



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
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CITY OF LOWELL
CITY COUNCIL AGENDA
MONDAY, MARCH 5, 2018, 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 February 20, 2018 Committee of the Whole meeting.
 - Approve and place on file the regular minutes of the February 20, 2018 City Council meeting.Authorize payment of invoices in the amount of \$526,432.18.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

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

4. OLD BUSINESS
5. NEW BUSINESS
 - a. LARA – MDNR Grant – Notice of Public Meeting
 - b. Showboat Engineering Services C. Fly Marine Services, LLC
 - c. LARA Trail Maintenance Memorandum of Understanding
 - d. Resolution – 07-18 – Greater Grand Rapids Hazardous Mitigation Plan
6. BOARD/COMMISSION REPORTS
7. MANAGER'S REPORT
8. APPOINTMENTS
9. COUNCIL COMMENTS
10. ADJOURNMENT

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



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Lowell, Michigan 49331
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MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Monday, March 5, 2018

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

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- Approve and place on file the minutes of the February 20, 2018 Committee of the Whole meeting.
- Approve and place on file the regular minutes of the February 20, 2018 City Council meeting.
- Authorize payment of invoices in the amount of \$526,432.18.

3. CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA

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

4. OLD BUSINESS
5. NEW BUSINESS

- a. LARA – MDNR Grant – Notice of Public Meeting. Williams and Works Engineer Dave Austin will provide a presentation on the project. Public input will then be encouraged.
- b. Showboat Engineering Services C. Fly Marine Services, LLC. Memo is provided from Assistant City Manager Rich LaBombard.

Recommended Motion: That the Lowell City Council accept C. Fly Marine Services, LLC, bid of \$70,000 for the engineering and design of the new Lowell Showboat, plus additional expenses as requested by the City; and subject to approval of a finalized legal agreement between the City and C. Fly Marine, LLC that will be reviewed and approved by the City Manager and City Attorney.

- c. LARA Trail Maintenance Memorandum of Understanding. Memo is provided by City Manager Mike Burns.

Recommended Motion: That the Lowell City Council approve the Memorandum of Understanding between the Lowell Area Recreational Authority, Lowell Area Schools and the City of Lowell regarding maintenance of the Lowell Area Recreational Authority Trail as presented.

- d. Resolution – 07-18 – Greater Grand Rapids Hazardous Mitigation Plan. Memo is provided from City Manager Mike Burns.

Recommended Motion: That the Lowell City Council approve Resolution 07-18 as presented.

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

**PROCEEDINGS
OF
THE COMMITTEE OF THE WHOLE
OF THE
CITY OF LOWELL
MONDAY, FEBRUARY 20, 2018, 5:30 P.M.**

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

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

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

Absent: Councilmember Marty Chambers.

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

2. EXCUSE OF ABSENCES

IT WAS MOVED BY SALZWEDEL and seconded by PHILLIPS to excuse the absence of Councilmember Chambers.

YES: Councilmember Canfield, Councilmember Phillips, Councilmember Salzwedel, and Mayor DeVore.
NO: None. ABSENT: 1. MOTION CARRIED.

3. APPROVAL OF THE AGENDA

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

YES: Councilmember Canfield, Councilmember Phillips, Councilmember Salzwedel, and Mayor DeVore.
NO: None. ABSENT: 1. MOTION CARRIED.

4. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

There were no comments.

5. CHAMBER OF COMMERCE'S PLACE IN THE CITY.

City Manager Mike Burns advised he has had a number of meetings with the Chamber about the future plan of the facility they are currently in. Burns explained the Chamber board has approached the City to see if they could buy the facility, noting there is only 1 ½ years left of the lease contract between the Chamber and the City.

Cutter Phillips, Treasurer of the Chamber of Commerce, then spoke in reference to the Chamber building and asked the Council where they see the Chamber in the next year and a half. He also commented on the possibility of the Chamber purchasing the building.

Mayor DeVore stated the Chamber and Liz Baker do so much for the community and believed the Chamber needs to stay where they currently are.

Councilmember Canfield agreed with DeVore. He did not want to take money from the Chamber when the money could be used elsewhere.

Councilmember Salzwedel asked if the Chamber would still request marketing funds from the City if the building were to be sold to them. Chamber of Commerce Director Liz Baker responded yes.

Betsy Davidson explained the Chamber would like to make improvements to the building but because they don't own the building, they are afraid they might just be throwing money away if it gets taken away at some point. Their wish is to add another office and grow.

Burns read Section 13.3(b) The City shall not have the power to purchase, sell, or dispose of any real estate property unless:

- (1) In case of sale, there shall be at least two published advertisements for bids prior to adoption of a resolution for sale or disposal.
- (2) Such action is approved by the affirmative vote of four or more members of the Council, and unless,
- (3) In the case of real estate owned by it, the resolution authorizing the sale, lease, or disposal thereof shall be completed in the manner in which it is finally passed and has remained on file with the Clerk for public inspection for twenty days before the final adoption or passage thereof, and unless,
- (4) It shall be in accordance with Section 5.12(a) of this Charter.

Baker stated the Chamber pays \$2,400 a year in rent, which covers utilities. John Zelinski spoke in reference to the different purchase options that can be taken. He mentioned a land contract which would allow the City to be strict with what happens with the property.

Baker suggested the Chamber board continue to discuss their options.

6. **COUNCIL COMMENTS.**

Councilmember Salzwedel thanked everyone for their input and coming to the meeting. Salzwedel stated he likes that the Council is so open minded and they bring things forward.

Councilmember Canfield thanked the Chamber, noting they have put Lowell on the map. He noted the City will do whatever they can to work with the Chamber.

Mayor DeVore commented the City and the Chamber should consider all the options and then establish another meeting for further discussion.

7. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to adjourn at 6:07 p.m.

YES: 4. NO: None. ABSENT: 1. MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
TUESDAY, FEBRUARY 20, 2018, 7:00 P.M.**

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

The Meeting was called to order at 7:00 p.m. by Councilmember Mike DeVore and City Clerk Susan Ullery called roll.

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

Absent: None.

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

2. APPROVAL OF THE CONSENT AGENDA.

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

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

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

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

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

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

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

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

4. **OLD BUSINESS.**

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

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

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

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

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

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

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

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

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

c. Revenue Generating Options for Infrastructure.

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

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

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

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

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

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

5. NEW BUSINESS.

a. Regulator Station Easement for Consumer's Energy.

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

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

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

b. Temporary Working Agreement for Consumer's Energy.

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

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

c. LARA Trail.

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

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

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

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

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

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

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

NO: None. ABSENT: 0. MOTION CARRIED.

6. **BOARD/COMMISSION REPORTS.**

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

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

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

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

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

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

7. **MONTHLY REPORTS.**

There were no comments.

8. **MANAGER'S REPORT.**

City Manager Mike Burns reported on the following:

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

9. **APPOINTMENTS.**

None.

10. **COUNCIL COMMENTS.**

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

Councilmember Salzwedel felt the same as Phillips.

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

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

Chambers also congratulated Brian VanderMeulen on his promotion.

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

11. ADJOURNMENT.

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

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

DATE:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 18-01

**AN ORDINANCE TO AMEND CHAPTER 22, "ADMINISTRATION AND
ENFORCEMENT," OF APPENDIX A, "ZONING," OF THE CODE OF
ORDINANCES OF THE CITY OF LOWELL**

Councilmember CHAMBERS, supported by Councilmember CANFIELD, moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment of Chapter 22. Chapter 22 of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in its entirety to read as follows:

CHAPTER 22. - ADMINISTRATION AND ENFORCEMENT

SECTION 22.01. - ZONING ENFORCEMENT OFFICER.

- A. Authority. Except where herein otherwise stated, the provisions of this ordinance shall be administered by the zoning enforcement officer, or such other official or officials as may be designated by the city council. The zoning enforcement officer shall have the power to:
1. issue certificates of occupancy;
 2. make inspections of buildings and premises necessary to carry out the duties of administration and enforcement of this ordinance;
 3. issue and serve appearance tickets on any person with respect to any violation of this ordinance where there is reasonable cause to believe that the person has committed such an offense;
 4. maintain and safely keep copies of all plans other than for single-family dwellings and fees submitted with such application, and the same shall form a part of the records of his office and shall be available to the council and all other officials of the city; and
 5. perform such other functions necessary and proper to enforce and administer the provisions of this ordinance.

SECTION 22.02. - PERMITS.

- A. Building permits.

1. No building, structure, or commercial sign shall be erected, altered, moved, or substantially repaired unless a building permit shall have been first issued for such work.
2. No building permit shall be issued for the erection, alteration, or use of any building or structure or for the use of any land which is not in accordance with all provisions of this ordinance.
3. The holder of every building permit for the construction, erection, alteration, repair, or moving of any building or structure shall notify the building inspector immediately upon completion of the work authorized by the permit for a final inspection.

B. Certificate of occupancy.

1. No vacant land shall be used and no existing use of land shall be changed to a different class of use unless a certificate of occupancy is first obtained for the new or different use.
2. No building or structure which is hereafter erected or altered shall be occupied or used unless and until a certificate of occupancy shall have been issued for such building or structure.
3. Certificates of occupancy, as required by the currently adopted Building Code for the city, shall also constitute certification of compliance with the zoning ordinance.
4. A record of all certificates of occupancy issued shall be kept on file in the office of the zoning enforcement officer and copies shall be furnished upon request to any person owning or renting the property which is the subject of the Certificate.
5. Applications for certificates of occupancy shall be made in writing to the building inspector on a form furnished by the city. Certificates shall be issued within ten (10) days after receipt of such application if the building or structure or use of land is in accordance with the provisions of this ordinance and the other applicable ordinances of the city.

C. Zoning Compliance Permits.

1. No permit or approval shall be issued for any use, building, construction, work, alteration, addition, or improvement to land or land division, until a zoning compliance permit has been issued by the zoning enforcement officer under the terms and provisions of this ordinance.
2. The issuance of any other approval or certification of a site plan, variance, special land use permit, planned unit development, or other discretionary permit by any board or body under this ordinance, shall not supersede or lessen compliance with this ordinance and that any use, development, construction, improvement or work allowed under the discretionary permit, shall in all cases be further conditioned on compliance with this ordinance and shall not be allowed until the issuance of the zoning compliance permit in accordance with this chapter.

