



301 East Main Street
Lowell, Michigan 49331
Phone (616) 897-8457
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CITY OF LOWELL
CITY COUNCIL AGENDA
MONDAY, FEBRUARY 3, 2020, 7:00 P.M.

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL
2. RECOGNITION – LOWELL POLICE DEPARTMENT
3. CONSENT AGENDA
 - Approval of the Agenda.
 - Approve and place on file the minutes of the January 21, 2020 Regular and January 27, 2020 Special meetings of the City Council.
 - Authorize payment of invoices in the amount of \$518,513.26.
4. CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA

IF YOU WISH TO ADDRESS AN AGENDA ITEM, PUBLIC COMMENT FOR EACH ITEM WILL OCCUR AFTER THE INITIAL INFORMATION IS SHARED ON THE MATTER AND INITIAL DELIBERATIONS BY THE PUBLIC BODY. PUBLIC COMMENT WILL OCCUR BEFORE A VOTE ON THE AGENDA ITEM OCCURS.
5. OLD BUSINESS
 - a. Presentation on our RRC Baseline Report
 - b. 990 N. Washington
 - c. Lew Bender Session
 - d. Future Water and Sewer Agreement – Lowell Township
6. NEW BUSINESS
 - a. Striking Taxes
 - b. Planning Commission – 2019 Annual Report
 - c. N.W. Pump Station Roof and Gutter Replacement
 - d. Park Use Agreements
 - e. West Michigan Warriors Park Use Agreement
 - f. Commercial and Industrial Districts - Ordinance 20-01
 - g. Fiscal Year 20/21 Budget Calendar
7. BOARD/COMMISSION REPORTS
8. MANAGER'S REPORT
9. APPOINTMENTS

10. COUNCIL COMMENTS

11. CLOSED SESSION – to discuss labor negotiations

12. ADJOURNMENT

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



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MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Monday, February 3, 2020

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5. OLD BUSINESS

- a. Presentation on our RRC Baseline Report. Pablo Majano from the Michigan Economic Development Corporation will provide a presentation.
- b. 990 North Washington – This issue was tabled from the January 21, 2020 meeting.

Recommended Motion: There is no recommended motion.

- c. Low Bender Session – City Manager Michael Burns will provide an update.
- d. Future Water and Sewer Agreement – Lowell Township. City Manager Michael Burns will provide an update.

6. NEW BUSINESS

- a. Striking Taxes. Memo is provided by City Treasurer Suzanne Olin.

Recommended Motion: That the Lowell City Council approves striking the 2014 personal property taxes from the roll.

- b. Planning Commission – 2019 Annual Report. Planning Commissioner Amanda Schrauben will present the annual report.
- c. N.W. Pump Station Roof and Gutter Replacement. Memo is provided by Utilities Supervisor Ralph Brecken.

Recommended Motion: That the Lowell City Council approve the metal roof replacement quote provided by Risner's Roofing and Home Improvement at a cost not to exceed \$7,500.00.

- d. Park Use Agreements. Memo is provided by Public Works Director Daniel Czarnecki

Recommended Motion: The Parks Board recommends the Lowell City Council extend the current Park User Agreements with Lowell Lacrosse, Backyard Dreams, YMCA of Greater Grand Rapids, and Lowell Youth Football until March 31, 2021.

- e. West Michigan Warriors Park Use Agreement. Memo is provided by Public Works Director Daniel Czarnecki.

Recommended Motion: That the Lowell City Council approve the agreement and resolution for the West Michigan Warriors as presented and authorize the Mayor to sign the agreement.

- f. Commercial and Industrial Districts - Ordinance 20-01. A memo is provided by City Clerk Susan Ullery.

Recommended Motion: The Planning Commission unanimously recommended that the Lowell City Council approve Ordinance 20-01.

- g. FY 20/21 Budget Calendar. Memo is provided by City Manager Michael Burns.

Recommended Motion: That the budget calendar is approved as presented.

- 7. BOARD/COMMISSION REPORTS
- 8. MANAGER'S REPORT
- 9. APPOINTMENTS
- 10. COUNCIL COMMENTS
- 11. CLOSED SESSION – to discuss labor negotiations
- 12. ADJOURNMENT

Police Department

Steven Bukala
Chief of Police



January 30, 2020

To: Michael Burns
From: Chief Bukala
Re: Officer Recognition

Good morning City Manager Burns,

I would like to recognize 3 officers for outstanding performance of their duties for the 2019 year. Officers VanSolkema and Shears are receiving the life-saving award. They were nominated by their peers as well as myself and were reviewed by the Lowell Police Department Command Staff as well as support staff.

Officer VanSolkema is also receiving the distinguished service award for his outstanding work managing the Lowell Police Department Federal Government 1033 Military Equipment Surplus Program. Over the last 5 years, the city of Lowell Police had obtained over \$100,000 of equipment and vehicles at no charge or minimal charges for shipping to the Lowell Police Department. Over time, we have been able to share some of this equipment with the DPW and most recently the Lowell Fire Department.

Detective Gordy Lauren is also receiving the Distinguished Service Award for his Cold Weather Warriors project. Over the last 4 years, he has fundraised, and provided, coats, snow pants, boots, hats, and gloves to over 150 needy children and teens in the Lowell Area School District and continues to fundraise throughout the year to keep this program going in the future.

Sincerely

Chief Steven Bukala
Lowell Police Department
(616)897-7120 Desk
(616)897-7123 Dispatch

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
TUESDAY, JANUARY 21, 2020, 7:00 P.M.**

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

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

Present: Councilmembers Jim Salzwedel, Cliff Yankovich and Mayor DeVore.

Absent: Councilmembers Greg Canfield and Marty Chambers.

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

2. EXCUSE OF ABSENCES.

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to excuse the absence of Councilmembers Canfield and Chambers.

YES: 3 NO: 0. ABSENT: 2. MOTION CARRIED.

3. APPROVAL OF THE CONSENT AGENDA.

- Approval of the Agenda.
- Approve and place on file the minutes of the January 6, 2020 Committee of the Whole and Regular Session City Council meetings.
- Authorize payment of invoices in the amount of \$662,601.31.

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

YES: Mayor DeVore, Councilmember Salzwedel, Councilmember Yankovich.

NO: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

4. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

There were no comments.

5. OLD BUSINESS

a. Rules of Procedure.

City Manager Michael Burns stated he has verified under the statute, Council is allowed to have a "call in" vote under specified conditions of a quorum, (an audio connection to where the individual calling can be heard and communication can be made back to the individual calling in). This is already in the Rules of Procedure so Council agreed to leave it in and no changes were made.

b. Showboat – Change Order Moran Iron Works.

City Manager Michael Burns explained the change order pertaining to the construction of the Lowell Showboat. There was an issue pertaining to the height on the deck and the wheel house. The attached order is for the time and material to make the proper corrections to the vessel. The cost of the proposed change order is \$39,421.80 and would be charged from the Showboat grant. This is an increase of the total project cost by approximately 2.6 percent. Burns inquired whether the deduction from the performance bond was taken into account on this proposal and it was, so the \$39,000 is probably about \$27,000 instead.

IT WAS MOVED BY DEVORE and seconded by YANKOVICH to approve the change order for construction of the Lowell Showboat at a cost not to exceed \$39,421.80.

YES: Councilmember Yankovich, Councilmember Salzwedel, and Mayor DeVore,

NO: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

6. NEW BUSINESS

a. LL&P Board Compensation for 2020.

LL&P General Manager Steve Donkersloot explained the City Charter requires the City Council to set, each year, the compensation for the board members of the Board of Light and Power. For the past six years the compensation was set at \$35 per regular or special meeting with a maximum of 20 meetings. Donkersloot believed the compensation should be adjusted to an amount of \$45 per regular or special meeting.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL to approve Resolution 03-20 setting 2020 calendar year compensation board members of the Board of Lowell Light & Power to be \$45 per regular or special meeting for a maximum of 20 meetings and a total annual amount not to exceed \$900.

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

NO: None. ABSENT Councilmember Canfield and Chambers. MOTION CARRIED.

b. LL&P Board Pension Approval.

Lowell Light & Power General Manager Steve Donkersloot explained the changes in the LL&P pension and explained the LL&P MERS Defined Contribution Adoption Agreement.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL to approve the LL&P DC Plan as presented.

YES: Councilmember Yankovich, Mayor DeVore and Councilmember Salzwedel.

NO: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

c. Well #4 Pump Overhaul – Additional Work.

DPW Director Dan Czarnecki stated at the December 2, 2019 meeting, City Council approved the overhaul and cleaning of Pump #4 at the water treatment facility. This work was for \$19,894.92. Peerless Midwest has been onsite and pulled the pump and started their work. and came across some issues that need to be addressed in order to complete the overhaul of the pump. The biggest issue is the 40-year old pump bowls are worn, cannot be reused and need to be replaced along with the pump column (suction pipe) that connects the bowls to the motor. The cost to replace the pipe column is \$3,662.18 and the pump bowl assembly is \$4,815. They also found the as-built information on the well was incorrect. The information we have says the column assembly was 50-ft long, however it is 60-ft long. They are

requesting an additional \$672.41 for extra 10-ft of 1-1/4-inch steel line shaft and coupling and \$484.15 for an additional 10-ft of suction pipe column. Czarnecki continued stating the overall increase in cost for additional work to the Well #4 pump overhaul project is \$9,633.74. That brings the total project cost to \$29,528.66. We have budgeted \$40,000 for the Well #4 Rehab (591-570-970.000).

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL to approve the quote from Peerless Midwest, Inc. Ionia, dated 1/14/20, for the additional work to Well #4 pump overhaul at a cost of \$9,633.74.

YES: Mayor DeVore, Councilmember Salwedel, and Councilmember Yankovich.

No: None. ABSENT: Councilmember Canfield and Chambers. MOTION CARRIED.

d. 990 N. Washington.

City Manager Michael Burns stated the City has been renting the house located at 990 N. Washington to Sandra Bartlett and Gary Dietzel since 1979. Their lease is set to expire on June 30, 2020. Currently, they pay \$450 a month to rent the property located in Vergennes Township and the home resides on three acres. While talking with our Assessor (who is the Assessor for Vergennes Township), was told the property was not assessed properly. Currently, only the house has been assessed when in actuality, the entire three acres of property should be assessed. The taxable value on the property is \$11,282 and the City paid \$541.48 in taxes during the current fiscal year. In actuality, the three-acre parcel has a true cash value of \$128,000 meaning the taxable value should be \$3, 057.03. According to the Assessor, this will change in the 2021 tax year. Also, our insurance carrier informed us they believed there were a number of building codes that needed to be updated. One particular item of concern is the wood burning stove that heats the home. The property and home are not a need of the City and it is not good practice for municipalities to be in the landlord business. Barlett and Dietzel have lived there since 1979.

Burns continued, when reviewing this with the assessor, the parcel could be split into three properties in accordance to Vergennes Township's zoning requirement. The assessor states the minimum parcel size for each lot is 17,000 sq. ft. and it is possible for the properties to be sold individually. The parcel the home resides on, could be sold for the highest amount. The second parcel could be sold for approximately \$25,000 and the third parcel which would be wooded and abuts the property at Scout Park, would be significantly less. You might want to merge this property with Scout Park. Another option, which I believe may be better, is to have the building official verify the cost to bring the home up to code. This should cost more than the value of the home. According to the City Attorney, this would satisfy the Michigan Constitution requirement of selling the property at a fair market value. This would allow us to split the parcel the home is on to the current tenants for \$1. The remaining parcel or parcels could be added as park property to Scout Park. This then allows the tenants to remain at the home.

Mayor DeVore tabled the matter until all the Council members were present to discuss.

7. BOARD/COMMISSION REPORTS.

Councilmember Yankovich stated the Chamber has a couple new board members, Ian Deming from Edward Jones and a new/old board member Betsy Davidson. At the meeting they discussed community awards and its winners.

Councilmember Salzwedel stated the Arbor Board met and set their schedule for 2020. February 7, 2020 is the deadline to get requests in for funding from the LCTV Grant Awards.

Mayor DeVore stated Fire Authority met and the election of officers was tabled due to a tie vote. Meeting with Tim Whittenbach and the Fire Chief next week to discuss equipment purchase of the next County Truck. This Thursday, January 23, 2020 Lew Bender will be here. Vision met today, discussed the water/sewer situation with Lowell Township and also discussed the next Community cleanup.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- We tried something different tonight, we put this Council meeting on Facebook live on the City's Facebook page, not sure how good the audio and video turned out but we will make adjustments as we go along.
- Monday, we had our first session of labor negotiations with the police union. It went well but we are still working on some things and will come to some resolutions soon.
- Congratulations to Mark and Theresa Mundt as the City of Lowell Community People of the Year. They were both former City employees for many years.
- I have been spending a lot of time addressing items for the Unity School Developers closing and also things that we needed to clear up with the DNR.
- Reminder, we will be meeting with Lew Bender this Thursday at 5:30 at the Fire Station.
- I will be gone from March 12, 2020 to March 30, 2020 for the birth of my child. Steve Bukala will handle my role at the March 16th City Council meeting.
- Last Wednesday, I attended the Grand Valley Metro Council Technical Advisory Committee Meeting where they make approvals as to the transportation approval plan (road funding). I am pleased to inform you that we did get recommendation to be added to the transportation improvement plan for the small urban project at Foreman St. The total cost to repave that street was \$130,000 and we have requested 80 percent of that. It is still subject to approval by MDOT but I think we are on the right path to have that addressed this summer.

9. **APPOINTMENTS.**

The Downtown Development Authority has an appointment opening.

The Construction Board of Appeals has an appointment opening.

10. **COUNCIL COMMENTS.**

Councilmember Yankovich read an article in the latest Michigan Municipal League about the cities that have been cyber attacked and it certainly made him appreciate our decision to spend some money on protection.

General Manager of LL&P Steve Donkersloot then updated the progress of protection that Core Hicom has installed at LL&P. City offices are next.

11. ADJOURNMENT.

IT WAS MOVED SALZWEDEL and seconded by YANKOVICH to adjourn at 7:45 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk



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**RULES OF PROCEDURE
FOR THE LOWELL CITY COUNCIL
2020**

A. REGULAR AND SPECIAL MEETINGS

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

1. Regular meetings

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

2. Special Meetings

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

3. Posting requirements for regular and special meeting

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

4. Minutes of regular and special meetings

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

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

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

5. Work Sessions

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

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

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

B. CONDUCT OF MEETINGS

1. Meetings to be public

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

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

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

2. Agenda preparation

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

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

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

3. Agenda distribution

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

4. Quorum

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

5. Attendance at council meetings

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

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

6. Presiding officer

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

7. Disorderly conduct

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

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

C. CLOSED MEETINGS

1. Purpose

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

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

2. Calling closed meetings

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

3. Minutes of closed meetings

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

D. DISCUSSION AND VOTING

1. Rules of parliamentary procedure

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

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

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

2. Conduct of discussion

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

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

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

3. Ordinances and resolutions

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

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

4. Roll call

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

5. Duty to vote

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

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

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

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

6. Results of voting

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

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

E. CITIZEN COMMENTS

1. General

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

2. Length of presentation - public hearings and public participation

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

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

3. Person addressing the City Council

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

4. Deviation

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

5. Request to speak during citizen comments

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

6. Requests to speak during regular agenda items

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

F. MISCELLANEOUS

1. Adoption and amendment of rules of procedure

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

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

2. Suspension of rules

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

3. Bid awards

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

4. Special committees

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

5. Authorization for contacting the City Attorney

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

Mayor and City Councilmembers

City Manager

City Department Heads (upon approval of the City Manager)

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

G. CERTIFICATE OF ADOPTION

Certified to be complete and accurate set of Rules of Procedures of the City Council of the City of Lowell, Michigan adopted by resolution of its regular meeting held January 6, 2020.

