	17,289.00	61.58
NET OF REVENUES & EXPENDITURES		0.00	(22,767.39)	(4,369.99)	22,767.39	100.00

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DB: Lowell

REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

Page: 21/24

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 716 - CARR FUND						
Revenues						
OTHER	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
INT	INTEREST AND RENTS	100.00	0.00	0.00	100.00	0.00
TOTAL REVENUES		100.00	0.00	0.00	100.00	0.00
Expenditures						
000		100.00	0.00	0.00	100.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		100.00	0.00	0.00	100.00	0.00
TOTAL REVENUES		100.00	0.00	0.00	100.00	0.00
TOTAL EXPENDITURES		100.00	0.00	0.00	100.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00

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DB: Lowell

REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

Page: 22/24

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 717 - PENSION TRUST FUND						
Revenues						
OTHER	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
UNCLASSIFIED	Unclassified	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		0.00	0.00	0.00	0.00	0.00
Expenditures						
000		0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES		0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00

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DB: Lowell

REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

Page: 23/24

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 718 - CARR FUND II						
Revenues						
OTHER	OTHER REVENUE	0.00	0.00	0.00	0.00	0.00
INT	INTEREST AND RENTS	75.00	0.00	0.00	75.00	0.00
TOTAL REVENUES		75.00	0.00	0.00	75.00	0.00
Expenditures						
000		75.00	0.00	0.00	75.00	0.00
965	TRANSFERS OUT	0.00	0.00	0.00	0.00	0.00
999	TRANSFERS IN	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES		75.00	0.00	0.00	75.00	0.00
TOTAL REVENUES		75.00	0.00	0.00	75.00	0.00
TOTAL EXPENDITURES		75.00	0.00	0.00	75.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00

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DB: Lowell

REVENUE AND EXPENDITURE REPORT FOR CITY OF LOWELL
PERIOD ENDING 06/30/2023

Page: 24/24

GL NUMBER	DESCRIPTION	2022-23 AMENDED BUDGET	YTD BALANCE 06/30/2023	ACTIVITY FOR MONTH 06/30/2023	AVAILABLE BALANCE	% BDGT USED
Fund 737 - OTHER POST EMPLOYEE BENEFITS						
Revenues						
INT	INTEREST AND RENTS	0.00	0.00	0.00	0.00	0.00
UNCLASSIFIED	Unclassified	80,991.93	86,030.45	0.00	(5,038.52)	106.22
TOTAL REVENUES		80,991.93	86,030.45	0.00	(5,038.52)	106.22
Expenditures						
483	ADMINISTRATION	80,991.93	49,926.04	3,413.75	31,065.89	61.64
TOTAL EXPENDITURES		80,991.93	49,926.04	3,413.75	31,065.89	61.64
TOTAL REVENUES		80,991.93	86,030.45	0.00	(5,038.52)	106.22
TOTAL EXPENDITURES		80,991.93	49,926.04	3,413.75	31,065.89	61.64
NET OF REVENUES & EXPENDITURES		0.00	36,104.41	(3,413.75)	(36,104.41)	100.00
TOTAL REVENUES - ALL FUNDS		10,736,674.06	9,904,501.88	1,323,509.04	832,172.18	92.25
TOTAL EXPENDITURES - ALL FUNDS		11,456,109.79	10,055,249.79	1,292,295.07	1,400,860.00	87.77
NET OF REVENUES & EXPENDITURES		(719,435.73)	(150,747.91)	31,213.97	(568,687.82)	20.95

CITY OF LOWELL
REPORT FOR : JUNE
FOR: Michael Burns

DRINKING WATER TREATMENT AND FILTRATION PLANT

A TOTAL OF: 33.10927 MILLION GALLONS OF RAW WATER WAS TREATED FOR THE
MONTH OF: JUNE TOTAL PUMPING TIME, TREATMENT AND THE DISTRIBUTION
OF THE FINISHED WATER TO THE SYSTEM REQUIRED 481.85 HOURS, WHICH RESULTED IN
555 MAN HOURS FOR THE OPERATION.

CHEMICAL COST PER MILLION GALLONS: \$ 136.90

ELECTRICAL COST PER MILLION GALLONS: \$ 191.95

TOTAL COST PER MILLION GALLONS: \$ 328.84

WATER PRODUCTION

DAILY AVERAGE: 1.104 MILLION GALLONS

DAILY MAXIMUM: 1.509 MILLION GALLONS

DAILY MINIMUM: 0.726 MILLION GALLONS

THE AVERAGE PLANT OPERATION TIME WAS 15.544 HOURS PER DAY.

Dept. of Public Works, City of Lowell

217 S. Hudson

Lowell, MI. 49331

Phone: 616-897-5929 Fax: 616- -

Next Place to Be**1961****INVOICE****DPW**

Print Date: 06/29/2023

Work Completed: 06/29/2023

0

Lic # : -

Odometer In :

Odometer Out :

Cust ID : 65

VIN # :

Part Description / Number	Qty	Sale	Ext	Labor Description	Hours	Extended
Misc. Shop Supplies			12.55	Invoice 1091, Grizzly Repair LLC 5-31-2023		251.00
				Inspect, clean and service DPW (electric) power washer.		
[Technicians :]						

Org. Estimate	\$ 263.55	Revisions	\$ 0.00	Current Estimate	\$ 263.55	Additional Cost	Revised Estimate
---------------	-----------	-----------	---------	------------------	-----------	-----------------	------------------

Labor:	0.00
Parts:	12.55
Sublet:	251.00
Sub:	263.55
Tax:	0.00
Total:	\$263.55
Bal Due:	\$0.00

[Payments - Cash - \$263.55]

Dept. of Public Works, City of Lowell

217 S. Hudson

Lowell, MI. 49331

Phone: 616-897-5929 Fax: 616- -

Next Place to Be**1955****INVOICE****Police**

Print Date: 06/22/2023

Work Completed: 06/22/2023

2015 GMC - Acadia Denali

3.6L, V6 (217CI) VIN(D), 4-Wheel ABS

Lic # : - MI

Odometer In : 96,255

Unit # : 833

Odometer Out :