3. An application for a zoning compliance permit shall be signed by the owner of the land, or the owner's duly authorized agent and be accompanied by a site plan, where required under other provisions of this ordinance, or a drawing, that provides the following information:
 - a. scale, date and north point;
 - b. location, shape and dimensions of the lot;
 - c. legal description, tax parcel number and address of the lot;
 - d. location, outline and dimensions of all existing and proposed structures and the location and extent of all uses not involving structures;
 - e. a clear description of existing and intended uses of all structures; and
 - f. additional information as required by the zoning enforcement officer for purposes of determining compliance with this ordinance.
4. A zoning compliance permit shall be signed and issued by the zoning enforcement officer.
 - a. The application and all supporting documentation shall be considered a part of the permit.
 - b. Any alteration, false statement, change or other variation between the application and its supporting documents, and the use, construction, work, development, alteration, addition, or improvement authorized by the permit, shall render the permit null and void.
 - c. Any change, variation or alteration of the application and supporting documents, shall require resubmission to the zoning enforcement officer and the re-issuance of a new zoning compliance permit.
5. All fees due under this ordinance, or under other ordinances or policies of the City for municipal services and development of the work, must be paid in full prior to the issuance of the zoning compliance permit, unless exception is made by the appropriate board authorized to waive or delay the payment of the fees. The applicant shall furnish to the zoning enforcement officer, upon request, a title insurance policy or other acceptable evidence of ownership.
6. The zoning enforcement officer is authorized to prepare and furnish to the public, from time to time forms for application for a zoning compliance permit.
7. The zoning enforcement officer is authorized to affix to the face of any zoning compliance permit any condition authorized by this ordinance or under any discretionary permit issued by any board under this ordinance, or under other ordinances or promulgated policies of the city, pertaining to the use, work or occupancy of the land and premises. Failure to comply with any condition shall render the zoning compliance permit null and void.

8. A zoning compliance permit shall not be required for ordinary repairs or maintenance to one- or two-family residential dwellings or any related accessory structure, including but not limited to roofing, siding and interior work, provided that such construction does not increase the gross ground floor area, height, or location of the building, and/or does not change the use of the structure.
- D. Fees for the inspection and issuance of building permits, certificates of occupancy, zoning compliance permits, or copies required or issued under the provisions of this ordinance, may be collected by the city in advance of issuance. The amount of such fees shall be established by resolution of the city council and shall cover the cost of inspection and supervision resulting from the enforcement of this ordinance.

SECTION 22.03. - ENFORCEMENT.

A. Violations.

1. A violation of this ordinance shall be a civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six (6) month period. The civil fine for a first offense is fifty dollars (\$50.00). The civil fine for the first repeat offense is two hundred and fifty dollars (\$250.00). The civil fine for the second repeat offense is five hundred dollars (\$500.00). The city shall also be entitled to equitable relief to abate the violation and to such other relief as may be available to the city pursuant to chapters 83 and 87 of the Michigan Revised Judicature Act, as amended.
 2. Each day on which any violation of this ordinance occurs shall constitute a separate offense.
- B. Any building or structure which is erected, altered, or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this ordinance and is in violation of any of the provisions thereof, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

SECTION 22.04. - PERFORMANCE GUARANTEES.

- A. As a condition of approval of a site plan review, special land use, or planned unit development, the planning commission or zoning enforcement officer, whichever is designated as the approving authority, may require a financial guarantee of sufficient sum to assure the installation of those features or components of the approved activity or construction which are considered necessary to protect the health, safety, and welfare of the public and of users or inhabitants of the proposed development. Such features or components, hereafter referred to as "improvements," may include, but shall not be limited to, streets, curbing, landscaping, fencing, walls, screening, lighting, drainage facilities, sidewalks, driveways, utilities, and similar items.
- B. Performance guarantees shall be processed in the following manner:

1. Prior to the issuance of a certificate of occupancy, the applicant shall submit an itemized estimate of the cost of the required improvements which are subject to the performance guarantee, which shall then be reviewed by the zoning enforcement officer. The amount of the performance guarantee shall be one hundred percent (100%) of the cost of purchasing of materials and installation of the required improvements, plus the cost of necessary engineering and a reasonable amount for contingencies.
2. The required performance guarantee may be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the city.
3. Upon receipt of the required performance guarantee, the zoning enforcement officer shall issue a building permit for the subject development or activity, provided it is in compliance with all other applicable provisions of this ordinance and other applicable ordinances of the city.
4. The zoning enforcement officer, upon the written request of the obliger, shall rebate portions of the performance guarantee upon determination that the improvements for which the rebate has been requested have been satisfactorily completed. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvements.
5. When all of the required improvements have been completed, the obliger shall send written notice to the zoning enforcement officer of completion of said improvements. Thereupon, the zoning enforcement officer shall inspect all of the improvements and approve, partially approve, or reject the improvements with a statement of the reasons for any rejections. If partial approval is granted, the cost of the improvement rejected shall be set forth. Where partial approval is granted, the obliger shall be released from liability pursuant to relevant portions of the performance guarantee, except for that portion sufficient to secure completion of the improvements not yet approved.
6. A record of authorized performance guarantees shall be maintained by the zoning enforcement officer.

SECTION 22.05. - ZONING AMENDMENTS

A. Procedure.

1. Written applications for the adoption of a rezoning or amendment to this ordinance may be initiated by:
 - a. any public agency;
 - b. any interested person;
 - c. the planning commission; or
 - d. the city council.

2. If said application is for a rezoning, an "interested person" shall either be the city or the owner of the property which will be considered for the rezoning, or, if not the owner of the property, the applicant shall submit a written statement from the property owner indicating his or her permission to submit such application.
3. Application for a zoning amendment shall consist of:
 - a. a written statement from the property owner indicating his or her permission to submit such application, if applicable;
 - b. payment of a fee, as established from time to time by the city council;
 - c. a map clearly showing the property to be considered for the zoning change, including all properties within one quarter (¼) mile of the subject property and the current zoning of all such properties; and
 - d. a legal description of the property to be considered for the zoning change.
4. Following receipt of the completed application, the planning commission shall hold a public hearing. Notice of the public hearing shall be provided pursuant to Section 22.05 of this ordinance and Act 110 of the Public Acts of Michigan of 2006, as amended.
5. Following the public hearing, the planning commission shall forward the application, along with its recommendation, to the city council for a final decision.
6. Review Criteria. In making a decision on a zoning amendment, the planning commission and city council shall consider the following standards:
 - 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;
 - b. if the zoning amendment is compatible with existing or future land uses in the vicinity; and
 - 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.
7. The city's decision of a zoning amendment may not be appealed to the board of zoning appeals.

SECTION 22.06. – PUBLIC HEARING AND NOTICE REQUIREMENTS.

- A. Where this ordinance requires the City to provide notice of a public hearing for any decision or action permitted, authorized or required by this ordinance or under Act 110 of the Public Acts of Michigan of 2006, as amended, notice of the public hearing shall be given as follows:

- B. The notice shall be published once, at least fifteen (15) days prior to the date of the public hearing, in a newspaper of general circulation in the city.
- C. Except as provided in subsection E below, a notice of public hearing shall also be mailed or personally delivered to the following persons, at least fifteen (15) days prior to the date of the public hearing:
1. the applicant;
 2. the owner or owners of the subject property;
 3. all persons to whom real property is assessed within three hundred (300) feet of the property that is the subject to the application or request, even if the three hundred (300) feet extends outside of the city's boundaries; and
 4. the occupants of all structures within three hundred (300) feet of the property that is the subject of the application or request, even if the three hundred (300) feet extends outside of the city's boundaries. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.
- D. The notice of public hearing shall include the following information:
1. A description of the nature of the proposed amendment, application or request.
 2. An identification of the property that is the subject of the application or request, if applicable. Except as provided in subsection E below, the notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property and another means of identification of the property shall be used.
 3. When and where the application or request will be considered.
 4. When and where written comments will be received concerning the application or request.
- E. When a proposed zoning amendment involves the text of the Zoning Ordinance or if a rezoning involves eleven (11) or more adjacent properties, or when a petition to the board of zoning appeals involves an interpretation of the Zoning Ordinance or an appeal of an administrative decision that does not involve a specific parcel, the mailing or delivery requirements of subsections C(2), C(3) and C(4), of this section are not required, and the listing of individual property addresses under subsection D(2) is not required.
- F. With respect to a zoning ordinance amendment, including rezoning of property, the notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the city for the purpose of receiving the notice of public hearing.
- G. After providing the notice required under this section and without further notice, except that as required under the Act 267 of the Public Acts of Michigan of 1976, as amended,

the body holding the public hearing may adjourn from time to time a duly called public hearing by passing a motion specifying the time, date, and place of the continued public hearing.

SECTION 22.07. FEES AND APPLICANT ESCROW ACCOUNTS

- A. The city council may establish, fees for appeals, application for amendments, special uses, site plan reviews, zoning compliance permits, signs, and other matters pertaining to this ordinance. The schedule of fees shall be posted in city hall and may be altered only by resolution of the city council. Until all applicable fees, charges and expenses have been paid in full, no permits shall be issued related to any application or appeal.
- B. If the planning commission or board of zoning appeals determines that the basic fees provided under subsection A above will not cover the actual costs of the application review or appeal, or if the planning commission or board of zoning appeals determines that review of the application and/or participation in the review process or appeal by qualified professional planners, engineers, attorneys, or other professionals is necessary, then the planning commission or board of zoning appeals may require the applicant to deposit with the city treasurer such additional fees in an amount sufficient to cover the estimated additional costs.
- C. These additional fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and review of the application or decision on the appeal is not completed, then the zoning enforcement officer may require the applicant to deposit additional fees into escrow in an amount determined by the zoning enforcement officer to be equal to the estimated costs to complete the review or decide the appeal. Failure of the applicant to make any escrow deposit required under this ordinance shall be deemed to make the application incomplete or the appeal procedurally defective thereby justifying the denial of the application or the dismissal of the appeal. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application or the final decision on the appeal. Any actual costs incurred by the city in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit or the release of a final decision on an appeal.

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

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

YEAS: Councilmembers _____

NAYS : Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

ORDINANCE DECLARED ADOPTED.

Dated: January 16, 2018

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 January 16, 2018, 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 _____, 2018. I further certify that the above ordinance was entered into the Ordinance Book of the City on _____, 2018, and was effective _____, 2016, ten (10) days after publication.

Dated: January 16, 2018

Susan Ullery
City Clerk

GRAPIDS 60857-994 484108v4

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 18-01

**AN ORDINANCE TO AMEND CHAPTER 22, "ADMINISTRATION AND
ENFORCEMENT," OF APPENDIX A, "ZONING," OF THE CODE OF
ORDINANCES OF THE CITY OF LOWELL**

Councilmember CHAMBERS, supported by Councilmember CANFIELD, moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment of Chapter 22. Chapter 22 of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in its entirety to read as follows:

CHAPTER 22. - ADMINISTRATION AND ENFORCEMENT

SECTION 22.01. - ZONING ENFORCEMENT OFFICER.

