



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

CITY OF LOWELL
CITY COUNCIL AGENDA
MONDAY, APRIL 1, 2019, 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 Committee of the Whole and Regular City Council meetings of March 18, 2019.
- Authorize payment of invoices in the amount of \$157,559.69.

3. CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA

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

4. OLD BUSINESS.

- a. Resolution 11-19 – Purchasing Policy.
- b. Resolution 14-19 – Approving Act 198 Tax Abatement Policy.
- c. Community Garden.

5. NEW BUSINESS

- a. Resolution 15-19 – MDOT B Grant application for Amity.
- b. Ordinance 19-01 -- Rezoning of 2560 Bowes Rd.
- c. Revision to Kent County Fire Commission agreement.

6. BOARD/COMMISSION REPORTS

7. MANAGER'S REPORT

8. APPOINTMENTS

9. COUNCIL COMMENTS

10. ADJOURNMENT

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



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

MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Monday, April 1, 2019

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2. CONSENT AGENDA

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4. OLD BUSINESS

- a. Resolution 11-19 – Purchasing Policy. Memo is provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve Resolution 11-19 and the City purchasing policy as recommended.

- b. Resolution 14-19 – Approving Act 198 Tax Abatement Policy. Memo provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve Resolution 14-19 to establish Public Act 198 Tax Abatement policy as presented.

- c. Community Garden. Memo provided by Andy Moore with William & Works.

5. NEW BUSINESS

- a. Resolution 15-19 – MDOT B Grant Application for Amity. Memo is provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve Resolution 15-19 to submit a grant request for the Michigan Department of Transportation Category B Program.

- b. Ordinance 19-01 - Rezoning of 2560 Bowes Rd. Memo is provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve Ordinance 19-01 as presented to modify the zoning classification for 2560 Bowes from Industrial to Public Facilities.

- c. Revision to Kent County Fire Commission Agreement. Memo provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve the member contract revision for the Kent County Fire Commission Agreement 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, MARCH 18, 2019, 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 Treasurer Suzanne Olin called roll.

Present: Councilmembers Greg Canfield, Marty Chambers, Jim Salzwedel, Cliff Yankovich and Mayor DeVore.

Absent: None.

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

2. APPROVAL OF THE AGENDA.

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

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

NO: None.

ABSENT: None.

MOTION CARRIED.

3. CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA.

There was none.

4. SAW GRANT- Street Improvement Project.

City Manager Michael Burns went over the financing the City has for roads and explained we need more revenue for street improvements.

Dave Austin & Brian Vilmont gave their presentation and focused on the funding aspect of street improvements for the City of Lowell.

5. COUNCIL AND BOARDMEMBER COMMENTS.

There were no comments.

6. ADJOURNMENT.

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to adjourn the meeting at 6:47 p.m.

YES: 5.

NO: 0.

ABSENT: None.

MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, MARCH 18, 2019, 7:00 P.M.**

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

The Meeting was called to order at 7:00 p.m. by Mayor Mike DeVore and Treasurer Suzanne Olin called roll.

Present: Councilmembers Greg Canfield, Marty Chambers, Cliff Yankovich, Jim Salzwedel, and Mayor DeVore.

Absent: None.

Also Present: City Manager Michael Burns, Treasurer Suzanne Olin, and Police Chief Steve Bukala.

IT WAS MOVED BY CANFIELD and seconded by SALZWEDEL to go into closed session at the end of the scheduled meeting.

YES: Councilmember Canfield, Councilmember Salzwedel, Councilmember Yankovich. NO: Councilmember Chambers and Mayor Devore. ABSENT: None. MOTION DENIED.

2. APPROVAL OF THE CONSENT AGENDA.

- Approval of the Agenda.
- Approve and place on file the minutes of the Regular City Council meeting of March 4, 2019.
- Authorize payment of invoices in the amount of \$102,272.37.

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

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

NO: None. ABSENT: None. MOTION CARRIED.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

There were no comments.

4. OLD BUSINESS

a. ArchiveSocial

City Manager Michael Burns followed up with ArchiveSocial on the question if we were to discontinue their services, are we able to retrieve all our information and the answer is yes, we would have up to 30 days after we notify them we no longer need their services, we would be responsible for exporting our information in that timeframe.

IT WAS MOVED BY DEVORE and seconded by YANKOVICH to approve that Lowell City Council enter into an agreement with ArchiveSocial to provide archiving services to our social media pages.

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

NO: None.

Absent: None

MOTION CARRIED.

b. Architectural Services- Showboat.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS for City Council to accept Michael R. Lynch's proposal to provide Architectural Services for the Lowell Showboat Project for a not to exceed sum of \$26,000.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

5. NEW BUSINESS

a. Public Hearing – LARA Trail Map.

Mayor DeVore opened the public hearing.

Dave Austin with Williams and Works stated at this time both LARA and the City of Lowell are submitting the applications to MDNR for this current years grant program. Austin went through the trail map and the funding sources.

Mayor DeVore closed the public hearing.

b. Public Input on the proposed applications by the City to the 2019 MDNR GRANT Trust Fund for a grant towards the non-motorized trail improvements.

There was no public input.

c. Resolution 12-19 MDNR Trust Fund Grant Application for the River Valley Rail Trail Lowell Connection Project.

IT WAS MOVED BY CHAMBERS and seconded by YANKOVICH that Lowell City Council approve Resolution 12-19 authorizing the submittal of a MDNR Trust Fund Grant in the amount of \$300,000.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Resolution 13-19 Lease Agreement with Wind Craft Aviation, LLC.

City Manager Michael Burns explained last year, a student at Lowell High School by the name of Alex Taylor presented his project regarding personalized aircraft. He formed his company named Wind Craft Aviation to work on this endeavor. He is working with Airport Manager Casey Brown and is using space at the Lowell Airport. The City Attorney and Burns have been working with Brown to draft a

lease agreement for this. Attached is the annual lease and resolution for use of Building 3 at the Airport. It will be a one-year lease at \$1,000 per month.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS to approve City Council enter into a lease agreement with Wind Craft Aviation, LLC as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Michigan Economic Development Corporation Grant - \$1,300,000.

Assistant City Manager Rich LaBombard stated on December 28, 2018, Governor Snyder signed legislation directing the Michigan Economic Development Corporation (MEDC) to award the City of Lowell a grant in the amount of \$1,300,000. The grant provides working capital to replace the Lowell Showboat with a steel barge structure which serves as a focal point for the citizens and visitors of Lowell. The term of the grant shall commence on January 1, 2019 and shall terminate on January 31, 2021.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that City Council accept the MEDC grant and authorize the Mayor to execute the agreement on behalf of the City of Lowell.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

f. Fire Authority Budget.

Mayor DeVore went through the Fire Authority budget that was given to City Council at their January meeting with a breakdown if they choose not to have full time employees and then a breakdown if they choose to have full time employees and stated the only notable increase is \$2,000 to the Chief's salary, a small decrease in operating supplies and travel and then the insurance raises that as it does every year. They will discuss and formalize the budget at their April meeting.

City Manager Michael Burns stated he would like to see a full breakdown analysis for at least the next five years as to what the increase will be for all three municipalities. Mayor DeVore agreed to get the breakdown once the Fire Authority decides on the pay structure, command staff, benefit package workman's comp, and future truck purchase details.

g. Arbor Board – Comprehensive Tree Plan 2019-2020.

Jim Reagan, Chair of the Arbor Board Committee, spoke about the annual Comprehensive Tree Plan and stated that the recipient for the 2019-2020 is Betten Baker and we are waiting to set a date to plant their tree to coincide with their landscaping schedule as they are finishing up their new construction. Reagan also went over the budget for the year and the plan to replace several trees

downtown that have outgrown their locations. Reagan also wanted to recognize some of the committee, Perry Beachum, Diane Lawarre and Melissa Spino.

Councilmember Chambers asked about the tree replacement, whether they would be the fruit bearing trees and Reagan stated he believed they were looking at columnar variety trees.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS that the Lowell City Council approve the 2019-2020 Comprehensive Tree Plan.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

h. Fireworks.

City Manager Michael Burns stated we received a request from the Lowell Area Chamber of Commerce for this year's fireworks show at the Stoney Lakeside Park. This is an annual request and the event is being held on Saturday July 13, 2019.

IT WAS MOVED BY DEVORE and seconded by CANFIELD that Lowell City Council approve the Fireworks application as requested.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. BOARD/COMMISSION REPORTS.

Councilmember Canfield stated he attended the LARA meetings and the Airport Board meeting and there are some exciting things happening there. Alex Taylor who formed Wind Craft Aviation is working on a flying prototype and the Airport manager Casey Brown applied for a grant with the State of Michigan for \$500,000 for airport improvement and is waiting for the results on that. They were happy to see someone from City Council at their meeting as well.

Councilmember Chambers stated that at the Lowell Light & Power Board meeting, they worked on wrapping up their budget and at the Planning Commission meeting, they discussed recreation marijuana and how they will control the smell coming from the facilities. One more step in the process of creating the ordinance and getting there slowly but surely.

Councilmember Yankovich stated he attended his second Chamber Board meeting and learned the Riverwalk festival is 25 years old this year and they are amping up the music this year. He was also recommended to see the Lowell High School play Mary Poppins and was blown away by the high school kids performance and stated they were spectacular.

Councilmember Salzwedel stated he had the Arbor Board meeting last week and they are working on

standardizing a plaque for anyone donating in the future.

Mayor DeVore stated he sits on the board along with Michael Burn and Rich LaBombard to decide what to do with the Fairgrounds once they leave, so they will have some ideas, options and a bunch of information at the Lowell Expo this Saturday March 23, 2019 from 9:00 to 3:00. The greater Lowell Community Vision Alliance meets Tuesday March 19, 2019 at the school at 4:00 pm.

7. **MONTHLY REPORTS.**

There were no comments.

8. **MANAGER'S REPORT.**

City Manager Mike Burns reported on the following:

- This Saturday at Lowell High School, the Expo will be going on and City Hall will have two booths, one will be our regular Police and City booth but then we will have a booth promoting the Recreation Park design day which is scheduled for April 17, 2019. That day we will have two sessions one between 2 – 4 pm and the second one between 5 – 7 pm. We will have an ariel map of the park and we are going to give them 34 game pieces and people can come in and pick and choose what they want in the park once the fair vacates. We will take that information as our survey and utilize that for our policy planning as we move forward.
- Last week Burns began preparing the budget for the fiscal year 2020, we are going to see a little bit of an increase in property values from last year and still seeing an increase in taxable value and he will continue to get that ready.
- MERS, the Municipal Employee Retirement System for Michigan made their announcement as to what their rate of return reduction is going to be. Beginning July 1, 2021, there will be a reduction from 7.75% to 7.3% and that will be an increase to the City which Burns is currently working on some things to try and reduce that unfunded liability, so stay tuned.
- LARA, the License and Regulatory Affairs Agency for the State of Michigan is currently putting together the Rules and Regulations for Recreational Marijuana and they have a number of different focus groups, one is focusing on the concerns of the distributors, one is focusing on the concerns of the grower and there is also one for the concerns of the municipalities. Burns has been asked to sit on that focus group and he will be meeting with them in Lansing all day next Wednesday, March 27, 2019.
- Next Council meeting he will be bringing revisions to the Purchasing Policy for Council to review.
- MDOT, Michigan Department of Transportation informed us that the week of April 15, 2019 through April 19, 2019 they anticipate doing traffic counts on Main & Hudson Street to determine whether or not there is enough traffic to get a left hand turn signal.

- April 15, 2019 is our regular Monday Council meeting and Burns will be out of town, so he asked Council to move the meeting to Tuesday, April 16, 2019. All conceded that was fine.
- Today Burns had the opportunity to participate with the Lowell Police Department in honoring a little boy named Peyton Dennis who is struck with Brain Cancer. Burns had Police Chief Steve Bukala tell the story.

Police Chief Steve Bukala explained Peyton has a disease called DIPG which stands for Diffuse Intrinsic Pontine Glioma and is a devastating aggressive brain tumor of childhood. His prognosis is terminal. Peyton came in to the Police Station today and we noticed he was not feeling well. Peyton also had a cancer treatment scheduled for today and we planned to give him a ride to Devos Children's Hospital in a police scooter with Detective Lauren. His mom texted later this morning that his port had flipped and that was why he was in a lot of pain and so they rushed him into emergency surgery. His mom did say later he was out and wearing the LPD shirt that we gave him and he was on his way home to get some well-deserved rest. If you want to follow his story it is "our cowboy Peyton" on Facebook. We did swear him in as a special police officer, he got his own locker and a couple patches, a challenge coin and his very own badge. Peyton will be asked to come back when he is feeling better.

Assistant City Manager Rich LaBombard announced Brush Clean Up next week Monday through Thursday, March 25, 2019 through March 28, 2019. Please have your brush out to be picked up in front of your house and in the right of way.

9. APPOINTMENTS.

The Historic District Commission has an appointment opening.
Construction Board of Appeals has an appointment opening.

10. COUNCIL COMMENTS.

Councilmember Canfield stated that before the next Council meeting he is flying out to Colorado Springs for an annual rodeo that Lowell Light & Power partakes in. There will be one here locally in the Fall in Cadillac, Michigan and he will volunteer at that to see what it is all about. Also April 18, 2019 is lineman appreciation day.