Adopted: January 6, 2020

Susan S. Ullery
City Clerk
City of Lowell

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

RESOLUTION NO. 03-20

**RESOLUTION SETTING COMPENSATION OF BOARDMEMBERS OF
THE CITY OF LOWELL BOARD OF LIGHT AND POWER**

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

WHEREAS, Section 16.1 of Chapter 16 of the City Charter requires the City Council to set each year the compensation for Boardmembers of the City's Board of Light and Power; and

WHEREAS, the City Council has determined to set such compensation for the 2020 calendar year.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That for the 2020 calendar year the compensation for the Boardmembers of the City's Board of Light and Power shall be \$45 per regular or special meeting for a maximum of 20 meetings and a total annual amount of not to exceed \$900.

2. That all resolutions or parts of resolutions to the extent they are in conflict with this resolution are hereby rescinded.

YES: Councilmembers Salzwedel, Yankovich, and Mayor DeVore

NO: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers Chambers and Canfield

RESOLUTION DECLARED ADOPTED.

Dated: January 21, 2020


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 January 21, 2020, 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: January 21, 2020


Susan Ullery, City Clerk

**PROCEEDINGS
OF
CITY COUNCIL
SPECIAL MEETING
MONDAY, JANUARY 27, 2020, 7:00 P.M.**

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

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

Present: Councilmembers Canfield, Chambers, Salzwedel, Yankovich and Mayor DeVore.

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery and Police Chief Steve Bukala.

2. APPROVAL OF THE AGENDA.

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

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

NO: None. ABSENT: None. MOTION CARRIED.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

None.

4. RESOLUTION 02-20 PERTAINING TO THE TRANSFER OF PROPERTY WITH UNITY SCHOOL.

City Manager Mike Burns explained since there will be a transfer of property between the City and Unity, a resolution pertaining to the transfer of property must sit at Council and be available for public review for twenty days after it has been presented, per the City Charter. Since twenty days has passed, the Council is now being presented with resolution 02-20 once again for a vote. Please note this will require four votes in the affirmative in order for action to be taken.

YES: Mayor DeVore, Councilmembers Salzwedel, Chambers and Canfield.

NO: Councilmember Yankovich ABSENT: None. MOTION CARRIED.

5. COUNCIL COMMENTS.

Councilmember Canfield wished this could have been resolved sooner, but believed it would be good for the City.

Councilmember Chambers agreed with Canfield and in the end we didn't have to spend a lot of taxpayers dollars.

Councilmember Yankovich explained he voted no because he does not like to be bullied.

Councilmember Salzwedel was happy the issue was resolved and we can move forward.

6. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL to adjourn at 7:05 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Susan Ullery, City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 02-20

**RESOLUTION APPROVING THE TRANSFER OF CITY-
OWNED PROPERTY TO UNITY SCHOOL INVESTORS,
LLC RELATED TO PROPERTY LOCATED AT 219 HIGH
STREET IN THE CITY AND MATTERS RELATED
THERETO**

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

WHEREAS, the City and Unity School, LLC (“Unity”) have agreed, pursuant to the terms of a Settlement Agreement (the “Agreement”) to settle all claims that were or could have been asserted in a lawsuit between them related to 238 and 219 High Street in the City; and

WHEREAS, the City Council has, by a separate resolution approved the Agreement on January 6, 2020; and

WHEREAS, the Agreement provides that the City will convey to Unity City-owned property consisting of approximately 7’ x 263.2’ adjacent to the west of the 219 High Street parcel owned by Unity (the “Property”) and in return Unity will convey certain property it owns to the City; and

WHEREAS, the City Charter at Chapter 13, Section 13.3(b)(3) requires that before the City can adopt a final resolution authorizing the transfer of the Property the resolution must remain on file with the City Clerk for public inspection for 20 days before final adoption; and

WHEREAS, this resolution was placed in the City Clerk’s office on January 6, 2020, for public inspection and has remained on file to the date of this resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That in accordance with Chapter 13, Section 13.3(b)(1) the City has previously published one advertisement in the Buyers Guide on January 27, 2019 and one advertisement in the Lowell Ledger on January 30, 2019 for bids related to the Property.
2. That, subject to the terms of the Agreement, the transfer of the Property is approved, subject to the retention by the City of an easement for underground utility and communication lines.
3. That the Mayor, City Clerk and City Manager are authorized to take all steps necessary to transfer the Property to Unity.
4. That the Agreement is ratified and confirmed.

5. That all resolutions or parts of resolutions to the extent of any conflict herewith are hereby rescinded.

YEAS: Mayor DeVore, Councilmembers Salzwedel, Chambers and Canfield


NAYS: Councilmembers Yankovich

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED.

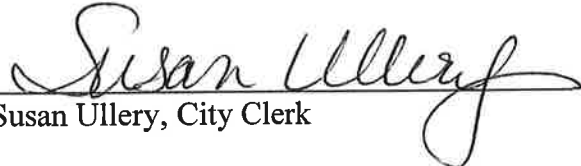
Dated: January 27, 2020


Susan Ullery, City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, at a meeting held on January 27, 2020, 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: January 27, 2020


Susan Ullery, City Clerk

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INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
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Vendor Code	Vendor Name	Invoice	Description	Amount
10550	63RD DISTRICT COURT	01/17/2020	BOND LANE RYAN	100.00
TOTAL FOR: 63RD DISTRICT COURT				100.00
01513	ADDORIO TECHNOLOGIES, LLC	8343	CITY DATA PROCESSING SERVICES	1,152.13
		8345	DATA PROCESSING SERVICES - DPW	424.00
TOTAL FOR: ADDORIO TECHNOLOGIES, LLC				1,576.13
10816	AMAZON CAPITAL SERVICES	ITTL-QFWG-6HGP	CARBURETOR REPAIR KIT #W-73 WTP	7.99
TOTAL FOR: AMAZON CAPITAL SERVICES				7.99
10731	APPLIED IMAGING	1480997	CITY HALL COPY MACHINE	391.95
TOTAL FOR: APPLIED IMAGING				391.95
10541	APWA, MICHIGAN CHAPTER - MPSI	1/24/2020	SPRING INSTITUTE 2020 - BRECKEN	735.00
TOTAL FOR: APWA, MICHIGAN CHAPTER - MPSI				735.00
10818	AT&T MOBILITY	28291108942X01142	ACCOUNT STATEMENT	841.46
TOTAL FOR: AT&T MOBILITY				841.46
10686	BETTEN BAKER	132651	POLICE VEHICLE #838 R & M	67.36
TOTAL FOR: BETTEN BAKER				67.36
00788	CDW GOVERNMENT, INC.	WMD9006	IPAD - MAYOR DEVORE	324.55
TOTAL FOR: CDW GOVERNMENT, INC.				324.55
00344	CITY OF LOWELL	11/22/2019	GRANT FOR WARE ROAD PROJECT	18,384.00
TOTAL FOR: CITY OF LOWELL				18,384.00
10499	COMPASS MINERALS	574672	BULK HIGHWAY SALT	4,311.13
TOTAL FOR: COMPASS MINERALS				4,311.13
10509	CONSUMERS ENERGY	JAN 2020	ACCOUNT STATEMENTS	2,458.24
		JAN 2020.	ACCOUNT STATEMENT	136.96
TOTAL FOR: CONSUMERS ENERGY				2,595.20
01156	CURTIS CLEANERS	JAN 2020	LPD DRY CLEANING	205.00
TOTAL FOR: CURTIS CLEANERS				205.00
00132	D&D TRUCKING ACQUISITION, LLC	29755	2009 PLOW TRUCK #16 R & M	428.28
TOTAL FOR: D&D TRUCKING ACQUISITION, LLC				428.28
02035	DIGITAL OFFICE MACHINES, INC.	18869	LPD COPIER CONTRACT	59.63
		18870	DPW COPY MACHINE CONTRACT	65.60
TOTAL FOR: DIGITAL OFFICE MACHINES, INC.				125.23

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
01955	ENVIRONMENTAL DOOR, INC.		
	67205	DPW GARAGE DOOR REPAIR	623.50
TOTAL FOR: ENVIRONMENTAL DOOR, INC.			623.50
02218	FLEX ADMINISTRATORS, INC.		
	106490	OCT - DEC 2019 ADMIN FEES	45.00
TOTAL FOR: FLEX ADMINISTRATORS, INC.			45.00
00225	GRAND RAPIDS COMMUNITY COLLEGE		
	1/1 - 1/15/2020	TAX DISBURSEMENT	3,097.84
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE			3,097.84
01944	GREATER LOWELL CHAMBER FOUND.		
	102788	2019 COMMUNITY CLEAN UP DAY	922.43
TOTAL FOR: GREATER LOWELL CHAMBER FOUND.			922.43
10841	HELIX INTERNATIONAL		
	3852	50 MICROSOFT LICENSES 2/20-2/21	2,682.00
TOTAL FOR: HELIX INTERNATIONAL			2,682.00
00248	HOOVER PRINTING		
	59377	SIGNAGE	95.00
TOTAL FOR: HOOVER PRINTING			95.00
10426	KENT COUNTY ANIMAL SHELTER		
	LOWEC07.01.19-09.	DOG LICENSES JULY-SEPT 2019	946.20
TOTAL FOR: KENT COUNTY ANIMAL SHELTER			946.20
10452	KENT COUNTY CHIEFS OF POLICE ASSOC.		
	01/21/2020	MEMBERSHIP 2020 - BUKALA	25.00
TOTAL FOR: KENT COUNTY CHIEFS OF POLICE ASSOC.			25.00
00300	KENT COUNTY TREASURER		
	1/1 - 1/15/2020	TAX DISBURSEMENT	14,623.36
	1/17/2020	TRAILER FEES	625.00
TOTAL FOR: KENT COUNTY TREASURER			15,248.36
00303	KENT DISTRICT LIBRARY		
	1/1 - 1/15/2020	TAX DISBURSEMENT	13,805.09
TOTAL FOR: KENT DISTRICT LIBRARY			13,805.09
00302	KENT INTERMEDIATE SCHOOL DIST.		
	1/1 - 1/15/2020	TAX DISBURSEMENT	8,142.99
TOTAL FOR: KENT INTERMEDIATE SCHOOL DIST.			8,142.99
02209	KERKSTRA PORTABLE, INC.		
	151816	PORTABLE RESTROOM -CEMETERY	90.00
TOTAL FOR: KERKSTRA PORTABLE, INC.			90.00
10231	KING MILLING COMPANY		
	117156	TAXES ON PARKING LOTS	636.67
TOTAL FOR: KING MILLING COMPANY			636.67
10018	KORE/HI COM, INC.		
	29885	LPD DATA PROCESSING	540.00
TOTAL FOR: KORE/HI COM, INC.			540.00

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Vendor Code	Vendor Name	Description	Amount
Invoice			
01374	LOWELL AREA HISTORICAL MUSEUM		
	1/1 - 1/15/2020	TAX DISBURSEMENT	420.36
TOTAL FOR: LOWELL AREA HISTORICAL MUSEUM			420.36
00562	LOWELL AREA SCHOOLS		
	1/1 - 1/15/2020	TAX DISBURSEMENT	108,339.50
TOTAL FOR: LOWELL AREA SCHOOLS			108,339.50
00949	LOWELL CITY DIRECTORY		
	12620-15	2020 FULL PAGE AD IN DIRECTORY	800.00
TOTAL FOR: LOWELL CITY DIRECTORY			800.00
REFUND UB	MALONEY, DARLA		
	01/30/2020	UB refund for account: 3-00380-1	12.57
TOTAL FOR: MALONEY, DARLA			12.57
00378	MCMI		
	19SH07A-IN	LIBRARY ECOSTRUXTURE	15,300.00
TOTAL FOR: MCMI			15,300.00
02513	METRO HEALTH HOSPITAL		
	12/16/2019	STATEMENT - GARNSEY	13.00
TOTAL FOR: METRO HEALTH HOSPITAL			13.00
01734	MIERAS INDUSTRIAL SHOES		
	140278	DPW BOOTS - BRECKEN	199.73
TOTAL FOR: MIERAS INDUSTRIAL SHOES			199.73
00424	MML WORKERS' COMP FUND		
	6337205	WC #4 PYMT 7/1/19 - 7/1/2020	15,216.00
TOTAL FOR: MML WORKERS' COMP FUND			15,216.00
10838	MORAN IRON WORKS, INC		
	15987	SHOWBOAT LABOR	6,683.40
TOTAL FOR: MORAN IRON WORKS, INC			6,683.40
10604	OTTAWA COUNTY EQUALIZATION DEPT		
	1/22/2020	CLASS - TO DIVIDE OR NOT TO DIVIDE	45.00
TOTAL FOR: OTTAWA COUNTY EQUALIZATION DEPT			45.00
00506	POSTMASTER		
	FEBRUARY 2020	WATER/SEWER BILLS 12/16 - 1/15	445.50
TOTAL FOR: POSTMASTER			445.50
00512	PREIN & NEWHOF, INC.		
	53482	SAW GRANT ASSET MGMT	33,584.30
TOTAL FOR: PREIN & NEWHOF, INC.			33,584.30
01159	PURCHASE POWER		
	1/10/2020	POSTAGE METER	476.61
TOTAL FOR: PURCHASE POWER			476.61
10133	RED CREEK WASTE SERVICES INC.		
	01R00521	TRASH SERVICES	323.71
TOTAL FOR: RED CREEK WASTE SERVICES INC.			323.71

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
10378	RUESINK, KATHIE		
	9911023/911024	CLEANING SERVICES 1/15 - 1/30/2020	600.00
TOTAL FOR: RUESINK, KATHIE			600.00
10849	SMART BUSINESS SOURCE		
	OE-18413-1	OFFICE SUPPLIES	95.41
	OE-18413-2	OFFICE SUPPLIES	69.75
	OE-20802-1	OFFICE SUPPLIES	63.94
	OE-21538-1	OFFICE SUPPLIES	162.19
TOTAL FOR: SMART BUSINESS SOURCE			391.29
00728	TRANSNATION TITLE INS. CO.		
	GFNO: 296477GRS	238 HIGH ST SE, LOWELL MI	226,786.21
TOTAL FOR: TRANSNATION TITLE INS. CO.			226,786.21
00930	TRUCK & TRAILER SPECIALTIES		
	DJO002049	2016 PETERBILT #15-2 R & M	21,799.00
TOTAL FOR: TRUCK & TRAILER SPECIALTIES			21,799.00
00651	USA BLUE BOOK		
	110710	WTP SUPPLIES	102.41
TOTAL FOR: USA BLUE BOOK			102.41
10847	WEST MAIN LLC		
	01/20/2020	ESCROW REFUND SPECIAL LAND USE	939.00
TOTAL FOR: WEST MAIN LLC			939.00
00692	WILLIAMS & WORKS INC.		
	89511	PLANNING SERVICES	2,515.00
	89542	STREET ASSET MGMT	945.00
	89544	HOWARD, SUFFOLK, ELIZABETH, RIVERSIDE RESURFACING D	5,582.31
TOTAL FOR: WILLIAMS & WORKS INC.			9,042.31
TOTAL - ALL VENDORS			518,513.26