Cust ID : 2

VIN # : 1GKKVTKD4 FJ303902

Part Description / Number	Qty	Sale	Ext	Labor Description	Hours	Extended
Misc. Shop Supplies			15.00	Invoice 153891, Betten Baker GMC 6-14-2023 Repair A/C; replace rear evap. and rear blower motor. Recharge and test as needed.		1,306.89
[Technicians :]						

Org. Estimate	\$ 1,321.89	Revisions	\$ 0.00	Current Estimate	\$ 1,321.89	Additional Cost	Revised Estimate
---------------	-------------	-----------	---------	------------------	-------------	-----------------	------------------

Labor:	0.00
Parts:	15.00
Sublet:	1,306.89
Sub:	1,321.89
Tax:	0.00
Total:	\$1,321.89
Bal Due:	\$0.00

[Payments - Cash - \$1,321.89]

Dept. of Public Works, City of Lowell

217 S. Hudson

Lowell, MI. 49331

Phone: 616-897-5929 Fax: 616- -

Next Place to Be**1957****INVOICE****Police**

Print Date: 06/28/2023

Work Completed: 06/28/2023

2010 Ford - Fusion Hybrid

2.5L, In-Line4 (152CI) VIN(3), 0 speed Automatic CVT

Lic # : - MI

Odometer In : 111,635

Unit # : 841

Odometer Out :

Cust ID : 2

VIN # : 3FADP0L38 **AR142672**

Part Description / Number	Qty	Sale	Ext	Labor Description	Hours	Extended
Misc. Shop Supplies			15.00	Invoice 241943, Zeigler Ford 6-19-2023 LOF, Replaced L. brake light bulb, replace spark plugs.		337.22
[Technicians :]						

Org. Estimate	\$ 352.22	Revisions	\$ 0.00	Current Estimate	\$ 352.22	Additional Cost	Revised Estimate
---------------	-----------	-----------	---------	------------------	-----------	-----------------	------------------

Labor:	0.00
Parts:	15.00
Sublet:	337.22
Sub:	352.22
Tax:	0.00
Total:	\$352.22
Bal Due:	\$0.00

[Payments - Cash - \$352.22]

Dept. of Public Works, City of Lowell

217 S. Hudson

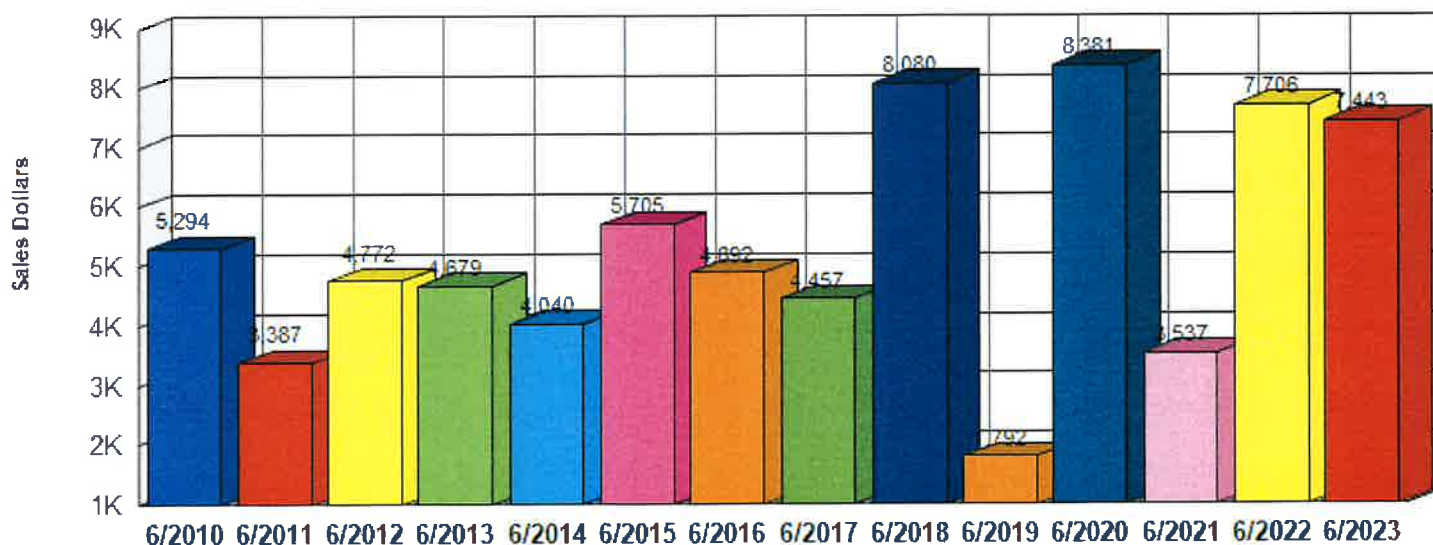
Lowell, MI. 49331

Phone - 616-897-5929 Fax - 616- -

Sales By Selected Month For The Month Of June

Report Date: 06/30/2023

<u>Month & Year</u>	<u>Avg. RO</u>	<u>Car Count</u>	<u>Sales Amount</u>	<u>Avg. Labor</u>	<u>Total Labor</u>	<u>Avg. Parts</u>	<u>Total Parts</u>
6/2010	529.39	10	5,293.90	414.64	4,146.40	109.10	1,090.95
6/2011	338.75	10	3,387.49	158.32	1,583.18	173.49	1,734.90
6/2012	367.09	13	4,772.14	323.08	4,200.00	38.13	495.64
6/2013	425.35	11	4,678.81	250.30	2,753.31	165.45	1,819.95
6/2014	310.80	13	4,040.38	156.31	2,032.00	147.83	1,921.78
6/2015	475.40	12	5,704.84	262.91	3,154.95	204.93	2,459.14
6/2016	444.73	11	4,892.02	233.26	2,565.85	206.53	2,271.87
6/2017	371.38	12	4,456.56	255.58	3,067.00	107.75	1,292.96
6/2018	384.76	21	8,079.87	150.33	3,156.96	228.35	4,795.41
6/2019	223.95	8	1,791.58	215.80	1,726.42	0.00	0.00
6/2020	1,047.59	8	8,380.72	984.47	7,875.72	54.61	436.91
6/2021	589.56	6	3,537.33	579.74	3,478.43	0.00	0.00
6/2022	770.56	10	7,705.64	536.84	5,368.40	222.77	2,227.72
6/2023	826.95	9	7,442.52	588.46	5,296.10	225.97	2,033.77
Totals:		154	74,163.80		\$50,404.72		\$22,581.00