11. ADJOURNMENT.

IT WAS MOVED SALZWEDEL and seconded by YANKOVICH to adjourn at 7:52 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk

User: LORI

POST DATES 03/14/2019 - 03/28/2019

DB: Lowell

BOTH JOURNALIZED AND UNJOURNALIZED

PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name	Description	Amount
	Invoice		
01513	ADDORIO TECHNOLOGIES, LLC		
	7966	ACCOUNT STATEMENT	524.00
	7985	ACCOUNT STATEMENT - LPD	820.00
TOTAL FOR: ADDORIO TECHNOLOGIES, LLC			1,344.00
00007	ADT SECURITY SYSTEMS, INC.		
	3/13/19	WTP SECURITY	81.70
	3/21/19	ALARM MONITORING WTP	81.70
TOTAL FOR: ADT SECURITY SYSTEMS, INC.			163.40
10541	APWA, MICHIGAN CHAPTER - MPSI		
	4/7 - 4/12/19	PMSI 2019 - LABOMBARD	695.00
TOTAL FOR: APWA, MICHIGAN CHAPTER - MPSI			695.00
10799	ARCHIVESOCIAL, INC		
	6912	ARCHIVE - ECONOMY 199-10	676.56
TOTAL FOR: ARCHIVESOCIAL, INC			676.56
10327	AUTOMATED BUSINESS EQUIPMENT		
	20027	FOLDER/INSERT ANNUAL CONTRACT	800.00
TOTAL FOR: AUTOMATED BUSINESS EQUIPMENT			800.00
00769	BARTLETT TREE EXPERTS		
	3/20/19	MILEAGE / METER READS MARCH 2019	766.71
TOTAL FOR: BARTLETT TREE EXPERTS			766.71
10686	BETTEN BAKER		
	126200	2010 CHEVY IMPALA	22.42
	126213	CHEVY IMPALA 2008 WTP	378.19
TOTAL FOR: BETTEN BAKER			400.61
10738	BROWN, AMY		
	3/22/19	CONFERENCE MEALS & MILEAGE	107.57
TOTAL FOR: BROWN, AMY			107.57
02516	CALEDONIA RENT-ALL & SALES		
	164053	DPW EQUIP PARTS	1,750.59
TOTAL FOR: CALEDONIA RENT-ALL & SALES			1,750.59
10800	CITY OF FARMINGTON HILLS		
	NAAAC 19-191	4TH ANNUAL NAAAC 4/25 & 26	300.00
TOTAL FOR: CITY OF FARMINGTON HILLS			300.00
10493	COMCAST CABLE		
	4/6 - 5/5/19	DPW CABLE	35.04
TOTAL FOR: COMCAST CABLE			35.04
10509	CONSUMERS ENERGY		
	2/20 - 3/14/19	ACCOUNT STATEMENT	124.84
	203675441517	AIRPORT - #C 2/26 - 3/21/19	670.20
TOTAL FOR: CONSUMERS ENERGY			795.04

User: LORI

POST DATES 03/14/2019 - 03/28/2019

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PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name	Invoice	Description	Amount
10713	ENGINEERED PROTECTION SYSTEMS INC	A1134146	VIDEO SERVICE AGREEMENT WTP	225.00
TOTAL FOR: ENGINEERED PROTECTION SYSTEMS INC				225.00
10211	FIRE PROS INC.	INV-1756029	CITY HALL SPRINKLER REPAIRS	1,537.26
TOTAL FOR: FIRE PROS INC.				1,537.26
02218	FLEX ADMINISTRATORS, INC.	101688	FEBRUARY ADMIN FEES	19.50
TOTAL FOR: FLEX ADMINISTRATORS, INC.				19.50
01517	GR CITY TREASURER	19003460	FEBRUARY PARKING VALIDATION	69.25
TOTAL FOR: GR CITY TREASURER				69.25
00225	GRAND RAPIDS COMMUNITY COLLEGE	2/16-2/28	TAX DISBURSEMENT SHORTAGE CK#72535	10.00
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE				10.00
10277	GRAYMONT CAPITAL INC.	128420	WTP QUICKLIME	6,350.40
TOTAL FOR: GRAYMONT CAPITAL INC.				6,350.40
10053	HANAH'S FLAG & BANNERS LLC	3635	US FLAGS, POW/MIA & STATE MI	806.11
TOTAL FOR: HANAH'S FLAG & BANNERS LLC				806.11
00301	KENT COUNTY HEALTH DEPT	LOWEC 07.01.18-09	DOG LICENSES	348.40
TOTAL FOR: KENT COUNTY HEALTH DEPT				348.40
00300	KENT COUNTY TREASURER	K-4763	TAXES REFUNDED DEC 2018 BOR	34.04
TOTAL FOR: KENT COUNTY TREASURER				34.04
10262	LES ENTREPRISES DUCKBILL INC.	7138	POLICE EQUIPMENT	316.80
TOTAL FOR: LES ENTREPRISES DUCKBILL INC.				316.80
00345	LOWELL GRANITE CO. INC.	19-0061	REPAIRS TO GRANTIE BENCH	2,500.00
TOTAL FOR: LOWELL GRANITE CO. INC.				2,500.00
00347	LOWELL TOWNSHIP HALL	MARCH 2019	WATER OVERPAYMENT	5,103.33
TOTAL FOR: LOWELL TOWNSHIP HALL				5,103.33
10645	MERCANTILE BANK OF MICHIGAN	03-18-19	LOAN 4207 PYMT & INTEREST	15,019.17
		3/18/2019	LOAN 4215 PYMT & INTEREST	19,562.10
TOTAL FOR: MERCANTILE BANK OF MICHIGAN				34,581.27

User: LORI

POST DATES 03/14/2019 - 03/28/2019

DB: Lowell

BOTH JOURNALIZED AND UNJOURNALIZED

PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name		
	Invoice	Description	Amount
02513	METRO HEALTH HOSPITAL		
	2/25/2019	POLICE TP TEST	13.00
TOTAL FOR: METRO HEALTH HOSPITAL			13.00
10128	MMAAO		
	4/10/2019	NETWORKING/SOCIALIZATION - RASHID	15.00
TOTAL FOR: MMAAO			15.00
00945	NATIONAL LADDER		
	5-3218	WERNER 8' FG TRIPOD LADDER	214.03
TOTAL FOR: NATIONAL LADDER			214.03
01208	NICHOLLS, PAUL		
	3/12/19	AIRPORT WATER PUMP HOSE/FITTINGS	131.39
TOTAL FOR: NICHOLLS, PAUL			131.39
00468	NYE UNIFORM COMPANY		
	686188	POLICE UNIFORMS - VERHIL	49.50
	689128	POLICE UNIFORMS - STEPHENS	317.50
TOTAL FOR: NYE UNIFORM COMPANY			367.00
00499	PETTY CASH		
	3/18/2019	PETTY CASH	64.44
TOTAL FOR: PETTY CASH			64.44
00506	POSTMASTER		
	3/28/2019	W/S BILLS MAILED FOR APRIL 2019	439.49
TOTAL FOR: POSTMASTER			439.49
01159	PURCHASE POWER		
	3/10/19	POSTAGE METER	59.04
TOTAL FOR: PURCHASE POWER			59.04
10133	RED CREEK WASTE SERVICES INC.		
	93R00506	TRASH SERVICE MARCH 2019	319.81
TOTAL FOR: RED CREEK WASTE SERVICES INC.			319.81
00545	ROBBINS' LOCK SHOP, INC.		
	389844	DPW CAPITAL PROJECT	2,725.00
TOTAL FOR: ROBBINS' LOCK SHOP, INC.			2,725.00
10378	RUESINK, KATHIE		
	10970/10971	CLEANING 3/13 - 3/26/19	540.00
TOTAL FOR: RUESINK, KATHIE			540.00
10276	SPRINT		
	353302524-180	ACCOUNT STATEMENT 2/10 - 3/9/19	433.85
TOTAL FOR: SPRINT			433.85
10197	STATE OF MICHIGAN		
	3/11/2019	SUMMER IFT TAX	13,073.65
TOTAL FOR: STATE OF MICHIGAN			13,073.65

03/28/2019 12:09 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
POST DATES 03/14/2019 - 03/28/2019
BOTH JOURNALIZED AND UNJOURNALIZED
PAID - CHECK TYPE: PAPER CHECK

Page: 4/4

Vendor Code	Vendor Name	Invoice	Description	Amount
10684	STEPHENS, MICHAEL	691829	NYE UNIFORM REIMBURSEMENT	18.02
TOTAL FOR: STEPHENS, MICHAEL				18.02
10583	SUEZ WATER ENVIRONMENTAL SVC INC	201936172	CONTRACTUAL FEBRUARY 2019	37,882.00
		201936411	WWTP CONTRACT MARCH 2019	37,882.00
TOTAL FOR: SUEZ WATER ENVIRONMENTAL SVC INC				75,764.00
02473	SUPERIOR ASPHALT, INC.	58774	STREET SUPPLIES	2,513.00
TOTAL FOR: SUPERIOR ASPHALT, INC.				2,513.00
10484	VERGENNES BROADBAND	3521-20190317-1	AIRPORT INTERNET	49.99
		5267	INTERNET	260.00
TOTAL FOR: VERGENNES BROADBAND				309.99
02277	VERIZON WIRELESS	9825985992	ACCOUNT STATEMENT	158.09
		9826038044	STATEMENT 2/113 - 3/12/19	40.01
TOTAL FOR: VERIZON WIRELESS				198.10
MISC	WINICK, MIKE	3/19/19	ESCROW FOR STORAGE BLDG	625.00
TOTAL FOR: WINICK, MIKE				625.00
TOTAL - ALL VENDORS				157,559.69

03/28/2019 12:09 PM
User: LOR1
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
POST DATES 03/14/2019 - 03/28/2019
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 1/5

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-084.015	DUE FROM FIRE AUTHORITY	VERGENNES BROADBAND	INTERNET	28.58	72616
101-000-085.000	DUE FROM LIGHT & POWER	AUTOMATED BUSINESS EQUIPM	FOLDER/INSERT ANNUAL CONT	400.00	72588
101-000-085.000	DUE FROM LIGHT & POWER	VERGENNES BROADBAND	INTERNET	58.58	72616
101-000-222.002	DUE TO COUNTY-DOG LICENSE	KENT COUNTY HEALTH DEPT	DOG LICENSES	348.40	72584
Total For Dept 000				835.56	
Dept 172 MANAGER					
101-172-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	52.22	72612
101-172-955.000	MISCELLANEOUS EXPENSE	PETTY CASH	PETTY CASH	17.19	72582
101-172-955.000	MISCELLANEOUS EXPENSE	GR CITY TREASURER	FEBRUARY PARKING VALIDATI	69.25	72598
Total For Dept 172 MANAGE				138.66	
Dept 209 ASSESSOR					
101-209-955.000	MISCELLANEOUS EXPENSE	MMAAO	NETWORKING/SOCIALIZATION	15.00	72606
Total For Dept 209 ASSESS				15.00	
Dept 215 CLERK					
101-215-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	52.22	72612
101-215-864.000	CONFERENCES & CONVENTIONS	BROWN, AMY	CONFERENCE MEALS & MILEAG	107.57	72591
Total For Dept 215 CLERK				159.79	
Dept 253 TREASURER					
101-253-801.000	PROFESSIONAL SERVICES	FLEX ADMINISTRATORS, INC.	FEBRUARY ADMIN FEES	19.50	72597
101-253-955.000	MISCELLANEOUS EXPENSE	PETTY CASH	PETTY CASH	1.30	72582
101-253-955.000	MISCELLANEOUS EXPENSE	KENT COUNTY TREASURER	TAXES REFUNDED DEC 2018 B	34.04	72601
Total For Dept 253 TREASU				54.84	
Dept 265 CITY HALL					
101-265-730.000	POSTAGE	PETTY CASH	PETTY CASH	11.50	72582
101-265-730.000	POSTAGE	PURCHASE POWER	POSTAGE METER	59.04	72610
101-265-740.000	OPERATING SUPPLIES	PETTY CASH	PETTY CASH	8.47	72582
101-265-740.000	OPERATING SUPPLIES	HANAH'S FLAG & BANNERS LL	US FLAGS, POW/MIA & STATE	185.60	72600
101-265-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE MARCH 2019	64.45	72625
101-265-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING 3/13 - 3/26/19	360.00	72626
101-265-850.000	COMMUNICATIONS	VERGENNES BROADBAND	INTERNET	43.58	72616
Total For Dept 265 CITY H				732.64	
Dept 276 CEMETERY					
101-276-740.000	OPERATING SUPPLIES	HANAH'S FLAG & BANNERS LL	US FLAGS, POW/MIA & STATE	342.38	72600
101-276-740.000	OPERATING SUPPLIES	NATIONAL LADDER	WERNER 8' FG TRIPOD LADDE	214.03	72607
Total For Dept 276 CEMETE				556.41	
Dept 301 POLICE DEPARTMENT					
101-301-744.000	UNIFORMS	NYE UNIFORM COMPANY	POLICE UNIFORMS - VERHIL	49.50	72609
101-301-744.000	UNIFORMS	NYE UNIFORM COMPANY	POLICE UNIFORMS - STEPHEN	317.50	72609
101-301-850.000	COMMUNICATIONS	VERGENNES BROADBAND	INTERNET	43.52	72616
101-301-850.000	COMMUNICATIONS	VERIZON WIRELESS	ACCOUNT STATEMENT	158.09	72617
101-301-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	99.07	72612
101-301-930.000	R & M EQUIPMENT	LES ENTREPRISES DUCKBILL	POLICE EQUIPMENT	316.80	72602
101-301-931.000	R & M POLICE CARS	BETTEN BAKER	2010 CHEVY IMPALA	22.42	72590
101-301-955.000	MISCELLANEOUS EXPENSE	METRO HEALTH HOSPITAL	POLICE TP TEST	13.00	72605
101-301-957.000	TRAINING	PETTY CASH	PETTY CASH	19.48	72582
101-301-957.000	TRAINING	CITY OF FARMINGTON HILLS	4TH ANNUAL NAAAC 4/25 & 2	300.00	72593
101-301-984.000	EQUIPMENT	STEPHENS, MICHAEL	NYE UNIFORM REIMBURSEMENT	18.02	72613
Total For Dept 301 POLICE				1,357.40	
Dept 400 PLANNING & ZONING					
101-400-801.000	PROFESSIONAL SERVICES	WINICK, MIKE	ESCROW FOR STORAGE BLDG	625.00	72618
Total For Dept 400 PLANNI				625.00	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-802.000	CONTRACTUAL	FIRE PROS INC.	CITY HALL SPRINKLER REPAI	1,537.26	72596

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE MARCH 2019	207.86	72625
101-441-850.000	COMMUNICATIONS	VERGENNES BROADBAND	INTERNET	28.58	72616
101-441-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	77.22	72612
101-441-864.000	CONFERENCES & CONVENTIONS	APWA, MICHIGAN CHAPTER -	PMSI 2019 - LABOMBARD	695.00	72581
101-441-920.000	PUBLIC UTILITIES	COMCAST CABLE	DPW CABLE	35.04	72620
101-441-975.000	BUILDING IMPROVEMENTS	ROBBINS' LOCK SHOP, INC.	DPW CAPITAL PROJECT	2,725.00	72611
Total For Dept 441 DEPART				5,305.96	
Dept 751 PARKS					
101-751-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	25.00	72612
101-751-930.000	REPAIR & MAINTENANCE	LOWELL GRANITE CO. INC.	REPAIRS TO GRANTIE BENCH	2,500.00	72603
Total For Dept 751 PARKS				2,525.00	
Dept 790 LIBRARY					
101-790-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICE MARCH 2019	47.50	72625
101-790-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING 3/13 - 3/26/19	180.00	72626
Total For Dept 790 LIBRAR				227.50	
Total For Fund 101 GENERA				12,533.76	
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	12.95	72612
Total For Dept 463 MAINTENANCE				12.95	
Dept 478 WINTER MAINTENANCE					
202-478-740.000	OPERATING SUPPLIES	SUPERIOR ASPHALT, INC.	STREET SUPPLIES	1,256.50	72615
Total For Dept 478 WINTER				1,256.50	
Total For Fund 202 MAJOR				1,269.45	
Fund 203 LOCAL STREET FUND					
Dept 463 MAINTENANCE					
203-463-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	12.95	72612
Total For Dept 463 MAINTENANCE				12.95	
Dept 478 WINTER MAINTENANCE					
203-478-740.000	OPERATING SUPPLIES	SUPERIOR ASPHALT, INC.	STREET SUPPLIES	1,256.50	72615
Total For Dept 478 WINTER				1,256.50	
Total For Fund 203 LOCAL				1,269.45	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
248-463-740.000	OPERATING SUPPLIES	HANAH'S FLAG & BANNERS LL	US FLAGS, POW/MIA & STATE	238.72	72600
Total For Dept 463 MAINTENANCE				238.72	
Dept 740 COMMUNITY PROMOTIONS					
248-740-880.000	COMMUNITY PROMOTION	PETTY CASH	PETTY CASH	6.50	72582
Total For Dept 740 COMMUN				6.50	
Total For Fund 248 DOWNTOWN				245.22	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	AIRPORT - #C 2/26 - 3/21/	670.20	72621
581-000-930.000	REPAIR & MAINTENANCE	NICHOLLS, PAUL	AIRPORT WATER PUMP HOSE/F	131.39	72608
581-000-955.000	MISCELLANEOUS EXPENSE	VERGENNES BROADBAND	AIRPORT INTERNET	49.99	72616
Total For Dept 000				851.58	
Total For Fund 581 AIRPOR				851.58	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-043.000	DUE FROM EARTH TECH	VERGENNES BROADBAND	INTERNET	28.58	72616
Total For Dept 000				28.58	
Dept 550 TREATMENT					