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-040.000	ACCOUNTS RECEIVABLE	63RD DISTRICT COURT	BOND LANE RYAN	100.00	73914
101-000-222.000	DUE TO COUNTY-TRAILER FEE	KENT COUNTY TREASURER	TRAILER FEES	125.00	73939
101-000-222.002	DUE TO COUNTY-DOG LICENSE	KENT COUNTY ANIMAL SHELTER	DOG LICENSES JULY-SEPT 20	946.20	73936
101-000-225.000	DUE TO SET -TRAILER FEES	KENT COUNTY TREASURER	TRAILER FEES	500.00	73939
101-000-264.003	WORKERS COMP INSURANCE PA	MML WORKERS' COMP FUND	WC #4 PYMT 7/1/19 - 7/1/2	15,216.00	73952
Total For Dept 000				16,887.20	
Dept 172 MANAGER					
101-172-801.000	PROFESSIONAL SERVICES	GREATER LOWELL CHAMBER OF	2019 COMMUNITY CLEAN UP D	922.43	73933
101-172-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	45.08	73921
Total For Dept 172 MANAGE				967.51	
Dept 209 ASSESSOR					
101-209-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	19.20	73960
101-209-955.000	MISCELLANEOUS EXPENSE	OTTAWA COUNTY EQUALIZATION	CLASS - TO DIVIDE OR NOT	45.00	73954
Total For Dept 209 ASSESS				64.20	
Dept 215 CLERK					
101-215-730.000	POSTAGE	PURCHASE POWER	POSTAGE METER	476.61	73957
101-215-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	45.08	73921
101-215-900.000	PRINTING	LOWELL CITY DIRECTORY	2020 FULL PAGE AD IN DIRE	800.00	73947
Total For Dept 215 CLERK				1,321.69	
Dept 253 TREASURER					
101-253-801.000	PROFESSIONAL SERVICES	FLEX ADMINISTRATORS, INC.	OCT - DEC 2019 ADMIN FEES	45.00	73931
Total For Dept 253 TREASU				45.00	
Dept 265 CITY HALL					
101-265-727.000	OFFICE SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	18.91	73960
101-265-727.000	OFFICE SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	45.17	73960
101-265-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	111.12	73960
101-265-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	31.69	73960
101-265-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	50.84	73960
101-265-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICES	68.35	73958
101-265-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES 1/15 -	450.00	73959
101-265-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	1,842.02	73926
Total For Dept 265 CITY H				2,618.10	
Dept 276 CEMETERY					
101-276-802.000	CONTRACTUAL	KERKSTRA PORTABLE, INC.	PORTABLE RESTROOM -CEMETE	90.00	73942
Total For Dept 276 CEMETE				90.00	
Dept 301 POLICE DEPARTMENT					
101-301-727.000	OFFICE SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	2.76	73960
101-301-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	31.87	73960
101-301-744.000	UNIFORMS	CURTIS CLEANERS	LPD DRY CLEANING	205.00	73927
101-301-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	363.06	73921
101-301-955.000	MISCELLANEOUS EXPENSE	KENT COUNTY CHIEFS OF POL	MEMBERSHIP 2020 - BUKALA	25.00	73937
101-301-955.000	MISCELLANEOUS EXPENSE	METRO HEALTH HOSPITAL	STATEMENT - GARNSEY	13.00	73950
Total For Dept 301 POLICE				640.69	
Dept 400 PLANNING & ZONING					
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	827.00	73963
101-400-801.000	PROFESSIONAL SERVICES	WEST MAIN LLC	ESCROW REFUND SPECIAL LAN	939.00	73915
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	673.00	73963
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	1,015.00	73963
Total For Dept 400 PLANNI				3,454.00	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICES	207.86	73958
101-441-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	117.94	73921
101-441-930.000	REPAIR & MAINTENANCE	ENVIRONMENTAL DOOR, INC.	DPW GARAGE DOOR REPAIR	623.50	73930

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 441 DEPARTMENT OF PUBLIC WORKS					
		Total For Dept 441 DEPART		949.30	
Dept 751 PARKS					
101-751-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	38.24	73921
		Total For Dept 751 PARKS		38.24	
Dept 790 LIBRARY					
101-790-802.000	CONTRACTUAL	RED CREEK WASTE SERVICES	TRASH SERVICES	47.50	73958
101-790-802.000	CONTRACTUAL	RUESINK, KATHIE	CLEANING SERVICES 1/15 -	150.00	73959
		Total For Dept 790 LIBRAR		197.50	
Dept 804 MUSEUM					
101-804-955.000	PROPERTY TAX DISTRIBUTION	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	420.36	73945
		Total For Dept 804 MUSEUM		420.36	
		Total For Fund 101 GENERA		27,693.79	
Fund 202 MAJOR STREET FUND					
Dept 450 CAPITAL OUTLAY					
202-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	HOWARD, SUFFOLK,ELIZABETH	3,684.32	73963
		Total For Dept 450 CAPITA		3,684.32	
Dept 463 MAINTENANCE					
202-463-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	25.05	73921
		Total For Dept 463 MAINTEN		25.05	
Dept 478 WINTER MAINTENANCE					
202-478-740.000	OPERATING SUPPLIES	COMPASS MINERALS	BULK HIGHWAY SALT	2,155.57	73925
		Total For Dept 478 WINTER		2,155.57	
Dept 483 ADMINISTRATION					
202-483-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	STREET ASSET MGMT	472.50	73963
		Total For Dept 483 ADMINI		472.50	
		Total For Fund 202 MAJOR		6,337.44	
Fund 203 LOCAL STREET FUND					
Dept 450 CAPITAL OUTLAY					
203-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	HOWARD, SUFFOLK,ELIZABETH	1,897.99	73963
		Total For Dept 450 CAPITA		1,897.99	
Dept 463 MAINTENANCE					
203-463-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	25.06	73921
		Total For Dept 463 MAINTEN		25.06	
Dept 474 TRAFFIC					
203-474-740.000	OPERATING SUPPLIES	HOOPER PRINTING	SIGNAGE	95.00	73935
		Total For Dept 474 TRAFFI		95.00	
Dept 478 WINTER MAINTENANCE					
203-478-740.000	OPERATING SUPPLIES	COMPASS MINERALS	BULK HIGHWAY SALT	2,155.56	73925
		Total For Dept 478 WINTER		2,155.56	
Dept 483 ADMINISTRATION					
203-483-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	STREET ASSET MGMT	472.50	73963
		Total For Dept 483 ADMINI		472.50	
		Total For Fund 203 LOCAL		4,646.11	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 450 CAPITAL OUTLAY					
248-450-970.000	CAPITAL OUTLAY	TRANSNATION TITLE INS. CO	238 HIGH ST SE, LOWELL MI	226,786.21	73916
		Total For Dept 450 CAPITA		226,786.21	
Dept 463 MAINTENANCE					
248-463-955.000	MISCELLANEOUS EXPENSE	KING MILLING COMPANY	TAXES ON PARKING LOTS	636.67	73943
		Total For Dept 463 MAINTEN		636.67	
		Total For Fund 248 DOWNTOW		227,422.88	

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Fund 260 DESIGNATED CONTRIBUTIONS					
Dept 751 PARKS					
260-751-970.000	CAPITAL OUTLAY	MORAN IRON WORKS, INC	SHOWBOAT LABOR	6,683.40	73953
	Total For Dept 751 PARKS			6,683.40	
Dept 790 LIBRARY					
260-790-970.000	CAPITAL OUTLAY	MCMI	LIBRARY ECOSTRUTURE	15,300.00	73949
	Total For Dept 790 LIBRAR			15,300.00	
	Total For Fund 260 DESIGN			21,983.40	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	616.22	73926
	Total For Dept 000			616.22	
	Total For Fund 581 AIRPOR			616.22	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-276.000	Sewer Inside 5/8"	MALONEY, DARLA	UB refund for account: 3-	6.31	73948
	Total For Dept 000			6.31	
Dept 550 TREATMENT					
590-550-801.000	PROFESSIONAL SERVICES	PREIN & NEWHOF, INC.	SAW GRANT ASSET MGMT	33,584.30	73956
	Total For Dept 550 TREATM			33,584.30	
Dept 551 COLLECTION					
590-551-744.000	UNIFORMS	MIERAS INDUSTRIAL SHOES	DPW BOOTS - BRECKEN	99.87	73951
590-551-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	71.86	73921
	Total For Dept 551 COLLEC			171.73	
Dept 552 CUSTOMER ACCOUNTS					
590-552-730.000	POSTAGE	POSTMASTER	WATER/SEWER BILLS 12/16 -	222.75	73955
	Total For Dept 552 CUSTOM			222.75	
	Total For Fund 590 WASTEW			33,985.09	
Fund 591 WATER FUND					
Dept 000					
591-000-276.000	Water Inside 5/8"	MALONEY, DARLA	UB refund for account: 3-	6.26	73948
	Total For Dept 000			6.26	
Dept 570 TREATMENT					
591-570-727.000	OFFICE SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	16.01	73960
591-570-740.000	OPERATING SUPPLIES	AMAZON CAPITAL SERVICES	CARBURETOR REPAIR KIT #W-	7.99	73918
591-570-740.000	OPERATING SUPPLIES	SMART BUSINESS SOURCE	OFFICE SUPPLIES	63.72	73960
591-570-740.000	OPERATING SUPPLIES	USA BLUE BOOK	WTP SUPPLIES	102.41	73962
591-570-744.000	UNIFORMS	MIERAS INDUSTRIAL SHOES	DPW BOOTS - BRECKEN	99.86	73951
591-570-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	38.24	73921
	Total For Dept 570 TREATM			328.23	
Dept 571 DISTRIBUTION					
591-571-850.000	COMMUNICATIONS	AT&T MOBILITY	ACCOUNT STATEMENT	71.85	73921
591-571-864.000	CONFERENCES & CONVENTIONS	APWA, MICHIGAN CHAPTER -	SPRING INSTITUTE 2020 - B	735.00	73920
591-571-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENT	136.96	73926
	Total For Dept 571 DISTRI			943.81	
Dept 572 CUSTOMER ACCOUNTS					
591-572-730.000	POSTAGE	POSTMASTER	WATER/SEWER BILLS 12/16 -	222.75	73955
	Total For Dept 572 CUSTOM			222.75	
	Total For Fund 591 WATER			1,501.05	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-740.000	OPERATING SUPPLIES	KORE/HI COM, INC.	LPD DATA PROCESSING	540.00	73944
636-000-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	CITY DATA PROCESSING SERV	1,152.13	73917
636-000-802.000	CONTRACTUAL	APPLIED IMAGING	CITY HALL COPY MACHINE	391.95	73919

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Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-802.000	CONTRACTUAL	DIGITAL OFFICE MACHINES,	DPW COPY MACHINE CONTRACT	65.60	73929
636-000-802.000	CONTRACTUAL	DIGITAL OFFICE MACHINES,	LPD COPIER CONTRACT	59.63	73929
636-000-802.000	CONTRACTUAL	ADDORIO TECHNOLOGIES, LLC	DATA PROCESSING SERVICES	424.00	73917
636-000-802.000	CONTRACTUAL	HELIX INTERNATIONAL	50 MICROSOFT LICENSES 2/2	2,682.00	73934
636-000-986.000	COMPUTER DATA PROCESSING	CDW GOVERNMENT, INC.	IPAD - MAYOR DEVORE	324.55	73924
Total For Dept 000				5,639.86	
Total For Fund 636 DATA P				5,639.86	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-930.000	REPAIR & MAINTENANCE	BETTEN BAKER	POLICE VEHICLE #838 R &	67.36	73923
661-895-930.000	REPAIR & MAINTENANCE	D&D TRUCKING ACQUISITION,	2009 PLOW TRUCK #16 R & M	428.28	73928
661-895-981.000	EQUIPMENT	TRUCK & TRAILER SPECIALTI	2016 PETERBILT #15-2 R &	21,799.00	73961
Total For Dept 895 FLEET				22,294.64	
Total For Fund 661 EQUIPM				22,294.64	
Fund 703 CURRENT TAX COLLECTION FUND					
Dept 000					
703-000-222.000	DUE TO COUNTY-CURRENT TAX	KENT COUNTY TREASURER	TAX DISBURSEMENT	14,563.73	73938
703-000-223.000	DUE TO LIBRARY	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	13,805.09	73940
703-000-225.000	DUE TO SCHOOLS	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	108,339.50	73946
703-000-228.009	DUE TO STATE-S.E.T.	KENT COUNTY TREASURER	TAX DISBURSEMENT	59.63	73938
703-000-234.000	DUE TO INTERMED SCH DISTR	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	8,142.99	73941
703-000-235.000	DUE TO COMMUNITY COLLEGE	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	3,097.84	73932
Total For Dept 000				148,008.78	
Total For Fund 703 CURREN				148,008.78	
Fund 715 LOOK FUND					
Dept 000					
715-000-880.000	COMMUNITY PROMOTION	CITY OF LOWELL	GRANT FOR WARE ROAD PROJE	18,384.00	1418
Total For Dept 000				18,384.00	
Total For Fund 715 LOOK F				18,384.00	

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Fund Totals:

Fund 101	GENERAL FUND	27,693.79
Fund 202	MAJOR STREET FUN	6,337.44
Fund 203	LOCAL STREET FUN	4,646.11
Fund 248	DOWNTOWN DEVELOP	227,422.88
Fund 260	DESIGNATED CONTR	21,983.40
Fund 581	AIRPORT FUND	616.22
Fund 590	WASTEWATER FUND	33,985.09
Fund 591	WATER FUND	1,501.05
Fund 636	DATA PROCESSING	5,639.86
Fund 661	EQUIPMENT FUND	22,294.64
Fund 703	CURRENT TAX COLL	148,008.78
Fund 715	LOOK FUND	18,384.00

518,513.26

Redevelopment Ready Communities® Baseline Report

City of Lowell

October 2019

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Executive Summary

Redevelopment Ready Communities® (RRC) is a certification program supporting community revitalization and the attraction and retention of businesses, entrepreneurs and talent throughout Michigan. RRC promotes communities to be development ready and competitive in today's economy by actively engaging stakeholders and proactively planning for the future – making them more attractive for projects that create places where people want to live, work and invest.

To become formally engaged in the RRC Program, communities must complete the RRC self-evaluation and a community representative must complete the best practice training series. The governing body must also pass a resolution of intent, outlining the value the community sees in participating in the program. Representatives from the City completed training in October 2017. In July 2018, the City Council passed a resolution of intent to participate in the program and a self-evaluation was submitted.

Developed by experts in the public and private sector, the RRC Best Practices are the standard to achieve certification, designed to create a predictable experience for investors, businesses and residents working within a community; communities must demonstrate that all best practice criteria have been met to receive RRC certification. This evaluation finds the community currently in full alignment with 30% of the best practice criteria and partially aligned with another 25%. The evaluation determined that strengths currently lie within strong predictable zoning regulations and the start of a streamlined development review process. Challenges identified include minor updates to the master plan, developing a six-year capital improvements plan (CIP), visioning for priority redevelopment sites, creating an overarching marketing strategy and creating a comprehensive economic development plan.

This report includes several recommendations for how the community can fully align with the best practices. Each recommendation has been customized to fit Lowell and is backed by research and conversations specific to the community; however, these recommendations are just the beginning of the conversation. RRC is focused heavily on intent versus prescriptive 'to-dos'. As the community works through the process, it may identify other ways to meet the intent of a particular best practice. The community's RRC planner will be there every step of the way to discuss those ideas, direct the community to resources, and provide general guidance. In addition to the community's RRC planner, other partners should be at the table. RRC is a collaborative effort and is most successful when all parties are willing to engage to open dialogue so that Michigan communities can be at the forefront of developing unique identities and prosperous businesses.

Once the community has had a chance to digest the contents of this report, it will need to decide whether to continue with the RRC process. If it opts to reach for certification, it will result in a fully streamlined, predictable and transparent development process that is guided by a shared community vision. This will increase the community's ability to grow local investment and attract outside investment. It will also allow the Michigan Economic Development Corporation to better




understand the community's desires for the future and how state tools and resources can help achieve that goal. MEDC looks forward to working with Lowell on its efforts to reach certification and to a prosperous relationship for many years to come.

Methodology

The basic assessment tool for evaluation is the RRC Best Practices. These six standards were developed in conjunction with public and private sector experts and address key elements of community and economic development. A community must demonstrate all of the RRC Best Practice components have been met to become RRC certified. Once received, certification is valid for three years.