Note: Labor and Part columns do not include Shop Supplies or Hazmat

Dept. of Public Works, City of Lowell

217 S. Hudson

Lowell, MI 49331

Phone: 616-897-5929 Fax: 616- -

Posted Totals by Invoice Number

Report Date: 06/30/2023

Period From: 06/01/2023 To: 06/30/2023

Invoice Number	Date	Name	Tax	Total	Balance Due
001620	06/02/2023	Police	0.00	638.17	
001948	06/06/2023	Equipment	0.00	3,404.07	
001950	06/08/2023	Equipment	0.00	539.84	
001951	06/01/2023	Equipment	0.00	710.68	
001955	06/14/2023	Police	0.00	1,321.89	
001957	06/19/2023	Police	0.00	352.22	
001959	06/07/2023	Equipment	0.00	53.55	
001961	06/01/2023	DPW	0.00	263.55	
001962	06/01/2023	Equipment	0.00	158.55	
Grand Totals:			0.00	7,442.52	0.00
Number of Invoices:		9	* - Indicates a Counter Sale		
Averages:				\$826.95	0.00

Dept. of Public Works, City of Lowell

217 S. Hudson

Lowell, MI. 49331

Phone: 616-897-5929 Fax: 616- -

Next Place to Be**1620****INVOICE**

Police

Print Date: 06/30/2023

Work Completed: 06/02/2023

2010 Ford - Fusion Hybrid

2.5L, In-Line4 (152CI) VIN(3), 0 speed Automatic CVT

Lic # : - MI

Odometer In :

Unit # : 841

Odometer Out :

Cust ID : 2

VIN # : 3FADP0L38 AR142672

Part Description / Number	Qty	Sale	Ext	Labor Description	Hours	Extended
Misc. Shop Supplies			15.00	RHD Tire; Freight charge		26.40
				Invoice 0093462, RHD Tire 12-4-2020		
				RHD Tire; purchase of new tires.		596.77
				Invoice 0039461, RHD Tire 12-7-2021		
				Somebody installed these tires but I never received invoice for the installation.		n/c
				Requested multiple times.		
[Technicians :]						

Org. Estimate \$ 638.17

Revisions \$ 0.00

Current Estimate \$ 638.17

Additional Cost

Revised Estimate

Labor: 0.00**Parts: 15.00****Sublet: 623.17****Sub: 638.17****Tax: 0.00****Total: \$638.17****Bal Due: \$0.00**

[Payments - Cash - \$638.17]

LOWELL POLICE DEPARTMENT - MONTHLY REPORT SUMMARY - CALENDAR YEAR 2023

[illegible]

Activity	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Traffic Policing	0	1	1	0	0	1							3
Open Doors/Windows	0	2	5	0	0	1							8
Alarms	7	6	3	11	5	7							39
Vehicle Insp/Abandoned Veh.	2	2	7	0	2	2							15
Zoning Violations	0	0	0	1	0	0							1
Ordinance Violations	6	13	11	14	12	16							72
Civil Matters	7	5	6	9	3	6							36
Suspicious Situations	11	8	15	20	16	24							94
Lost/Found Property	0	5	2	2	2	2							13
Drug Overdose	0	0	0	0	2	0							2
CCH/Local Records Checks	1	0	0	3	0	0							4
Suicidal Subjects	2	4	4	1	2	3							16
DOA - Natural	2	0	0	0	1	1							4
Missing Persons	0	1	1	0	2	0							4
911 Hangups	0	1	1	0	0	1							3
Community Involvement	0	0	0	0	1	1							2
General Assists	8	11	18	21	14	19							91
Motorist Assists/Lockouts	4	4	6	7	0	3							24
Fingerprints	13	11	6	8	16	4							58
Pistol Permits and Sales	26	29	31	24	39	26							175
Assist to Other Depts.	58	38	37	43	37	48							261
Standby PO	6	11	11	7	4	5							44
Directed Patrol	0	0	0	0	3	0							3
Property/Building Checks	3	0	0	0	0	0							3
Road Kill Permits	0	1	1	0	1	0							3
Broadcasts	4	0	1	3	3	4							15
Paper Service	0	0	0	0	1	0							1
TOTALS	222	192	217	229	216	223							1299
Traffic Stops	34	34	64	62	93	106							393
Citations Issued	4	6	6	4	20	31							71
Warnings	32	26	59	60	97	95							369

Monthly Operating Report

for the . . .

Contract Operation

of the . . .



Wastewater Treatment Plant

June 2023





July 13, 2023

Mr. Michael Burns
City Manager
City of Lowell
301 East Main Street
Lowell, MI 49331

Dear Mr. Burns:

On behalf of Veolia I am pleased to submit the June Monthly Operating Report for the Lowell Wastewater Treatment Plant. During the month 28.00 million gallons of wastewater were treated, down from 38.46 million gallons the month before.

All NPDES Permit requirements were satisfied. Copies of the Discharge Monitoring Report for the month can be seen in Appendix A. Appendix B contains graphs representing how the actual lab results compared to the limits in the NPDES Permit and how the actual plant flows compared to the design flow.

INDUSTRIAL PRETREATMENT PROGRAM

The Fullers Septic June surcharges were \$73.26. No operational problems were experienced at the plant from this discharge.

The Litehouse June surcharges were \$2,304.37. No operational problems were experienced at the plant from this discharge.

MAINTENANCE COST REPORT

Date	Vendor	Cost
6/1	Ace Hardware (1)	\$75.67
6/6	Kennedy Industries (2)	\$577.00
Beginning Balance of the Annual Maintenance Allowance (Including carover \$\$ from FY 21-22)*		\$12,022.99
Maintenance Allowance spent YTD		\$12,020.74
Balance of Maintenance Allowance		\$2.25

*The maintenance spending for FY 21-22 was under the annual allotment by \$22.99. That amount will be added to the beginning balance on July 1st. That makes the beginning balance \$12,022.99 (\$12,000+\$22.99).