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Fund 590 WASTEWATER FUND					
Dept 550 TREATMENT					
590-550-802.000	CONTRACTUAL	SUEZ WATER ENVIRONMENTAL	WWTP CONTRACT MARCH 2019	37,882.00	72614
590-550-802.000	CONTRACTUAL	SUEZ WATER ENVIRONMENTAL	CONTRACTUAL FEBRUARY 2019	37,882.00	72614
Total For Dept 550 TREATM				75,764.00	
Dept 551 COLLECTION					
590-551-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	38.61	72612
590-551-850.000	COMMUNICATIONS	VERIZON WIRELESS	STATEMENT 2/113 - 3/12/19	20.01	72617
Total For Dept 551 COLLEC				58.62	
Dept 552 CUSTOMER ACCOUNTS					
590-552-703.000	SALARIES-METER READS	BARTLETT TREE EXPERTS	MILEAGE / METER READS MA	353.65	72589
590-552-730.000	POSTAGE	POSTMASTER	W/S BILLS MAILED FOR APRI	219.74	72624
590-552-860.000	TRAVEL EXPENSES	BARTLETT TREE EXPERTS	MILEAGE / METER READS MA	29.71	72589
Total For Dept 552 CUSTOM				603.10	
Total For Fund 590 WASTEW				76,454.30	
Fund 591 WATER FUND					
Dept 000					
591-000-632.000	METERED SALES-TOWNSHIP	LOWELL TOWNSHIP HALL	WATER OVERPAYMENT	5,103.33	72623
Total For Dept 000				5,103.33	
Dept 570 TREATMENT					
591-570-740.000	OPERATING SUPPLIES	HANAH'S FLAG & BANNERS LL	US FLAGS, POW/MIA & STATE	39.41	72600
591-570-743.000	CHEMICALS	GRAYMONT CAPITAL INC.	WTP QUICKLIME	6,350.40	72599
591-570-802.000	CONTRACTUAL	ADT SECURITY SYSTEMS, INC	WTP SECURITY	81.70	72586
591-570-802.000	CONTRACTUAL	ADT SECURITY SYSTEMS, INC	ALARM MONITORING WTP	81.70	72586
591-570-802.000	CONTRACTUAL	ENGINEERED PROTECTION SYS	VIDEO SERVICE AGREEMENT W	225.00	72595
591-570-850.000	COMMUNICATIONS	VERGENNES BROADBAND	INTERNET	28.58	72616
591-570-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	25.00	72612
591-570-930.000	REPAIR & MAINTENANCE	BETTEN BAKER	CHEVY IMPALA 2008 WTP	378.19	72619
Total For Dept 570 TREATM				7,209.98	
Dept 571 DISTRIBUTION					
591-571-850.000	COMMUNICATIONS	SPRINT	ACCOUNT STATEMENT 2/10 -	38.61	72612
591-571-850.000	COMMUNICATIONS	VERIZON WIRELESS	STATEMENT 2/113 - 3/12/19	20.00	72617
591-571-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENT	124.84	72594
Total For Dept 571 DISTRI				183.45	
Dept 572 CUSTOMER ACCOUNTS					
591-572-703.000	SALARIES-METER READS	BARTLETT TREE EXPERTS	MILEAGE / METER READS MA	353.65	72589
591-572-730.000	POSTAGE	POSTMASTER	W/S BILLS MAILED FOR APRI	219.75	72624
591-572-860.000	TRAVEL EXPENSES	BARTLETT TREE EXPERTS	MILEAGE / METER READS MA	29.70	72589
Total For Dept 572 CUSTOM				603.10	
Total For Fund 591 WATER				13,099.86	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	ACCOUNT STATEMENT	524.00	72585
636-000-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	ACCOUNT STATEMENT - LPD	820.00	72585
636-000-802.000	CONTRACTUAL	ARCHIVESOCIAL, INC	ARCHIVE - ECONOMY 199-10	676.56	72587
636-000-802.000	CONTRACTUAL	AUTOMATED BUSINESS EQUIPM	FOLDER/INSERT ANNUAL CONT	400.00	72588
Total For Dept 000				2,420.56	
Total For Fund 636 DATA P				2,420.56	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-930.000	REPAIR & MAINTENANCE	CALEDONIA RENT-ALL & SALE	DPW EQUIP PARTS	1,750.59	72592
661-895-991.000	PRINCIPAL	MERCANTILE BANK OF MICHIG	LOAN 4215 PYMT & INTEREST	19,112.80	72604
661-895-991.000	PRINCIPAL	MERCANTILE BANK OF MICHIG	LOAN 4207 PYMT & INTEREST	14,674.20	72604
661-895-995.000	INTEREST PAYABLE	MERCANTILE BANK OF MICHIG	LOAN 4215 PYMT & INTEREST	449.30	72604
661-895-995.000	INTEREST PAYABLE	MERCANTILE BANK OF MICHIG	LOAN 4207 PYMT & INTEREST	344.97	72604

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Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
		Total For Dept 895 FLEET		36,331.86	
		Total For Fund 661 EQUIPM		36,331.86	
Fund 703 CURRENT TAX COLLECTION FUND					
Dept 000					
703-000-235.000	DUE TO COMMUNITY COLLEGE	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT SHORTAGE	10.00	72622
703-000-274.001	UNDISTRIBUTED PA 198 TAXE	STATE OF MICHIGAN	SUMMER IFT TAX	13,073.65	72583
		Total For Dept 000		13,083.65	
		Total For Fund 703 CURREN		13,083.65	

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Fund Totals:

Fund 101	GENERAL FUND	12,533.76
Fund 202	MAJOR STREET FUN	1,269.45
Fund 203	LOCAL STREET FUN	1,269.45
Fund 248	DOWNTOWN DEVELOP	245.22
Fund 581	AIRPORT FUND	851.58
Fund 590	WASTEWATER FUND	76,454.30
Fund 591	WATER FUND	13,099.86
Fund 636	DATA PROCESSING	2,420.56
Fund 661	EQUIPMENT FUND	36,331.86
Fund 703	CURRENT TAX COLL	13,083.65

157,559.69

CITY OF LOWELL
MDNR TRUST FUND GRANT APPLICATION for the
RIVER VALLEY RAIL TRAIL LOWELL CONNECTION PROJECT
RESOLUTION OF ADOPTION

RESOLUTION – 12-19

WHEREAS, the City of Lowell supports the submission of an application titled, "River Valley Rail Trail Lowell Connection Project" to the Michigan Natural Resources Trust Fund for development of non-motorized trails thru the Lowell Community to connect the Flat River Valley Rail Trail to the Grand River Valley Rail Trail, and

WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan, and

WHEREAS the City is working cooperatively with the Lowell Area Recreation Authority who is also seeking funding from the MDNR and private foundations for this project, and,

WHEREAS the City's portion of the estimated total project cost is \$5,417,000 and

WHEREAS, the City of Lowell has made a financial commitment to the project in the amount of \$5,120,000 matching funds, in cash and/or force account,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

MDOT TAP Grant -	\$ 3,100,000
Private Foundations -	\$ 1,995,000
City of Lowell –	\$ 25,000
<hr/>	
Total	\$ 5,120,000

NOW THEREFORE, BE IT RESOLVED that the City of Lowell hereby authorizes submission of a Michigan Natural Resources Trust Fund Application for \$300,000, and further resolves to make available a local match through financial commitment and donation(s) of \$5,120,000 (94%) of a total \$5,420,000 project cost.

Yeas: Councilmember Canfield, Mayor DeVore, Councilmember Salzwedel, Councilmember Yankovich,

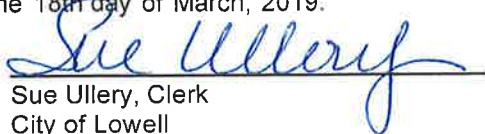
Councilmember Chambers. Nays: None.

Absent: None.

Abstain: None.

Motion: Approved.

I, Sue Ullery, Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Lowell at a regular City Council Meeting held on the 18th day of March, 2019.


Sue Ullery, Clerk
City of Lowell

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 13-19

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
LEASE AGREEMENT WITH WIND CRAFT AVIATION, LLC RELATED
TO THE LOWELL AIRPORT**

Mayor DeVore, supported by Councilmember Chambers, moved the adoption of the following resolution:

WHEREAS, the City owns and operates the Lowell Airport (the “Airport”); and

WHEREAS, Wind Craft Aviation, LLC (“Wind Craft”) has requested to lease from the City Building 3 and related parking and an adjacent concrete pad (the “Leased Premises”); and

WHEREAS, the City is willing to lease the Leased Premises to Wind Craft subject to the terms and conditions of a lease agreement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Lease Agreement (the “Lease”) in the form presented at this meeting is approved with such modifications not materially adverse to the City approved as to content by the City Manager and as to form by the City Attorney.
2. That the Mayor and the City Clerk are authorized and directed to execute the approved Lease for and on behalf of the City.

3. That all resolutions or parts of resolutions in conflict herewith shall be, and the same are, hereby rescinded.

YEAS: Mayor DeVore, Councilmembers Salzwedel, Councilmember Yankovich, Councilmember Chambers and Councilmember Canfield.


NAYS: Councilmembers None.

ABSTAIN: Councilmembers None.

ABSENT Councilmembers None.

RESOLUTION DECLARED ADOPTED.

Dated: March 18, 2019


Susan Ullery, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lowell, at a regular meeting held on March 18, 2019, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: March 18, 2019


Susan Ullery, City Clerk



LOWELL CITY COUNCIL

MEMORANDUM

DATE: March 28, 2019

TO: Mayor Devore and the Lowell City Council

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

RE: Purchase Policy

Last summer, the Lowell Board of Light and Power presented a modification to their purchase policy which the City Council approved. At the time, I asked the City Council to allow me to revise the City's policy to somewhat mirror the Lowell Light and Power board. I also mentioned at the time, the policy doesn't necessarily align with how we purchase items.

Over the summer and fall, I worked with Department Directors to modify our policy and make it align to how the Administration operates. I attached a copy of the proposed policy and I will discuss it with you.

I am recommending the Lowell City Council approve Resolution 11-19 and the City purchasing policy as recommended.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 11-19

**RESOLUTION APPROVING PURCHASING AND
BIDDING, SALE OF CITY ASSETS AND DONATION
POLICY**

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

WHEREAS, in accordance with the provisions of the City Charter and Code of Ordinance the City has determined to develop a policy for purchasing and bidding, sale of assets and receipt of donations; and

WHEREAS, the City Manager has prepared a Purchasing and Bidding, Sale of City Assets and Donation Policy (the "Policy").

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Policy in the form presented at this meeting is approved.
2. That all resolutions or parts of resolutions in conflict herewith shall be, and the same are, hereby rescinded.

YEAS: Councilmembers _____

NAYS: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

RESOLUTION DECLARED ADOPTED.

Dated: April 1, 2019

Susan Ullery, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lowell, at a regular meeting held on April 1, 2019, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: April 1, 2019

Susan Ullery, City Clerk



PURCHASING AND BIDDING, SALE OF CITY ASSETS AND DONATION POLICY

Adopted by the Lowell City Council by Resolution No. 11-19 on April 1, 2019

The City of Lowell Purchasing Policy that was adopted by the Lowell City Council on November 19, 2012 is replaced in its entirety by this new policy.

Declaration: Section 2.71 of the City Code of Ordinances (the "City Code") provides that all the purchases of materials, supplies or services are to be conducted in accordance with a policy developed by the City Manager and approved by the City Council. The City Council believes the City is best served by adopting a comprehensive, standardized procedure that will govern departmental purchases of materials, supplies, equipment and services based upon the estimated costs for the items. The City Council also supports a transparent and accountable process for the sale of City assets and the acceptance of donations.

Intent: The following policy explains the standard procedures for purchasing and bidding, the sale of City assets and the acceptance of donations.

This policy is intended for all Department Directors and staff involved in purchasing materials, supplies, equipment and services that are not specifically exempted from this Policy. Purchases must be accomplished in a manner that ensures the City is receiving the best overall value for the funds being expended. Department Directors consist of the Assistant City Manager/Director of Public Works, Police Chief, City Clerk and City Treasurer.

The sale of City assets is often subject to certain legal requirements that must be thoroughly understood before engaging in the sale process as described in this Policy. Donations are also often subject to certain legal requirements and must be thoroughly vetted before being accepted by the City.

Department Directors and staff must use approved documents for recording quotes, bids, invoices and purchase orders. Approved documents are attached to this policy.

Capital purchases as described in this policy must first be identified in a departmental Capital Improvement Plan (CIP) and subsequently approved as a capital line item in the current fiscal year operating budget.

Section 1: Purchasing and Bidding

The following purchasing and bidding principles and procedures shall apply:

1. All purchasing consistent with this Policy shall benefit from a competitive process to the maximum extent practical. This process will include the use of quotes, and where applicable, through the use of

formal advertising and/or sealed bids, with the intent to encourage submission of bids by any and all qualified bidders.

2. All purchasing shall be based in transparency, fairness, accountability and equity.

The City shall maintain ethical and impartial relationships with all companies, bidders and suppliers.

While typically the lowest qualified quote or bid will be accepted, the City is not required to accept the lowest bid or quote if the City deems it in the City's best interest to accept other than the lowest bid or quote.

Exemptions

The following are exempt from this Policy:

- ongoing utility charges (gas, electric, phone, cable, internet, etc.),
- postage charges,
- financing charges,
- dues and subscriptions to professional organizations,
- consulting engineering services,
- legal services,
- training from professional organizations,
- emergency purchases as approved by the City Manager,
- election equipment, supplies and products as required by State of Michigan law,
- Department of Public Works original equipment manufacturer supplies,
- frequent and reoccurring supplies for daily operations of City Departments,
- information technology services, and
- services that are not competitive in nature and/or services that are available only from one known and qualified source.

3. The City Manager shall use appropriate methods including soliciting and considering alternative products and services from alternative qualified competitive vendors to encourage competitive quotes, proposals and bids except in circumstances when seeking competitive quotes, proposals or bids is impractical or unjustifiable due to:

- the limitation of qualified vendors serving the market or products meeting the specific requirements;
- reasonable uncertainty that competitive vendors can be relied upon to meet the required delivery or project schedules;
- known or perceived disparities in the skill, knowledge, integrity, experience, judgment or performance of specific vendors; or
- the existence of specialized requirements, including fit, function, size, weight, specification, durability or compatibility for the intended purpose.

Professional Services

Professional services such as auditing, property and liability insurance services, and workers compensation services shall be reviewed by the City Council at least every three years. The City Council will determine if such services are satisfactory or if proposals for such services shall be sought.

Purchasing and Bidding Categories and Procedures

The estimated cost of a purchase shall determine which procedures are required, as detailed below. If the actual costs fall into a higher category than expected, then City Council approval will be required.

Category		Procedure	Limits
Cash / Credit		Treasurer approval	Limit of \$250
Class 1		Three written / email quotes	From \$250 - \$25,000 – budgeted expenditures From \$250 - \$10,000 – unbudgeted expenditures
Class 2		Formal Bidding Process	\$25,001 and up – budgeted expenditures \$10,001 and up – unbudgeted expenditures

Notes:

Cash / Credit: A printed / written receipt is required and must be submitted to the City Treasurer or Deputy City Treasurer. Any purchase of over \$100 on a credit card must be approved by the City Manager.