- A. Authority. Except where herein otherwise stated, the provisions of this ordinance shall be administered by the zoning enforcement officer, or such other official or officials as may be designated by the city council. The zoning enforcement officer shall have the power to:
1. issue certificates of occupancy;
 2. make inspections of buildings and premises necessary to carry out the duties of administration and enforcement of this ordinance;
 3. issue and serve appearance tickets on any person with respect to any violation of this ordinance where there is reasonable cause to believe that the person has committed such an offense;
 4. maintain and safely keep copies of all plans other than for single-family dwellings and fees submitted with such application, and the same shall form a part of the records of his office and shall be available to the council and all other officials of the city; and
 5. perform such other functions necessary and proper to enforce and administer the provisions of this ordinance.

SECTION 22.02. - PERMITS.

- A. Building permits.

1. No building, structure, or commercial sign shall be erected, altered, moved, or substantially repaired unless a building permit shall have been first issued for such work.
2. No building permit shall be issued for the erection, alteration, or use of any building or structure or for the use of any land which is not in accordance with all provisions of this ordinance.
3. The holder of every building permit for the construction, erection, alteration, repair, or moving of any building or structure shall notify the building inspector immediately upon completion of the work authorized by the permit for a final inspection.

B. Certificate of occupancy.

1. No vacant land shall be used and no existing use of land shall be changed to a different class of use unless a certificate of occupancy is first obtained for the new or different use.
2. No building or structure which is hereafter erected or altered shall be occupied or used unless and until a certificate of occupancy shall have been issued for such building or structure.
3. Certificates of occupancy, as required by the currently adopted Building Code for the city, shall also constitute certification of compliance with the zoning ordinance.
4. A record of all certificates of occupancy issued shall be kept on file in the office of the zoning enforcement officer and copies shall be furnished upon request to any person owning or renting the property which is the subject of the Certificate.
5. Applications for certificates of occupancy shall be made in writing to the building inspector on a form furnished by the city. Certificates shall be issued within ten (10) days after receipt of such application if the building or structure or use of land is in accordance with the provisions of this ordinance and the other applicable ordinances of the city.

C. Zoning Compliance Permits.

1. No permit or approval shall be issued for any use, building, construction, work, alteration, addition, or improvement to land or land division, until a zoning compliance permit has been issued by the zoning enforcement officer under the terms and provisions of this ordinance.
2. The issuance of any other approval or certification of a site plan, variance, special land use permit, planned unit development, or other discretionary permit by any board or body under this ordinance, shall not supersede or lessen compliance with this ordinance and that any use, development, construction, improvement or work allowed under the discretionary permit, shall in all cases be further conditioned on compliance with this ordinance and shall not be allowed until the issuance of the zoning compliance permit in accordance with this chapter.

3. An application for a zoning compliance permit shall be signed by the owner of the land, or the owner's duly authorized agent and be accompanied by a site plan, where required under other provisions of this ordinance, or a drawing, that provides the following information:
 - a. scale, date and north point;
 - b. location, shape and dimensions of the lot;
 - c. legal description, tax parcel number and address of the lot;
 - d. location, outline and dimensions of all existing and proposed structures and the location and extent of all uses not involving structures;
 - e. a clear description of existing and intended uses of all structures; and
 - f. additional information as required by the zoning enforcement officer for purposes of determining compliance with this ordinance.
4. A zoning compliance permit shall be signed and issued by the zoning enforcement officer.
 - a. The application and all supporting documentation shall be considered a part of the permit.
 - b. Any alteration, false statement, change or other variation between the application and its supporting documents, and the use, construction, work, development, alteration, addition, or improvement authorized by the permit, shall render the permit null and void.
 - c. Any change, variation or alteration of the application and supporting documents, shall require resubmission to the zoning enforcement officer and the re-issuance of a new zoning compliance permit.
5. All fees due under this ordinance, or under other ordinances or policies of the City for municipal services and development of the work, must be paid in full prior to the issuance of the zoning compliance permit, unless exception is made by the appropriate board authorized to waive or delay the payment of the fees. The applicant shall furnish to the zoning enforcement officer, upon request, a title insurance policy or other acceptable evidence of ownership.
6. The zoning enforcement officer is authorized to prepare and furnish to the public, from time to time forms for application for a zoning compliance permit.
7. The zoning enforcement officer is authorized to affix to the face of any zoning compliance permit any condition authorized by this ordinance or under any discretionary permit issued by any board under this ordinance, or under other ordinances or promulgated policies of the city, pertaining to the use, work or occupancy of the land and premises. Failure to comply with any condition shall render the zoning compliance permit null and void.

8. A zoning compliance permit shall not be required for ordinary repairs or maintenance to one- or two-family residential dwellings or any related accessory structure, including but not limited to roofing, siding and interior work, provided that such construction does not increase the gross ground floor area, height, or location of the building, and/or does not change the use of the structure.
- D. Fees for the inspection and issuance of building permits, certificates of occupancy, zoning compliance permits, or copies required or issued under the provisions of this ordinance, may be collected by the city in advance of issuance. The amount of such fees shall be established by resolution of the city council and shall cover the cost of inspection and supervision resulting from the enforcement of this ordinance.

SECTION 22.03. - ENFORCEMENT.

A. Violations.

1. A violation of this ordinance shall be a civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six (6) month period. The civil fine for a first offense is fifty dollars (\$50.00). The civil fine for the first repeat offense is two hundred and fifty dollars (\$250.00). The civil fine for the second repeat offense is five hundred dollars (\$500.00). The city shall also be entitled to equitable relief to abate the violation and to such other relief as may be available to the city pursuant to chapters 83 and 87 of the Michigan Revised Judicature Act, as amended.
2. Each day on which any violation of this ordinance occurs shall constitute a separate offense.

- B. Any building or structure which is erected, altered, or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this ordinance and is in violation of any of the provisions thereof, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

SECTION 22.04. - PERFORMANCE GUARANTEES.

- A. As a condition of approval of a site plan review, special land use, or planned unit development, the planning commission or zoning enforcement officer, whichever is designated as the approving authority, may require a financial guarantee of sufficient sum to assure the installation of those features or components of the approved activity or construction which are considered necessary to protect the health, safety, and welfare of the public and of users or inhabitants of the proposed development. Such features or components, hereafter referred to as "improvements," may include, but shall not be limited to, streets, curbing, landscaping, fencing, walls, screening, lighting, drainage facilities, sidewalks, driveways, utilities, and similar items.
- B. Performance guarantees shall be processed in the following manner:

1. Prior to the issuance of a certificate of occupancy, the applicant shall submit an itemized estimate of the cost of the required improvements which are subject to the performance guarantee, which shall then be reviewed by the zoning enforcement officer. The amount of the performance guarantee shall be one hundred percent (100%) of the cost of purchasing of materials and installation of the required improvements, plus the cost of necessary engineering and a reasonable amount for contingencies.
2. The required performance guarantee may be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the city.
3. Upon receipt of the required performance guarantee, the zoning enforcement officer shall issue a building permit for the subject development or activity, provided it is in compliance with all other applicable provisions of this ordinance and other applicable ordinances of the city.
4. The zoning enforcement officer, upon the written request of the obliger, shall rebate portions of the performance guarantee upon determination that the improvements for which the rebate has been requested have been satisfactorily completed. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvements.
5. When all of the required improvements have been completed, the obliger shall send written notice to the zoning enforcement officer of completion of said improvements. Thereupon, the zoning enforcement officer shall inspect all of the improvements and approve, partially approve, or reject the improvements with a statement of the reasons for any rejections. If partial approval is granted, the cost of the improvement rejected shall be set forth. Where partial approval is granted, the obliger shall be released from liability pursuant to relevant portions of the performance guarantee, except for that portion sufficient to secure completion of the improvements not yet approved.
6. A record of authorized performance guarantees shall be maintained by the zoning enforcement officer.

SECTION 22.05. - ZONING AMENDMENTS

A. Procedure.

1. Written applications for the adoption of a rezoning or amendment to this ordinance may be initiated by:
 - a. any public agency;
 - b. any interested person;
 - c. the planning commission; or
 - d. the city council.

2. If said application is for a rezoning, an "interested person" shall either be the city or the owner of the property which will be considered for the rezoning, or, if not the owner of the property, the applicant shall submit a written statement from the property owner indicating his or her permission to submit such application.
3. Application for a zoning amendment shall consist of:
 - a. a written statement from the property owner indicating his or her permission to submit such application, if applicable;
 - b. payment of a fee, as established from time to time by the city council;
 - c. a map clearly showing the property to be considered for the zoning change, including all properties within one quarter (¼) mile of the subject property and the current zoning of all such properties; and
 - d. a legal description of the property to be considered for the zoning change.
4. Following receipt of the completed application, the planning commission shall hold a public hearing. Notice of the public hearing shall be provided pursuant to Section 22.05 of this ordinance and Act 110 of the Public Acts of Michigan of 2006, as amended.
5. Following the public hearing, the planning commission shall forward the application, along with its recommendation, to the city council for a final decision.
6. Review Criteria. In making a decision on a zoning amendment, the planning commission and city council shall consider the following standards:
 - 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;
 - b. if the zoning amendment is compatible with existing or future land uses in the vicinity; and
 - 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.
7. The city's decision of a zoning amendment may not be appealed to the board of zoning appeals.

SECTION 22.06. – PUBLIC HEARING AND NOTICE REQUIREMENTS.

- A. Where this ordinance requires the City to provide notice of a public hearing for any decision or action permitted, authorized or required by this ordinance or under Act 110 of the Public Acts of Michigan of 2006, as amended, notice of the public hearing shall be given as follows:

- B. The notice shall be published once, at least fifteen (15) days prior to the date of the public hearing, in a newspaper of general circulation in the city.
- C. Except as provided in subsection E below, a notice of public hearing shall also be mailed or personally delivered to the following persons, at least fifteen (15) days prior to the date of the public hearing:
1. the applicant;
 2. the owner or owners of the subject property;
 3. all persons to whom real property is assessed within three hundred (300) feet of the property that is the subject to the application or request, even if the three hundred (300) feet extends outside of the city's boundaries; and
 4. the occupants of all structures within three hundred (300) feet of the property that is the subject of the application or request, even if the three hundred (300) feet extends outside of the city's boundaries. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.
- D. The notice of public hearing shall include the following information:
1. A description of the nature of the proposed amendment, application or request.
 2. An identification of the property that is the subject of the application or request, if applicable. Except as provided in subsection E below, the notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property and another means of identification of the property shall be used.
 3. When and where the application or request will be considered.
 4. When and where written comments will be received concerning the application or request.
- E. When a proposed zoning amendment involves the text of the Zoning Ordinance or if a rezoning involves eleven (11) or more adjacent properties, or when a petition to the board of zoning appeals involves an interpretation of the Zoning Ordinance or an appeal of an administrative decision that does not involve a specific parcel, the mailing or delivery requirements of subsections C(2), C(3) and C(4), of this section are not required, and the listing of individual property addresses under subsection D(2) is not required.
- F. With respect to a zoning ordinance amendment, including rezoning of property, the notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the city for the purpose of receiving the notice of public hearing.
- G. After providing the notice required under this section and without further notice, except that as required under the Act 267 of the Public Acts of Michigan of 1976, as amended,

the body holding the public hearing may adjourn from time to time a duly called public hearing by passing a motion specifying the time, date, and place of the continued public hearing.