July 13, 2023

Page 2

In addition to preventive maintenance the following corrective maintenance activities occurred:

- Replaced floor scraper, and box fan (1)
- Repaired solids handling pumps water line filters (1)
- Conducted service on Valley Vista lift station (2)

PROJECTS FOR THE FUTURE

- Reinstall west screw pump gear box
- Conduct semi-annual electrical glove testing
- Replace sanitary pump belts

If you have any questions or would like additional information, please feel free to call me at your convenience.

Respectfully submitted,

VEOLIA

A handwritten signature in blue ink, appearing to read "Brian Vander Meulen".

Brian Vander Meulen
Project Manager

JUNE EFFLUENT ANALYSIS OVERVIEW

The daily average for CBOD was 3 mg/l, 88% under the NPDES limit of 25 mg/l. The worst 7-day average was 4 mg/l, 90% under the NPDES limit of 40 mg/l.

The daily average for Suspended Solids was 4.2 mg/l, 86% under the NPDES limit of 30 mg/l. The worst 7-day average was 6.1 mg/l, 86% under the NPDES limit of 45 mg/l.

The monthly average for Phosphorus was 0.50 mg/l, the limit is 1.0 mg/l.

The average removal rate for CBOD was 99%; a minimum of 85% is required. The average removal rate for Suspended Solids was 97%; a minimum of 85% is required.

The geometric average for fecal coliform bacteria was 16 colonies/100 mls, the limit is 200 colonies/100 mls. The worst 7-day average was 120 colonies/100 mls, the limit is 400 colonies/100 mls.

The highest chlorine residual was 38 ug/l; the limit is 38 ug/l. The monthly average was 18 ug/l.

Appendix A



State of Michigan
Department of Environmental Quality

Plant Influent Sheet

Lowell, Michigan

R4607 4/74
4833-6040

Plant No. 410049
Month June
Year 2023

Superintendent's Signature
Brian Vander Meulen, Supt.

Weather Code	
1. Clear	6. Warm
2. Partly Cloudy	7. Cold
3. Cloudy	8. Windy
4. Rain	9. Melting Snow
5. Snow	

WEATHER			FLOW		RAW SEWAGE QUALITY												
D A Y P N S F	Type Code	Precip Inches	Total MGD	Peak MGD	Temp F	pH SU	CBOD		SS		Total-P		VSS	NH3-N		Mercury	D A Y P N S F
	0033	0045	50050	50051	00011	00400	mg/l	LBS	mg/l	LBS	mg/l	LBS	mg/l	mg/l	LBS	ng/l	
1	246	0.02	1.04	1.50	57	7.2	267	2316	176	1527	3.1	26.9	170	11.6	100.6	*G	1
2	268	0.00	0.96	1.50	57	7.0	284	2274	124	993			112				2
3	268	0.00	0.97	1.60													3
4	26	0.00	0.99	1.30													4
5	26	0.00	1.03	1.60	57	7.2	118	1014	80	687			78				5
6	26	0.00	1.01	1.40	58	7.2	217	1828	150	1264	3.1	26.1	146	10.9	91.8		6
7	26	0.00	0.98	1.60													7
8	26	0.00	1.01	1.60													8
9	268	0.00	0.93	1.50	58	7.1	219	1699	106	822			94				9
10	26	0.00	0.94	1.30													10
11	346	0.15	0.86	1.30													11
12	26	0.00	0.96	1.50	58	7.1	279	2234	112	897			82				12
13	246	0.02	1.04	1.50													13
14	26	0.00	0.91	1.40	59	7.5	179	1359	116	880	2.9	22.0	112	11.3	85.8		14
15	246	0.04	0.92	1.30													15
16	268	0.00	0.88	1.40	59	7.4	181	1328	84	616			82				16
17	26	0.00	0.87	1.30													17
18	26	0.00	0.87	1.20													18
19	16	0.00	0.94	1.50													19
20	16	0.00	0.90	1.40	59	7.0	233	1749	136	1021			134				20
21	26	0.00	0.89	1.30	59	7.2	241	1789	138	1024	2.6	19.3	134	10.5	77.9		21
22	26	0.00	0.92	1.40													22
23	26	0.00	0.84	1.20	60	7.1	233	1632	134	939			128				23
24	26	0.00	0.87	1.10													24
25	2468	0.21	0.89	1.20													25
26	348	0.67	0.95	1.50	61	7.1	123	975	124	982			110				26
27	26	0.00	0.95	1.30													27
28	246	0.04	0.89	1.30	61	7.1	202	1499	114	846	2.7	20.0	106	11.7	86.8		28
29	346	0.19	0.93	1.40													29
30	16	0.00	0.86	1.30	61	7.1	271	1944	130	932			124				30
31																	31
TL	XXXX	1.34	28.00	XXXX	XXXX	XXXX	XXXX	50653	XXXX	28780	XXXX	686	XXXX	XXXX	2658	XXXX	TL
ME	XXXX	XXXX	0.93	XXXX	59	7.2	218	1688	123	959	2.9	22.9	115	11.2	89	XXXX	ME
MAX	XXXX	0.67	1.04	1.60	61	7.5	284	2316	176	1527	3.1	26.9	170	11.7	101	XXXX	MAX
MIN	XXXX	XXXX	0.84	1.10	57	7.0	118	975	80	616	2.6	19.3	78	10.5	78	XXXX	MIN

7/7/2023

State of Michigan
Department of Environmental Quality

Activated Sludge Sheet

Lowell, Michigan

PM Code
1. Coventional
2. Step Feed
3. Complete Mix
4. Extended Aeration
5. Contact Stabilization
6. Other

Plant No. Month Year
410049 June 2023

Superintendent's Signature
Brian Vander Meulen, Supt.