Measurement of a community to the best practices is completed through the RRC team's research, observation and interviews, as well as the consulting advice and technical expertise of the RRC Advisory Council. The team analyzes a community's development materials, including, but not limited to: the master plan; redevelopment strategy; capital improvements plan; budget; public participation plan; zoning regulations; development procedures; meeting minutes; applications; economic development strategy; marketing strategy; and website.

A community's degree of attainment for each best practice criteria is visually represented in this report by the following:

	Green indicates the best practice component is currently being met by the community.
	Yellow indicates some of the best practice component may be in place, but additional action is required.
	Red indicates the best practice component is not present or significantly outdated.

This report represents the community's current status in meeting the RRC Best Practices. This baseline establishes a foundation for the community's progress as it moves forward. All questions should be directed to the RRC Team at RRC@michigan.org.

EVALUATION SNAPSHOT

The City of Lowell has completed 33 % of the Redevelopment Ready Communities® criteria and is in the process of completing another 23%.

1.1.1	1.1.2	1.1.3 N/A	1.1.4	1.2.1	1.2.2	1.2.3
2.1.1	2.1.2	2.1.3	2.1.4	2.1.5	2.1.6	2.1.7
2.1.8	3.1.1	3.1.2	3.1.3	3.1.4	3.1.5	3.1.6
3.1.7	3.1.8	3.2.1	3.2.2	4.1.1	4.1.2	4.2.1
4.2.2	4.2.3	4.2.4	5.1.1	5.1.2	5.2.1	5.2.2
6.1.1	6.1.2	6.1.3	6.1.4	6.1.5	6.1.6	

Best Practice 1.1- The Plans

Best Practice 1.1 evaluates community planning and how the redevelopment vision is embedded in the master plan, corridor plan and capital improvements plan (CIP). The master plan sets expectations for those involved in new development and redevelopment, giving the public some degree of certainty about the community's vision for the future, while assisting the community in achieving its stated goals. Local plans can provide key stakeholders with a roadmap for navigating the redevelopment process in the context of market realities and community goals.

The Michigan Planning Enabling Act (MPEA), Public Act 33 of 2008, and the RRC Best Practices require that the governing body create and approve a master plan as a guide for development and review the master plan at least once every five years after adoption. The plan was last adopted in 2007 and a five-year review was recently done in 2018 by the planning commission with no changes. While not required for certification, given that the plan was adopted in 2007, the master plan provides data from 296 respondents in 2006, which could mean that the data should be refreshed in order to paint the most accurate depiction of what the community in Lowell wants to see or needs. The existing master plan does a good job if incorporating many of the existing expectations, however, to align with the RRC Best Practices, the city will need to adopt a master plan that addresses the following expectations:

- Master plan incorporates recommendations for implementation including, goals, actions, timeline and responsible parties.
- Progress on the master plan is annually reported to the governing body.

Master plans are a great tool to use when establishing the foundation for the community vision and future growth in the City. Such a vision includes the

overall direction for the community, the desired look and feel for the community, and long-range goals the community wants to achieve. Ensuring the plan is available online for stakeholders and potential future investors to review is also important. The existing master plan has a strong vision of the future, addresses future/existing land uses, zoning plan, address infrastructure, and complete streets elements. There is even a section on development areas and strategies for future land use.

It is recommended that a matrix table be developed that implements the goals and objectives. The development of a table that includes goals, actions, timelines, and responsible parties is a good way to make sure goals are being accomplished. The community should be able to identify a process on who will take the lead on accomplishing tasks. This progress should be shared in an annual planning commission report to the governing body. RRC has a planning commission annual report guide, which is a great resource document that Lowell can use to create report. If an amendment or a new master plan were to be put in place, this would be the perfect opportunity to document outreach methods to add to the public participation plan and identify what works best when it comes to community engagement.

Lowell last amended the DDA Development and Tax Increment Financing Plan in 2011. The DDA plan includes a legal description, identifies projects and development costs within the DDA. Current projects identified are designed to support a pedestrian-oriented environment. More recently developed in 2015 is the Downtown Lowell Placemaking Plan. The plan itself further supports initiatives to create a more walkable/inviting downtown atmosphere. While the plan does not include mixed-use elements, the master plan supports the future use of mixed use and the zoning supports that vision. Coordination is essential for the master plan and capital improvements plan, as the plan's layout the foundation for the desired development of projects.

Over the years, as communities grow, infrastructure needs to adapt and pave the way for future growth and reinvestment. Infrastructure projects should consider new technology, transportation laws, building codes, building design, and community layout. A CIP is an essential tool for the planning and development of the physical and economic well-being of a community. It is used to implement the vision and goals identified in other plans, including the master plan and downtown plan, and provides a link between planning and budgeting for capital projects. A CIP should be developed to reflect the current fiscal year, projecting five years out. The six-year CIP should be reviewed and updated annually. Coordination in all departments should work

to prioritize infrastructure needs, ensuring close alignment between community-developed plans and implementation.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
1.1.1	The governing body has adopted a master plan in the past five years.	<input type="checkbox"/> Incorporate recommendations for implementation including goals, actions, timelines and responsible parties. <input type="checkbox"/> Report progress on the master plan annually.	12-24 months
1.1.2	The governing body has adopted a downtown plan.	✓	
1.1.3	The governing body has adopted a corridor plan.	N/A	
1.1.4	The governing body has adopted a capital improvements plan.	<input type="checkbox"/> Develop a CIP to represent current fiscal year and project five years out, totaling six years. Continue to update annually.	12-24 months

Best Practice 1.2 - Public Participation

Best Practice 1.2 assesses how well the community identifies and engages its stakeholders on a continual basis. Public participation aims to prevent or minimize disputes by creating a process for resolving issues before they become an obstacle. Predictability and public support are essential to attract the right type of development to a community. Developers and the city are not the only key stakeholders in what happens in the city, proactive public input is critical in creating a harmonious community.

Lowell currently uses the basic methods of communication by following the Open Meetings Act, fliers, announcements at governing body meetings, newspaper postings and website postings. Additionally, social networking and individual mailings are used as a pro-active engagement method. Lowell should consider adding additional proactive methods of engagement to ensure all efforts are being made to outreach to the public. Creating a straightforward process to ensure the voices of community members are heard helps create a sense of place, which has the potential to attract new community members to participate in the future of Lowell. Facilitating consistent future public engagement is important and the City should formalize an all-inclusive comprehensive public engagement strategy. This plan can help the city determine which methods of engagement it would like to pursue, identify when and how each method would be used, and establish ways to measure the effectiveness of each method. When formalizing the public participation strategy, the plan should identify goals and objectives, key stakeholders, methods of communication, strategies for outreach and how to communicate results to the public.

Once the plan is created, the public participation plan should identify key stakeholders such as local and regional economic development, state and municipal partners. News and media outlets are another opportunity for

partnerships in public participation to get the news out on community events, meetings or seeking public input. The plan can also be a chance for the city to engage stakeholders to identify opportunities for partnerships. The final component of any public participation strategy is to ensure that the results of public participation efforts are shared so stakeholders who were not able to attend can learn what happened and those who did attend can see the results of their efforts. Information like this should be highlighted via social media or be made available on the city website's homepage. An explanation of how the city will share public input results should also be included in the plan. When completed, it can be used as a guiding document for the creation of locally adopted plans.

Based on the information obtained during this evaluation, this report recommends the following to help the city reach RRC certification:

- Describe public participation methods and appropriate venues to use each method;
- Identify key stakeholders;
- Develop specific actions for meeting objectives;
- Be formatted to allow a third party to adhere to the public participation strategy if needed;
- Create a method to track and share success of various outreach methods;
- Establish a method to assist a developer in soliciting input on a proposal early in the site plan approval process.

With this information outlined in a plan, the city and its stakeholders will have a clear understanding of expectations for communicating in a consistent and transparent manner.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
1.2.1	The community has a public participation plan for engaging a diverse set of community stakeholders.	<input type="checkbox"/> Create a formalized public participation plan	10 months
1.2.2	The community demonstrates that public participation efforts go beyond the basic methods.	<input type="checkbox"/> Further develop proactive methods to reach out to the public beyond the basic methods	10 months
1.2.3	The community shares outcomes of public participation processes.	<input type="checkbox"/> Establish method to share outcomes of public participation process	10 months

Best Practice 2.1 – Zoning Regulations

Best Practice 2.1 evaluates the city's zoning ordinance and assesses how well it implements the goals of the master plan. Zoning is a significant mechanism for achieving desired land use patterns and quality development. Foundationally, the Michigan Zoning Enabling Act (MZEA), Public Act 110 of 2006, requires that a zoning ordinance be based on a plan to help guide zoning decisions. The zoning code for Lowell was amended in 2015. Information on the user-friendly zoning ordinance can be found online housed with Municode. The ordinance provides a clear set of definitions, requirements for each zoning district, and alignment with the master plan. To improve on user-friendliness, Lowell City could consider creating a land-use matrix.

A city's zoning ordinance is the regulatory tool used to implement the city's master plan vision. Mixed uses are permitted by right in core concentrated areas of development, specifically in the MU, Mixed-Use District. The zoning code also allows for varied housing types, including accessory dwelling units, residential units above non-residential uses and cluster housing. The downtown is located within the historic district boundary, so there are added regulations that protect the historic charm and character of downtown. Ground floor transparency, build-to-lines, and parking is required at the rear of buildings along key street frontage sites are all design standards that are incorporated into the zoning ordinance for the MU district. Pedestrian travel ways are covered under Chapter 19, of the City Ordinance. Sidewalks must be maintained in good repair, and any type of new construction requires the constructions of sidewalks. There are also standards that require pedestrian-scale lighting to further improve non-motorized transportation.

The zoning ordinance also addresses environmental preservation. Environmental preservation efforts are established in chapter 24, open space preservation, and Chapter 14 the Flood Plain District. When it comes to

flexible tools used to encourage development and redevelopment, the city meets this criterion by clearly establishing special land use procedures, providing non-conforming regulations, and allowing for commercial and industrial districts to serve new economy-type businesses such as office uses and indoor recreation activities. As seen in many cities, parking has become either overly burdensome or underutilized. For this reason, it is important for cities to apply flexible parking standards. Under Chapter 19 of the Zoning ordinance, Off-Street Parking and Loading: it allows for the reduction of required parking when public parking is available for commercial uses and the planning commission may defer parking for nonresidential uses and joint parking. While not required for certification, additional flexible parking standards should be strongly considered, these are:

- Payment in Lieu of Parking
- Bicycle Parking
- Parking Waivers (all uses)
- Parking Maximums

Under the city ordinance and zoning, regulations address environmental preservation and green infrastructure. As mentioned before, there is an Open Space Preservation chapter that addresses required open space on certain sites and buffering standards around bodies of water. Parking lot landscaping requirements are required and under Chapter 23 of City ordinance, vegetation is addressed. Street tree planting standards and tree preservation regulations can be located under the vegetation chapter. While not required for certification, additional green infrastructure standards should be strongly considered: these are:

- Green roofs
- Pervious Pavement
- Steep Slope Protections

- Renewable energy

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
2.1.1	The governing body has adopted a zoning ordinance that aligns with the goals of the master plan.	✓	
2.1.2	The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.	✓	
2.1.3	The zoning ordinance includes flexible tools to encourage development and redevelopment.	✓	
2.1.4	The zoning ordinance allows for a variety of housing options.	✓	
2.1.5	The zoning ordinance includes standards to improve non-motorized transportation.	✓	
2.1.6	The zoning ordinance includes flexible parking standards.	✓	
2.1.7	The zoning ordinance includes standards for environmental preservation and green infrastructure.	✓	
2.1.8	The zoning ordinance is user-friendly.	✓	

Best Practice 3.1 – Development Review Policy and Procedures

Best Practice 3.1 evaluates the community's development review policies and procedures, project tracking, and internal/external communications. An efficient site plan review process is integral to being redevelopment ready and can assist a community in attracting investment dollars while ensuring its zoning ordinance and other laws are followed.

The following criteria were found to be missing criteria when evaluated against the RRC Best Practice 3.1:

- The community defines and offers conceptual site plan review meetings for applicants;
- The appropriate departments engage in joint site plan reviews;
- The community has a clearly documented internal staff review process;
- The community promptly acts on development requests;
- The community has a method to track development projects;
- The community annually reviews successes and challenges with the development review process.

A site plan review is required for all new uses excluding single or two-family dwellings, home occupations, state-licensed care facilities and proposed uses permitted by right with no additions, alterations, or exterior changes to an existing building. Site plan review procedures are provided under Chapter 18. Submittal requirements for a site plan review and special land use are very thorough on what needs to be submitted, when it needs to be submitted, and what the next steps are. All site plans/special land uses are required to be reviewed/approved by the planning commission.

It is an expectation for RRC communities to define and offer conceptual site plan review meetings for applicants. This helps to ensure all materials are being turned in on time and gives the zoning administrator or appropriate staff, and the applicant an opportunity to discuss any hurdles and how to address them. Currently, an applicant can request to go before the planning commission and submit a preliminary plan review. However, this doesn't meet the intent of offering a conceptual site plan meeting for all applicants. It is recommended that a conceptual site plan be offered and advertised online so it is known that this service exists for all types of uses. A checklist should also be created for the conceptual site plan review meeting. A good spot to advertise conceptual site plan reviews is through a visual flowchart. To paint a better picture of the site plan review process, it is recommended that a visual flowchart with timelines be developed. The flowchart should reflect both the site plan review and special land use process from the time of submittal to receiving the certificate of occupancy. This has the potential to improve efficiency, transparency, and predictability in the site plan review process and give a general understanding of the building department review process.

Another important process that should be incorporated into the site plan review is a joint site plan review team. Since the review is contracted out, this team should consist of any department or partners involved in the site plan review process. The team can provide valuable information to an applicant early in the application process, whether it may be unforeseen costs, police/fire safety issues, barriers, or code interpretation. Everyone needs to be on the same page on day one of an application process. This team can be documented in the internal staff review process. It is also recommended that a system should be set up to track projects from application submittal to occupancy. This will confirm that there is coordination with permitting and inspections staff and ensure an efficient and timely approval process. If the city has a tracking process existing, this should be shared with the planner.

A feedback mechanism should also be created to improve any internal processes or cost barriers that may arise. Any feedback should be reviewed annually by the joint site plan review team to capture lessons learned and amend the process when needed. Lastly, it is also recommended that the internal process with clear roles, responsibilities, and timelines be

documented with the idea that any staff member can pick up the process if there is any turnover.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
3.1.1	The zoning ordinance articulates a thorough site plan review process.	✓	
3.1.2	The community has a qualified intake professional.	✓	
3.1.3	The community defines and offers conceptual site plan review meetings for applicants.	<input type="checkbox"/> Define and offer conceptual site plan review meeting for applicants. <input type="checkbox"/> Advertise online that conceptual site plan review meetings are available.	10 Months
3.1.4	The appropriate departments engage in joint site plan reviews.	<input type="checkbox"/> Develop an official joint site plan review team.	10 Months
3.1.5	The community has a clearly documented internal staff review policy.	<input type="checkbox"/> Document internal review process, along with clear roles, responsibilities and timelines.	10 months
3.1.6	The community promptly acts on development requests.	<input type="checkbox"/> Develop an easy to follow flowchart of development processes that includes timelines. <input type="checkbox"/> Demonstrate how staff coordinates with permitting and inspections staff to ensure a smooth and timely approval process.	10 months
3.1.7	The community has a method to track development projects.	<input type="checkbox"/> Develop a project tracker from submittal to occupancy.	10 months
3.1.8	The community annually reviews the successes and challenges with the site plan review and approval procedures.	<input type="checkbox"/> Create a feedback mechanism to gather input from applicants after they go through the process. <input type="checkbox"/> Develop a process to review input by the joint site review team and planning commission to identify potential improvements to the process.	10 months

Best Practice 3.2 – Guide to Development

Best Practice 3.2 evaluates the availability of the community's development information and pertinent planning and zoning information that an applicant needs. Having all development-related information in a single location can greatly increase the ability of an applicant to access what they need efficiently. Including this information online can also maximize capacity, as staff will spend less time answering questions when applicants can have these questions answered by the municipality's website.