Class 1: The Department Director will make every reasonable effort to obtain three valid, written/email quotes to establish the purchase category and submit the proper vendor quote form. Quotes must be attached to an approved invoice. An inability to obtain three valid quotes must be explained on an attachment to the invoice. All budgeted purchases over the amount \$5,000 require City Manager approval. All unbudgeted expenditures require City Manager approval.

Class 2: The Department Director will make every reasonable effort to obtain two valid, written/email quotes to establish the purchase category. The formal City bidding process is required, as described in this policy. Once a bidder has been selected, an invoice will be issued to record the details of the bidding process. The City Council must then approve the purchase to finalize payment.

For all categories, each piece of equipment over \$5,000 must be budgeted to a capital equipment account in the annual operating budget pursuant to a capital improvements plan.

Formal Bidding Process

- A. Notice to potential bidders must be published once in a newspaper of general circulation in the City a minimum of 10 days before the bid opening date. The City Clerk will be responsible for publication of the notice and the opening of bids. The Department Director requesting the purchase will be responsible for providing the City Clerk with necessary information related to the bidding process.
- B. Bid specifications will be prepared by the Department Director requesting the purchase. The Department Director will ensure that final bid specifications are developed independently of potential vendors, bidders or suppliers for which the bid specifications are being prepared. The bid specifications shall indicate the deadline for submission of bids, the address to which bids must be submitted, and the date, time and place that bids will be publicly opened and read. The City may request the City's consulting engineer to prepare specifications, notices and distribution of specifications to bidders for major public improvement projects. All specifications must be written in a clear, concise manner and must not arbitrarily eliminate qualified vendors and/or products. The Department Director (or consulting engineer) will be responsible for establishing and maintaining a file of specifications and associated project material.
- C. All requests for bids shall include a statement that the City reserves the right to accept or reject any or all bids for good reason and no reason, to waive informalities or errors in the bidding process, and to accept any bid deemed in the best interest of the City, including bids that are not the lowest amount.
- D. When seeking bids, the Department Director will send specifications and bid forms to all known, reliable and qualified vendors. The Department Director will be responsible for keeping a list of qualified vendors. A copy of the bid specifications will be kept in the office of the City Clerk for public review prior to the bid opening. Bid specifications will be posted on the City website until the time of the bid opening.
- E. When written bids are received they will be stamped with the date and time received. Emailed bids must be printed, stamped and sealed in an envelope by the City Clerk. All bids will be opened publicly, at the time, date and place designated in the notice and invitation for bids. Late bids shall be automatically rejected and returned unopened to the submitter.
- F. After bids have been opened, they will be tabulated and forwarded to the Department Director for a recommendation to the City Manager or City Council when required or to otherwise award that bid.
- G. When an award of a bid requires City Council approval, the Department Director's recommendation shall be forwarded to the City Manager's office no later than the Thursday preceding the City Council meeting where the award will be considered.
- H. After bids are open and a bid awarded, all vendors shall be notified of acceptance or rejection. This shall be the responsibility of the Department Director or consulting engineer, if applicable.
- I. The City will give preference to qualified vendors located within the City.

Other Forms of Purchasing

When deemed to be in the best interests of the City, with the approval of the City Manager, alternate forms of purchasing may be used. Such forms include the use of other governmental agency purchasing options (such as Kent County, the State of Michigan or other governmental group bidding organizations), or other commonly acceptable forms of purchasing such as intergovernmental pools and bid extensions.

Emergency Procurement

Section 2-72 of the City Code provides that in case of an emergency, a Department Director may purchase materials, supplies or services without meeting the requirements of the bidding and purchasing policy established pursuant to Section 2-71 of the City Code with the prior approval of the City Manager. Emergency purchases shall be reported by the City Manager to the City Council at its next regular meeting.

Section 2: Sale of City Assets

The sale of real property by the City may only occur under the provisions of Section 13.3 (b) of the City Charter.

The sale of City personal property, including vehicles and equipment, shall be accomplished through a publicly advertised sale conducted by the City, private auction house, other governmental auction, through internet services, or other publicly advertised events. The City shall set a minimum bid price on each vehicle or piece of equipment expected to sell for \$500 or more, and shall sell the property to the highest bidder who meets the minimum bid price set by the City.

Section 3: Donations to the City

All potential donations to the City must be reviewed and approved by the City Council.



**LOWELL CITY COUNCIL
MEMORANDUM**

DATE: March 28, 2019

TO: Mayor Devore and the Lowell City Council

FROM: Michael T. Burns, City Manager MB

RE: Public Act 198 Policy

Last fall, I discussed with the City Council the creation of a policy pertaining to Public Act 198 Tax Abatements. At the time we discussed an application fee for the applicant to provide so the City can recover costs for processing these applications. We also discussed a more comprehensive policy for approving these requests when they come in.

I attached a policy to consider in which I believe does this and also develops a point system to determine how long we provide an abatement for. This differs from my recommended policy of providing five years and having the applicant return for the remaining time. I anticipate discussing this further with the City Council.

I am recommending the Lowell City Council approve Resolution 14-19 to establish a Public Act 198 Tax Abatement policy as presented.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 14-19

**RESOLUTION APPROVING ACT 198 TAX ABATEMENT
POLICY**

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

WHEREAS, Act 198 of the Public Acts of Michigan of 1974, as amended (“Act 198”) provides a process where an owner of industrial property can apply for and receive an abatement of property taxes; and

WHEREAS, the Act 198 process requires review and approval of the City; and

WHEREAS, the City has determined to adopt a policy for consideration of Act 198 tax abatement requests.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Act 198 Tax Abatement Policy in the form presented at this meeting is approved.
2. That all resolutions or parts of resolutions in conflict herewith shall be, and the same are, hereby rescinded.

YEAS: Councilmembers _____

NAYS: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

RESOLUTION DECLARED ADOPTED.

Dated: April 1, 2019

Susan Ullery, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lowell, at a regular meeting held on April 1, 2019, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: April 1, 2019

Susan Ullery, City Clerk

City of Lowell

Act 198 Tax Abatement Policy

The following policies shall apply to the City's consideration of requests to establish industrial development and plant rehabilitation districts and approve applications for industrial facilities exemption certificates pursuant to Act 198 of the Public Acts in 1974, as amended ("Act 198"):

- 1. Commencement of Process; Filing of Application; Definitions:** The applicant for an industrial facilities exemption certificate (an "IFT Certificate") shall file a complete Application for Industrial Facilities Exemption Certificate (Michigan Department of Treasury Form 1012, as amended) (an "Application") in conjunction with a written request to establish an industrial development district or plant rehabilitation district (a "District"). This Application must be accompanied by all applicable attachments (including a legal description and survey of the boundaries of the requested District) and supporting information and payment of the fees required by paragraph 6. The City will not process or consider an Applicant's request to establish a District until the City has received a properly completed Application (including all applicable attachments and exhibits) and fees.
- 2. Establishment and Boundary of a District:** Under the provisions of Public Act 198, a District must be established prior, to the consideration of the Application for an IFT Certificate. The District must be a legal description of the parcel of land on which the abatement is to take place. If a District currently exists on the property, the applicant may proceed directly to the Application of an IFT Certificate.
- 3. Limit on Term of District:** There will be no limit on the term of a District. However, the City shall consider a District void if an IFT Certificate has not been approved within 1 year of the establishment of the District.
- 4. Criteria for IFT Certificate Approval:** Criteria used in evaluating Applications shall include the following:
 - The City shall not consider a request to grant an IFT Certificate before the City Planning Commission grants any required site plan approval for the project.
 - The facility must use a Lowell local address.
 - There must be no delinquent taxes or other amounts owed by the Applicant to the City.
 - Permanent jobs will be created or retained as a result of the project.
 - There is no current, pending, or threatened litigation against the City by the applicant.
- 5. Maximum Term of Tax Abatement:** The maximum term of abatement granted by the City in approving an IFT Certificate shall correspond to the Abatement Formula in *Attachment 1*.

6. **Application Fee:** In order to cover costs incurred with staff review, publications, and compliance to this policy and Act 198, there shall be a fee of \$250 which shall accompany the application to create an Industrial Development District, and an additional fee of \$600 to accompany the application for an IFT Certificate. All fees shall be non-refundable.
7. **Fee Affidavit:** There shall be attached to each IFT Certificate application, approved by the City and filed with the State Tax Commission, an affidavit, signed by the City Manager and by the Applicant, which states that no payment of any kind in excess of the fee allowed by Section 5(3) of Act 198 has been made or promised in exchange for favorable consideration of the Applicant.
8. **Agreement:** An IFT Certificate shall not be approved or issued unless a written agreement corresponding to the form in *Attachment 2* is entered into between the City and the Applicant and filed with the Michigan Department of Treasury.
9. **Revocation of Certificate:** The City reserves the right to revoke an IFT Certificate in accordance with Section 15 of Act 198, the terms and conditions of the Tax Abatement Agreement or upon the failure of the Applicant or the owner or an occupant of the facility subject to tax abatement to pay *ad valorem* and/or industrial facility taxes prior to the same becoming delinquent in accordance with applicable law.
10. **Clawback:** An IFT Certificate shall not be approved or issued unless the Applicant agrees that if during the term of the IFT Certificate, the Applicant moves the jobs employed at the industrial facility subject to tax abatement to a location outside of the City, the City shall have the right to require a repayment equal to the total taxes abated by the City under the IFT Certificate.
11. **Variances:** The City Council reserves the right to vary from these policies. Such variances shall only be considered by the City Council on a very limited basis where the nature of the project in the sole judgment of the City Council, as determined by the City Council in the exercise of its reasonable discretion, is so significant that it presents a unique opportunity for the City and its residents.
12. **Checklist of Procedures:** The City shall develop a checklist of procedures to allocate the responsibilities for filing and processing an Application between the City and the Applicant. It is intended that a copy of these policies and the checklist will be provided to each potential Applicant at the time the Applicant first contacts the City to discuss a potential Application.
13. **Inconsistencies:** In the event of an inconsistency between the terms of these policies and Act 198, the provisions of Act 198 shall prevail.

14. Schedule of Hearings: The City Manager is hereby authorized to schedule the required public hearings for the creation of the industrial development district and consideration of the application for tax abatement, and to arrange for giving notice of these hearings as required by law. In his/her discretion, the City Manager may instead request that the City Council approve the time and date of these public hearings.

ATTACHMENT 1

ABATEMENT FORMULA

The term of the abatement approved in an IFT Certificate shall correspond to the whole number of the cumulative score of the criteria below added together, up to a period of 12 years.

Development: The amount of proposed new development of buildings and personal property	Less than \$500,000..... No Points \$500,001 to \$750,000..... 1 Point \$750,001 to \$1,000,000..... 2 Points \$1,000,001 to \$1,250,000..... 3 Points \$1,250,001 to \$1,500,000..... 4 Points \$1,500,001 to \$1,750,000..... 5 Points \$1,750,001 to \$2,000,000..... 6 Points Over \$2,000,001..... 7 Points
Quantity of Jobs: Total number of jobs created or retained by the project	Total number of jobs created or retained is multiplied by a factor of 0.15 to factor the number of points awarded.
Quality Jobs: The total number of jobs created or retained by the project which will have an hourly wage rate equivalent to or exceeding 125% of the federal poverty income guidelines for a family of 3 if health insurance is provided for; or at least 150% of the federal poverty guidelines for a family of 3 without providing health insurance.	Total numbers of jobs created or retained is multiplied by a factor of 0.4 to factor the number of points awarded.
New Economy Bonus: In order to attract and retain a diverse representation of business and industry, and to promote building a sustainable local economy, the City will award bonus points to projects in certain industries, and the research and office facilities of firms specializing in such fields.	High-Technology..... 6 Points Battery / Fuel Cells..... 6 Points Renewable Energy..... 4 Points Semiconductors..... 4 Points Medical Equipment Assembly..... 3 Points Aerospace / Defense..... 3 Points Pharmaceuticals..... 3 Points

Abatement Example: The following chart is to serve as an example of how the formula works.

Criteria	Proposed Project	Points
Development	\$1,100,000	3.00 Points
Quantity Jobs	25 x 0.15	3.75 Points
Quality Jobs	10 x 0.4	4.00 Points
New Economy Bonus	Paper Mill	0.00 Points
Total Project Points		10.75 Points

This company would be granted a 10 year IFT Certificate, as its project has 10 full points.

The total number of years the tax abatement may be granted shall be equal to the number of full (not partial) points calculated in accordance with the Abatement Formula no to exceed 12 years.

PROPERTY TAX ABATEMENT AGREEMENT

THIS PROPERTY TAX ABATEMENT AGREEMENT (the "Agreement") entered into as of _____, 20____, between the **CITY OF LOWELL**, a Michigan municipal corporation, of 301 E. Main Street, Lowell, Michigan 49331 (the "City"), and _____, a _____, of _____, Michigan _____ (the "Applicant").

RECITALS

A. The Applicant has filed with the City an application (the "Application") for an industrial facilities exemption certificate (the "Certificate") pursuant to Act 198 of the Public Acts of Michigan of 1974, as amended.

B. To encourage the granting of the Certificate and in recognition of the forbearance of the City and other taxing entities to immediately receive the full benefit of the economic growth of the Applicant, the parties wish to ensure the City and other taxing entities will ultimately share in the benefits from this growth.

NOW, THEREFORE, in exchange for the consideration in and referred to by this Agreement, the parties agree as follows:

1. The Application, a copy of which is attached as Exhibit A, is an integral part of this Agreement and details the Applicant's intended investment, creation of new jobs, retention of existing jobs and other development efforts.

2. The Applicant will submit a letter to the City no later than January 30th immediately following the second year after the issuance of the Certificate certifying:

- (a) Number of jobs created or retained.
- (b) Actual cost for both real and personal property constructed and acquired.
- (c) An explanation for a difference in the number of jobs created or total project costs from those described in the Application.

3. The Applicant will recertify the information outlined above every two (2) years through the expiration of the Certificate.

4. The Applicant understands and agrees that if employment has not been retained or reached, or the expansion or improvement was not substantially completed as described in the Application, the City may reduce the term of, or revoke, the Certificate.

5. If the Applicant ceases operation of its facility subject to the tax abatement in the City so that it is no longer employing people and producing goods and no successor employer is occupying the facility and providing industrial employment during the term of the Certificate then (i) if less than two (2) years has transpired since the approval of the Application, the City may require one hundred percent (100%) of the abated *ad valorem* property taxes be paid by the Applicant to the City and other affected taxing units; (ii) if between two (2) years and less than four (4) years of the time has transpired since the approval of the Application, the City may require seventy-five percent (75%) of the abated *ad valorem* property taxes be paid by the Applicant

to the City and other affected taxing units; (iii) if between four (4) years and less than six (6) years has transpired since the approval of the Application, the City may require fifty percent (50%) of the abated *ad valorem* property taxes be paid by the Applicant to the City and other affected taxing units; and (iv) if more than six (6) years has transpired since the approval of the Application, then no funds shall be payable by the Applicant. In each situation, however, the Certificate may be prospectively revoked.

6. Any action to revoke the Certificate or to require repayment of the abated taxes shall be by resolution of the City Council, which may, before taking such action, consider any extenuating circumstances, such as general economic conditions, the Applicant's length of time in the City, and the number of employees that continue to be employed by Applicant. Prior to any City action concerning the reduction of the term or revocation of the Certificate or for recapture of abated taxes, the Applicant will have the right, upon its written request therefor, to a public hearing before the City Council.