AERATION SYSTEM					MIXED LIQUOR						SECONDARY SLUDGE			Process Modifi- cation see code 80889	D A Y P N S F	REMARKS
D A Y P N S F	Aeration Volume KCF 80993	Detention Time Hours 81001	Sludge Age Days 80990	Organic Loading F/M 80992	MLSS mg/l 70323	MLVSS mg/l 70324	Settle. % 81004	SDI % 81007	DO mg/l 00300	SVI % 8100	SS % 81006	VSS % 70325	Waste Kgal 80991			
1	192	33.1	23.5	0.08	2994	2473	30	1.00	1.7	100	0.55	0.45	24.5	4		1
2		35.9	35.0	0.08	2905	2390	30	0.97	2.6	103	0.47	0.39	0.0			2
3		35.5											0.0			3
4		34.8											0.0			4
5		33.5	55.9	0.03	3206	2645	39	0.82	3.5	122	0.57	0.46	100.9			5
6		34.1	26.8	0.07	2830	2336	32	0.88	3.6	113	0.46	0.38	23.8			6
7		35.2											8.9			7
8		34.1											22.1			8
9		37.1	39.1	0.06	2683	2204	36	0.75	3.4	134	0.49	0.40	0.0			9
10		36.7											0.0			10
11		40.1											0.0			11
12		35.9	38.9	0.08	2913	2384	43	0.68	0.5	148	0.60	0.49	75.4			12
13		33.1											0.0			13
14		37.9	36.0	0.05	2648	2163	36	0.74	3.5	136	0.42	0.34	0.0			14
15		37.5											24.6			15
16		39.2	49.8	0.05	2562	2083	29	0.88	3.8	113	0.41	0.33	0.0			16
17		39.6											0.0			17
18		39.6											0.0			18
19		36.7											0.0			19
20		38.3	33.1	0.06	2820	2302	32	0.88	3.4	113	0.45	0.37	22.9			20
21		38.7	33.2	0.06	2843	2300	30	0.95	3.4	106	0.49	0.39	0.0			21
22		37.5											0.0			22
23		41.0	38.0	0.06	2980	2407	36	0.83	2.7	121	0.53	0.43	29.9			23
24		39.6											0.0			24
25		38.7											0.0			25
26		36.3	36.5	0.03	2991	2392	32	0.93	2.8	107	0.50	0.40	0.0			26
27		36.3											33.5			27
28		38.7	42.1	0.05	2978	2392	32	0.93	1.6	107	0.51	0.41	100.6			28
29		37.1											25.9			29
30		40.1	31.7	0.08	2466	1990	22	1.12	2.7	89	0.46	0.37	0.0			30
31																31
TL	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	493.0	XXXX	TL	
ME	192	37.1	37.1	0.06	2844	2319	33	0.88	2.8	115	0.49	0.40	16.4	XXXX	ME	
MAX	XXXX	41.0	55.9	0.08	3206	2645	43	1.12	3.8	148	0.60	0.49	100.9	XXXX	MAX	
MIN	XXXX	33.1	23.5	0.03	2466	1990	22	0.68	0.5	89	0.41	0.33	XXXX	XXXX	MIN	

Remarks:

4833-5034
R4609 4/74

7/7/2023

State of Michigan
Department of Environmental Quality

Final Effluent Sheet

Lowell, Michigan

	Fecal	Total
MF	31616	31504
MPW	31615	31505

Plant No. 80082
Month June
Year 2023
Sampling Point Code 001

Superintendent's Signature
Brian Vander Meulen, Supt.

R 4610 4/74
4833-5468

DAY PN SF	CBOD			SS			Total - P			VSS	pH	DO	F.Coli	NH3		Cl2	Mercury	DAY PN SF
	mg/l	LBS.	% Rem	mg/l	LBS.	% Rem	mg/l	LBS.	% Rem	mg/l	SU	mg/l	#/100ml	mg/l	LBS.	ug/l	ng/l	
	80082	85001	80091	00530	85002	81011	00665	85004	81012	00535	00400	00300	31616	00610	00610	50060	71900	
1	2	17	99	2.2	19	99	0.36	3.12	88	2.0	7.3	8.9	5	0.58	5.03	38	*G	1
2	3	24	99	2.4	19	98				2.2	7.3	8.7	1			35		2
3																		3
4																		4
5	3	26	97	3.0	26	96				2.8	7.3	9.2	14			27		5
6	2	17	99	2.8	24	98	0.29	2.44	91	2.6	7.4	9.0	18	0.41	3.45	24		6
7																		7
8																		8
9	4	31	98	3.2	25	97				2.4	7.4	8.7	21			11		9
10																		10
11																		11
12	2	16	99	3.2	26	97				0.8	7.6	9.3	86			1		12
13																		13
14	3	23	98	5.6	43	95	0.77	5.84	73	2.0	7.5	9.0	57	0.22	1.67	1		14
15																		15
16	3	22	98	4.6	34	95				4.4	7.5	8.9	2			16		16
17																		17
18																		18
19																		19
20	4	30	98	4.8	36	96				4.6	7.3	8.6	2			36		20
21	4	30	98	5.2	39	96	0.67	4.97	74	4.8	7.4	8.5	117	0.41	3.04	3		21
22																		22
23	4	28	98	6.0	42	96				5.6	7.1	8.4	100			1		23
24																		24
25																		25
26	3	24	98	7.2	57	94				5.6	7.3	8.1	148			5		26
27																		27
28	2	15	99	4.8	36	96	0.39	2.89	86	4.4	7.4	8.7	49	0.29	2.15	15		28
29																		29
30	3	22	99	3.2	23	98				2.8	7.3	8.5	2			35		30
31																		31
TL	XXXX	694	XXXX	XXXX	957	XXXX	XXXX	115.7	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX	92.10	XXXX	XXXX	TL
ME	3	23	99	4.2	32	97	0.50	3.86	82	3.4	7.4	8.8	16	0.38	3.07	18	XXXX	ME
WA	4	29	98	6.1	46	95	XXXX	XXXX	XXXX	5.3	7.5	8.3	120	0.50	4.24	31	XXXX	WA
MAX	4	31	99	7.2	57	99	0.77	5.84	91	5.6	7.6	9.3	148	0.58	5.03	38	XXXX	MAX
MIN	2	15	97	2.2	19	94	0.29	2.44	73	0.8	7.1	8.1	1	0.22	1.67	1	XXXX	MIN

Remarks: Fecal Coli for June
Cl2 Residuals for June
are actually "Greater Than"
12, 14, 23 are actually "Less Than"

State of Michigan
Department of Environmental Quality

Miscellaneous Sheet

Lowell, Michigan

R 4607 4/74
4833-6040

Plant No. 410049
Month June
Year 2023

Superintendent's Signature
Brian Vander Meulen, Supt.