SECTION 22.07. FEES AND APPLICANT ESCROW ACCOUNTS

- A. The city council may establish, fees for appeals, application for amendments, special uses, site plan reviews, zoning compliance permits, signs, and other matters pertaining to this ordinance. The schedule of fees shall be posted in city hall and may be altered only by resolution of the city council. Until all applicable fees, charges and expenses have been paid in full, no permits shall be issued related to any application or appeal.
- B. If the planning commission or board of zoning appeals determines that the basic fees provided under subsection A above will not cover the actual costs of the application review or appeal, or if the planning commission or board of zoning appeals determines that review of the application and/or participation in the review process or appeal by qualified professional planners, engineers, attorneys, or other professionals is necessary, then the planning commission or board of zoning appeals may require the applicant to deposit with the city treasurer such additional fees in an amount sufficient to cover the estimated additional costs.
- C. These additional fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and review of the application or decision on the appeal is not completed, then the zoning enforcement officer may require the applicant to deposit additional fees into escrow in an amount determined by the zoning enforcement officer to be equal to the estimated costs to complete the review or decide the appeal. Failure of the applicant to make any escrow deposit required under this ordinance shall be deemed to make the application incomplete or the appeal procedurally defective thereby justifying the denial of the application or the dismissal of the appeal. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application or the final decision on the appeal. Any actual costs incurred by the city in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit or the release of a final decision on an appeal.

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

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

YEAS: Councilmembers Mayor DeVore, Councilmembers Salzwedel, Phillips,
Chambers and Canfield

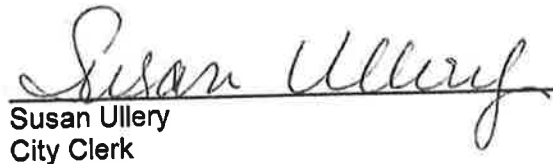
NAYS : Councilmembers None.

ABSTAIN: Councilmembers None.

ABSENT: Councilmembers None.

ORDINANCE DECLARED ADOPTED.

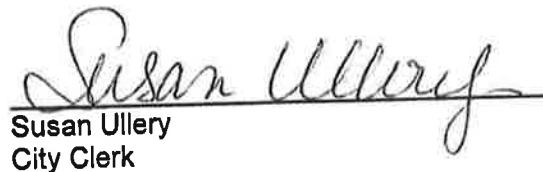
Dated: February 20, 2018


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 February 20, 2018, 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 February 28, 2018. I further certify that the above ordinance was entered into the Ordinance Book of the City on March 10, 2018, and was effective March 10, 2018, ten (10) days after publication.

Dated: February 20, 2018


Susan Ullery
City Clerk

GRAPIDS 60857-994 484108v4

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 18-02

AN ORDINANCE TO AMEND SECTION 2.03, "DEFINITIONS-B," AND SECTION 2.19, "DEFINITIONS-S," OF CHAPTER 2, "DEFINITIONS," SECTION 5.03, "SPECIAL LAND USES" OF CHAPTER 5, "SR – SUBURBAN RESIDENTIAL DISTRICT," SECTION 6.03 "SPECIAL LAND USES" OF CHAPTER 6 "R-1 RESIDENTIAL DISTRICT," SECTION 11.03 "SPECIAL LAND USES" OF CHAPTER 11 "C-2 CENTRAL BUSINESS DISTRICT," AND SECTION 17.04, "SITE DESIGN STANDARDS" OF CHAPTER 17, "SPECIAL LAND USES" OF APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL

Councilmember CHAMBERS, supported by Councilmember PHILLIPS, moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment to Section 2.03 of Chapter 2. Section 2.03, "Definitions-B," of Chapter 2, "Definitions," of Appendix A, "Zoning," of the Code of Ordinance of the City of Lowell is amended by amending the following definition:

Bed and breakfast establishment. A house, or portion thereof, containing the principal residence of the operator, where short-term lodging rooms and meals are provided as a commercial operation, but this definition does not include short-term rentals as defined by this ordinance.

Section 2. Amendment to Section 2.19 of Chapter 2. Section 2.19, "Definitions-S," of Chapter 2, "Definitions," of Appendix A, "Zoning," of the Code of Ordinance of the City of Lowell is amended by adding the following definition:

Short-term rental. The rental or subletting of any dwelling for a term of thirty (30) days or less, but the definition does not include the use of campgrounds, hotel rooms, bed and breakfast establishments, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance abuse rehabilitation clinic, mental-health facility, or other health-care related clinic.

Section 3. Amendment to Section 5.03 of Chapter 5. Section 5.03, "Special Land Uses," of Chapter 5, "SR – Suburban Residential District," of Appendix A, "Zoning," of the Code

of Ordinances of the City of Lowell is amended to include the following subsection K, which reads as follows:

K. *Short-Term Rental*

Section 4. Amendment of Section 6.03 of Chapter 6. Section 6.03, "Special Land Uses," of Chapter 6, "R-1 Residential District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to include the following subsection H, which reads as follows:

H. *Short-Term Rental*

Section 5. Amendment of Section 11.03 of Chapter 11. Section 11.03, "Special Land Uses," of Chapter 11, "C-2 Central Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to include the following subsection H, which reads as follows:

H. *Short-Term Rental*

Section 6. Amendment to Section 17.04 of Chapter 17. Section 17.04, "Site Design Standards," of Chapter 17, "Special Land Uses," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to include the following subsection EE, which reads as follows:

EE. *Short-Term Rental*

1. Exemptions: Any member of a family, as well as that family member's guests, may occupy a dwelling as long as that family member's family owns the dwelling. Also exempted are family guests, exchange students, visitors, medical caregivers, and child caregivers, without remuneration to the owner.
2. A short-term rental is permitted with special land use approval only in the SR, R-1 and C-2 districts.
3. A short-term rental shall require a minimum stay of three (3) days and the duration of a stay shall not exceed thirty (30) days.
4. A short-term rental shall meet the dimensional requirements for the zone district in which it is located.
5. The maximum occupancy for a short-term rental is two (2) guests per bedroom, but in no case shall occupancy exceed fifteen (15) guests per dwelling. The planning commission

may permit additional occupancy, up to two (2) additional guests per finished floor, if all of the following requirements are determined to be met:

- a. the short-term rental affords sufficient visual privacy and/or screening from adjacent residential properties;
 - b. the short-term rental is located on a lot of two (2) or more acres; and
 - c. the short-term rental provides sufficient off-street parking to accommodate the additional vehicles.
6. One (1) off-street parking space shall be provided for each bedroom. Except for short-term rentals in the C-2 zone district, all parking shall be off-street and provided on the lot where the short-term rental is located.
 7. A host shall notify, in writing, the fire department and police department of the dates and number of guests for each unique stay.
 8. A host shall provide the city with a 24-hour telephone number with which the host or host's agent can be reached in case of emergency and/or an enforcement matter.
 9. A host shall provide an in-unit notice in a conspicuous place that includes the property address, a 24-hour telephone number with which the host or host's agent can be reached, all applicable rules and ordinances related to the short-term rental, and the maximum occupancy of the dwelling unit as permitted by this subsection.
 10. Short-term rentals shall be conducted in a manner that is consistent with the customary use of a single-family dwelling. The unit shall provide safe, reasonable, and adequate sleeping arrangements in traditional bedrooms with proper egress or as consistent with law. The use of campers, tents or similar arrangements to provide additional occupancy on the premises is prohibited.
 11. Occupants shall not encroach on neighboring properties.
 12. The host shall provide sufficient waste receptacles substantially screened from view; and the premises shall be maintained free of debris and unwholesome substances. Garbage must be kept in a closed container and disposed of on a regular weekly schedule.
 13. The appearance of the short-term rental shall not conflict with the residential character of the neighborhood. The dwelling shall be properly maintained pursuant to all applicable laws rules and regulations, and kept in good repair so that the use in no way detracts from the general appearance of the neighborhood.
 14. The host or host's agent must be available to accept telephone calls at all times that the short-term rental is rented. The host or host's agent must have a key to the unit and be capable of being physically present at the unit within sixty (60) minutes to address issues, unless arrangements are made for a substitute person to address issues within the same timeframe.

Section 7. 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 8. 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 Salzwedel, Phillips, Chambers, Canfield and Mayor DeVore.


NO: Councilmembers None.

ABSTAIN: Councilmembers None.

ABSENT: Councilmembers None.

ORDINANCE DECLARED ADOPTED.


Dated: February 20, 2018


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 February 20, 2018, 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 February 28, 2018. I further certify that the above ordinance was entered into the Ordinance Book of the City on March 10, 2018, and was effective March 10, 2018, ten (10) days after publication.

Dated: February 20, 2018


Susan Ullery
City Clerk

GRAPIDS 60857-994 484103v3

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

Resolution No. 06-18

At a regular meeting of the Lowell City Council held at the Lowell City Hall on the February 20, 2018, at 7:00 PM, the following resolution was offered by Councilmember SALZWEDEL and supported by Councilmember CHAMBERS.

**A RESOLUTION TO ADOPT A NEW FIVE-YEAR PARKS AND
RECREATION PLAN**

WHEREAS, the City of Lowell Recreation Commission has engaged the process to develop a new Five-Year Recreation Plan, which describes pertinent features, recreation facilities, policies and desired implementation to improve recreational offerings in the community during the period between 2018 through 2022; and

WHEREAS, the City of Lowell conducted a survey of its residents prior to the development of the Plan, enabling citizens and stakeholders to express opinions and needs, ask questions, offer advice, and discuss all aspects of parks and recreation; and

WHEREAS, the City of Lowell has prepared the Five-Year Recreation Plan for the benefit of the entire community and to meet the recreation needs of residents as expressed during the public input session; and

WHEREAS, a notice was published indicating that the Plan was published in two locations and offered for a period of at least 30 days for public comment and review; and

WHEREAS, the City of Lowell Parks and Recreation Commission has, by resolution, respectfully recommended approval of the draft Recreation Plan to the Lowell City Council; and

WHEREAS, the Lowell City Council held a public hearing on the Five-Year Recreation Plan on today's date.