7. If the City revokes the Certificate pursuant to paragraph 5 above and the rebated taxes are not paid within thirty (30) days after such revocation, the City may add those unpaid, abated taxes to the property tax statement of any other premises previously or then currently occupied by the Applicant. To the extent permitted by law, such amount shall be a lien in the same nature as *ad valorem* property taxes due and payable upon such premises.

By their signatures below, representatives of both the Applicant and the City acknowledge they are signing under the authority and on behalf of the parties.

CITY OF LOWELL

By: _____

_____, Mayor

Attest: _____

_____, City Clerk

By _____

Its _____



Industrial Facilities Exemption Application Checklist

Applicant Name: _____

GENERAL INFORMATION NEEDED FOR ALL APPLICATIONS:

- ☐ Completed Department of Treasury application Form 1012
- ☐ SIC/NAICS Code – eligible business _____
- ☐ Certified copy of the resolution approving the District. IDD _____ PRD _____
 - ☐ Was the request for the District done prior to construction? (Y/N)
- ☐ Certified copy of the resolution approving the application (must include the following statements):
 - ☐ ...SEV of real and personal property WILL/WILL NOT exceed 5% of
 - ☐ ...shall not have the effect of substantially impeding.....or impairing the financial soundness...
 - ☐ Term of the exemption approved by the local governmental unit
- ☐ Letter of Agreement signed by the local unit and the applicant per MCL 207.572.
- ☐ Affidavit of Fees signed by the local unit and the applicant.
- ☐ Proof of Real Property Construction Begin Date (Building Permit, Footings Inspection, Signed Affidavit from Contractor, etc).
- ☐ List of Machinery and Equipment with installation dates.

REHAB ONLY:

- ☐ If machinery and equipment is being rehabilitated, a list of machinery, equipment and furniture and fixtures, including cost and installation dates.
- ☐ Signed Obsolescence Statement from assessor.

SPECULATIVE ONLY:

- ☐ Certified copy of the resolution to establish a speculative building.
- ☐ Statement of non-occupancy from the owner and the assessor.
- ☐ Was the speculative building constructed before a specific user was identified? MCL 207.553(8)(b). (Y/N)

TRANSFERS ONLY:

- ☐ Certified copy of the resolution approving the transfer.
- ☐ Notice was given to the holder, LGU, assessor and other local authorities for hearing.
- ☐ Name Change Only? If so, did we get proof of same ownership? (Y/N)

REVOCATIONS ONLY: ☐ Real Property ☐ Personal Property ☐ Both

Statutory Reason for Revocation: _____

- ☐ Certified copy of the resolution approving the revocation.

AMENDMENTS ONLY: ☐ Extension: ____ to ____ ☐ Increase: _____ to _____ ☐ Both/Other

- ☐ Certified copy of the resolution approving the amendment.
- ☐ Is the amendment to increase personal or real property? (Y/N) If so, obtain the following:
 - ☐ Amended application
 - ☐ Updated Machinery and Equipment List.

COMMENTS:

williams&works

engineers | surveyors | planners

MEMORANDUM

To: Lowell City Council
Date: March 28, 2019
From: Andy Moore, AICP
RE: Community Garden

As requested, this memorandum provides our thoughts relative to the “community garden” that was planted at 906 E Main Street, on the corner of Main and Grove. As you know, this garden was the source of some controversy last year, and this memorandum provides our opinion relative to the garden and some thoughts moving forward.

Background. In April of last year, the City was asked by a resident if landscaped plantings were permitted in a right of way; specifically the “parkway,” which is that area between the sidewalk and the curb. The City’s policy prohibits ground cover other than grass within these areas or within other rights of way. The reasoning behind this policy is unclear, however, it is our general opinion that the basis of the policy includes the following:



- Plantings can create an obstruction for pedestrians and users of assistive devices. City sidewalks are five feet wide, and additional landscaped materials, without regular proper maintenance, can encroach into this area and act as an impediment for people.
- Plantings, if let to grow too tall, can be a visual obstruction and lead to additional vehicle/pedestrian/cyclist conflicts, jeopardizing public safety.
- If the City needs to perform work in the right of way, the City does not want to be in the position where it is responsible for replacing landscaping materials that were removed/destroyed as a result of the work. Some landscaping material can be expensive, and it is unnecessary for the City to put itself in such a position.
- It is possible, if not likely, that utilities are present in some of these parkways, and the City seeks to minimize potential conflicts or issues arising from the operation and maintenance of these utilities.

- Allowing plantings within the right of way can lead to additional enforcement costs. As the City experienced in 2018, the plantings that were established in the right of way (despite the City specifically informing the property owner that such plantings were prohibited) resulted in complaints from residents and enforcement actions, all contributing to added expenses that were incurred by the City, with no revenue to offset such expenses.

After a review of the policy by City staff, the City informed the resident that such plantings were not permitted. The resident planted materials anyway, and by the fall had erected a small structure on the inside of the sidewalk (not on city property) offering produce grown to the property to the public, free of charge. This led to complaints from nearby residents regarding the uptick in traffic to the area that resulted from the community garden.

In our view, there are two separate issues that the City must contend with in the administration of this policy, specifically with regard to the "community garden" at 906 E Main. The first is whether the City should allow individuals to install landscaping of any kind, other than grass, in rights of way. Rights of way are City property; in our view, planting a garden in the right of way is no different from planting a garden on a neighboring property without his/her permission: one does so at his/her own risk. If the City determines (or has determined) that the present policy is to continue, then it should be clearly articulated and enforced. If the City is inclined to change this policy, then the City should specify the types of material permitted, maximum permitted height for plants and structures, and other regulations to ensure that such plantings do not become a nuisance.

In making this policy decision, the City should take a holistic view, and exercise caution to limit its thinking to only this situation. A community garden that offers free produce to residents is generous and commendable. However, others may not be interested in such an altruistic endeavor, and the City must consider all possible scenarios when discussing the policy.

The second issue addresses the concerns from neighboring properties related to traffic, and zoning implications that arise from the garden. The subject property is within the R-2 zoning district, which permits single- and two-family residential uses, related accessory uses, plus parks, playgrounds, and cemeteries. The principal use of the property is a single-family residence, with or without a community garden. Because the property is used for single-family residential purposes year-round, we would consider the community garden to be accessory to a use permitted by right, and therefore permitted under zoning. This is consistent with past policy; a "little free library" was permitted on a residential property in the City, and this was permitted under a similar interpretation of the Ordinance. Neighboring property owners might object to an increase in traffic due to the garden, but that fact alone does not rise to the level of a zoning violation.

Additionally, there are numerous other uses, such as home occupations, family day care homes, and adult foster care family homes, all of which could generate an equal or greater amount of traffic than the garden, and all of these uses would be permitted by the zoning

ordinance. Finally, the garden is located within the City right of way, and may not be subject to the zoning ordinance anyway, as the zoning ordinance regulates private property.

Conclusion. This clearly was a contentious issue in the City in 2018 and it may be again in 2019. The City may modify its policy relative to sidewalk plantings if it feels that it is in the City's best interest to do so. Or, it may keep the same policy but adopt an ordinance amendment to clarify the policy. In our opinion, right-of-way plantings should not be addressed in the City's Zoning Ordinance; instead, the City should look to amend Chapter 19 (Streets, Sidewalks, and other Public Places) of the code of ordinances instead. This chapter regulates public property such as street rights of way, and would offer additional protection to the City since nonconforming provisions that are found in the Zoning Ordinance would not apply. In all cases, the City should work closely with its attorney in developing a policy that serves the best interests of Lowell.

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

C: Mike Burns, City Manager
 Rich LaBombard, Assistant City Manager
 Steve Bukala, Chief of Police
 Dick Wendt, City Attorney

EXCERPTS FROM CITY OF LOWELL CODE OF ORDINANCES

GENERAL ORDINANCES

Sec. 13-44. – Trespass.

No person shall:

- (3) Be upon the land or premises of another without lawful authority, upon being notified to depart therefrom by the owner or occupant or the agent or servant of occupant, fail or refuse to leave forthwith and depart therefrom;

Sec. 23-28. – City manager consent required for planning trees.

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

Sec. 23-46. – Property conditions declaring a public nuisance.

The following conditions are declared to be a public nuisance:

- (1) Trees, shrubs, bushes, weeds or other plant growth obstructing a public sidewalk or pedestrian walkway, a road or street right-of-way or other public way;
- (3) Weeds, grasses and undergrowth higher than twelve (12) inches; and

Sec. 23-47. – Nuisances prohibited.

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

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

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

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

Sec. 23-49. – Notice of violation.

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

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

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

Sec. 23-50. – Abatement.

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

ZONING ORDINANCES

Section 4.06. – Clear vision.

- B. No plantings shall be established in any required front yard which, in the opinion of the zoning enforcement officer, will obstruct the view from of vehicles entering or leaving the site from driveways or adjacent roadways.

Section 4.11. – Home occupations.

- A. No person other than members of the resident family shall be engaged in the home occupation.
- C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the main building.
- D. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Parking areas for such home occupation shall be located off the street and other than in a required front yard.

Section 7.02. – Uses permitted by right.

Land and/or buildings in the R-2 District may be used for the following purposes and uses permitted by right:

- A. Single-family dwellings.

- B. Two-family dwellings.
- C. State licensed residential family care facilities, but not including state licensed residential facilities caring for four (4) or less minors.
- D. Family day care homes.
- E. Home occupations in accordance with the requirements of section 4.11.
- F. Public parks, playgrounds, and cemeteries.
- G. Accessory buildings, structures and uses customarily incidental to any of the above uses permitted by right, or special land uses.

Section 7.03. – Special land uses.

Land and/or building in a R-2 District may be used for the following purposes following review by the planning commission as a special land use as regulated by Chapter 17:

- A. Multiple-family dwellings.
- B. Public or private campgrounds.
- C. Schools, churches, libraries and community center buildings.
- D. Funeral homes and mortuary establishments.
- E. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires and underground utility systems.
- F. Bed and breakfast establishments.
- G. Group and commercial day care homes and facilities.

Section 20.02. – Scope.

- B. *Permit required.* Unless otherwise provided by this chapter, all signs shall require permits and payment of fees as determined from time to time by the city council.

Section 20.07. – Supplementary signs.

- A. *Temporary signs.* Temporary signs shall be permitted on land zoned C-1 – Neighborhood Business District, C-2 – Central Business District, C-3 – General Business District, PF – Public Facilities District, I-L – Light Industrial District and I – Industrial District.

- B. *Portable signs.* In the C-3 – General Business District, I-L – Light Industrial District, I – Industrial District, and PF – Public Facilities District, one (1) portable sign may be erected in lieu of a temporary sign, . . .

Section 5.02. – Uses permitted by right.

Land and/or building in the SR District may be used for the following purposes and uses permitted by right:

- A. Farms for both general and specialized farming, together with farm dwellings and buildings and other installations useful to such farms, including roadside stands with less than two hundred (200) square feet of sales area.

Section 21.02. – Jurisdiction and powers.

- B. The powers of the board of zoning appeals include:

1. *Appeals:* To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by the building inspector or any other administrative official in carrying out or enforcing any provisions of this ordinance.

- C. The board of zoning appeals shall not be permitted to consider any request which would permit a use of land not otherwise permitted within the district in which the property in question is located.



LOWELL CITY COUNCIL

MEMORANDUM

DATE: March 28, 2019

TO: Mayor Devore and the Lowell City Council

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

RE: MDOT Category B funding for Amity

City Administration has been working with Williams and Works submitting a Michigan Department of Transportation Category B grant for Amity St. Originally we sought grant funding for road improvements to Amity, Chatham, Lincoln Lake and Elm Street in conjunction with water and sewer main work (aka Saw Project #6).

After reviewing the project further, we found that conditions on Elm and Chatham Streets were not as bad as Amity. In addition, the water and sewer funds could cover the costs of the roadwork on these streets when time comes for those water and sewer repairs.

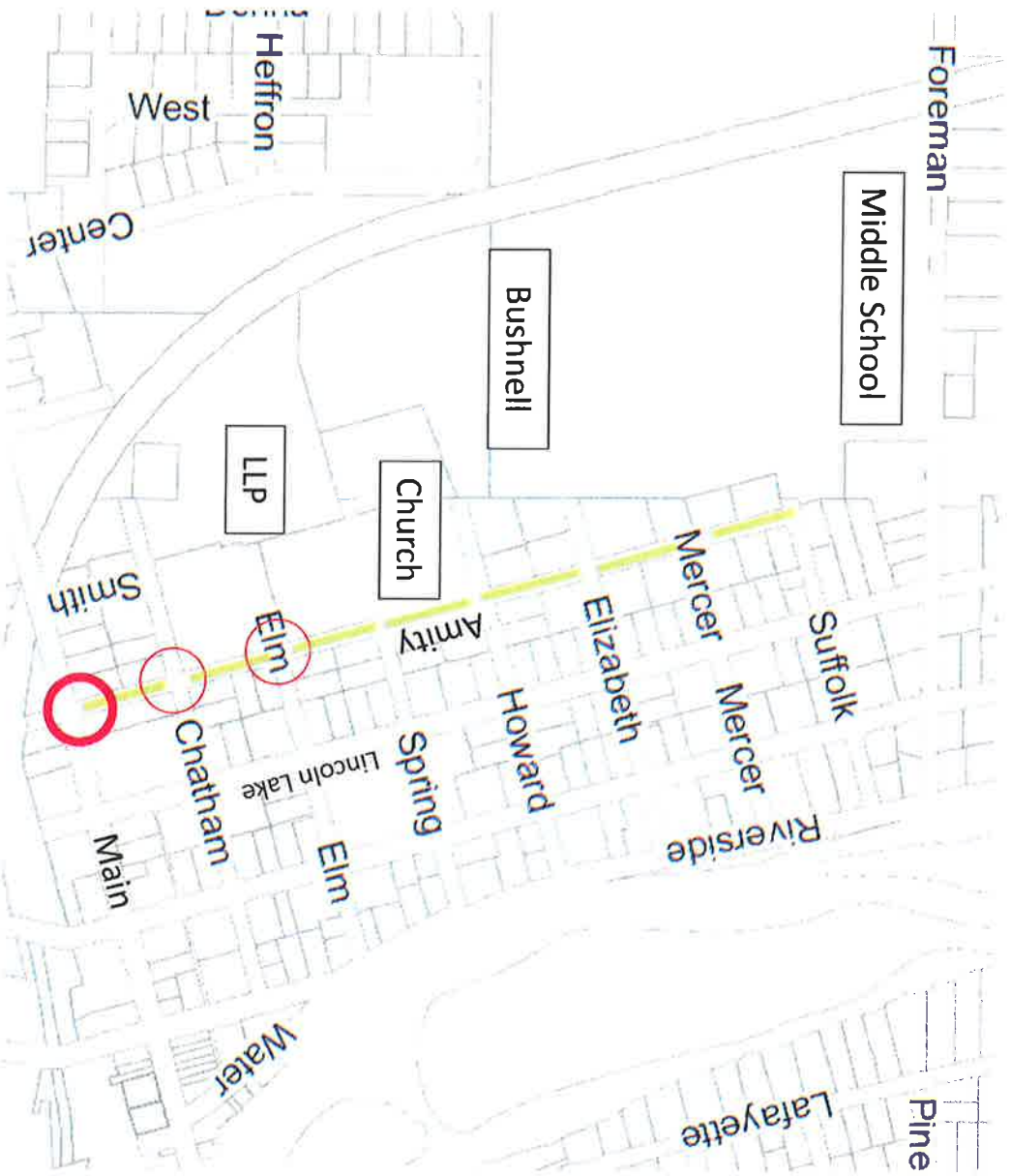
If we move forward, the grant would cover Amity Street from Main St. to Suffolk St. The road construction cost would be \$500,000 and we would be eligible for \$250,000 in grants. The City would be responsible for utility work and engineering.