Under the planning and zoning permits webpage, most of the development-related information can be found online. This includes:

- Site plan application
- Zoning ordinance
- Special use application
- Zoning Map
- Building permits
- Sign permits
- Property improvement Form
- Relevant ordinances.

It is recommended that a stand-alone guide to development or additional development-related information be added to the zoning webpage. Missing items to be added to the guide include:

- Fee Schedule;
- Economic Development Strategy
- Master Plan;
- Contact information for all staff involved in development process;
- Conceptual meeting procedures;
- Flowcharts;
- DDA Plan;
- Building permits requirements and applications;

It is one thing to put all the necessary documents online, it's another to know how to navigate the process. It is recommended that a document be created that shows how residents, developers, or entrepreneurs should navigate the development process. Whether it is pulling a roofing permit, opening a business, or constructing a large project, the guide for development should function for everyone. The fees associated with development are annually reviewed during the budget cycle to help ensure that costs are fair and affordable for the customer and community. As an added benefit the community accepts credit card payments.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
3.2.1	The community maintains an online guide to development that explains policies, procedures and steps to obtain approvals.	<input type="checkbox"/> Add additional information to the online guide to development or develop a standalone guide. <input type="checkbox"/> Develop instructions on how to use the guide for development.	12 months
3.2.2	The community annually reviews the fee schedule.	✓	

Best Practice 4.1 – Recruitment and Orientation

Best Practice 4.1 evaluates how a community conducts recruitment and orientation for newly appointed or elected officials and board members. Such officials sit on the numerous boards, commissions, and committees that advise community leaders on key policy decisions. Information on boards and commissions can be found online. Information for each board or Can be found under City Councils and Boards webpage.

An application to join a board and commission can be found online. A general description of each development-related is provided board should also be developed, however, desired skillsets should be developed. The desired skillsets can and should be advertised in a way that allows flexibility regarding who can apply to be on a board. The process for applying to a board or commission should also be clearly identified to allow for a clear

understanding of how someone can get appointed to a board or commission. To allow for more applicants, the community could consider an option to offer training for those interested in a board position. There are multiple resources that offer free training, which is explained further in Best Practice 4.2.

When new members join a board or commission it is important to ensure they are up-to-speed on responsibilities and relevant issues. When holding sessions for newly elected/appointed officials, Members at a minimum should receive copies of the master plan, statutory requirements, zoning ordinance, and respective by-laws. Additional information for related board members to most effective should also be provided.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
4.1.1	The community sets expectations for board and commission positions.	<ul style="list-style-type: none"><input type="checkbox"/> Create desired skillsets and expectations for development related boards and commissions.<input type="checkbox"/> Document process for board and commission appointments.<input type="checkbox"/> Make board application available online in an easy to find location.	6 months
4.1.2	The community provides orientation packets to all appointed and elected members of development related boards and commissions.	<ul style="list-style-type: none"><input type="checkbox"/> Provide orientation packets to development related boards.	6 months

Best Practice 4.2 – Education and Training

Best Practice 4.2 assesses how a community encourages training and tracks educational activities for appointed and elected officials, board members, and staff. Trainings provide officials and staff with an opportunity to expand their knowledge and, ultimately, make more informed decisions about land use and redevelopment issues, which increases predictability for the development process overall. An effective training program includes four components: financial resources to support training, a plan to identify priority topics and track attendance, consistent encouragement to attend trainings, and sharing of information between boards and commissions to maximize the return on investment for the community.

The following criteria were found to be missing when evaluated against the RRC Best Practice 4.2:

- The community identifies training needs and tracks attendance for elected and appointed officials and staff;
- The community encourages elected officials and staff to attend trainings;
- The community share information between elected and appointed officials and staff.

Training and Education had a dedicated source of funding through the budget. It is an expectation that attendance for trainings is tracked. It is recommended that a method to track attendance of trainings be developed, either through a spreadsheet or other system that works for the community. This process is very important in order to have a good record of trainings that

will support staff, boards, and commissions with information that can greatly benefit their skill sets when making decisions for the community. Information sharing is another key component to this process, so those who were not able to attend the training can have an idea of any valuable lessons learned that will benefit the community. A valuable resource any community has is its website and social media. When resources are limited, staff and local officials can find many training opportunities that are online or in person, through the Michigan Association of Planning, American Planning Association, MSU Extension, as well as visiting the MEDC Community Development website (Miplace.org). Newer methods of encouraging training should be established rather than just sharing opportunities by email/memo as they become available.

The RRC Best Practices recommend, at a minimum, that a joint annual meeting between the City council, planning commission, DDA and any newly formed boards be the foundation of information sharing. This is also a great opportunity for joint training. Once the planning commission's annual report is created (as required by the Michigan Planning Enabling Act), it should be shared during the annual meeting in order to ensure all ideas and opportunities for improvement are being discussed and possibly implemented. Finally, as a method to ensure information sharing occurs, staff should consider adding time on agendas for training attendees to share what they learned with those who were not at trainings.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
4.2.1	The community has a dedicated source of funding for training.	✓	
4.2.2	The community identifies training needs and tracks attendance of the governing body, boards, commissions and staff.	<input type="checkbox"/> Create a method to track trainings attended or demonstrate an existing method which meets the intent of this criteria. <input type="checkbox"/> Demonstrate how the community identifies trainings needed.	12 months
4.2.3	The community encourages the governing body, boards, commissions and staff to attend trainings.	<input type="checkbox"/> Establish a process to notify elected and appointed officials and staff about training opportunities.	12 months
4.2.4	The community shares information between the governing body, boards, commissions and staff.	<input type="checkbox"/> Hold collaborative work sessions, including joint training on development topics. <input type="checkbox"/> Identify how training participants share information with those not in attendance. <input type="checkbox"/> Develop annual planning commission report for the governing body or share existing report with planner.	12 months

Best Practice 5.1 – Economic Development Strategy

Best Practice 5.1 evaluates goals and actions identified by the community to assist in strengthening its overall economic health. Strategic economic development planning is critical to attracting jobs and new investment in communities; therefore, it is critical for the City of Lowell to work with local partners to adopt a comprehensive economic development strategy for the community. An effective economic development strategy will work in collaboration with key stakeholders such as local businesses, and the Chamber of Commerce to articulate a clear vision and strategy and drive regional and local efforts to the area in attracting the types of jobs that residents and visitors want to see. You can already see the partnership with the chamber of commerce in action, in which they assist with helping applicants start a business in the City of Lowell. The following missing RRC expectations were identified;

- Economic development strategy is part of the master plan, or a separate document;
- Clear connections to locally adopted plans.;
- Identification of economic challenges and opportunities for the community;
- Recommendations for implementation including goals, actions, timelines and responsible parties;
- Coordination with goals and objectives with a regional economic development strategy;

- Once finished, making the economic development strategy available online.

The economic development strategy can be incorporated into the master plan or it can be a stand-alone document. Identifying both local and regional economic development partners is a good first step and a great resource Lowell can use to frame an economic development strategy and tie it into regional efforts. Goals, actions, timelines, and responsible parties will need to be implemented into the strategy. Identified goals should tie back to existing community's adopted plans. RRC participation presents a perfect opportunity to identify economic challenges and opportunities, coordinate with key stakeholders, focus on implementation, and develop a process to review identified action items annually. The community should look to use existing resources, highlight both local and regional assets, economic strengths and weaknesses, and continue to promote site redevelopment opportunities; and work to implement strategies that will help create a vibrant and attractive community.

A well-executed economic development strategy will help support a pedestrian-friendly environment, attract new businesses, create new housing opportunities, and increase economic opportunity for residents and existing businesses. Once complete, the plan should be reviewed at least annually. Staff is encouraged to review the plan monthly.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
5.1.1	The community has approved an economic development strategy.	<input type="checkbox"/> Develop an overarching economic development strategy per RRC criteria or update the existing strategic plan to meet RRC criteria.	12 -24 months
5.1.2	The community annually reviews the economic development strategy.	<input type="checkbox"/> At a minimum review the economic development strategy annually.	12 -24 months

Best Practice 5.2 – Marketing and Promotion

Best Practice 5.2 evaluates how the community promotes and markets itself. Marketing and branding are essential tools in the promotion of a community's assets and unique attributes. People are attracted to places that evoke positive feelings and to communities that take pride in their town and their history.

It is recommended that local and regional stakeholders work together to develop a comprehensive marketing strategy. The marketing strategy should identify opportunities and outline steps to attract businesses, consumers, and real estate development. Items from the economic development strategy should be identified in the marketing strategy, as well as marketing priority redevelopment sites, in which some language is already included in the draft master plan. Key stakeholders for formulating a marketing strategy should include those identified in the public participation plan. Coordinating marketing efforts with other local, regional, and state partners extends the marketing message to a wider audience; providing more opportunities for prospective businesses, consumers, and real estate investors to learn about what the community has to offer. An excellent resource a community can use is Lowell Chamber of Commerce. Key partners can provide helpful insight into how a community can use existing assets to further strengthen community events, image, and more. The marketing strategy should build upon the vision, values, and goals outlined in locally adopted planning documents,

including the master plan and economic development strategy. The RRC process is a perfect opportunity to develop a marketing message to the outside community of why someone would want to live, work, invest, or discover the great things that exist in the community. The strategy should summarize what makes the City of Lowell unique, identify who target audiences are, and develop/strengthen the image for the community.

A website is often the first point of interaction between a community and its residents, businesses, potential developers, and even tourists. As such, having an up-to-date and easy to navigate website is essential for any Redevelopment Ready Community. Developers will visit the website to learn more about the development process, fees, community activities, and more. The current website is easy to navigate and has a clean layout. There is however a lot of space for improvement and sharing additional information. As documents are completed, they should be made available online for the public or future investors to read.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
5.2.1	The community has developed a marketing strategy.	<input type="checkbox"/> Create a unified marketing strategy as outlined in BP 5.2.1.	12 months
5.2.2	The community has an updated, user-friendly municipal website.	<input type="checkbox"/> Add missing items to website as items become completed.	12 months

Best Practice 6.1 – Redevelopment Ready Sites®

Best Practice 6.1 assesses how a community identifies, envisions, and markets their priority redevelopment sites. Communities must think strategically about the redevelopment of properties and investments should be targeted in areas that can catalyze further development around it. Instead of waiting for developers to propose projects, Redevelopment Ready Communities identify priority sites and prepare information to assist developers in finding opportunities that match the community's vision. The draft master plan does a good job identifying what priority redevelopment sites are and a good start on how sites should be addressed. Once the community has established a solid foundation for redevelopment through locally adopted plans, the final step toward RRC certification is the identification and prioritization of at least three redevelopment sites. The City of Lowell will have the opportunity to work with the Redevelopment Services Team when close to certification in order to identify, prioritize, and package sites.

The vision for the sites should be derived and crafted from adopted community plans (Master Plan, DDA Plan, Economic Development Plan, Marketing Plan, CIP) and staff should continually ensure that the framework is in place to support that vision. Basic information should be gathered as required under evaluation criteria 6.1.2. From there, sites should be packaged into a short, marketable document. At least one site package should be developed further into a complete property information package, which includes an expanded list of more technical items (as applicable); such as environmental conditions, traffic studies, etc. A complete list of additional technical items can be found under evaluation criteria 6.1.5. Finally, the sites should be actively marketed via the City of Lowell's website and its economic development partners.

Status	Evaluation Criteria	Recommended Actions for Certification	Estimated Timeline
6.1.1	The community identifies and prioritizes redevelopment sites.	<input type="checkbox"/> Identify at least three priority sites.	24 months
6.1.2	The community gathers basic information for prioritized redevelopment sites.	<input type="checkbox"/> Gather basic information for prioritized sites as outlined in the RRC best practices.	24 months
6.1.3	The community has developed a vision for the priority redevelopment sites.	<input type="checkbox"/> Develop a vision for each of the sites.	24 months
6.1.4	The community identifies potential resources and incentives for prioritized redevelopment sites.	<input type="checkbox"/> Identify financial or other incentives for each site.	24 months
6.1.5	A property information package for the prioritized redevelopment site(s) is assembled.	<input type="checkbox"/> Complete at least one property information package.	24 months
6.1.6	Prioritized redevelopment sites are actively marketed.	<input type="checkbox"/> Market the complete property information package online.	24 months

Conclusion

Redevelopment Ready Communities assists communities in maximizing their economic potential by embracing effective redevelopment tools and best practices. As mentioned at the beginning of this report, City of Lowell is at a perfect place to take full advantage of RRC to ensure the processes and development-friendly atmosphere currently in place continues well into the future. It is recommended that the City 's RRC efforts begin by establishing a solid foundation for recruitment and ongoing education of elected and appointed officials. It is important to continue to recruit and train representatives to make effective decisions around land use and development that will impact the community. Having the right tools in place will provide a pathway for continued success for the City of Lowell. Once complete, the next steps should focus on updating the public participation plan and master plan.

Upon reviewing the baseline report and determining whether these actions (and RRC certification in general) fit within the community's vision for the future, the governing body must pass a resolution of support to proceed with the RRC program and continue efforts to complete the missing criteria. During that time, RRC will be in regular contact with local representatives to follow its progress and offer support and assistance as needed. Once all criteria are met, the community will be certified as a Redevelopment Ready Community.

EXHIBIT A

	Strong	Moderate	Nonexistent	Points Total
Community Need Does the proposed project address a pressing or significant need in Kent County? Project goals should be consistent with the Priority Need categories identified in the 5-Year Consolidated Plan.	Applicant can demonstrate comprehension of said need with quantifiable, and the the proposed project meets a new or growing need in the community that is either not being met or is underserved by other programs.	Applicant can demonstrate familiarity with said need with quantifiable data, and that the proposed project meets an existing need in the community.	It is unclear from the application if the applicant has comprehension of said need, or the proposed project meets an unmet community need.	
	(12-20 pts)	(1-11 pts)	(0 pts)	20 points possible
Target Area is the proposed project site located in a target area designated by Kent County Community Action	The Activity is located in a Kent County CDBG target area.		No, the project is outside a Kent County target area.	
	(15 pts)		(0 Pts)	15 points possible
Resources & Capacity Does the organization have the appropriate level of experienced staff and/or consultants to execute the proposed project?	Applicant demonstrates clear resources, such as designated engineer, project manager, or has had experience within the past 5 years.	Applicant can articulate the need for resources, but has yet to designate critical point persons for specific areas in the project.	Applicant has limited experience with projects like the one proposed and it is unclear from the application if there is adequate staff capacity to complete the proposed project.	
	(19-20 pts)	(1-18pts)	(0 pts)	20 points possible
Encouraging Partnerships Does the proposed project involve new or existing partnerships with other service providers in	Applicant demonstrates written partnership with at least one organization.	Applicant demonstrates partnerships within the community by providing support letters.	Proposal does neither has partnership nor support.	
	(10 pts)	(5 pts)	(0 pts)	10 points possible
Leveraged Funds Has the organization secured additional funding sources or in-kind support to cover the proposed project?	Applicant provides documentation that 50% or more of the proposed project costs are leveraged outside of CDBG funds. Over 50% of the leveraged funds are committed.	Applicant can provide documentation that at least 25% of funds are sourced outside of CDBG dollars, and 50% of these funds are committed.	Project solely relies on CDBG dollars OR more than 50% leveraged funds/ in-kind support identified are pending.	
	(10 pts)	(7 pts)	(0 pts)	10 points possible
Funding History Has the applicant received funding recently?	Applicant has either never received funds or not been funded in the previous four fiscal years.	Applicant has received funding within the past two to four fiscal years.	Applicant has received funding in the past two fiscal years.	
	(15 pts)	(7 pts)	(0 pts)	15 points possible
Timeline Does the organization have a reasonable timeline to ensure completion by April 15 of the corresponding fiscal year?	Applicant completes a well-crafted, logical timeline that indicates completion by April 15.	Applicant completes a timeline with approximate goals and soft dates.	Applicant does not provide a timeline.	
	(10 pts)	(5 pts)	(0 pts)	10 points possible

Total Points Possible

100



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: January 22, 2020
TO: Michael T. Burns
FROM: Suzanne M. Olin
RE: Striking Taxes

As treasurer of the City of Lowell, I have exercised due diligence in an effort to collect the personal property taxes listed on the attached exhibit A.