NOW, THEREFORE BE IT RESOLVED, the Lowell City Council hereby adopts the Five-Year Recreation Plan as a guideline for improving recreation for the residents and visitors of the community.

Yes: Councilmembers Phillips, Chambers, Canfield, Mayor DeVore and Councilmember Salzwedel

No: None

Absent: None

Abstain: None

CERTIFICATION

I, Susan Ullery, Lowell City Clerk, hereby certify that the foregoing is a true and original copy of the resolution adopted by the Lowell City Council Regular Meeting held on February 20, 2018 at 7:00 PM.



Susan Ullery
City Clerk

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
01878	ACTION CHEMICAL		
	361025	CITY HALL VACUUM R & M	161.38
TOTAL FOR: ACTION CHEMICAL			161.38
01513	ADDORIO TECHNOLOGIES, LLC		
	7380	PROFESSIONAL SERVICES	637.50
TOTAL FOR: ADDORIO TECHNOLOGIES, LLC			637.50
10731	APPLIED IMAGING		
	1078084	COPY MACHINE CONTRACT	315.53
TOTAL FOR: APPLIED IMAGING			315.53
10271	AWWA		
	200007519	WATER CHEMISTRY - PHILLIPS, TODD	440.00
TOTAL FOR: AWWA			440.00
00045	BARTLETT, SANDY		
	FEB 2018	PAYROLL & MILEAGE	764.52
TOTAL FOR: BARTLETT, SANDY			764.52
01125	BERGER CHEVROLET		
	PO 2690	2018 CHEVROLET 3500 HD 4WD	39,701.00
TOTAL FOR: BERGER CHEVROLET			39,701.00
10509	CONSUMERS ENERGY		
	1/23 - 2/20/18	ENERGY STATEMENT	201.95
TOTAL FOR: CONSUMERS ENERGY			201.95
02035	DIGITAL OFFICE MACHINES, INC.		
	17883	LPD COPY MACHINE CONTRACT	38.47
	17884	DPW COPY MACHINE CONTRACT	152.56
TOTAL FOR: DIGITAL OFFICE MACHINES, INC.			191.03
REFUND TAX	First American Title Insurance Co		
	03/01/2018	2017 Win Tax Refund 41-20-02-255-021	159.62
TOTAL FOR: First American Title Insurance Co			159.62
00225	GRAND RAPIDS COMMUNITY COLLEGE		
	2/1 - 2/15/2018	TAX DISBURSEMENT	532.57
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE			532.57
00248	HOOPER PRINTING		
	53740	LPD BADGE - HURST	15.00
	53801	WATER BILL PAPER	259.65
	53802	WATER BILLING ENVELOPES	482.00
TOTAL FOR: HOOPER PRINTING			756.65
00262	IDEXX DISTRIBUTION CORP.		
	3027482795	WTP CHEMICALS	1,872.52
TOTAL FOR: IDEXX DISTRIBUTION CORP.			1,872.52
01970	KCI		
	267143	ASSESSMENT NOTICE MAILING	490.00
TOTAL FOR: KCI			490.00

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Invoice			
00291	KENT COUNTY ROAD COMMISSION		
27757	TRAFFIC SIGNALS HUDSON/BOWES		94.07
TOTAL FOR: KENT COUNTY ROAD COMMISSION			94.07
00300	KENT COUNTY TREASURER		
2/1 - 2/15/18	TAX DISBURSEMENT DELINQ		64.31
2/1-2/15/2018	TAX DISBURSEMENTS/TRAILER FEES		51,211.00
TOTAL FOR: KENT COUNTY TREASURER			51,275.31
00303	KENT DISTRICT LIBRARY		
2/1 - 2/15/2018	TAX DISBURSEMENT		34,451.06
TOTAL FOR: KENT DISTRICT LIBRARY			34,451.06
00302	KENT INTERMEDIATE SCHOOL DIST.		
2/1 - 2/15/2018	TAX DISBURSEMENT		1,691.19
TOTAL FOR: KENT INTERMEDIATE SCHOOL DIST.			1,691.19
10658	LAKE EFFECT SNOW REMOVAL		
192	AIRPORT SNOW REMOVAL 2/12		400.00
TOTAL FOR: LAKE EFFECT SNOW REMOVAL			400.00
01981	LIFELOC TECHNOLOGIES		
301077	POLICE R & M EQUIPMENT		118.14
TOTAL FOR: LIFELOC TECHNOLOGIES			118.14
01374	LOWELL AREA HISTORICAL MUSEUM		
2/1 - 2/15/2018	TAX DISBURSEMENT		72.51
TOTAL FOR: LOWELL AREA HISTORICAL MUSEUM			72.51
00562	LOWELL AREA SCHOOLS		
2/1 - 2/15/2018	TAX DISBURSEMENT		269,984.22
3/1/2018	WINITER 2017 IFT		3,310.56
TOTAL FOR: LOWELL AREA SCHOOLS			273,294.78
10143	LOWELL FIRE & EMERGENCY SERV. AUTH.		
3	QUARTERLY FIRE SERVICES		29,475.58
TOTAL FOR: LOWELL FIRE & EMERGENCY SERV. AUTH.			29,475.58
00341	LOWELL LIGHT & POWER		
2/1 - 2/15/2018	TAX DISBURSEMENT - DELINQ ELEC HULTS		97.94
2/28/2018	ELECTRIC STATEMENTS		19,143.99
3090	ACCESS POINT/IP CONSULTING		1,343.80
TOTAL FOR: LOWELL LIGHT & POWER			20,585.73
10717	MAIN STREET BBQ		
2/20/18	COUNCIL MEETING		161.63
TOTAL FOR: MAIN STREET BBQ			161.63
02513	METRO HEALTH HOSPITAL		
11/10/17	IMMUNIZATIONS		127.00
TOTAL FOR: METRO HEALTH HOSPITAL			127.00
00418	MICHIGAN POLICE EQUIPMENT CO		
170080	POLICE AMMO		210.00
TOTAL FOR: MICHIGAN POLICE EQUIPMENT CO			210.00

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Vendor Code	Vendor Name	Invoice	Description	Amount
00426	MODEL COVERALL SERVICE, INC.	FEB 2018	LIBRARY R & M	255.92
TOTAL FOR: MODEL COVERALL SERVICE, INC.				255.92
10453	MUSKEGON COUNTY TREASURER	5/14/2018	SEAMLESS INTERFRATION ASSMT & TAX - RASHID	30.00
TOTAL FOR: MUSKEGON COUNTY TREASURER				30.00
00749	OUDBIER INSTRUMENT CO.	8631	WTP VALVE INSTALL & CALIBRATION	6,615.00
TOTAL FOR: OUDBIER INSTRUMENT CO.				6,615.00
02331	PROGRESSIVE HEATING COOLING, CORP.	2014561	WTP R & M	1,785.00
		2014651	LIBRARY SERVICE CALL	254.42
TOTAL FOR: PROGRESSIVE HEATING COOLING, CORP.				2,039.42
10732	REVIZE LLC	6370	WEBSITE REDEVELOPMENT	9,700.00
TOTAL FOR: REVIZE LLC				9,700.00
10614	ROOKIES SPORTS CARDS	2/20/18	HDC GRANT PAINTING 7 REPAIRS 2017	8,868.00
TOTAL FOR: ROOKIES SPORTS CARDS				8,868.00
10378	RUESINK, KATHIE	684/685	CLEANING SERVICES 2/1 - 2/13/18	510.00
		687/688	CLEANING SERVICES	600.00
TOTAL FOR: RUESINK, KATHIE				1,110.00
RECYCLE	SMITH, LORRAINE	REPLACE CK#68836	RECYCLE BIN REFUND - KEITH SYPHER	5.00
TOTAL FOR: SMITH, LORRAINE				5.00
10276	SPRINT	353302524-167	ACCOUNT STATEMENT	552.20
TOTAL FOR: SPRINT				552.20
00610	STATE OF MICHIGAN	647	MIDEAL 2018	180.00
TOTAL FOR: STATE OF MICHIGAN				180.00
RECYCLE	STERLY, SALLY	BIN 2200	RECYCLE BIN DEPOSIT	25.00
TOTAL FOR: STERLY, SALLY				25.00
REFUND UB	STEVENSON, KIRK	03/01/2018	UB refund for account: 3-01220-3	4.53
TOTAL FOR: STEVENSON, KIRK				4.53
10583	SUEZ WATER ENVIRONMENTAL SVC INC	201833301	PROFESSIONAL SERVICES FEBRUARY 2018	36,852.48
TOTAL FOR: SUEZ WATER ENVIRONMENTAL SVC INC				36,852.48

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10514	SUPPLYGEEKS		
	540324-0	OFFICE SUPPLIES	35.52
TOTAL FOR: SUPPLYGEEKS			35.52
00628	TERMINAL SUPPLY CO.		
	91363-00	EQUIP R & M	34.09
TOTAL FOR: TERMINAL SUPPLY CO.			34.09
02458	TIMPSON TRANSPORT, INC.		
	8385	TRANSPORT SAND FOR STREETS	566.50
TOTAL FOR: TIMPSON TRANSPORT, INC.			566.50
00930	TRUCK & TRAILER SPECIALTIES		
	SDO002125	EQUIP R & M	358.28
TOTAL FOR: TRUCK & TRAILER SPECIALTIES			358.28
REFUND TAX	VAN LAAN CONCRETE CONSTRUCTION INC		
	03/01/2018	2017 Sum Tax Refund 41-50-72-020-117	820.87
TOTAL FOR: VAN LAAN CONCRETE CONSTRUCTION INC			820.87
02277	VERIZON WIRELESS		
	9801531829	POLICE PHONES	158.09
	9801574332	WATER DEPT STATEMENT	40.01
TOTAL FOR: VERIZON WIRELESS			198.10
TOTAL - ALL VENDORS			526,432.18