The project would consist of removing the existing asphalt and replacing it with 3 – 3.5 inches of new asphalt. Sidewalk ramps would also be brought up to ADA standards.




We would also incorporate stubouts for anticipated future water main extensions along Chatham and Elm at this time. Additionally, sanitary sewer and manhole repair at Main Street identified in the SAW grant work. Again, this work is not included in the MDOT grant.

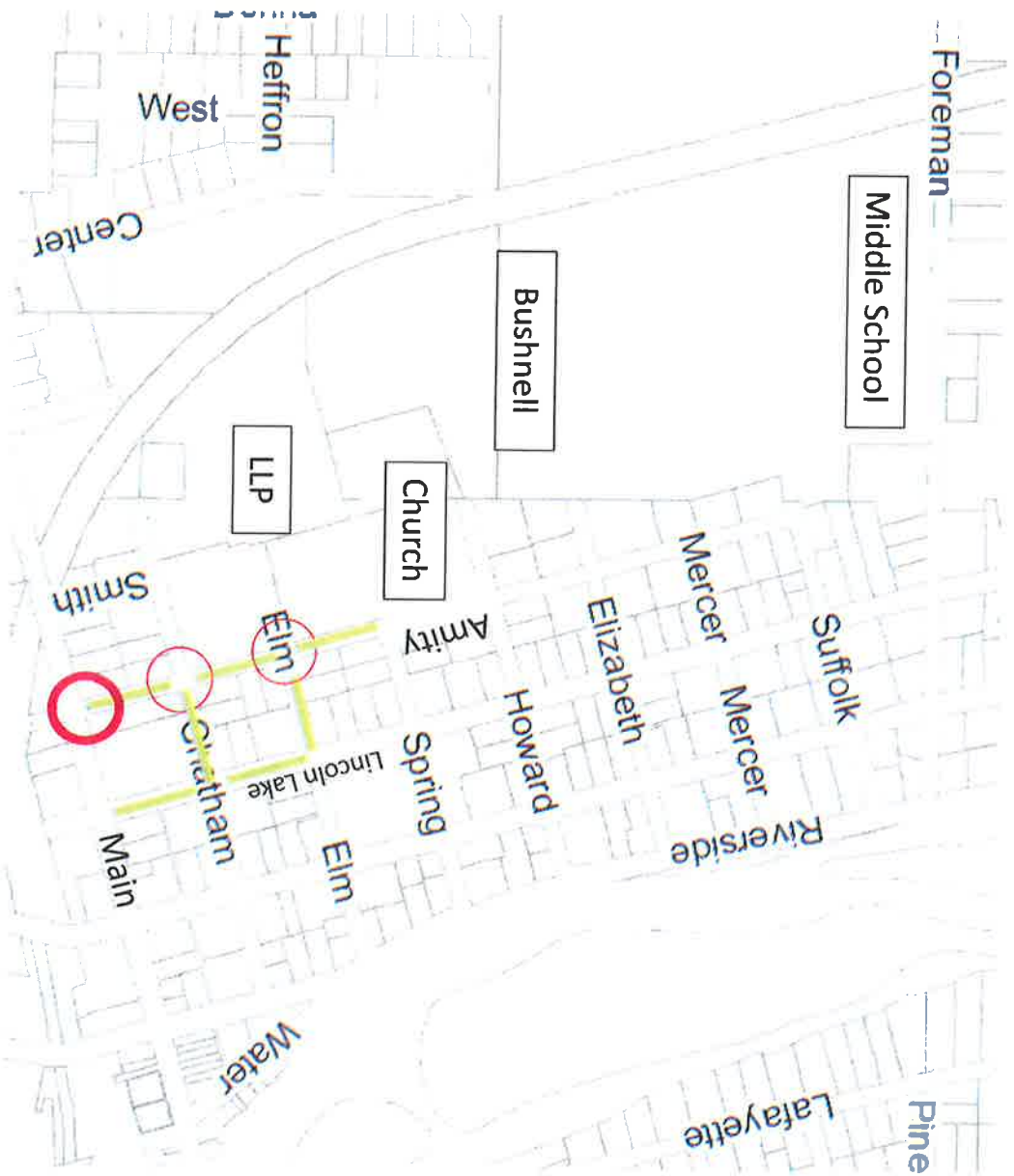
There is an economic development component to these grants and we would incorporate how this would benefit Litehouse, and Lowell Light and Power facilities. In addition, this street is the primary service to Lowell Middle School, Bushnell Elementary, Cherry Creek and the new Lowell Area Schools development. It also is the secondary north and south route for residents traveling along the west side of the City.

I am recommending the Lowell City Council approve Resolution 15-19 to submit a grant request for the Michigan Department of Transportation Category B program.



**Proposed
Resurfacing
Amity Street**

-  Resurfacing
-  Watermain Stub
-  Sanitary Sewer & MH Repair



**Proposed
Resurfacing
(Alternate with
Amity, Elm,
Lincoln Lake,
Chatham,)**

Resurfacing

Watermain Stub

**Sanitary Sewer
& MH Repair**

Transportation Economic Development Fund Category B: Frequently Asked Questions

Application/Grant Timing

Q: When do you anticipate grants to be awarded? Will grants be awarded for only FY 2019?

A: Dependent on the volume of applications (there are 440 eligible agencies), we anticipate awards by mid-May 2019. Awards will be made for both FY 2019 and FY 2020 projects.

Q: Our village has a project designed and ready to be let this spring, can we award the project, construct the project, and be reimbursed later, if our application is successful?

A: No. Any work started prior to a grant award, a state-local agency agreement in place, and a Notice to Proceed from the Office of Economic Development is issued, will not be eligible for funding.

Q: Your guidance states that applicants designate a Contact Person. Who is an appropriate person to designate?

A: The person listed on the application form should be the same person named in the Resolution of Support from the governing body. The person should be a municipal employee or official who is available for us to direct questions, discuss implementation, or address any other concern. If there is no such person available, you may designate a consultant or similar. Please note, this person will be our primary point of contact.

Q: In your guidance, you state that extra consideration will be given for projects that can be constructed this year. In order for us to build this year, we do not have time to go through the regular MDOT letting process. Will Direct Grants be available for Category B projects?

A: Yes. This is likely to be our preferred method of project implementation. Exceptions to this will be grants awarded to agencies that are using Federal-aid or other TEDF funding as match, or if there are any issues related to the agency's capacity to implement the proposed project without MDOT oversight. Implementation method will be determined at time of grant award.

Q: If the money is distributed as a Direct Grant, will we still need to comply with NEPA requirements, complete a program app, and have a Grade Inspection?

A: As with any Direct Grant, the agency is only required to follow state laws or rules. Except for the acquisition of ROW, Federal regulations do not apply. A four-page Direct Grant Program Application will be required to initiate a State-Local Agency Agreement. There is typically no MDOT involvement in a Grade Inspection, if held.

Q: If our application is successful, how long do we have to construct the project associated with the application?

A: For FY 2019 grants only. If your application is selected due to extra consideration based your agency's indication that the project will be constructed during 2019, construction must be started in a timeframe that will allow for completion in 2019. If the work is not started in that

timeframe, the grant may be rescinded. For the rest of the FY 2019 grants and FY 2020 grants, we expect projects to be completed in 2020.

Competitiveness/Match Requirements

Q: MDOT prefers projects that are not Federal-aid or TEDF Category D eligible, correct?

A: We are giving extra consideration for applications for roads that are not eligible for Federal Highway Administration (FHWA) funding or Category D funding. This does not preclude applications for roadways that are eligible for those types of funding.

Q: May FHWA or TEDF funding be used as local match?

A: Yes. See the previous question.

Q: MDOT prefers projects that are multi-jurisdictional, correct?

A: Yes, the agency will receive extra consideration for multi-jurisdictional applications. This does not preclude applications that are not multi-jurisdictional in nature.

Q: MDOT prefers projects that involve utility improvements also, correct? I understand the utilities are not eligible, but would they count toward the 50% match?

A: Yes, the agency will receive extra consideration for applications for roadwork paired with other utility work. However, the other utility work cannot be counted toward the match.

Q: Our city is plans to submit a Category B application. The total construction cost of our proposed project is \$350,000. Can we submit an application requesting \$250,000 for a grant?

A: No. The maximum grant amount is \$250,000. The grant must be matched on a 1:1 basis. To receive the entire \$250,000, the eligible work would have to equal or exceed \$500,000. In this case, a project estimated at \$350,000, would only be eligible for \$175,000 in Category B funding.

Q: Can Preliminary Engineering, Right-of-Way or Construction Engineering costs be used toward the match?

A: No, only "cash" match toward the actual eligible construction costs are eligible to be used toward the match requirements.

Q: In conjunction with the proposed road reconstruction project, we would like to add streetlights and new sidewalk along the street. Are these costs eligible for funding or toward the match requirements?

A: No. The only utility work or non-motorized facilities that are eligible for funding or to meet match requirements, are those necessitated by the roadway construction project itself. If requested, eligibility will be determined by MDOT staff. As with all TEDF projects, addition of Americans with Disability Act facilities are eligible costs.

Projects/Other

Q: If we are planning on applying ultra-thin HMA overlay to several small street segments throughout the City, do we have to group them as all individual projects or are we able to say ultra-thin mix the following street segments and use that as one of the five projects that we are able to apply for grant funding?

A: These types of city-wide projects may be counted as one of the five projects. Please be sure to list each street, with limits, and the Functional Classification in the description space provided. A map showing the locations of the individual streets and photographs of each individual street is required.

Q: The City will be replacing the watermain on a small court this summer. In conjunction with replacing the water main we would like to remove and replace the asphalt that is in dire need of repair. We put 4" of HMA on our roadways. Would this grant cover the 4" or would it just cover 2"?

A: The Office of Economic Development is not going to make the determination of what is a reasonable standard. If a project associated with a successful application is not implemented by the Direct Grant method, our Local Agency Programs staff may discuss specific details with the grantee.

Q: Our city has the available personnel and equipment to chip seal streets with our own forces. Can we use Category B funds to do so?

A: No, all Category B grant projects must be competitively bid.

Q: If our village applies for and receives funding for a specific project and the project costs less than anticipated, can we use the leftover funds to do additional work.

A: No. TEDF grants are awarded on a percentage of eligible costs, with a maximum amount, for a specific project(s). Any savings realized will be used for future grants.

CITY OF LOWELL

RESOLUTION – 15-19

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR THE RESURFACING OF AMITY ST. FROM MAIN ST. TO SUFFOLK ST. FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

WHEREAS, the City of Lowell is applying for \$250,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct a street resurfacing project on Amity St. from Main St. to Suffolk St., and,

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Michael Burns, City Manager, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$250,000 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns, and,

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

Yeas: _____

Nays: _____

Absent: _____

Abstain: _____

Motion: Approved

I, Sue Ullery, Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Lowell at a regular City Council Meeting held on the 1st day of April, 2019.

Sue Ullery, Clerk

City of Lowell



LOWELL CITY COUNCIL

MEMORANDUM

DATE: March 26, 2019

TO: Mayor Devore and the Lowell City Council

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

RE: 2560 Bowes Road Rezoning

With the sale of 2560 Bowes to Lowell Township as an addition to their new park, we needed to have the property rezoned. Currently the zoning is industrial but needed to be rezoned to public facilities. At the most recent City Planning Commission meeting, the board recommended to the City Council this action.

This rezoning has followed the requirements of the Michigan Zoning Enabling Act. Andy Moore from Williams and Works drafted a memo explaining this in greater detail (attached).

Rezoning must be done via ordinance approval. I have attached a copy of Ordinance 19-01 for review. If approved the ordinance would become effective 10 days after publication in a newspaper of record (Lowell Ledger).

I am recommending the Lowell City Council approve Ordinance 19-01 as presented to modify the zoning classification for 2560 Bowes from Industrial to Public Facilities.

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of Lowell Planning Commission
Date: March 7, 2019
From: Andy Moore, AICP
Whitney Newberry
RE: **2560 Bowes Road – Rezoning Request**

The City of Lowell has submitted an application for rezoning of the property located at 2560 Bowes Road from I, Industrial District to PF, Public Facilities to allow the cooperative use of the property by Lowell Charter Township and Vergennes Broadband. The purpose of this memorandum is to review the request pursuant to the City of Lowell Zoning Ordinance.



Background

The subject property (PPN 41-20-03-371-004) has an irregular shape with an area of approximately 0.39 acres. It is located at 2560 Bowes Road and currently zoned I, Industrial. On October 19, 2018, the City of Lowell opened two bids for the purchase of the subject property, one from Lowell Charter Township and the other from Vergennes Broadband. Previously, Vergennes Broadband discussed their intentions of using the property with the City; however, Lowell Charter Township became interested in the property because of its location adjacent to their new park. While the Township was the highest bidder, the property would become tax exempt through their use. Vergennes Broadband is a for-profit company, so their use would generate revenue for the City. Upon further discussion with both bidders, it was discovered that both bidders do not need to use the entire parcel and a cooperative option was identified for mutual use of the subject property. Therefore, it was recommended that the City sell the subject property to Lowell Charter Township in accordance with Resolution 33-18, which includes two conditions stating that 1) they must enter into a lease agreement with Vergennes Broadband and 2) not detach the property from the City. This Resolution 33-18 was approved by the City Council. In order to accommodate both uses proposed by the bidders, the City of Lowell is requesting to rezone the property from I, Industrial to PF, Public Facilities.

Zoning Review Criteria. Section 22.05 sets forth criteria that must be considered when making a decision on a zoning amendment. These standards are listed below, along with our remarks on each.

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

Remarks: The Lowell Master Plan serves as policy document to guide future land use planning decisions. A goal defined by the Master Plan is that "Lowell will work with adjacent communities to develop a compatible land use pattern that will promote a regional community, cooperating with, but independent of the Grand Rapids metropolitan area." In order to achieve this goal, the Plan outlines an objective that the City "will work with surrounding Townships to develop mutually acceptable service agreements and compatible land uses for development that will benefit all communities." The proposed use of the subject property includes a cooperative agreement between the City and Lowell Township, with benefit to both parties. The development would also be compatible with surrounding land uses. The rezoning of the subject property would allow the cooperative option to occur, thus aligning with the Goals and Objectives of the Master Plan.

The Master Plan identifies "Public" as a land use category intended for public land uses, which may include municipally owned facilities. Lowell Charter Township won the property bid and received ownership of the property. Because the property would be an extension of their new park facility and as a location for some of their utilities, the subject property would align with the future land use for a public space. Although Vergennes Broadband would use a portion of the property, it would be under a lease agreement with the Township. Therefore, the Township's ownership of the property aligns the subject property with the Public future land use. The Planning Commission may find this standard met.