I tried contacting them by placing phone calls, sending out past due notices and personal calls. I am requesting the amount of \$582.99 (the city and museum portion) be stricken from the rolls.

Recommended Motion: That the Lowell City Council approves striking the 2014 personal property taxes from the roll.

01/22/2020
02:59 PM
By: solin

EXHIBIT H
TAX SPREAD REPORT FOR CITY OF LOWELL

Page: 1/1
DB: Lowell

Tax Year: 2014 Calculated As of: 12/31/2019
POPULATION: All Records

SCHOOL: 41170 YEAR: 2014

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
LOWELL AREA OPER	School Operating	9.00000	512.40	336.35	176.05
LOWELL AREA DEBT	School Debt	3.50000	597.80	392.40	205.40
LAS BLDG/SITE	School Supplemen	0.50000	29.10	13.60	15.50
STATE EDUCATION	State Educ. Tax	6.00000	349.20	163.20	186.00
SCHOOL OPER FC	School Operating	0.00000	0.00	0.00	0.00
LOWELL BLDG/SITE	School Supplemen	0.50000	56.30	42.46	13.84
TOTALS: SCHOOL 41170 2014			1,544.80	948.01	596.79

UNIT: 00000 YEAR: 2014

TAX NAME	MILLS	BILLED	PAID	DUE	
LOWELL CITY	15.70000	913.74	427.04	486.70	
LOCAL ADMIN	0.00000	33.86	18.92	14.94	
LOCAL INTRST	0.00000	138.62	64.78	73.84	
TOTALS: UNIT 00000 2014			1,086.22	510.74	575.48

County Tax YEAR: 2014

TAX NAME	MILLS	BILLED	PAID	DUE	
KENT COUNTY	4.28030	399.84	230.10	169.74	
TOTALS: County Tax 2014			399.84	230.10	169.74

College Tax YEAR: 2014

TAX NAME	MILLS	BILLED	PAID	DUE	
GRAND RAPIDS CC	1.78650	103.92	48.55	55.37	
TOTALS: College Tax 2014			103.92	48.55	55.37

I.S.D. Tax YEAR: 2014

TAX NAME	MILLS	BILLED	PAID	DUE	
KENT INTERMEDIAT	4.69030	272.94	127.55	145.39	
TOTALS: I.S.D. Tax 2014			272.94	127.55	145.39

Library Tax YEAR: 2014

TAX NAME	MILLS	BILLED	PAID	DUE	
KENT DIST LIBRAR	1.28000	144.12	108.68	35.44	
TOTALS: Library Tax 2014			144.12	108.68	35.44

Other 1 YEAR: 2014

TAX NAME	MILLS	BILLED	PAID	DUE	
LOWELL MUSEUM	0.24240	14.08	6.57	7.51	
TOTALS: Other 1 2014			14.08	6.57	7.51

TOTALS (10 PARCELS)	3,565.92	1,980.20	1,585.72
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City of Lowell Planning Commission 2019 Annual Report

This 2019 City of Lowell Planning Commission Annual Report is submitted to the Lowell City Council in accordance with the Michigan Planning Enabling Act. The City of Lowell Planning Commission met 14 times during 2019. These meetings consisted of 11 regular meetings, two joint meetings with Lowell City Council and one joint meeting with Lowell Charter Township and Vergennes Township.

Commissioner attendance prepresented a quorum during each regular meeting and public hearings were held in accordance with zoning ordinance requirements when applicable. The activities of the City of Lowell Planning Commission in 2019 are summarized below.

- The Planning Commission held a joint meeting with City Council in January and August to discuss the regulation of recreational marihuana. The board subsequently discussed and established Special Land Use zoning requirements for these establishments.
- A site plan review was submitted by the following applicants and approved with conditions:
 1. 521 W. Main – Builder's Fireplace expansion
 2. 1300 W. Main – McDonald's expansion
 3. 312 E. Main – Superior Lofts creation of loft apartments
 4. 2560 Bowes Road – Vergennes Broadband small utility building construction
- The Special Land Use for an Airbnb at 2179 Gee Drive was reviewed.
- A site plan review and Special Land Use application for D&D Truck and Trailer located at 2486 W. Main/236 Alden Nash for a staging area for mobile shipping containers was approved with conditions.
- A PUD application was reviewed and recommended for approval (with conditions) to City Council for RiverView Flats, located at 219 High Street.
- A rezoning request for 2560 Bowes Road from Industrial to Public Facilities was approved. A site plan for a small utility building on this set was approved in May.
- Discussion took place regarding whether retail locations within City limits selling CBD products should be regulated. It was determined that nothing should be done to regulate or prohibit these products.
- Rezoning of six nonconforming single-family residential properties located on Main Street between Smith and Amity from C-3 to C-1 Neighborhood Business District was established to bring the properties into conformity. This also allows current property owners to rebuild in the event of a tragedy that requires replacement of the home.
- Andy Moore of Williams & Works presented basic training for the board. The training reviewed the basic duties and expectations of Planning Commission board members.
- As a continuation of reviewing all zoning ordinances and updating accordingly, Non-Residential Districts were discussed. Site Plan Review and Definitions are the remaining sections that need to be reviewed before the complete zoning ordinance review process is complete. This is likely to occur in 2020.

Respectfully submitted,

Amanda Schrauben, Member
City of Lowell Planning Commission



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: 1/21/2020

TO: Mike Burns, City Manager *MB*
Dan Czarnecki, Dept. of Public Works Director

FROM: Ralph Becken, Utilities Supervisor *R.B.*

RE: N.W. Pump station roof and gutter replacement

Currently the Lowell water distribution's system incorporates 2 pump stations. The first one, built in 1993 is located at 830 Shepard Dr. and serves the high pressure district on the City's N.E. side. The second pump station, built in 1994 is located at 3211 Gee drive and its primary function is to provide potable water to Lowell twp. via 3 horizontal booster pumps.

Each year the water dept. has the pump stations, a ground storage tank, a reservoir and other structures power washed as part of a routine maintenance program. During last year's power washing it was discovered the 26-year-old roof shingles on the Gee Dr. pump station was in poor condition and in need of replacement. After researching a multitude of various roofing repair/replacement options, I have determined the best choice (based on expected maintenance and total life cycle cost) is to have the current shingles completely removed and replaced with standing seam, hidden fastener, steel roof panels with a minimum of 40-year warranty. This option would also include: installation of ice and water shield over entire roof, new drip edge, new vent pipe boots, new flashing, a new ridge vent, new one piece commercial gutters and downspouts.

Per the city's bid and purchase policy, I have acquired 3 competitive quotes from local contractors for the purchase and installation of the described standing seam metal roof. The 3 quotes are as follows:

1. Ostrander Windows Siding & Roofing Inc. - \$9,515
2. Top Home Improvements - \$11,325
3. Riser's Roofing and Home Improvement - \$7500

Along with meeting all the roofing specifications as describe, Riser's Roofing has provided quality roof repairs on the city's Foreman building and has installed similar standing seam steel roofs on the pavilions at Stony Lake Side Park & Creek Side Park.

Because Riser's Roofing was low bid, their quote meets all specifications and is in under the approved \$10,000 budgeted in the current fiscal budget (capital outlay 591-571-970),

I recommend for the Lowell City Council to approve the metal roof replacement quote provided by Riser's Roofing and Home Improvement at a cost not to exceed \$7,500.00



2849 Gulliford Drive
Lowell, MI 49331

Phone: (616) 897-1080

Customer: City of Lowell
217 Hudson Street
Lowell, MI 49331

Job Address:
Gee Drive Pump Station
Ralph Breckon

Scope of Work:

- Remove all existing shingles and roofing materials and haul away
- Inspect all roof sheeting
- Install new high temp Titanium UDL Ice and water shield on entire roof (some may use felt 6' up but we using the nest protection on entire roof deck)
- Install new eave drip edge
- Install new Metal Sales 26 gauge MF Colofast standing seam roof panels that are 16" on center
- Install new pipe boots around existing bathroom vent and b vent
- Proper flash around make up air vent
- Install new rake detail
- Install new ridge venting
- Install hip and ridge
- Remove and reinstall new 6" K Style gutters (one piece) on both eave edges
- Remove and install new 3" x 4" Downspouts

Estimate on Materials and Labor \$ 6250

Upgrade to 26 gauge kynar finish metal \$7000

Upgrade to 24 gauge kynar finish metal \$7500

OSTRANDER WINDOWS SIDING & ROOFING INC

9019 W Belding Road
Belding MI 48809

Estimate

Date	Estimate #
12/5/2019	7312

Billing Address
City of Lowell DPW Ralph Brecken 217 S. Hudson Street Lowell, MI 49331

Description	Total Labor, Material and Taxes
RE: City of Lowell Pump House	
1) Tear off all roofing down to existing roof boards. Inspect roof boards and replace any rotted at a predetermined price. Install high temp Ice and Water Shield 6' on eaves. Install synthetic felt over balance of roof. Install minimum 26 gauge exposed fastener metal roofing. Install continuous ridge vent on peak. Clean up and haul away all debris created by job. New roof has Forty (40) Year Finish Warranty and Ten (10) Year Labor Warranty.	5,880.00
OPTION: If 26 gauge standing seam, hidden fastener roof with Forty (40) Year Finish Warranty and Ten (10) Year Labor Warranty is desired cost would be, \$8,835.00	\$8,835.00
2) Install new 6" aluminum seamless gutter and two (2) downspouts (minimum .032 thickness)	680.00
	Total: \$9,515.00
Thank you for the opportunity to quote this job. Richard Ostrander 616-240-0553	Total Labor, Material and Taxes \$6,560.00

RETURN A SIGNED ESTIMATE WITH DEPOSIT
TERMS: 50% down; balance due upon completion
Credit Card Transactions subject to 3% processing fee
Past Due Invoices subject to 1.5% Finance Charge
Your signature acknowledges agreement to the above terms,
and creates a binding contract.
FINANCING AVAILABLE TO QUALIFIED BUYERS

Purchaser _____

Joint Purchaser _____

Phone #	Fax #	Web Site	ST/MI Residential Builder
616-794-0661	616-794-0105	www.OstranderInc.com	License #2102199527

Water Distribution

From: Derek Cornish <tophomeimprovement@icloud.com>
Sent: Wednesday, December 11, 2019 3:26 PM
To: Ralph Brecken
Subject: Re: Roof/gutters

Hey Ralph,

For stone coated metal roof you are looking at \$12 ,100. This is with the commercial gutters as well. This comes with a 50 year non prorated warranty for labor and materials. Full tear off and if we have to replace any sheeting the first 3 are free and after that it's 55/sheet (you won't need anymore than 3 if any at all)

— Standing seem metal roof is \$11, 325. Also with the gutters and this comes with a 50 year warranty as well.

These 2 metal roofs will both easily last over 100 years on that building. When it comes to commercial gutters they are all the same thickness and much wider. We will bring a truck right on site and hand make the gutters right at the building. This is also with the leaf protection on the gutters. Let me know if you need anything else from me or if you have any questions!

Thank you,

Derek

Sent from my iPad

> On Dec 10, 2019, at 12:02 PM, Derek Cornish <tophomeimprovement@icloud.com> wrote:

>

> Hey Ralph,

>

> Still working on the quote with the roof and gutters. Should have it over to you in just a few. Just needed to finalize the commercial gutters! Sorry for the hold up. Thank you again.

>

> Derek

>

> Sent from my iPad

Memorandum



DATE: January 24, 2020

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

PUBLIC WORKS

RE: Park Use Agreements

There are several Park Use Agreements that will be expiring March 31, 2020. These include the Lowell Lacrosse, Backyard Dreams, YMCA of Greater Grand Rapids, and Lowell Youth Football. There are provisions to allow the agreements to be extended on a one-year basis. A similar extension was granted to Lowell Little League in December.

At the January Parks Board meeting, the Board agreed to recommend to City Council to allow each Park Use Agreement to be extended one year, with no change to the user fees and participation fees. This would bring all the Park User Agreements to a similar time period and fee structure for one more year.

The Parks Board recommends the Lowell City Council extend the current Park User Agreements with Lowell Lacrosse, Backyard Dreams, YMCA of Greater Grand Rapids, and Lowell Youth Football until March 31, 2021.

PUBLIC PARKS USE AGREEMENT

THIS PUBLIC PARK USE AGREEMENT (the "Agreement") dated as of May 1, 2017, by and between the **YMCA OF GREATER GRAND RAPIDS**, a Michigan nonprofit corporation ("YMCA"), of 1335 W. Main Street, Lowell, Michigan 49331 and the **CITY OF LOWELL**, a Michigan municipal corporation (the "City"), of 301 E. Main Street, Lowell, Michigan 49331.

RECITALS

A. The City owns Creekside and Recreation Parks, public parks (the "Parks"), within the City.

B. The YMCA has requested permission to use the Parks for the purpose of games and related activities (the "Use").

C. The City is willing to permit the YMCA to use the Parks for the Use subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the respective representations, covenants and agreements contained herein, the parties hereto agree as follows:

1. Use of Parks. The City agrees, pursuant to the terms and conditions of this Agreement to permit the YMCA to use the Parks for the Use.

2. Usage Fees. The YMCA shall pay the City the following usage fees:

A. Participation Fee. An annual participation fee shall be paid by the YMCA to the City for each the YMCA participant participating in the YMCA activities at the Parks (the "Participant Fee"). The Participant Fee for the 2017 calendar year shall be \$10.00 per participant. The Participant Fee for subsequent calendar years during any extensions of the term of this Agreement shall be established by the City. The City agrees to notify the YMCA of the amount of the Participant Fee on or before November 1 proceeding the calendar year the Participant Fee is to be in effect. The Participant Fee shall be paid by the YMCA to the City not less than 30 days prior to the date the YMCA's activities are scheduled to begin at the Parks. The City will rely on the YMCA's signed written statement of the total number of participants to which the Participant Fee applies, *provided, however*, the YMCA will provide documentation of the number of such participants upon request of the City.

B. Tournament Fee. The YMCA shall pay the City a fee of \$100 per day for each day the YMCA holds a tournament, play-off game, all-star game or other use and such use prevents the City from renting the pavilion at Creekside Park to another user (the "Tournament Fee"). The YMCA shall pay the City not less than 30 days before such activity is scheduled to be held.

3. Scheduling of Activities. The City shall be responsible for coordinating the scheduling of all activities of the YMCA and other users of the Parks. The YMCA agrees to work cooperatively with other users of the Parks. The YMCA agrees not to reserve fields at the Parks and then not use them except in the event of weather conditions or other extraordinary circumstances which prevent such use. The City shall determine the final schedule of activities at the Parks giving priority, in the event of a conflict, to the activities which will have the greatest number of participants.

4. Maintenance. During the time it has activities at the Parks, the YMCA will be responsible for keeping those portions of the Parks it is using including the restrooms clean of litter and other debris and in an orderly and safe condition.

5. Utilities. To the extent determinable by the City, the YMCA shall be responsible for the timely payment of the cost of utilities, i.e., water, sanitary sewer, electric, etc., directly related to facilities it is using at the Parks. The City and the YMCA shall mutually agree on the method of measuring utility usage and the cost thereof.