Grit		Aux Fuel	Power Consumption	Chemicals Applied		
DAY PN SF	CF	Nat. Gas	KWH	CL2	FeCL2	
		CF		LBS	GAL	
		2	3			
1	1	0	1.6	9	20	
2	1	1	1.4	4	15	
3	1	0	1.4	3	20	
4	1	0	1.6	3	15	
5	1	0	1.8	8	15	
6	1	0	1.6	7	10	
7	1	0	1.4	6	10	
8	1	0	1.6	8	15	
9	1	0	1.2	5	20	
10	1	0	1.4	6	25	
11	1	0	1.4	7	30	
12	1	0	1.6	5	15	
13	1	0	1.6	8	10	
14	1	1	1.4	8	25	
15	1	0	1.6	7	35	
16	1	0	1.4	5	20	
17	1	0	1.4	10	25	
18	1	0	1.4	10	20	
19	1	0	1.6	8	20	
20	1	0	1.4	7	35	
21	1	0	1.6	7	35	
22	1	0	1.4	8	30	
23	1	0	1.0	6	30	
24	1	0	1.6	4	35	
25	1	0	1.6	10	30	
26	1	0	1.4	10	35	
27	1	0	1.6	10	30	
28	1	0	1.8	12	30	
29	1	0	1.8	10	25	
30	1	0	0.2	12	30	
31	1					
TL	31	2	43.8	223	710	0
ME	1	0	1.5	7	24	0
MAX	1	1	1.8	12	35	0
MIN	1	0	0.2	3	10	0

Manpower						
Position Title	Full Time	Part Time	Total Hours	No. of Vac	No. of Separations	No. of New Hires
Superintendent	1	0	176	0	0	0
Shift Operator	1	1	196	0	0	0
Total	2	1	372	0	0	0
Weekday Hrs.	9					
Saturday Hrs.	4					
Sunday Hrs.	4					
Holiday Hrs.	4					

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: LOWELL WWTP
ADDRESS: 301 EAST MAIN STREET
 LOWELL MI 49331

 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
 DISCHARGE MONITORING REPORT (DMR)

M10020311
PERMIT NUMBER

001 A
DISCHARGE NUMBER

MINOR
 (SUBR GG)
 F-FINAL
 001 MUN.WASTE20-FLAT RIVER

FACILITY: LOWELL WWTP
LOCATION: LOWELL MI 49331
ATTN: BRIAN VANDER MEULEN

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
2023	6	1	2023	6	30

*** NO DISCHARGE ☐ ***

NOTE: Read Instructions before completing this form.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
FLOW, IN CONDUIT OR THRU TREATMENT PLANT	SAMPLE MEASUREMENT	0.93	1.04	(03)	*****	*****	*****			7/7	RECORD FLOW
50050 1 0 0	PERMIT REQUIREMENT	REPORT MONTHLY AVG	REPORT DAILY MAX	MGD	*****	*****	*****	****		WEEKDAYS	RECORD FLOW
EFFLUENT GROSS VALUE								****			
SOLIDS, TOTAL SUSPENDED	SAMPLE MEASUREMENT	32	46	(26)	*****	4.2	6.1	(19)	0	3/7	24 HR COMP
00530 B 0 0	PERMIT REQUIREMENT	360	530		*****	30	45			WEEKDAYS	24 HR COMP
PRIOR TO DISINFECT		MONTHLY AVG	7 DAY AVG	lbs/day		MONTHLY AVG	7 DAY AVG	mg/L			
BOD, CARBONACEOUS 05 DAY, 20C	SAMPLE MEASUREMENT	23	29	(26)	*****	3	4	(19)	0	3/7	24 HR COMP
80082 B 0 0	PERMIT REQUIREMENT	300	470		*****	25	40			WEEKDAYS	24 HR COMP
PRIOR TO DISINFECT		MONTHLY AVG	7 DAY AVG	lbs/day		MONTHLY AVG	7 DAY AVG	mg/L			
NITROGEN, AMMONIA TOTAL (AS N)	SAMPLE MEASUREMENT	*****	5.0	(26)	*****	*****	0.58	(19)	0	1/7	24 HR COMP
00610 B 1 0	PERMIT REQUIREMENT	*****	REPORT DAILY MAX	lbs/day	*****	*****	REPORT DAILY MAX	mg/L		WEEKLY	24 HR COMP
PRIOR TO DISINFECT											
PHOSPHORUS, TOTAL (AS P)	SAMPLE MEASUREMENT	3.9	5.8	(26)	*****	0.50	0.77	(19)	0	1/7	24 HR COMP
00665 B 0 0	PERMIT REQUIREMENT	12	REPORT DAILY MAX	lbs/day	*****	1.0	REPORT DAILY MAX	mg/L		WEEKLY	24 HR COMP
PRIOR TO DISINFECT		MONTHLY AVG				MONTHLY AVG					
CHLORINE, TOTAL RESIDUAL	SAMPLE MEASUREMENT	*****	*****		*****	*****	38	(19)	0	3/7	GRAB
50060 P 0 0	PERMIT REQUIREMENT	*****	*****	****	*****	*****	38			WEEKDAYS	GRAB
SEE COMMENTS BELOW				****			DAILY MAX	ug/l			
MERCURY, TOTAL	SAMPLE MEASUREMENT	*****	*G		*****	*****	*G		0	1/90	GRAB
71900 B 0 0	PERMIT REQUIREMENT	*****	Report Max Monthly Avg	lbs/day	*****	*****	Report Max Monthly Avg	ng/L		QUARTERLY	GRAB
POST DISINFECT											
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER		I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.				PHONE NUMBER		DATE			
						(616)	897-8135	2023	7	10	
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT				AREA CODE	NUMBER	YEAR	MO	DAY	

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

P=AFTER DISINFECTION

EPA Form 3320-1 (Rev 3/99) Previous editions may be used.