2. If the zoning amendment is compatible with existing or future land uses in the vicinity; and

Remarks: Currently, the subject property is bounded by industrial properties to the northeast and south in the City of Lowell. The City's future land use map anticipates that the subject parcel will remain in the Industrial district, similar to other parcels located along its southern boundary. However, properties adjacent to the northeast property boundary (across Bowes Road) are within the Mixed Use designation.

Presently, the parcel is adjacent to the a Lowell Township Park (west), a DPW substation, (south) and Walgreens and the Lowell Family Medical Center are to the north and east. The proposed use of the property suggests that it will be compatible with both existing and future uses in the area.

Because the Township already created a new park directly west of the subject property, the expansion of public land at this location in the City of Lowell would be a natural extension of planned uses in the Township. Because the Township proposes to use part of the subject property to supplement the park design, primarily for sprinklers, the proposed use of the subject property is consistent with current and future land uses in this area. Therefore, the Planning Commission may find that the proposed rezoning is consistent with the existing and future land use plans of the City of Lowell and Lowell Charter Township.

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

Remarks: Parcels in the Public Facilities district are often associated with governmental, civic, welfare, and recreational facilities. Currently, there is no existing infrastructure on the subject property. Lowell Charter Township has proposed an extension of their new park onto this property. This would primarily include the placement of some utility items, such as a sprinkler system, and Vergennes Broadband communications infrastructure. Due to its proximity to Main Street, facilities and services are near the subject property. It is expected that the property would be able to accommodate all uses allowed in the proposed district. The Planning Commission may find this standard met.

Recommendation

At the March 11, 2019 meeting, the Planning Commission should discuss the site and consider any comments from the applicant and public. Subject to those comments, it is our recommendation that the Planning Commission recommend approval of the request to the City Council.

As always, please feel free to contact us if there are additional questions or comments.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND SECTION 3.02, "DISTRICT
BOUNDARIES," OF CHAPTER 3, "ZONING DISTRICTS – GENERAL,"
OF APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF
THE CITY OF LOWELL.**

The Lowell City Council adopted Ordinance No. 19-01 amending Section 3.02, "District boundaries," of Chapter 3, "Zoning Districts - General," of Appendix A, "Zoning," of the Code of Ordinance of the City of Lowell on March 18, 2019. Ordinance No. 19--01 amends the zone district classification of real property located at 2560 Bowes St. SE, Permanent Parcel No. 41-20-03-371-004 from its existing classification of I Industrial District to PF Public Facilities District.

A copy of Ordinance 19-__ is available for inspection at City Hall, 301 East Main Street in the City during regular business hours of the City.

Ordinance No. 19-__ is effective 10 days after this publication.

Susan Ullery
City Clerk



LOWELL CITY COUNCIL

MEMORANDUM

DATE: March 28, 2019

TO: Mayor Devore and the Lowell City Council

FROM: Michael T. Burns, City Manager *(MVB)*

RE: Fire Commission Member Contract Revision

Kent County has informed the City to that their Fire Commission Board has chosen to update the current member contract and assessment formula in 2016 as they believed it was outdated.

The revised contract adds clarity to membership. It addresses membership and membership benefits, terms of membership, termination of membership, new membership, Fire Commission Board governance and administration, fire apparatus acquisition and sale of apparatus, budget, assessment and finances, among other terms. The Fire Commission contribution to fire-fighting supplies (i.e. oxygen supplies) is eliminated.

I have reviewed the contract and none of the modifications cause any concern for me. This would require a majority vote of Kent County Fire Commission Board, Kent County Board of Commissioners and $\frac{3}{4}$ of the membership communities.

I recommend the Lowell City Council approve the member contract revision for the Kent County Fire Commission Agreement as presented.



FISCAL SERVICES DEPARTMENT
PURCHASING DIVISION
Calvin Brinks, Manager

Kent County Administration Building, 300 Monroe Avenue N.W., Grand Rapids, Michigan 49503-2289
Phone: (616) 632-7720 • Fax: (616) 632-7715 • Email: purchasing@kentcountymi.gov

March 1, 2019

To: Kent County Fire Commission Members
From: Calvin Brinks, Kent County Purchasing Manager
Re: Member Contract Revision

The purpose of this communication is to provide information regarding the enclosed contract and to request Kent County Fire Commission member's governing boards to vote on it.

The Kent County Fire Commission Board made the decision to update the current member contract and assessment formula in 2016 because the members felt the agreement was outdated. To modify the current member contract the Kent County Fire Commission Board and Kent County Board of Commissioners are required to approve the modifications by majority vote, and Kent County Fire Commission participating members by a favorable vote of three-quarters of the membership.

The Fire Commission Board conducted work sessions at their monthly meetings to review all aspects of membership. The work session subjects included value of membership, governance and administration, fire apparatus acquisition, assessment, and membership. These work sessions were held throughout 2016 into 2017. The information resulting from these work sessions was used for the basis to draft the revised contract.

The revised contract adds clarity to membership. It addresses membership and membership benefits, terms of membership, termination of membership, new membership, Fire Commission Board governance and administration, fire apparatus acquisition and sale of apparatus, budget, assessment and finances, among other terms. Fire Commission contribution to fire-fighting supplies (i.e. oxygen supplies) is eliminated. Revised contract highlights were presented to members at the October 2018 Fire Commission Board meeting, and some minor changes were made on the draft contract based on member feedback.

The Fire Commission Board approved the contract revisions at their December 2018 meeting and requested the Kent County Administrator to recommend these revisions to the Kent County Board of Commissioners ("BOC"). There was a special presentation on the history of the Fire Commission at the January 24 BOC meeting. The Kent County Finance Committee approved the contract on February 5. The BOC approved the contract on February 14.

Fire Commission member agencies are now asked to vote on the modifications. A copy of the contract is enclosed. Please send a copy of the approved minutes from your Board meeting in which the vote takes place to purchasing@kentcountymi.gov no later than Wednesday, May 1, 2019. The vote shall be either a yes or no vote to amend the contract. Requesting edits to the contract will not be considered.

If the revised contract is approved by members, the assessments issued in 2020 are retroactive to January 1, 2019 with the revised assessment formula. If the contract is approved and a member elects to terminate their membership under the terms of the existing contract, the member will be assessed in 2020 under the current formula, invoiced for the County-owned apparatus under current practices, and their membership terminated effective January 1, 2020.

The Kent County Fire Commission is a unique, longstanding collaboration effort between Kent County and our member departments. The Fire Commission Board recognizes that member agency elected officials and officers who may be asked to vote may not be familiar with benefits and operations of the Fire Commission. Please contact me at (616) 632-7719 or by email to calvin.brinks@kentcountymi.gov to request information or a meeting to learn about the history and benefits of the Kent County Fire Commission. I will assist in providing information and meeting with you and your agency to assist in making an informed decision.

Sincerely,

A handwritten signature in black ink that reads "Calvin Brinks". The script is cursive and fluid.

Calvin Brinks

Encl: Member Contract

This Agreement made this ____ day of _____, 2019, by and between the COUNTY OF KENT, ("County") and the Townships of ADA, ALGOMA, ALPINE, CALEDONIA, CANNON, COURTLAND, GRATTAN, LOWELL, NELSON, OAKFIELD, PLAINFIELD, SOLON, SPENCER, TYRONE, VERGENNES, the Village of SAND LAKE, and the Cities of CEDAR SPRINGS, LOWELL, ROCKFORD, and SPARTA FIRE AUTHORITY ("Members").

WITNESSETH:

WHEREAS, the Kent County Volunteer Fire Department ("Department") and the Kent County Fire Commission ("Fire Commission") originally were established by the Kent County Board of Supervisors (now the Kent County Board of Commissioners ("BOC")) in 1942 pursuant to MCL 45.3 and MCL 124.1 et. seq.; and

WHEREAS, the Department no longer exists; and

WHEREAS, the Fire Commission currently is made up of the County and the Members; and

WHEREAS, the contribution schedule and contract under which the Fire Commission operates has not been updated since 1978; and

WHEREAS, a revised contribution schedule and contract amendments have been discussed by the Fire Commission Board and Fire Commission Members for the past three years; and

WHEREAS, a draft copy of the revised contribution schedule and amended contract have been provided to all Members and Member fire chiefs, allowing them time to review and provide comments; and

WHEREAS, the Fire Commission Board, Members and the Kent County Board of Commissioners have all voted in favor of updating the contribution schedule and amending the contract as required by section 4 of the 1978 contract,

IT IS THEREFORE AGREED TO UPDATE THE CONTRIBUTION SCHEDULE AND AMEND AND RESTATE THE CONTRACT IN ITS ENTIRETY AS FOLLOWS:

1. Membership.
 - a. Current Membership. The Fire Commission shall be comprised of the County and each Member.
 - b. Member Benefits. Benefits are to be provided to or made available to Members as recommended by the Fire Commission Board ("FCB") and approved by the County as part of the County's annual budget. The FCB may amend the list of services, equipment and benefits at any time so long as all expenses arising from the amendment are covered by the then-applicable budget or additional Member financial contributions. The list of benefits includes:

- i. Kent County financial contribution and program administration;
 - ii. Apparatus acquisition contribution as defined in Section 4;
 - iii. Apparatus annual NFPA specified pump testing for County-titled fire apparatus reimbursed at actual expense or \$175, whichever is less;
 - iv. Group insurance coverage for all County and locally-owned fire and rescue vehicles;
 - v. Opportunity to purchase the retiring apparatus at a depreciated cost once the new apparatus is delivered;
 - vi. Preventive maintenance and mechanical repairs due to normal wear and use of County-titled vehicles;
 - vii. Collaborative/group bidding coordinated by the Kent County Purchasing Division.
- c. Term of Membership. Membership terms begin January 1 and continue uninterrupted through December 31 of every year unless terminated in accordance with the specific provisions of this Agreement.
- d. Termination of Membership.
 - i. Without Cause. Any Member, including the County, may terminate its membership in the Fire Commission with at least 90 days' written notice to the Chair of the FCB, with termination to be effective on the January 1 next following the expiration of the 90-day notice period.
 - ii. With Cause. Any Member's membership may be terminated for a material breach of this Agreement, or any act or omission which exposes another party to liability for personal injuries or damage to property, real or personal. Termination under this provision shall be effective immediately upon 45 days' written notice to the applicable Member governing board if not cured within said 45-day notice period. Such termination shall not extinguish any outstanding financial obligations of the Member to the Fire Commission and Kent County and obligations for any equipment purchased by the Member shall be calculated under section 7 and paid within 60 days of termination. Final assessment shall be paid within 30 days of the Member's receipt of the annual assessment.
 - iii. Regional Fire Authority. In the event a regional fire authority is formed under applicable law, this Agreement and all memberships shall terminate no later than the effective date of the regional fire authority, but such termination shall not extinguish any outstanding financial obligations of Members to the Fire Commission and Kent County.
 - iv. Return to Membership. In the event a terminated Member applies to re-join the Fire Commission, such terminated Member shall file an application for membership as set forth below in Section 1(e)(ii) and shall pay a non-refundable, re-instatement fee equal to the then-current annual membership fee.
 - v. Payment of Apparatus Acquisition Costs and Annual Contribution.

Any Member that withdraws from membership in the Fire Commission shall pay to the County (for credit to the Fire Commission):

1. That portion of the acquisition cost of that Member's most recently purchased firefighting apparatus as calculated by the method in Section 7 of this Agreement; and
 2. The contribution which the Member owes for the year in which termination is effective, because payments are made in arrears (see Sections 5(b) and 6(b)).
 3. Such payment shall be made no later than January 5 following the effective date of the withdrawal and before the County releases any security interest it has in the apparatus or otherwise transfers title to the apparatus. Reimbursement proceeds will be credited to the remaining Members' next subsequent annual contribution in proportion to the contribution toward the original apparatus purchase.
- vi. Kent County Membership Termination. In the event Kent County terminates the Fire Commission and Member Agreements, the following shall occur:
1. Fund Balance. Any remaining funds in the Fire Commission fund will be divided 50% to Kent County, and 50% divided evenly among Members less funds owed to Kent County.
 2. Apparatus Ownership & Depreciation. Member is required to reimburse Kent County in the amount calculated by the method in Section 7 of this Agreement. After receiving such reimbursement, any County-titled fire apparatus acquired for the Member will be retitled to the Member.
- e. New Members.
- i. Eligible Entities. Any village or township or officially established fire authority comprised of villages and/or townships within Kent County and formed pursuant to the Urban Cooperation Act, MCL 124.501 et seq, or other qualifying legislation that is not now a member of the Fire Commission may apply for membership.
 - ii. Application for Membership.
 1. Any village, township, or fire authority may apply by sending a written request for membership ("application") along with an official resolution of the applicable governing board requesting membership to the Chair of the FCB and the Kent County Fire Commission Liaison.
 2. The application may include a request for the FCB to provide pre-authorized preventative maintenance support defined by Section 4(b) for one (1) Member-owned apparatus until an apparatus is purchased per the terms of this Agreement.
 3. The FCB shall review the application and vote on a

recommended action for each request. The FCB shall, when considering a request for membership, review the Contribution Formula as outlined in Exhibit A and determine what, if any, modifications are needed and shall propose the modifications as part of the consideration of the membership application. The FCB may recommend the application be approved, denied, or approved with conditions. The FCB shall forward its recommendation to the County Administrator / Controller for consideration.

4. The County Administrator / Controller shall receive and review the application and recommendation and may:
 - a. forward the recommendation as received from the FCB to the BOC for consideration; or
 - b. forward the recommendation to the BOC with recommended conditions; or
 - c. request additional information; or
 - d. review the application with the Chair of the BOC and/or the Chair of the Kent County Finance and Physical Resources Committee and determine another action which may include delaying consideration of the application.
5. All applications for membership must be approved by the BOC.
6. New or reinstated Members are inserted into the fire apparatus purchase schedule at FCB discretion and typically at the rear of the rotation.

iii. Requirements of New Member.

1. The new Member contribution will be calculated at the then current Contribution Formula unless otherwise determined by the FCB.
2. In addition to the obligations of Members as set forth in this Agreement, additional obligations or terms may be established by the FCB, the County Administrator, or the BOC, including, but not limited to, additional financial obligations to address or mitigate any need for modifications to the Contribution Formula.

- iv. Timing. If any application is accepted and membership is approved, such approval shall set forth the effective date of such new membership.

f. Change in Membership.

- i. Current Members that are identified separately but wish to be represented collectively by a fire authority established pursuant to the Urban Cooperation Act, MCL 124.501 et seq, or other qualifying legislation may elect to do so.

1. Such change in the membership will be accepted by the Fire Commission Board at its next meeting following the receipt of the following:
 - a. A communication from the elected head of government for each community of the fire authority indicating the desire to be represented by the fire authority in matters regarding the Fire Commission.
 - b. A communication from the head of the fire authority indicating the willingness to represent the fire authority communities in matters regarding the Fire Commission.
 - c. Such communications can be addressed to the Kent County Fire Commission Liaison.
 2. The contribution formula will be modified to reflect a single line for the fire authority, but the factors in that line will reflect the aggregate numbers for all communities (cities, townships, and villages) making up the fire authority.
 3. When this change is effective the fire authority will be treated as a single Member for all purposes under this Agreement.
- ii. Communities that are part of a fire authority as per 1.f.i above but wish to be represented separately may elect to do so, subject to the requirement that all communities in the fire authority must make such an election and do so at the same time.
1. Such change in membership will be accepted by the Fire Commission Board at its next meeting following the receipt of the following:
 - a. A communication from the elected head of government for each community of the fire authority indicating the desire to represent itself in matters regarding the Fire Commission.
 - b. A communication from the head of the fire authority indicating acknowledgment of the communities' desire to represent themselves in matters regarding the Fire Commission.
 2. The contribution formula will be modified to reflect individual lines for each community, which will together reflect the factors used for the fire authority.
 3. When this change is effective each community will become a separate Member for all purposes under this Agreement.