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Fund 101 GENERAL FUND					
Dept 000					
101-000-085.000	DUE FROM LIGHT & POWER	LOWELL LIGHT & POWER	TAX DISBURSEMENT - DELINQ	97.94	70874
101-000-222.000	DUE TO COUNTY-TRAILER FEE	KENT COUNTY TREASURER	TAX DISBURSEMENTS/TRAILER	85.00	70866
101-000-222.001	DUE CO-DELINQ PERS PROP T	KENT COUNTY TREASURER	TAX DISBURSEMENT DELINQ	17.39	70865
101-000-225.000	DUE TO SET -TRAILER FEES	KENT COUNTY TREASURER	TAX DISBURSEMENTS/TRAILER	340.00	70866
101-000-225.001	DUE SCHL-DELINQ PERS PROP	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	26.40	70872
101-000-228.009	DUE TO STATE-DELINQ S.E.T	KENT COUNTY TREASURER	TAX DISBURSEMENT DELINQ	24.37	70865
101-000-234.001	DUE INTERMED SCHL-DELINQ	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	19.05	70868
101-000-235.001	DUE TO COM COLLEGE-DELINQ	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	7.26	70860
101-000-236.001	DUE TO LOWELL HISTORICAL	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	0.98	70871
101-000-274.000	UNDISTRIBUTED DELINQUENT	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	3.92	70860
101-000-274.000	UNDISTRIBUTED DELINQUENT	KENT COUNTY TREASURER	TAX DISBURSEMENT DELINQ	22.55	70865
101-000-274.000	UNDISTRIBUTED DELINQUENT	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	10.28	70868
101-000-274.000	UNDISTRIBUTED DELINQUENT	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	0.53	70871
101-000-274.000	UNDISTRIBUTED DELINQUENT	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	14.26	70872
101-000-285.001	DEPOSITS/RECYCLE CONTAIN	SMITH, LORRAINE	RECYCLE BIN REFUND - KEIT	5.00	70885
101-000-285.001	DEPOSITS/RECYCLE CONTAIN	STERLY, SALLY	RECYCLE BIN DEPOSIT	25.00	70888
Total For Dept 000				699.93	
Dept 101 COUNCIL					
101-101-880.000	COMMUNITY PROMOTION	MAIN STREET BBQ	COUNCIL MEETING	161.63	70847
Total For Dept 101 COUNCI				161.63	
Dept 172 MANAGER					
101-172-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	51.99	70886
Total For Dept 172 MANAGE				51.99	
Dept 209 ASSESSOR					
101-209-900.000	PRINTING	KCI	ASSESSMENT NOTICE MAILING	490.00	70863
101-209-955.000	MISCELLANEOUS EXPENSE	MUSKEGON COUNTY TREASURER	SEAMLESS INTERFRATION ASS	30.00	70879
Total For Dept 209 ASSESS				520.00	
Dept 215 CLERK					
101-215-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	51.99	70886
Total For Dept 215 CLERK				51.99	
Dept 265 CITY HALL					
101-265-727.000	OFFICE SUPPLIES	SUPPLYGEEKS	OFFICE SUPPLIES	35.52	70891
101-265-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES 2/1 - 2	330.00	70848
101-265-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES	390.00	70884
101-265-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	ACCESS POINT/IP CONSULTIN	461.39	70874
101-265-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	2,516.64	70874
101-265-930.000	REPAIR & MAINTENANCE	ACTION CHEMICAL	CITY HALL VACUUM R & M	161.38	70851
Total For Dept 265 CITY H				3,894.93	
Dept 276 CEMETERY					
101-276-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	216.65	70874
Total For Dept 276 CEMETE				216.65	
Dept 301 POLICE DEPARTMENT					
101-301-743.000	AMMUNITION	MICHIGAN POLICE EQUIPMENT	POLICE AMMO	210.00	70877
101-301-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	ACCESS POINT/IP CONSULTIN	159.63	70874
101-301-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	318.60	70886
101-301-850.000	COMMUNICATIONS	VERIZON WIRELESS	POLICE PHONES	158.09	70896
101-301-930.000	R & M EQUIPMENT	LIFELOC TECHNOLOGIES	POLICE R & M EQUIPMENT	118.14	70870
101-301-980.000	OFFICE EQUIPMENT	HOOPER PRINTING	LPD BADGE - HURST	15.00	70861
Total For Dept 301 POLICE				979.46	
Dept 336 FIRE					
101-336-985.000	FIRE COMMISSION PAYMENT	LOWELL FIRE & EMERGENCY S	QUARTERLY FIRE SERVICES	29,475.58	70873
Total For Dept 336 FIRE				29,475.58	
Dept 441 DEPARTMENT OF PUBLIC WORKS					

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Fund 101 GENERAL FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-802.000	CONTRACTUAL	STATE OF MICHIGAN	MIDEAL 2018	180.00	70887
101-441-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	ACCESS POINT/IP CONSULTIN	88.35	70874
101-441-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	51.99	70886
101-441-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	324.59	70874
101-441-926.000	STREET LIGHTING	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	1,252.36	70874
Total For Dept 441 DEPART				1,897.29	
Dept 747 CHAMBER/RIVERWALK					
101-747-920.000	CHAMBER UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	221.86	70874
Total For Dept 747 CHAMBE				221.86	
Dept 751 PARKS					
101-751-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	571.45	70874
Total For Dept 751 PARKS				571.45	
Dept 757 SHOWBOAT					
101-757-920.000	SHOWBOAT UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	56.16	70874
Total For Dept 757 SHOWBO				56.16	
Dept 790 LIBRARY					
101-790-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES 2/1 - 2	180.00	70848
101-790-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES	210.00	70884
101-790-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	ACCESS POINT/IP CONSULTIN	209.29	70874
101-790-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	1,488.38	70874
101-790-930.000	REPAIR & MAINTENANCE	MODEL COVERALL SERVICE, I	LIBRARY R & M	255.92	70878
101-790-930.000	REPAIR & MAINTENANCE	PROGRESSIVE HEATING COOLI	LIBRARY SERVICE CALL	254.42	70881
Total For Dept 790 LIBRAR				2,598.01	
Dept 804 MUSEUM					
101-804-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	250.97	70874
101-804-955.000	PROPERTY TAX DISTRIBUTION	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	71.00	70871
Total For Dept 804 MUSEUM				321.97	
Total For Fund 101 GENERA				41,718.90	
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	12.82	70886
Total For Dept 463 MAINTEN				12.82	
Dept 474 TRAFFIC					
202-474-802.000	CONTRACTUAL	KENT COUNTY ROAD COMMISSI	TRAFFIC SIGNALS HUDSON/BO	94.07	70864
Total For Dept 474 TRAFFI				94.07	
Dept 478 WINTER MAINTENANCE					
202-478-740.000	OPERATING SUPPLIES	TIMPSON TRANSPORT, INC.	TRANSPORT SAND FOR STREET	283.25	70893
Total For Dept 478 WINTER				283.25	
Total For Fund 202 MAJOR				390.14	
Fund 203 LOCAL STREET FUND					
Dept 463 MAINTENANCE					
203-463-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	12.82	70886
Total For Dept 463 MAINTEN				12.82	
Dept 478 WINTER MAINTENANCE					
203-478-740.000	OPERATING SUPPLIES	TIMPSON TRANSPORT, INC.	TRANSPORT SAND FOR STREET	283.25	70893
Total For Dept 478 WINTER				283.25	
Total For Fund 203 LOCAL				296.07	
Fund 238 HISTORICAL DISTRICT FUND					
Dept 000					
238-000-880.000	COMMUNITY PROMOTION	ROOKIES SPORTS CARDS	HDC GRANT PAINTING 7 REPA	8,868.00	70883
Total For Dept 000				8,868.00	
Total For Fund 238 HISTOR				8,868.00	

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Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
248-463-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	869.92	70874
	Total For Dept 463 MAINTENANCE			869.92	
	Total For Fund 248 DOWNTOWN			869.92	
Fund 260 DESIGNATED CONTRIBUTIONS					
Dept 758 DOG PARK					
260-758-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	60.30	70874
	Total For Dept 758 DOG PARK			60.30	
	Total For Fund 260 DESIGNATED			60.30	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-930.000	REPAIR & MAINTENANCE	LAKE EFFECT SNOW REMOVAL	AIRPORT SNOW REMOVAL 2/12	400.00	70869
	Total For Dept 000			400.00	
	Total For Fund 581 AIRPORT			400.00	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-043.000	DUE FROM EARTH TECH	LOWELL LIGHT & POWER	ACCESS POINT/IP CONSULTING	213.09	70874
590-000-043.000	DUE FROM EARTH TECH	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	5,162.79	70874
590-000-276.000	Sewer Inside 5/8"	STEVENSON, KIRK	UB refund for account: 3-	2.25	70889
	Total For Dept 000			5,378.13	
Dept 550 TREATMENT					
590-550-802.000	CONTRACTUAL	SUEZ WATER ENVIRONMENTAL	PROFESSIONAL SERVICES FEB	36,852.48	70890
	Total For Dept 550 TREATMENT			36,852.48	
Dept 551 COLLECTION					
590-551-970.000	CAPITAL OUTLAY	BERGER CHEVROLET	2018 CHEVROLET 3500 HD 4W	39,701.00	70856
	Total For Dept 551 COLLECTION			39,701.00	
Dept 552 CUSTOMER ACCOUNTS					
590-552-703.000	SALARIES-METER READS	BARTLETT, SANDY	PAYROLL & MILEAGE	353.37	70855
590-552-740.000	OPERATING SUPPLIES	HOOPER PRINTING	WATER BILL PAPER	129.83	70861
590-552-740.000	OPERATING SUPPLIES	HOOPER PRINTING	WATER BILLING ENVELOPES	241.00	70861
590-552-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	PAYROLL & MILEAGE	28.89	70855
	Total For Dept 552 CUSTOMER			753.09	
	Total For Fund 590 WASTEWATER			82,684.70	
Fund 591 WATER FUND					
Dept 000					
591-000-276.000	Water Inside 5/8"	STEVENSON, KIRK	UB refund for account: 3-	2.28	70889
	Total For Dept 000			2.28	
Dept 570 TREATMENT					
591-570-743.000	CHEMICALS	IDEXX DISTRIBUTION CORP.	WTP CHEMICALS	1,872.52	70862
591-570-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	ACCESS POINT/IP CONSULTING	212.05	70874
591-570-864.000	CONFERENCES & CONVENTIONS	AWWA	WATER CHEMISTRY - PHILLIP	440.00	70854
591-570-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	5,037.47	70874
591-570-930.000	REPAIR & MAINTENANCE	PROGRESSIVE HEATING COOLING	WTP R & M	1,785.00	70881
591-570-970.000	CAPITAL OUTLAY	OUDBIER INSTRUMENT CO.	WTP VALVE INSTALL & CALIB	6,615.00	70880
	Total For Dept 570 TREATMENT			15,962.04	
Dept 571 DISTRIBUTION					
591-571-740.000	OPERATING SUPPLIES	HOOPER PRINTING	WATER BILL PAPER	129.82	70861
591-571-740.000	OPERATING SUPPLIES	HOOPER PRINTING	WATER BILLING ENVELOPES	241.00	70861
591-571-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT	51.99	70886
591-571-850.000	COMMUNICATIONS	VERIZON WIRELESS	WATER DEPT STATEMENT	40.01	70896
591-571-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ENERGY STATEMENT	201.95	70857
591-571-920.000	PUBLIC UTILITIES	LOWELL LIGHT & POWER	ELECTRIC STATEMENTS	1,114.45	70874
	Total For Dept 571 DISTRIBUTION			1,779.22	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 572 CUSTOMER ACCOUNTS					
591-572-703.000	SALARIES-METER READS	BARTLETT, SANDY	PAYROLL & MILEAGE	353.38	70855
591-572-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	PAYROLL & MILEAGE	28.88	70855
Total For Dept 572 CUSTOM				382.26	
Total For Fund 591 WATER				18,125.80	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	PROFESSIONAL SERVICES	637.50	70852
636-000-802.000	CONTRACTUAL	APPLIED IMAGING	COPY MACHINE CONTRACT	315.53	70853
636-000-802.000	CONTRACTUAL	DIGITAL OFFICE MACHINES,	LPD COPY MACHINE CONTRACT	38.47	70858
636-000-802.000	CONTRACTUAL	DIGITAL OFFICE MACHINES,	DPW COPY MACHINE CONTRACT	152.56	70858
636-000-970.000	CAPITAL OUTLAY	REVIZE LLC	WEBSITE REDEVELOPMENT	9,700.00	70882
Total For Dept 000				10,844.06	
Total For Fund 636 DATA P				10,844.06	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-740.000	OPERATING SUPPLIES	METRO HEALTH HOSPITAL	IMMUNIZATIONS	127.00	70876
661-895-930.000	REPAIR & MAINTENANCE	TERMINAL SUPPLY CO.	EQUIP R & M	34.09	70892
661-895-930.000	REPAIR & MAINTENANCE	TRUCK & TRAILER SPECIALTI	EQUIP R & M	358.28	70894
Total For Dept 895 FLEET				519.37	
Total For Fund 661 EQUIPM				519.37	
Fund 703 CURRENT TAX COLLECTION FUND					
Dept 000					
703-000-222.000	DUE TO COUNTY-CURRENT TAX	KENT COUNTY TREASURER	TAX DISBURSEMENTS/TRAILER	49,027.24	70866
703-000-223.000	DUE TO LIBRARY	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	34,451.06	70867
703-000-225.000	DUE TO SCHOOLS	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	269,943.56	70872
703-000-228.009	DUE TO STATE-S.E.T.	KENT COUNTY TREASURER	TAX DISBURSEMENTS/TRAILER	1,758.76	70866
703-000-234.000	DUE TO INTERMED SCH DISTR	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	1,661.86	70868
703-000-235.000	DUE TO COMMUNITY COLLEGE	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	521.39	70860
703-000-274.001	UNDISTRIBUTED PA 198 TAXE	LOWELL AREA SCHOOLS	WINITER 2017 IFT	3,310.56	70872
703-000-275.000	DUE TO TAXPAYERS	First American Title Insu	2017 Win Tax Refund 41-20	159.62	70859
703-000-275.000	DUE TO TAXPAYERS	VAN LAAN CONCRETE CONSTRU	2017 Sum Tax Refund 41-50	820.87	70895
Total For Dept 000				361,654.92	
Total For Fund 703 CURREN				361,654.92	