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Page 1 of 2

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: LOWELL WWTP
ADDRESS: 301 EAST MAIN STREET
 LOWELL MI 49331

 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
 DISCHARGE MONITORING REPORT (DMR)

M10020311
PERMIT NUMBER

001 A
DISCHARGE NUMBER

MINOR
 (SUBR GG)
 F-FINAL
 001 MUN. WASTE H2O--FLAT RIVER

FACILITY: LOWELL WWTP
LOCATION: LOWELL MI 49331
ATTN: BRIAN VANDER MEULEN

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
2023	6	1	2023	6	30

*** NO DISCHARGE ☐ ***

NOTE: Read Instructions before completing this form.

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
MERCURY, TOTAL	SAMPLE MEASUREMENT	*****	0.000005		*****	*****	0.44		0	1/90	CALCTD
71900 X 0 0 POST DISINFECT	PERMIT REQUIREMENT	*****	0.000024 12-Mo Rolling Avg	lbs/day	*****	*****	2.0 12-Mo Rolling Avg	ng/L		QUARTERLY	CALCTD
COLIFORM, FECAL GENERAL	SAMPLE MEASUREMENT	*****	*****		*****	16	120	(19)	0	3/7	GRAB
74055 P 0 0 SEE COMMENTS BELOW	PERMIT REQUIREMENT	*****	*****	*****	*****	200 MONTHLY AVG	400 7 DAY AVG	mg/L		DAILY	GRAB
BOD, 5-DAY PERCENT REMOVAL	SAMPLE MEASUREMENT	*****	*****		99	*****	97	(23)	0	1/30	CALCTD
81010 K 0 0 PERCENT REMOVAL	PERMIT REQUIREMENT	*****	*****	*****	85 MIN % REMOVAL	*****	Minimum Daily % Removal	PER- CENT		ONCE/MON	CALCTD
SOLIDS, SUSPENDED PERCENT REMOVAL	SAMPLE MEASUREMENT	*****	*****		97	*****	94	(23)	0	1/30	CALCTD
81011 K 0 0 PERCENT REMOVAL	PERMIT REQUIREMENT	*****	*****	*****	85 MIN % REMOVAL	*****	Minimum Daily % Removal	PER- CENT		ONCE/MON	CALCTD
pH	SAMPLE MEASUREMENT	*****	*****		7.1	*****	7.6	(12)	0	3/7	GRAB
00400 P 0 0 SEE COMMENTS BELOW	PERMIT REQUIREMENT	*****	*****	****	6.5 DAILY MINIMUM	*****	9.0 DAILY MAX	S.U.		WEEKDAYS	GRAB
OXYGEN, DISSOLVED (DO)	SAMPLE MEASUREMENT	*****	*****		8.1	*****	*****	(19)	0	3/7	GRAB
00300 P 0 0 SEE COMMENTS BELOW	PERMIT REQUIREMENT	*****	*****	****	3.0 DAILY MINIMUM	*****	*****	mg/L		WEEKDAYS	GRAB
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER		I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.					PHONE NUMBER		DATE		
							(616)	897-8135	2023	7	10
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT					AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

P=AFTER DISINFECTION

EPA Form 3320-1 (Rev 3/99) Previous editions may be used.

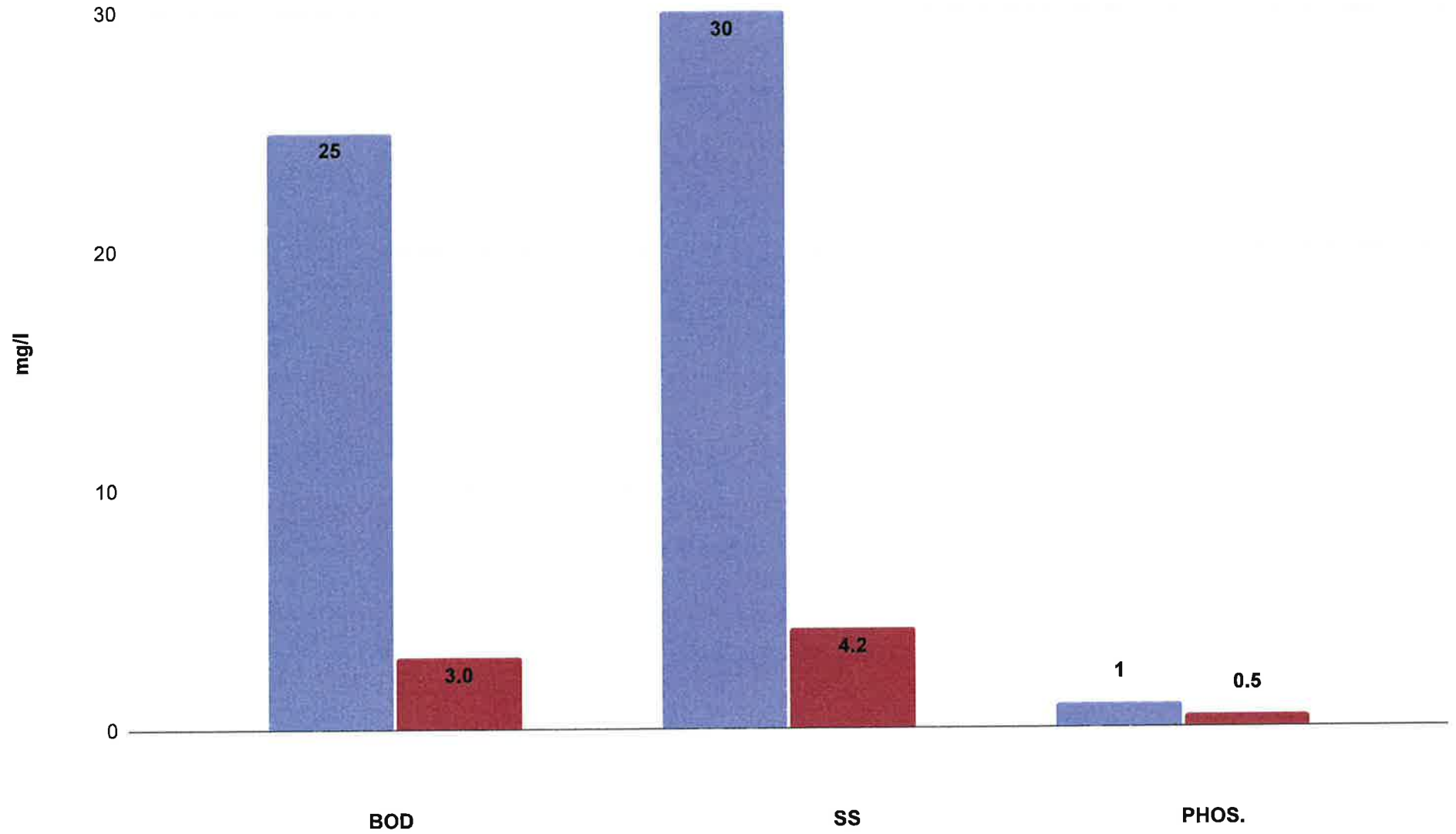
This is an electronic copy.