6. General Maintenance. The City will be responsible for mowing the athletic fields at the Parks used by the YMCA as needed during the time such fields are being used by the YMCA and for providing routine cleaning and maintenance of the Parks' restrooms and other facilities. The City will be responsible for one application per year of fertilizer and weed control to the athletic fields used by the YMCA. The YMCA shall be responsible, under the City's supervision, for repairing or restoring any damage or deterioration of such athletic fields or other facilities in the Parks caused by the YMCA's abnormal use.

7. Concession Permits. If the YMCA operates a concession business during its use of the Parks, it shall be responsible for obtaining and keeping current any licenses and permits required by the Kent County Department of Public Health or other governmental body or agency.

8. Indemnification and Insurance. The YMCA shall indemnify and hold harmless the City and its officers, councilmembers, agents and employees from and against any and all losses, expenses (including attorney fees and costs), claims and demands sustained by reason of the negligence of the YMCA and its members, volunteers, participants, guests and invitees while using the Parks. The YMCA shall obtain and continuously maintain in effect during the term of this Agreement a policy of general liability insurance in the amount of \$2,000,000 per occurrence and in the annual aggregate with an insurance company licensed to do business in the State of Michigan. The City shall be named an additional insured on the policy and the policy shall provide a waiver of subrogation and at least 30 days written notice to the City of any cancellation, termination or material modification of the policy. The YMCA shall provide the City a current copy of the policy or a certificate of insurance evidencing such coverage.

9. Term. The term of this Agreement shall begin on April 1, 2017, and end on March 31, 2020. Thereafter, upon written approval of the City Council and the YMCA, this Agreement may be renewed for successive one-year terms.

10. Annual Review. The YMCA and the City agree to meet annually each year to review this Agreement and the use of the Parks by the YMCA during the prior calendar year.

11. Early Termination. This Agreement may be terminated by either party upon written notice to the other party of failure to comply with the terms of this Agreement and continued non-compliance for 30 days after such notice is given. In addition, this Agreement may be terminated at any time with or without cause upon 180 days advance written notice by one party to the other party. Any notice given to the City shall be by first class mail or personal delivery to 301 East Main Street, Lowell, Michigan 49331, Attention: City Manager and to the YMCA by first class mail or personal delivery to 1250 W. Main Street, Lowell, Michigan 49331, Attention: President. Either party may notify the other of a change in the notice address by written notice in accordance with this paragraph.

12. Applicable Law. This Agreement shall be interpreted in accordance with the laws of the State of Michigan.

13. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto related to the subject matter hereof and there are no other representations, promises or agreements, oral or written, expressed or implied between the parties hereto.

14. Amendment and Assignment. This Agreement may not be amended or assigned without the prior written consent of both parties hereto.

{signatures on following page}

IN WITNESS WHEREOF, the City and the YMCA have caused these presents by their respective authorized officer(s), all as of the day and year first written above.

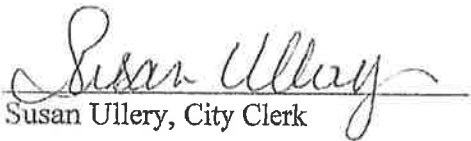
**LOWELL YOUNG MEN'S CHRISTIAN
ASSOCIATION, a branch of the YMCA
OF GREATER GRAND RAPIDS**

By: 

Its: ANNE-MARIE SHUMAKER
SPORTS SPECIALIST

CITY OF LOWELL

By: 
Michael DeVore, Mayor

Attest: 
Susan Ullery, City Clerk

PUBLIC PARKS USE AGREEMENT

THIS PUBLIC PARK USE AGREEMENT (the "Agreement") dated as of May 1, 2017, by and between the **BACKYARD DREAMS**, a Michigan nonprofit corporation ("BYD"), of 1250 W. Main Street, Lowell, Michigan 49331 and the **CITY OF LOWELL**, a Michigan municipal corporation (the "City"), of 301 E. Main Street, Lowell, Michigan 49331.

RECITALS

A. The City owns Creekside and Recreation Parks, public parks (the "Parks"), within the City.

B. BYD has requested permission to use the Parks for the purpose of games and related activities (the "Use").

C. The City is willing to permit the BYD to use the Parks for the Use subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the respective representations, covenants and agreements contained herein, the parties hereto agree as follows:

1. Use of Parks. The City agrees, pursuant to the terms and conditions of this Agreement to permit BYD to use the Parks for the Use.

2. Usage Fees. BYD shall pay the City the following usage fees:

A. Participation Fee. An annual participation fee shall be paid by BYD to the City for each BYD participant participating in BYD activities at the Parks (the "Participant Fee"). The Participant Fee for the 2017 calendar year shall be \$10.00 per participant. The Participant Fee for subsequent calendar years during any extensions of the term of this Agreement shall be established by the City. The City agrees to notify BYD of the amount of the Participant Fee on or before November 1 proceeding the calendar year the Participant Fee is to be in effect. The Participant Fee shall be paid by BYD to the City not less than 30 days prior to the date BYD's activities are scheduled to begin at the Parks. The City will rely on BYD's signed written statement of the total number of participants to which the Participant Fee applies, *provided, however*, BYD will provide documentation of the number of such participants upon request of the City.

B. Tournament Fee. BYD shall pay the City a fee of \$100 per day for each day BYD holds a tournament, play-off game or all-star game and such use prevents the City from renting the pavilion at Creekside Park to another user (the "Tournament Fee"). BYD shall pay the City not less than 30 days before such activity is scheduled to be held.

3. Scheduling of Activities. The City shall be responsible for coordinating the scheduling of all activities of BYD and other users of the Parks. BYD agrees to work cooperatively with other users of the Parks. BYD agrees not to reserve ballfields at the Parks and then not use them except in the event of weather conditions or other extraordinary circumstances which prevent such use. The City shall determine the final schedule of activities at the Parks giving priority, in the event of a conflict, to the activities which will have the greatest number of participants.

4. Maintenance. During the time it has activities at the Parks, BYD will be responsible for keeping those portions of the Parks it is using including the restrooms clean of litter and other debris and in an orderly and safe condition.

5. Utilities. To the extent determinable by the City, BYD shall be responsible for the timely payment of the cost of utilities, i.e., water, sanitary sewer, electric, etc., directly related to facilities it is using at the Parks. The City and BYD shall mutually agree on the method of measuring utility usage and the cost thereof.

6. General Maintenance. The City will be responsible for mowing the athletic fields at the Parks used by BYD as needed during the time such fields are being used by BYD and for providing routine cleaning and maintenance of the Parks' restrooms and other facilities. The City will be responsible for one application per year of fertilizer and weed control to the athletic fields used by BYD. BYD shall be responsible, under the City's supervision, for repairing or restoring any damage or deterioration of such athletic fields or other facilities in the Parks caused by the BYD's abnormal use.

7. Concession Permits. If BYD operates a concession business during its use of the Parks, it shall be responsible for obtaining and keeping current any licenses and permits required by the Kent County Department of Public Health or other governmental body or agency.

8. Indemnification and Insurance. BYD shall indemnify and hold harmless the City and its officers, councilmembers, agents and employees from and against any and all losses, expenses (including attorney fees and costs), claims and demands sustained by reason of the negligence of BYD and its members, volunteers, participants, guests and invitees while using the Parks. BYD shall obtain and continuously maintain in effect during the term of this Agreement a policy of general liability insurance in the amount of \$2,000,000 per occurrence and in the annual aggregate with an insurance company licensed to do business in the State of Michigan. The City shall be named an additional insured on the policy and the policy shall provide a waiver of subrogation and at least 30 days written notice to the City of any cancellation, termination or material modification of the policy. BYD shall provide the City a current copy of the policy or a certificate of insurance evidencing such coverage.

9. Term. The term of this Agreement shall begin on April 1, 2017, and end on March 31, 2020. Thereafter, upon written approval of the City Council and BYD, this Agreement may be renewed for successive one-year terms.

10. Annual Review. BYD and the City agree to meet annually each year to review this Agreement and the use of the Parks by BYD during the prior calendar year.

11. Early Termination. This Agreement may be terminated by either party upon written notice to the other party of failure to comply with the terms of this Agreement and continued non-compliance for 30 days after such notice is given. In addition, this Agreement may be terminated at any time with or without cause upon 180 days advance written notice by one party to the other party. Any notice given to the City shall be by first class mail or personal delivery to 301 East Main Street, Lowell, Michigan 49331, Attention: City Manager and to BYD by first class mail or personal delivery to 1250 W. Main Street, Lowell, Michigan 49331, Attention: President. Either party may notify the other of a change in the notice address by written notice in accordance with this paragraph.

12. Applicable Law. This Agreement shall be interpreted in accordance with the laws of the State of Michigan.


13. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto related to the subject matter hereof and there are no other representations, promises or agreements, oral or written, expressed or implied between the parties hereto.

14. Amendment and Assignment. This Agreement may not be amended or assigned without the prior written consent of both parties hereto.

{signatures on following page}

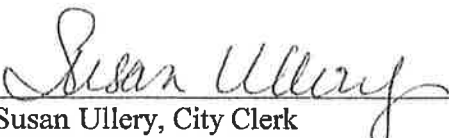
IN WITNESS WHEREOF, the City and BYD have caused these presents by their respective authorized officer(s), all as of the day and year first written above.

BACKYARD DREAMS

By: 
Shane Beach, President

CITY OF LOWELL

By: 
Michael DeVore, Mayor

Attest: 
Susan Ullery, City Clerk

PUBLIC PARK USE AGREEMENT

THIS PUBLIC PARK USE AGREEMENT (the "Agreement") dated as of April 1, 2016, by and between **LOWELL LACROSSE ORGANIZATION**, a Michigan non-profit corporation (the "User"), of 4067 Causeway Dr., N.E., Lowell, Michigan, and the **CITY OF LOWELL**, a Michigan municipal corporation (the "City"), of 301 Main Street, Lowell, Michigan.

RECITALS

- A. The City owns Burch Field, a public park (the "Park"), within the limits of the City.
- B. The User has requested permission to use the Park for the purpose of youth lacrosse games and related activities (the "Use").
- C. The City is willing to permit the User to use the Park for the Use subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the respective representations, covenants and agreements contained herein, the parties hereto agree as follows:

- 1. **Use of Park.** The City agrees, pursuant to the terms and conditions of this Agreement, to permit the User to use the Park for the Use.
- 2. **Usage Fees.** The User shall pay the City the following user fees:
 - A. **Participant Fee.** A fee of \$10.00 per participant participating in the User's regular Use activities at the Park (the "Participant Fee"). Such fee shall be first due and payable for the 2016 calendar year during the term of this Agreement. The fee shall be paid by the User to the City within 30 days of the date the User's regular Use activities are scheduled pursuant to paragraph 3 hereof. The City will generally rely on the User's signed written statement of the total number of participants to which the Participant Fee applies, *provided, however*, the User shall provide documentation of such participants upon request of the City.
 - B. **Tournament Fee.** A fee of \$100 per day will be charged for any Park User holding a tournament, all-star game or playoff that interferes with the rental of Creekside pavilion. The fee shall be paid by the User to the City within 30 days of the date the User has scheduled the activity.
- 3. **Scheduling of Activities.** The City shall be responsible for coordinating the scheduling of all regular and special activities of the User and other users at the Park. Annually, before the beginning of regular activities of the User and other users of the Park, the City and all such users shall meet to review the scheduling requirements of all

users. The City shall determine the final schedule of activities giving priority, in the event of a conflict, to the activity which will have the greatest number of participants.

4. Maintenance. During the time it has activities at the Park, the User will be responsible for keeping those portions of the park it is using including any restrooms clean of liter and other debris and in an orderly condition.

5. Utilities. To the extent determinable by the City, the User shall be responsible for the timely payment of the cost of utilities, i.e., water, sanitary sewer, electric, etc., directly related to facilities it is using at the Park. The City and the User shall mutually agree on the method of measuring utility usage and the cost thereof.

6. General Maintenance. The City will mow the athletic fields at the Park used by the User once per week as needed during the time such fields are being used by the User and provide routine cleaning and maintenance of the Park's restrooms and other facilities. In addition, the City will be responsible for providing one application per year of fertilizer and weed control to the athletic fields used by User. The User shall be responsible, under the City's supervision, for repairing or restoring any damage or deterioration of such athletic fields caused by the Users abnormal use.

7. Concession Permits. If the User operates a concession business during its use of the Park, it shall be responsible for obtaining and keeping current any licenses and permits required by the Kent County Department of Public Health or other governmental body or agency.

8. Indemnification and Insurance. The User shall indemnify and hold harmless the City and its officers, councilmembers, agents and employees from and against any and all losses, expenses (including attorney fees), claims and demands sustained by reason of the negligence of the User and its members, volunteers, participants, guests and invitees while using the Park. The User shall obtain and continuously maintain in effect during the term of this Agreement a policy of general liability insurance in the amount of \$2,000,000 per occurrence and in the annual aggregate with an insurance company licensed to do business in the State of Michigan. The City shall be named an additional insured on the policy and the policy shall provide at least 30 days written notice to the City of any cancellation, termination or material modification of the policy. The User shall provide the City a current copy of the policy or a certificate of insurance.

9. Term. The term of this Agreement shall begin in April 1, 2016, and end on March 31, 2017.

10. Annual Review. The User and City agree to meet annually to review this Agreement and the use of the Park by User during the prior calendar year.

11. Early Termination. This Agreement may be terminated by either party upon written notice to the other party of failure to comply with the terms of this Agreement and continued non-compliance for 30 days after such notice is given. In addition, this Agreement may be terminated at any time with or without cause upon 180 days advance written notice by one party to the other party. Any notice given to the City shall be by first class mail or personal delivery to 301 East Main Street, Lowell, Michigan 49331, Attention: City Manager and to the User by first mail at 4067 Causeway Dr., N.E., Lowell, Michigan 49331, Attention: Allison Carpenter. Either party may notify the other of a change in the notice address by written notice in accordance with this paragraph.

12. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto related to the subject matter hereof and there are no other representations, promises or agreements, oral or written, expressed or implied between the parties hereto.

13. Amendment and Assignment. This Agreement may not be amended or assigned without the prior written consent of both parties hereto.

IN WITNESS WHEREOF, the City and the User have caused these presents by their respective authorized officer(s), all as of the day and year first written above.

LOWELL LACROSSE ORGANIZATION

By: Allison Carpenter
Allison Carpenter, President
Lowell Lacrosse Organization

CITY OF LOWELL

By: David Pasquale
David Pasquale, City Manager
City of Lowell

Attest: Susan Ullery
Susan Ullery, City Clerk
City of Lowell

-PUBLIC PARK USE AGREEMENT

THIS PUBLIC PARK USE AGREEMENT (the "Agreement") dated as of April 1, 2016, by and between **LOWELL YOUTH FOOTBALL**, a Michigan non-profit corporation (the "User"), Lowell, Michigan, and the **CITY OF LOWELL**, a Michigan municipal corporation (the "City"), of 301 Main Street, Lowell, Michigan.

RECITALS

A. The City owns Burch Field, a public park (the "Park"), within the limits of the City.

B. The User has requested permission to use the Park for the purpose of youth football games and related activities (the "Use").

C. The City is willing to permit the User to use the Park for the Use subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the respective representations, covenants and agreements contained herein, the parties hereto agree as follows:

1. Use of Park. The City agrees, pursuant to the terms and conditions of this Agreement, to permit the User to use the Park for the Use.

2. Usage Fees. The User shall pay the City the following user fees:

A. Participant Fee. A fee of \$10.00 per participant participating in the User's regular Use activities at the Park (the "Participant Fee"). Such fee shall be first due and payable for the 2016 calendar year and every year thereafter during the term of this Agreement. The fee shall be paid by the User to the City within 30 days of the date the User's regular Use activities are scheduled pursuant to paragraph 3 hereof. The City will generally rely on the User's signed written statement of the total number of participants to which the Participant Fee applies, *provided, however*, the User shall provide documentation of such participants upon request of the City.