03/01/2018 04:14 PM

User: LORI

DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL

EXP CHECK RUN DATES 02/20/2018 - 03/01/2018

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	41,718.90
Fund 202	MAJOR STREET FUN	390.14
Fund 203	LOCAL STREET FUN	296.07
Fund 238	HISTORICAL DISTR	8,868.00
Fund 248	DOWNTOWN DEVELOP	869.92
Fund 260	DESIGNATED CONTR	60.30
Fund 581	AIRPORT FUND	400.00
Fund 590	WASTEWATER FUND	82,684.70
Fund 591	WATER FUND	18,125.80
Fund 636	DATA PROCESSING	10,844.06
Fund 661	EQUIPMENT FUND	519.37
Fund 703	CURRENT TAX COLL	361,654.92

526,432.18

City of Lowell and
Lowell Area Recreation Authority
NOTICE OF PUBLIC MEETING

The City of Lowell and the Lowell Area Recreation Authority (LARA) will conduct a public meeting on Monday, March 5, 2018 at 7:00 p.m. at the Lowell City Hall, 301 E. Main Street, Lowell Michigan 49331. The purpose of the Public Meeting is to receive input and comments from the public on the proposed applications by the City and LARA to the 2018 Michigan Department of Natural Resources Trust Fund for separate grants for the construction of non-motorized trail improvements.

The proposed improvements include the installation of new paved non-motorized trails, pedestrian bridges, benches, picnic shelters and signage. This project will go through the Lowell community will connect to the existing Fred Meijer River Valley Rail Trail network which extends to Belding, Saranac and points beyond. A copy of the proposed trail route is available for viewing at City Hall and on line at www.lowellareatrailway.org.

Following the public comment period, the City Council will consider a resolution authorizing submittal of their application, which is due on or before April 1, 2018. The LARA Board will consider a resolution for submittal of their application in a separate meeting on March 14, 2018 at 6 p.m. at the Lowell City Hall, 301 E. Main Street, Lowell, MI 49331.

Interested persons may offer comments at the public meeting or submit them in writing prior to the meeting directly to the City Hall address.

Sue Ullery, City Clerk, City of Lowell

Betsy Davidson, Treasurer, Lowell Area Recreation Authority

LARA Trail

Fred Meijer Flat River Valley Rail Trail to Belding

LARA Phase 2 Trail
Draft 02.19.18

Existing LARA Non-motorized trails

Alden Nash Rd.

Water Plant

Bowes Rd.

Widened Sidewalk (Lowell Twp)

Stoney Park (Lowell Twp)

New Light @ Hudson

Bowes Rd.

Stoney Lakeside Park and Dog Park

Stoney Lakeside Park

Fairgrounds

Kent County Youth Fair

Flat River Bridge

Moose Park

FMGRVRT Connection (Lowell Twp)

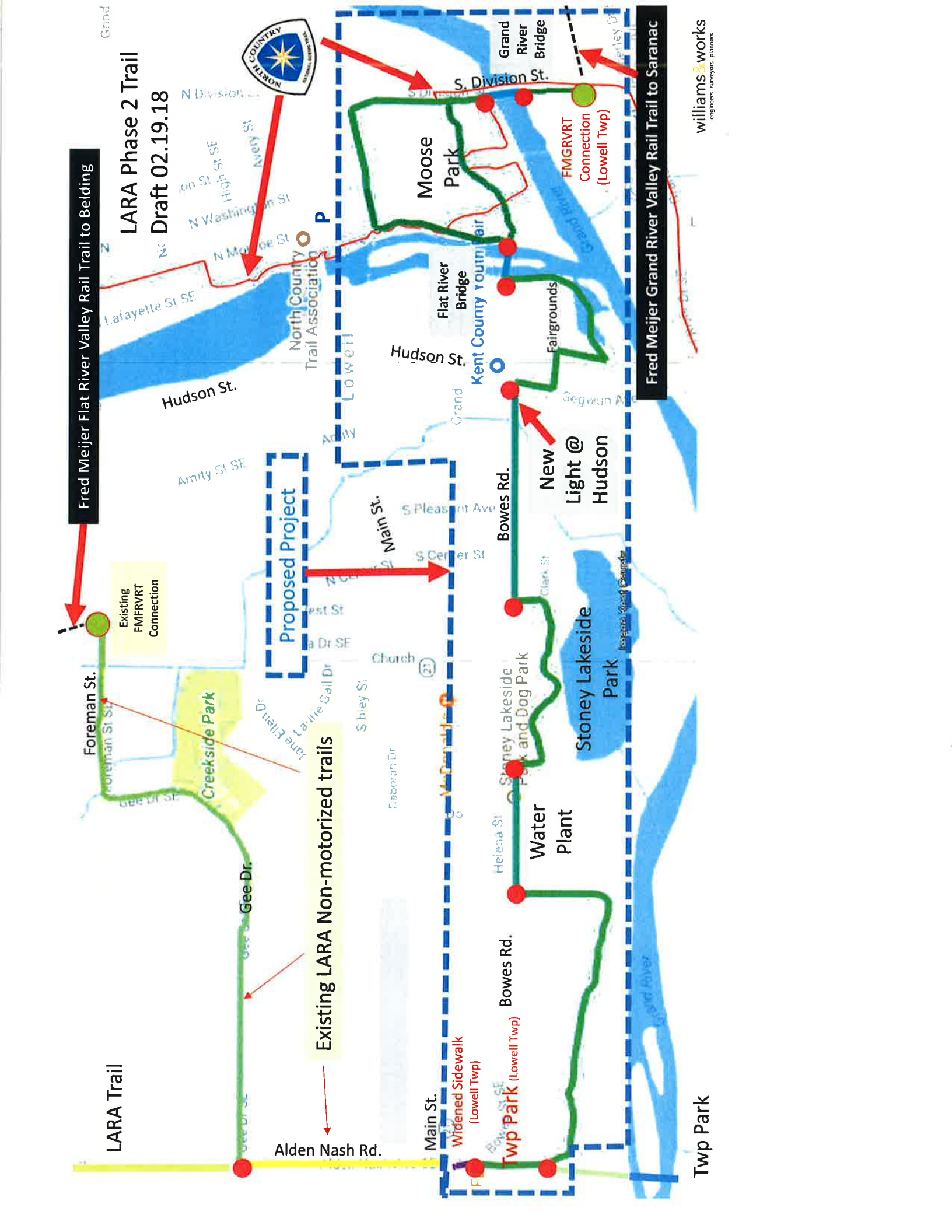
S. Division St.

Grand River Bridge

Fred Meijer Grand River Valley Rail Trail to Saranac

Twp Park

williams & works
engineers surveyors planners





LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: March 1, 2018

TO: Mike Burns
City Manager *MB*

FROM: Rich LaBombard
Assistant City Manager

RE: Showboat Engineering Services
C. Fly Marine Services, LLC

As part of the rebuild the Showboat project, it is necessary to enlist the services of a qualified firm to design and engineer the new structure and provide a set of plans and specifications for bidding the construction of the vessel. As directed by the Showboat working group, the City owner's representative – Chris Chamberlain - solicited quotes for professional services from a number of engineering firms qualified in engineering and design of maritime vessels. Mr. Chamberlain received four quotes total and the Showboat working group recommended the selection of C. Fly Marine Services, LLC of Madisonville, Louisiana.

The quoted cost for structural design and engineering, and production engineering services is \$70,000, plus additional costs for any regulatory fees, travel, construction engineering and inspection and project management, if requested.

Mr. Chamberlain has evaluated the firm's references and they are highly recommended. Engineering and design of the new Showboat will begin immediately upon execution of the contract and receiving a written notice to proceed.