Page 2 of 2

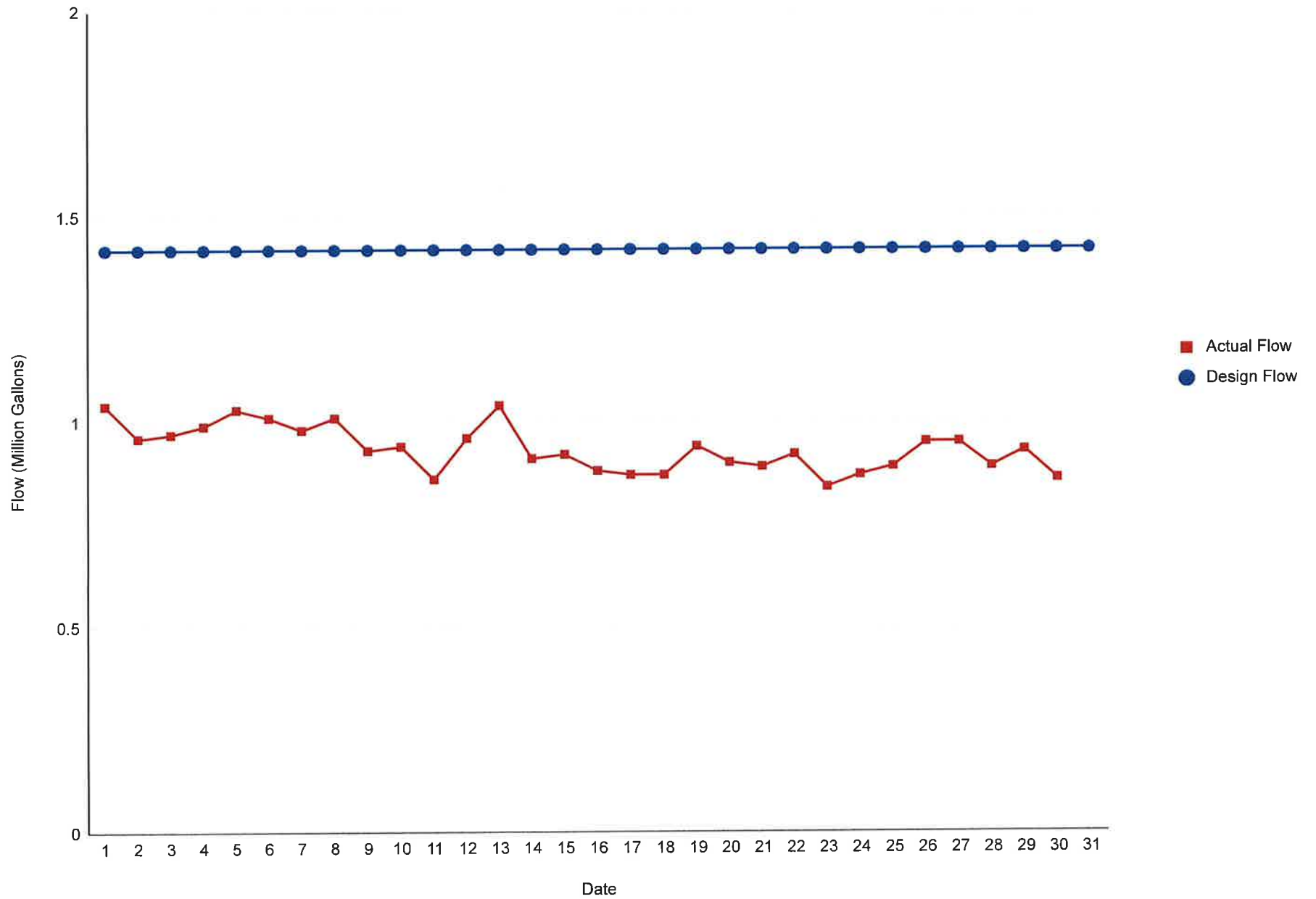
Appendix B

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EFFLUENT LIMIT vs ACTUAL



Flow Chart



APPOINTMENTS

	Expires
Airport Board	
Vacancy (Paul Nicholls – Currently Serving)	01/01/2023
Vacancy (Jeff Ostrander – Currently Serving)	01/01/2023
Vacancy (Tom Grimm – Currently Serving)	01/01/2023
Arbor Board	
Vacancy (Matthew Silverman – Resigned)	06/30/2023
Vacancy (Leah Groves – Resigned)	06/30/2023
Board of Review	
Vacancy (Maureen Pawloski – Currently Serving)	01/01/2023
Vacancy (Leah Vredenburg – Currently Serving)	01/01/2023
Vacancy (Jim Hodges – Currently Serving)	01/01/2023
Construction Board of Appeals	
Vacancy (Greg Canfield – Currently Serving)	01/01/2023
Downtown Development Authority	
Vacancy (Rick Seese – Currently Serving)	01/01/2023
Vacancy (Eric Wakeman – Resignation)	01/01/2024
Downtown Historic District Commission	
Vacancy (Ardis Barber – Currently Serving)	01/01/2023
Planning Commission	
Vacancy (David Cadwallader – Currently Serving)	06/30/2023