2. Fire Commission Board.

- a. Number of Board Members. The FCB shall consist of seven (7) members as follows:
 - i. Three (3) members shall be elected officials representing Members;

- ii. Two (2) members shall be members of the BOC;
 - iii. Two (2) members shall be representatives of a Member:
 - 1. fire chiefs or fire department officers; or
 - 2. resident citizens with equivalent emergency services experience.
 - iv. No two (2) FCB members shall be residents of the same political jurisdiction except for the two (2) members of the BOC who may be from the same political jurisdiction as any other member of the FCB.
 - b. Appointments. All appointments to the FCB shall be made by the BOC at the time when the BOC makes its citizen appointments, generally the first meeting in January. The FCB shall elect the FCB Chair and Vice-chair. There are no term limits on qualified individuals serving on the FCB.
 - c. Term. The term of each FCB member shall be two (2) years; provided, however, that if a FCB member ceases to possess the required qualification to serve as a FCB member (i.e. ceases to be a County Commissioner, Member elected official, fire chief or resident), that FCB member's term will terminate contemporaneously with the exception of elected officials of Members that are not re-elected in a general November election and thereby cease to be an elected official. Such individuals may continue as FCB members until end of that calendar year in which qualification ceases.
 - d. Compensation. FCB members shall receive such compensation for their services as shall be determined, from time to time, by the BOC.
 - e. Meetings.
 - i. The FCB shall meet as at least once per calendar quarter as called by the Chair, or as otherwise directed by the BOC.
 - ii. A simple majority of the FCB shall constitute a quorum of the FCB for the purposes of conducting business.
 - iii. The FCB may draft its own standing rules of procedure with the consent of the BOC. In the absence of its own standing rules, the FCB shall abide by Roberts Rules of Order.
 - iv. The FCB shall comply with the Michigan Open Meetings Act MCL 15.261 et seq.
 - f. Conflict of Interest.
 - i. All FCB members shall annually complete and sign the standard Conflict of Interest declaration or form required of all BOC (or Board Chair) appointments and shall abide by the same, recusing themselves from all matters which present a conflict of interest.
 - ii. If the annual declaration is not timely executed and returned, the FCB member's seat on the FCB shall be declared vacant and a replacement shall be appointed by the BOC.
3. Administration. The Kent County Purchasing Manager is the Kent County Fire Commission Liaison and program administrator to the FCB. Internal support costs to administer the program are determined annually by a federally-approved County

consultant using the time reporting analysis method and expenses are assessed to Members in the Contribution Formula. Administration duties include, but are not limited to:

- a. FCB administration including public meeting agenda preparation, notices, minutes, meeting attendance and follow-up;
- b. Budgeting, financial management;
- c. Day-to-day management activities including coordinating apparatus maintenance and addressing Member inquiries;
- d. Risk Management insurance policy and claims oversight;
- e. Procurement collaboration and apparatus acquisition;
- f. Accounts Payable oversight;
- g. Annual Member contribution calculations, invoicing, collection and inquiries.

4. Fire Apparatus Acquisition. The FCB is responsible to determine the fire apparatus purchase rotation schedule from appropriated funds at its sole discretion. The rotation is evaluated and updated annually. Only those Members shown on the Assessment Calculation attached hereto are entitled to be included in the rotation. Member may select one (1) of the following two (2) acquisition and support options:

- a. The Member may purchase a new apparatus or manufacturer's warranted demonstration unit through the Fire Commission. The FCB and Member jointly write the apparatus specification and Kent County's procurement processes are followed. The demonstration unit warranty must be preapproved by the Fire Commission Board. The Fire Commission will provide pre-authorized preventive maintenance and repair assistance until the apparatus is replaced in rotation, or a maximum of twenty years, whichever is less.

The Fire Commission reserves the right to require minimum bid specifications are met. The cost associated with the drafting of specifications and the procurement of an apparatus is assessed to all Members as part of the Contribution Formula. The Fire Commission may opt out or assess a Member additional fees if that Member desires to acquire a unique or non-routine apparatus. Kent County takes title at delivery, pays for the apparatus in its entirety, and invoices/receives payment on NET 30-day terms for Member acquisition expenses exceeding the Fire Commission apparatus contribution.

- b. The Member procures the apparatus without Fire Commission assistance and may purchase any used, demonstration unit without Fire Commission approved warranty, or new apparatus at its sole discretion. The Fire Commission apparatus contribution will be paid directly to the Member when the Member takes title and delivery of the apparatus and will not exceed the total purchase price paid by the Member. Unless otherwise agreed in advance and in writing, the Fire Commission will pay for Kent County Purchasing pre-authorized preventive maintenance until the

apparatus is replaced in rotation, or a maximum of twenty years, whichever is less, for the following services: brake linings, drums or rotors, crank case and gear box fluid/filters changes, and tire replacement. In case of dispute, the FCB will make the final determination. No appeals of such determinations are permitted. The Member takes title of the apparatus.

5. Annual Budget.

- a. Fiscal Year. The FCB shall operate on the same fiscal year as the County.
- b. Annual Budget. The County shall prepare an annual budget for the following fiscal year which provides for the payment of all reasonably anticipated Fire Commission expenses including the acquisition and maintenance of the services and equipment. The budget also shall set forth the financial contribution of the County and total amount to be allocated among Members pursuant to the then-current Contribution Formula.

6. Funds and Finances.

- a. County Contribution. The County will contribute funds annually in the amount appropriated by the BOC. The FCB will amend the Contribution Formula as required to operate the Fire Commission within the amount annually appropriated by the County together with Member Contributions.
- b. Member Contribution. Members shall be assessed an annual financial contribution in arrears based on actual expenses of the prior year. The formula for annual financial contributions is attached as Exhibit A (the "Contribution Formula"). Member contributions are not accrued or deposited for future Fire Commission expenses or Apparatus Acquisition.
- c. Apparatus Contribution. The FCB determines the annual fire apparatus contribution from appropriated funds.
- d. Contribution Formula. The Contribution Formula may be modified from time to time as follows:
 - i. Any modification may not increase the County's contribution without the County's consent;
 - ii. A draft modification must be sent to all Members at least 60 days prior to the FCB meeting at which it is to be considered;
 - iii. A modification may be approved by a simple majority of the FCB;
 - iv. Any modification must be approved by the FCB at least 180 days before the January 1 on which it is to take effect;
 - v. In the event the Contribution Formula is modified and, during the period set forth in Section 6(c)(iv) above, if any Member terminates membership from the Fire Commission pursuant to Section 1(d) above, the FCB may rescind the modification, or alter the modification provided the alteration does not increase the next annual financial contribution of any Member beyond that already approved as part of the pending modification.
- e. Fund Balance. Kent County agrees to manage the Fire Commission fund

balance in a manner similar to the other fund balances managed by the County.

7. Sale of Fire Apparatus. If an apparatus purchased through the Fire Commission contribution is sold to the Member during the replacement cycle, the Fire Commission will invoice the Member based on the apparatus purchase contribution divided by life of truck (20 years) multiplied by the number of years between the age of the truck and 20 years.
8. Effect of Agreement. This Agreement supersedes all previous Agreements between the County and the Members concerning the provision of fire protection in the County. The contribution formula for the year in which this Agreement is adopted will be governed by this Agreement, and not by any previous Agreements concerning the provision of fire protection in the County.
9. Governing Law. This Agreement shall be governed by the laws of the State of Michigan.
10. Severability. In the event one or more sections of this Agreement are found to be unenforceable the remaining sections shall remain in full force and effect.
11. Amendment. This Agreement may be modified only in writing, and such modifications may be made only upon approval of a simple majority of Fire Commission Members plus Kent County.
12. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto executed this Agreement the day and year first above written.

WITNESSES:

COUNTY OF KENT

By _____

Its _____

TOWNSHIP OF ADA

By _____

Its _____

TOWNSHIP OF ALGOMA

By _____

Its _____

TOWNSHIP OF ALPINE

By _____

Its _____

TOWNSHIP OF CALEDONIA

By _____

Its _____

TOWNSHIP OF CANNON

By _____

Its _____

TOWNSHIP OF COURTLAND

By _____

Its _____

TOWNSHIP OF GRATTAN

By _____

Its _____

TOWNSHIP OF LOWELL

By _____

Its _____

TOWNSHIP OF NELSON

By _____

Its _____

TOWNSHIP OF OAKFIELD

By _____

Its _____

CHARTER TOWNSHIP OF PLAINFIELD

By _____

Its _____

TOWNSHIP OF SOLON

By _____

Its _____

TOWNSHIP OF SPENCER

By _____

Its _____

TOWNSHIP OF TYRONE

By _____

Its _____

TOWNSHIP OF VERGENNES

By _____

Its _____

VILLAGE OF SAND LAKE

By _____

Its _____

CITY OF CEDAR SPRINGS

By _____

Its _____

CITY OF LOWELL

By _____

Its _____

CITY OF ROCKFORD

By _____

Its _____

SPARTA FIRE AUTHORITY

By _____

Its _____

EXHIBIT A
FIRE COMMISSION CONTRIBUTION FORMULA

Population: Most recent population from the United States Census Bureau.

<https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

State Equalized Value (S.E.V.): Member's S.E.V. from the Kent County Equalization Report for the assessment year.

http://www.accesskent.com/Departments/Equalization/equalization_reports.htm

Insurance Premium: Split 50% Members, 50% County. Member's contribution is 50% of the actual insurance premium for Member's department for the assessment year.

Operating Expense: Split 50% Members, 50% County. Member's contribution is the average of Member's % of Population and % of S.E.V. multiplied by 50% of the total actual operating expenses of the Fire Commission for the assessment year.

Apparatus Contribution: Split 50% Members, 50% County. Member's contribution is 50% of the set total Apparatus Contribution for the assessment year divided by the total number of Apparatus Allocation Units in the Fire Commission multiplied by the Member's Apparatus Allocation Unit.

Membership Fee: Fixed annual fee of \$935.

Below is an example assessment calculation based on 2017 data:

Members	Apparatus Allocation Units	Population (2010 Census)	% of Tot	2017 S.E.V.	% of Tot	Group Insurance Premium	Membership Expenses					County Assessment	Total Assessment
							Operating Expense	Insurance Premium	Apparatus Contribution	Membership Fee	Member Assessment		
ADA TWP	1.0	13,142	8.55%	1,115,429,500	14.57%	\$ 8,388.40	\$ 7,973.97	\$ 4,194.20	\$ 5,705.88	\$ 935.00	\$ 18,809.05	\$ 17,874.05	\$ 36,683.10
ALGOMA TWP	1.0	9,932	6.46%	483,707,100	6.32%	8,255.94	4,407.67	4,127.97	5,705.88	935.00	15,176.52	14,241.52	29,418.03
ALPINE TWP	1.0	13,336	8.67%	476,699,500	6.23%	10,495.48	5,139.85	5,247.74	5,705.88	935.00	17,028.47	16,093.47	33,121.94
CALEDONIA TWP	1.0	12,332	8.02%	763,722,800	9.97%	6,421.78	6,207.70	3,210.89	5,705.88	935.00	16,059.47	15,124.47	31,183.94
CANNON TWP	1.0	13,336	8.67%	789,091,300	10.31%	9,367.44	6,547.25	4,683.72	5,705.88	935.00	17,871.86	16,936.86	34,808.71
CEDAR SPRINGS CTY	1.0	3,509	2.28%	86,976,703	1.14%	4,865.24	1,179.17	2,432.62	5,705.88	935.00	10,252.67	9,317.67	19,570.34
COURTLAND TWP	1.0	7,678	4.99%	375,296,900	4.90%	6,837.86	3,413.52	3,418.93	5,705.88	935.00	13,473.33	12,538.33	26,011.66
GRATTAN TWP	1.0	3,621	2.36%	221,025,600	2.89%	8,682.40	1,808.22	4,341.20	5,705.88	935.00	12,790.30	11,855.30	24,645.61
LOWELL TWP	0.5	5,949	3.87%	252,196,900	3.29%	3,853.43	2,470.99	1,926.72	2,852.94	935.00	8,185.64	7,250.64	15,436.29
OAKFIELD TWP	1.0	5,782	3.76%	238,965,200	3.12%	4,796.24	2,373.91	2,398.12	5,705.88	935.00	11,412.91	10,477.91	21,890.82
PLAINFIELD TWP	1.0	30,952	20.13%	1,411,718,300	18.44%	14,433.29	13,304.85	7,216.65	5,705.88	935.00	27,162.37	26,227.37	53,389.75
ROCKFORD CTY	1.0	5,719	3.72%	253,867,900	3.32%	5,806.70	2,426.91	2,903.35	5,705.88	935.00	11,971.14	11,036.14	23,007.29
SAND LAKE VIL	1.0	500	0.33%	151,835,672	1.98%	6,365.32	796.24	3,182.66	5,705.88	935.00	10,619.79	9,684.79	20,304.57
SOLOM TWP	1.0	5,974	3.89%	201,319,500	2.63%	5,668.24	2,247.33	2,834.12	5,705.88	935.00	11,722.38	10,787.38	22,509.77
SPARTA FIRE AUTH	1.0	9,110	5.93%	301,930,400	3.94%	10,768.17	3,404.28	5,384.09	5,705.88	935.00	15,429.25	14,494.25	29,923.50
SPENCER TWP	1.0	3,960	2.58%	146,771,900	1.92%	6,458.86	1,549.75	3,229.43	5,705.88	935.00	11,420.06	10,485.06	21,905.12
TYRONE TWP	1.0	4,731	3.08%	146,471,000	1.91%	5,779.78	1,721.38	2,889.89	5,705.88	935.00	11,252.15	10,317.15	21,569.31
VERGENNES TWP	0.5	4,189	2.72%	240,079,200	3.14%	3,853.43	2,021.50	1,926.72	2,852.94	935.00	7,736.16	6,801.16	14,537.32
TOTAL	17.0	153,752	100.0%	7,657,105,375	100.0%	\$ 131,098.00	\$ 68,994.53	\$ 65,549.00	\$ 97,000.00	\$ 16,830.00	\$ 248,373.53	\$ 231,543.53	\$ 479,917.05
							Total Cost		Assessment				
									Members	County	Total		
Operating Expenses							\$ 137,989.05	\$ 68,994.53	\$ 68,994.53	137,989.05			
Insurance Premium							131,098.00	65,549.00	65,549.00	131,098.00			
Membership Fee								16,830.00	-	16,830.00			
Total Cost before Apparatus							269,087.05	151,373.53	134,543.53	285,917.05			
Apparatus Contribution							194,000.00	97,000.00	97,000.00	194,000.00			
Unit Specific Apparatus Costs							230,948.00	-	-	-			
Total Apparatus Cost							424,948.00	97,000.00	97,000.00	194,000.00			
Total Cost before Membership Fee							\$ 694,035.05	\$ 248,373.53	\$ 231,543.53	479,917.05			

APPOINTMENTS

Expires

Construction Board of Appeals
Vacancy (Dan DesJarden – Resigning)

01/01/2019

Downtown Historic District Commission
Vacancy (Brian McLane – Resigned)

01/01/2019