Funds for this project have been allocated from the \$1 million grant award from the State of Michigan specifically for the rebuilding of the Lowell Showboat project.

- Designated Contributions – 260-751-740 – Project code PK 1701

I recommend City Council accept C. Fly Marine Services, LLC, bid of \$70,000.00 for the engineering and design of the new Lowell Showboat, plus additional expenses as requested by the City; and subject to approval of a finalized legal agreement between the City and C. Fly Marine, LLC that will be reviewed and approved by the City Manager and City Attorney.



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: March 1, 2018
TO: Mayor DeVore and the Lowell City Council
FROM: Michael T. Burns, City Manager *MTB*
RE: LARA Trail Maintenance
Memorandum of Understanding

At the December 4, 2017 City Council Meeting the City Council directed the City Manager to work with the Lowell Area Recreation Authority and Lowell Area Schools to develop a memorandum of understanding to maintain the trail. As you recall, with the trail system expanding and the addition of the Alden Nash section; and more plans are developed for new trails, the City is not in a position to continue to support routine maintenance of a non-city owned asset. The Department of Public Works proposes to return routine trail maintenance activities back to LARA and further proposes to formalize the division of responsibilities of trails and routine maintenance activities with a Memorandum of Understanding.

The maintenance areas identified on the attached map indicate the division of maintenance areas of existing trails within the City between the City of Lowell, Lowell Area Recreation Authority, and the Lowell Area Schools. (See Attachment "A" – 2017 Division of Trail Maintenance Responsibilities)

Routine maintenance activities may encompass items such as the attached agreement references this includes:

- | | |
|------------------------------------|--------------------------|
| -Snow removal | -Seal coating |
| -Tree and brush trimming | -Tree and brush removal |
| -Mowing | -Surface patching |
| -Replacement of defective sections | -Mitigating trip hazards |

I recommend that the Lowell City Council approve the Memorandum of Understanding between the Lowell Area Recreational Authority, Lowell Area Schools and the City of Lowell regarding maintenance of the Lowell Area Recreational Authority Trail as presented.

Memorandum of Understanding – Lowell Area Recreational Authority Trail Maintenance

This Memorandum of Understanding (M.O.U) signifies an agreement between the Lowell Area Recreational Authority (LARA), the City of Lowell and Lowell Area Schools regarding maintenance of the LARA non-motorized trails located in the Lowell Community.

Shared Trail Maintenance Definition

For the purpose of this M.O.U, Shared Trail Maintenance responsibilities will include the following activities:

- Snow removal per City ordinance (within City limits in residential and commercial areas only)
- Tree and brush trimming & removal (as needed to maintain free 10 ft. wide travel surface and 2 ft shoulders on each side)
- Maintenance of crossing stripes (annually)
- Maintenance of detectible warning strips (as needed to keep in functional condition)
- Mitigating trip hazards (upon detection)
- Crack filling (annually)
- Seal coating (Bi-annually)
- Surface patching, replacement of defective sections (as frequent as necessary to maintain smooth surface at all times)

Note: LARA will be responsible for all maintenance of deck surfaces, railings, trail signs, maps, stripe painting, benches, trash receptacles (including emptying bags) regardless of location.

Shared Trail Maintenance Assignments

Unless otherwise modified and agreed to in writing by all three parties, the responsibility for Trail Maintenance shall be shared as follows:

LARA

- Gee Drive - from Foreman St. to Alden Nash Ave.
- Alden Nash Rd. – Main St (M-21) to Alden Nash West subdivision.
- Alden Nash West Subdivision – from Alden Nash Rd. to Lowell High South School Parking Lot
- *Bowes Rd – Main St. to Hudson St. (future)*
- *Riverside Park and Flat River Bridge (future)*
- *Moose Park and Grand River Bridge (future)*
- *Grand River Bridge to Grand River Valley Rail Trail (future)*

Lowell Area Public Schools

- Foreman St. - from River Valley Rail Trail to Gee Dr.
- Lowell High School – from North Parking lot to Wittenbach-Wege Trails

City of Lowell

- *Stoney Lakeside Park (future)*

Shared Trail Maintenance Costs

Each entity shall be responsible for the cost of the agreed upon Shared Maintenance assigned to its jurisdiction. LARA shall be responsible for the cost of all other maintenance required on all trails.

This agreement is signed effective immediately upon ratification from all three entities.

THE CITY OF LOWELL

LOWELL AREA RECREATIONAL
AUTHORITY

By: _____
Michael J. DeVore
Mayor

By: _____
Mark Anderson
Chairman

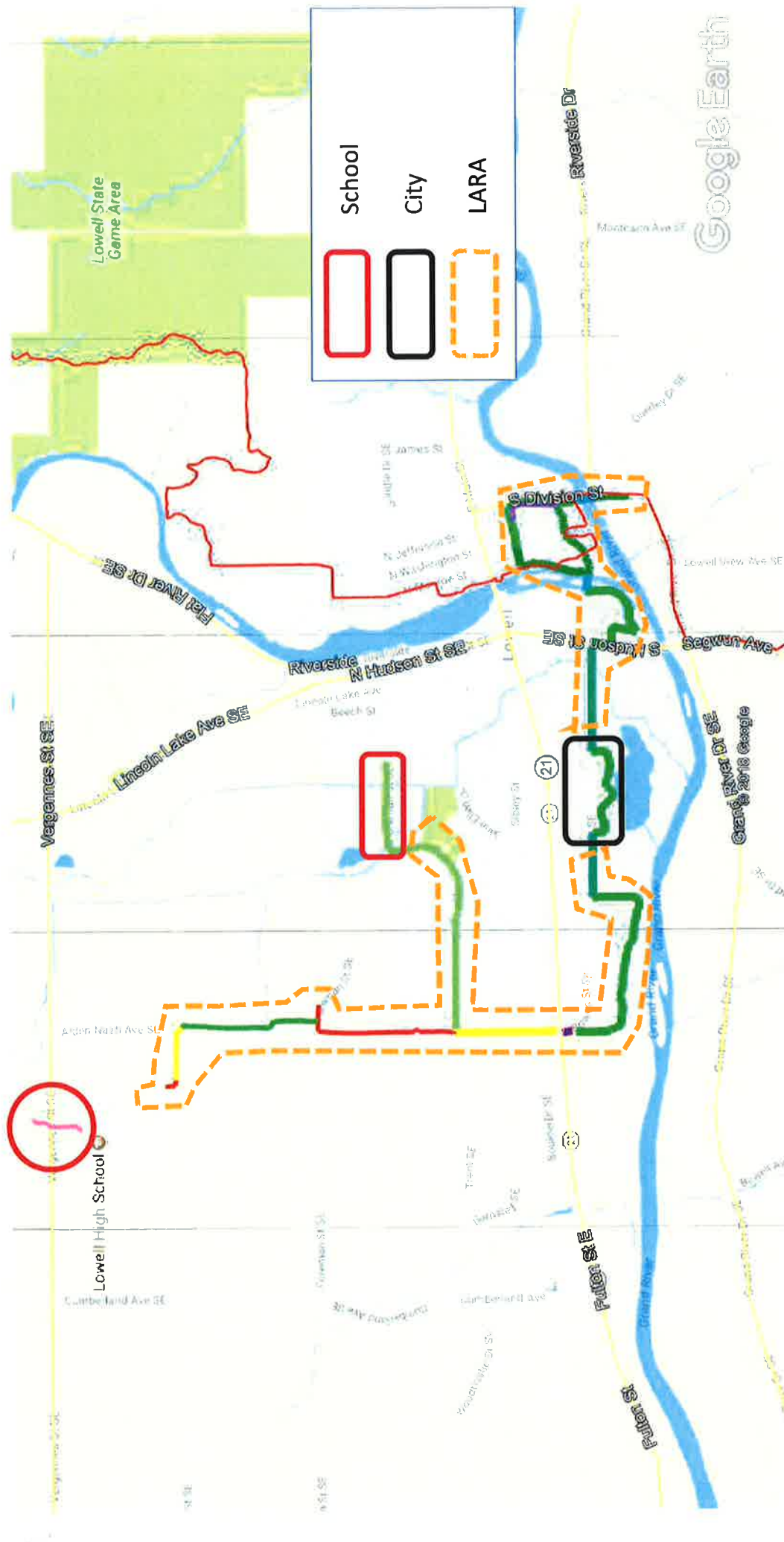
Date: _____
LOWELL AREA SCHOOLS

Date: _____

BY: _____
Greg Pratt
Superintendent

Date: _____

DRAFT MAINTENANCE PLAN 03.01.18





LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: March 1, 2018
TO: Mayor DeVore and Lowell City Council
FROM: Michael T. Burns, City Manager *M/S*
RE: Greater Grand Rapids Hazardous Mitigation Plan

In order for the City of Lowell to be eligible for any potential FEMA funds, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs. This plan is updated every five years. The plan is 340 pages and is in your share file.

Michigan State Police/Emergency Management Division and Federal Emergency Management Agency Region V officials have reviewed the updated Hazard Mitigation Plan and the Kent County Board of Commissioners approved the official adoption. Every jurisdiction in Kent County needs to approve the updated plan to be eligible. Attached is the necessary resolution for this action to occur.

I recommend that the Lowell City Council approve Resolution 07-18 as presented.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

Resolution No. 07-18

At a regular meeting of the Lowell City Council held at the Lowell City Hall on March 5, 2018, at 7:00 PM, the following resolution was offered by Councilmember _____ and supported by Councilmember _____:

A RESOLUTION TO ADOPT A HAZARD MITIGATION PLAN

WHEREAS, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post- disaster mitigation grant programs; and

WHEREAS, Michigan State Police/Emergency Management Division and Federal Emergency Management Agency Region V officials have reviewed the updated Hazard Mitigation Plan and approved it contingent upon this official adoption; and

WHEREAS, the City Manager recommends the adoption of the updated Hazard Mitigation Plan; and

WHEREAS, this item has been reviewed and recommended by the City Manager for approval by the Lowell City Council.

NOW, THEREFORE BE IT RESOLVED, that the Lowell City Council hereby approves the adoption of the updated Hazard Mitigation Plan as an official plan and submit it to the Michigan State Police/Emergency Management Division and Federal Emergency Management Agency Region V officials to enable Lowell's Hazard Mitigation Plan's final approval.

Yes: _____

No: _____

Absent: _____

Abstain: _____

CERTIFICATION

I, Susan Ullery, Lowell City Clerk, hereby certify that the foregoing is a true and original copy of the resolution adopted by the Lowell City Council Regular Meeting held on March 5, 2018 at 7:00 PM.

Susan Ullery
City Clerk