B. Tournament Fee. A fee of \$100 per day will be charged for any Park User holding a tournament, all-star game or playoff that interferes with the rental of Creekside pavilion. The fee shall be paid by the User to the City within 30 days of the date the User has scheduled the activity.

3. Scheduling of Activities. The City shall be responsible for coordinating the scheduling of all regular and special activities of the User and other users at the Park. Annually, before the beginning of regular activities of the User and other users of the Park, the City and all such users shall meet to review the scheduling requirements of all users. The City shall determine the final schedule of activities giving priority, in the event of a conflict, to the activity which will have the greatest number of participants.

4. **Maintenance.** During the time it has activities at the Park, the User will be responsible for keeping those portions of the park it is using including any restrooms clean of liter and other debris and in an orderly condition.
5. **Utilities.** To the extent determinable by the City, the User shall be responsible for the timely payment of the cost of utilities, i.e., water, sanitary sewer, electric, etc., directly related to facilities it is using at the Park. The City and the User shall mutually agree on the method of measuring utility usage and the cost thereof.
6. **General Maintenance.** The City will mow the athletic fields at the Park used by the User once per week as needed during the time such fields are being used by the User and provide routine cleaning and maintenance of the Park's restrooms and other facilities. In addition, the City will be responsible for providing one application per year of fertilizer and weed control to the athletic fields used by User. The User shall be responsible, under the City's supervision, for repairing or restoring any damage or deterioration of such athletic fields caused by the Users abnormal use.
7. **Concession Permits.** If the User operates a concession business during its use of the Park, it shall be responsible for obtaining and keeping current any licenses and permits required by the Kent County Department of Public Health or other governmental body or agency.
8. **Indemnification and Insurance.** The User shall indemnify and hold harmless the City and its officers, councilmembers, agents and employees from and against any and all losses, expenses (including attorney fees), claims and demands sustained by reason of the negligence of the User and its members, volunteers, participants, guests and invitees while using the Park. The User shall obtain and continuously maintain in effect during the term of this Agreement a policy of general liability insurance in the amount of \$2,000,000 per occurrence and in the annual aggregate with an insurance company licensed to do business in the State of Michigan. The City shall be named an additional insured on the policy and the policy shall provide at least 30 days written notice to the City of any cancellation, termination or material modification of the policy. The User shall provide the City a current copy of the policy or a certificate of insurance.
9. **Term.** The term of this Agreement shall begin in April 1, 2016, and end on March 31, 2017.
10. **Annual Review.** The User and City agree to meet annually each year to review this Agreement and the use of the Park by User during the prior calendar year.
11. **Early Termination.** This Agreement may be terminated by either party upon written notice to the other party of failure to comply with the terms of this Agreement and continued non-compliance for 30 days after such notice is given. In addition, this Agreement may be terminated at any time with or without cause upon 180 days advance written notice by one party to the other party. Any notice given to the City shall be by

first class mail or personal delivery to 301 East Main Street, Lowell, Michigan 49331, Attention: City Manager and to the User by first mail at P.O. Box 162, Lowell, Michigan 49331, Attention: Nate Post. Either party may notify the other of a change in the notice address by written notice in accordance with this paragraph.

12. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto related to the subject matter hereof and there are no other representations, promises or agreements, oral or written, expressed or implied between the parties hereto.


13. Amendment and Assignment. This Agreement may not be amended or assigned without the prior written consent of both parties hereto.

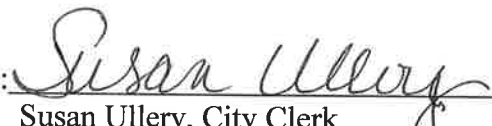
IN WITNESS WHEREOF, the City and the User have caused these presents by their respective authorized officer(s), all as of the day and year first written above.

LOWELL YOUTH FOOTBALL

By: 
Nate Post, President

CITY OF LOWELL

By: 
David Pasquale, City Manager

Attest: 
Susan Ullery, City Clerk

Memorandum



PUBLIC WORKS

DATE: January 24, 2020

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director 

RE: West Michigan Warriors
Park Use Agreement

We were approached by the West Michigan Warriors, a travel baseball team, looking for a facility to hold their practices two times a week. They would like to use Recreation Park on Sunday mid-day and Thursday evenings. After reviewing schedules, this facility is available on these days.

A Park Use Agreement has been prepared for this use. The form is identical to the other user agreements. The participation fees would be the same as the other park users at \$10.00 per participant. The agreement would be for one year, expiring March 31, 2021.

This request went before the Lowell Parks Board at their January meeting. The board agreed unanimously in support of this use and recommends that City Council approve the request.

It is recommended the Lowell City Council approve the agreement and resolution for the West Michigan Warriors as presented and authorize the Mayor to sign the agreement.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 04-20

**RESOLUTION APPROVING AND AUTHORIZING EXECTUION
OF A PUBLIC PARK USE AGREEMENT WITH WEST MICHIGAN WARRIORS**

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

WHEREAS, the City of Lowell (the "City") owns Recreation park, a public park with the City (the "Park"); and

WHEREAS, the West Michigan Warriors (the "WMW") has requested permission to use the Park for purposes of youth baseball and related activities; and

WHEREAS, the City is willing to permit WMW to use the Park for such purpose, pursuant to the terms and conditions of a Public Park Use Agreement (the "Agreement").

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Agreement 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 City Clerk are authorized and directed to execute the approved Agreement for and on behalf of the City.
3. That all resolutions or parts of resolutions in conflict herewith shall be an the same are hereby rescinded to the extent of such conflict

YEAS: Councilmembers _____

NAYS: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

RESOLUTION DECLARED ADOPTED.

Dated: _____

Susan Ullery, City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, at a meeting held on February 3, 2020, 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: _____

Susan Ullery, City Clerk

PUBLIC PARKS USE AGREEMENT

THIS PUBIC PARK USE AGREEMENT (the "Agreement") dated as of May 1, 2020, by and between the **WEST MICHIGAN WARRIORS**, a Michigan nonprofit corporation ("WMW"), of 4141 Timpson Avenue, Lowell, Michigan 49331 and the **CITY OF LOWELL**, a Michigan municipal corporation (the "City"), of 301 E. Main Street, Lowell, Michigan 49331.

RECITALS

- A. The City owns Creekside and Recreation Park, public parks (the "Parks"), within the city.
- B. WMW has requested permission to use the Parks for the purpose of games and related activities (the "Use").
- C. The City is willing to permit the WMW to use the Parks for the Use subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the respective representations, covenants and agreements contained herein, the parties hereto agree as follows:

- 1. **Use of Parks.** The city agrees, pursuant to the terms and conditions of this Agreement to permit WMW to use the Parks for the Use.
- 2. **Usage Fees.** WMW shall pay the City the following usage fees.
 - A. **Participation Fee.** An annual participation fee shall be paid by WMW to the City for each WMW participant participating in WMW activities at the Parks (the "Participation Fee"). The Participant Fee for the 2020 calendar year shall be \$10.00 per participant. The Participant Fee for subsequent calendar years during any extensions of the term of the Agreement shall be established by the City. The City agrees to notify WMW of the amount of the Participant Fee on or before November 1 proceeding the calendar year the Participant Fee is to be in effect. The Participant Fee shall be paid by WMW to the City not less than 30 days prior to the date WMW's activities are scheduled to begin at the Parks. The City will rely on WMW's signed written statement of the total number of participants to which the Participant Fee applies, *provided, however*, WMW will provide documentation of the number of such participants upon request of the City.
 - B. **Tournament Fee.** WMW shall pay the City a fee of \$100 per day for each day WMW holds a tournament, play-off games or all-star game and such use prevents the City from renting the pavilion at Creekside Park to another user (the "Tournament Fee"). WMW shall pay the City not less than 30 days before such activity is scheduled to be held.

3. **Scheduling of Activities.** The City shall be responsible for coordinating the scheduling of all activities of WMW and other users of the Parks. WMW agrees to work cooperatively with other users of the Parks. WMW agrees not to reserve ballfields at the Parks and then not use them except in the event of weather conditions or other extraordinary circumstances which prevent such use. The City shall determine the final schedule of activities at the Parks giving priority, in the event of a conflict, to the activities which will have the greatest number of participants.
4. **Maintenance.** During the time it has activities at the Parks, WMW will be responsible for keeping those portions of the Parks it is using including the restrooms clean of litter and other debris and in an orderly and safe condition.
5. **Utilities.** To the extent determinable by the City, WMW will be responsible for the timely payment of the cost of utilities, i.e., water, sanitary sewer, electric, etc., directly related to facilities it is using at the Parks. The City and WMW shall mutually agree on the method of measuring utility usage and the cost thereof.
6. **General Maintenance.** The City will be responsible for mowing the athletic fields at the Parks used by WMW as needed during the time such fields are being used by WMW and for providing routine cleaning and maintenance of the Parks' restroom and other facilities. The City will be responsible for one application per year of fertilizer and weed control to the athletic fields used by WMW. WMW shall be responsible, under the City's supervision, for repairing or restoring any damage or deterioration of such athletic fields or other facilities in the Parks caused by WMW's abnormal use.
7. **Concession Permits.** If WMW operates a concession business during its use of the Parks, it shall be responsible for obtaining and keeping current any licenses and permits required by the Kent County Department of Public Health or other governmental body or agency.
8. **Indemnification and Insurance.** WMW shall indemnify and hold harmless the City and its officers, councilmembers, agents and employees from and against any and all losses, expenses (including attorney fees and costs), claims and demands sustained by reason of negligence of WMW and its members, volunteers, participants, guests and invitees while using the Parks. WMW shall obtain and continuously maintain in effect during the term of this Agreement a policy of general liability insurance in the amount of \$2,000,000 per occurrence and in the annual aggregate with an insurance company licensed to do business in the State of Michigan. The City shall be named an additional insured on the policy and the policy shall provide a waiver of subrogation and at least 30 days written notice to the City of any cancellation, termination or material modification of the policy. WMW shall provide the City a current copy of the policy or certificate of insurance evidencing such coverage.
9. **Term.** The term of the Agreement shall begin on April 1, 2020, and end on March 31 2021. Thereafter, upon written approval of the City Council and WMW, this agreement may be renewed for successive one-year terms.
10. **Annual Review.** WMW and the City agree to meet annually each year, to review this Agreement and the use of the Parks by WMW during the prior calendar year.

- 11. Early Termination.** This Agreement may be terminated by either party upon written notice to the other party of failure to comply with the terms of this Agreement and continued non-compliance for 30 days after such notice is given. In addition, this Agreement may be terminated at any time with or without cause upon 180 days advance written notice by one party to the other party. Any notice given to the City shall be by first class mail or personal delivery to 310 East Main Street, Lowell, Michigan 49331, Attention: City Manager and to WMW by first class mail for personal delivery to 4141 Timpson Avenue, Lowell, Michigan 49331, Attention: President. Either party may notify the other of a change in the notice address by written notice in accordance with this paragraph.
- 12. Applicable Law.** This Agreement shall be interpreted in accordance with the laws of the State of Michigan.
- 13. Entire Agreement.** This Agreement constitutes the entire agreement between the parties hereto related to the subject matter hereto and there are no other representations, promises or agreements, oral or written, expressed or implied between the parties hereto.
- 14. Amendment and Assignment.** This Agreement may not be amended or assigned without the prior written consent of both parties hereto.

IN WITNESS WHEREOF, the City and WMW have caused these present by their respective authorized officer(s), all as of the day and year first written above.

WEST MICHIGAN WARRIORS

By: _____
Chuck Raison , President

CITY OF LOWELL

By: _____
Michael DeVore, Mayor

Attest: _____
Susan Ullery, City Clerk



LOWELL CITY ADMINISTRATION
INTER OFFICE MEMORANDUM

DATE: November 18, 2019
TO: Mike Burns, City Manager
FROM: Susan Ullery, City Clerk *SU*
RE: Commercial and Industrial Districts -
Ordinance 20-01

At its meeting of January 13, 2020 the Planning Commission reviewed the Commercial and Industrial Districts and suggested the following changes. A redlined copy is provided.

Recommended Motion: The Planning Commission unanimously recommended that the Lowell City Council approve Ordinance 20-01.

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 20-01

AN ORDINANCE TO AMEND SECTION 10.04, "SITE DEVELOPMENT REQUIREMENTS," OF CHAPTER 10, "C-1 NEIGHBORHOOD BUSINESS DISTRICT," AND SECTIONS 11.01, 11.02, 11.03, 11.04, AND 11.05 OF CHAPTER 11, "C-2 CENTRAL BUSINESS DISTRICT," AND SECTIONS 12.04 AND 12.05 OF CHAPTER 12, "C-3 GENERAL BUSINESS DISTRICT," AND SECTION 12A.04, "SITE DEVELOPMENT REQUIREMENTS," OF CHAPTER 12A, "I-L LIGHT INDUSTRIAL DISTRICT," AND SECTION 13.02, "USES PERMITTED BY RIGHT," AND SECTION 13.04, "SITE DEVELOPMENT REQUIREMENTS," OF CHAPTER 13, "I INDUSTRIAL DISTRICT," OF APPENDIX A, "ZONING," OF THE CODE OF ORDINANCES OF THE CITY OF LOWELL

Councilmember _____, supported by Councilmember _____,

moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment to Section 10.04 of Chapter 10. Section 10.04, 'Site development requirements,' of Chapter 10, "C-1-Neighborhood Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in part as follows:

Minimum front yard	25 feet
Minimum side yard	Side abutting Residential Districts or Uses – 25 feet Side abutting other Districts – 0 or 10 feet Street side of a corner lot – 35 feet
Minimum rear yard	35 feet
Maximum building height	35 feet or 2 ½ stories

Section 2. Amendment to Section 11.01 of Chapter 11. Section 11.01, 'Intent,' of Chapter 11, "C-2 Central Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to read as follows:

SECTION 11.01. - INTENT.

This district is intended to accommodate uses which can provide office, personal services, convenience (day-to-day), and comparison commercial goods for visitors to and residents of Lowell. Development in this district should be pedestrian-oriented and consistent with the established historic development pattern of downtown Lowell in terms of both building design and land use.

Section 3. Amendment to Section 11.02 of Chapter 11. Section 11.02, "Uses permitted by right," of Chapter 11, "C-2 Central Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in part as follows:

- D. Residential dwellings, in the same building with commercial uses.
- E. Mixed use developments
- F. Art galleries and museums
- G. Retail stores.
- H. Drug stores and pharmacies.
- I. Restaurants, without drive-through facilities.
- J. Private clubs, fraternal organizations, and lodge halls.
- K. Indoor recreational facilities, excluding bowling alleys.
- L. Child care centers.
- M. Accessory buildings, structures, and uses.
- N. Outdoor merchandise display.

Section 4. Amendment to Section 11.03 of Chapter 11. Section 11.03, "Special land uses," of Chapter 11, "C-2 Central Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in part as follows:

- E. Multiple-family dwellings
- F. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.

G. Off-street parking lots.

H. Short-term rentals

Section 5. Amendment to Section 11.04 of Chapter 11. Section 11.04, "Site development requirements," of Chapter 11, "C-2 Central Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended to read as follows:

SECTION 11.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- A. There shall be no off-street parking located in the front yard of a lot; parking shall be located in the rear or side yard, or as otherwise permitted in Chapter 19.
- B. Buildings must have the primary entrance facing a public sidewalk.

Minimum front yard	None
Minimum side yard	Side abutting Residential Districts or Uses - 5 feet Side abutting other Districts - 0 or 10 feet
Minimum rear yard	Abutting Residential Districts or uses - 25 feet Abutting other Districts - None
Maximum lot coverage	100%
Maximum building height	40 feet
Minimum lot area	None
Minimum lot width	None

Section 6. Amendment to Section 11.05 of Chapter 11. Section 11.05, "Outdoor merchandise display," of Chapter 11, "C-2 Central Business District," of Appendix A, "Zoning," of the Code of Ordinances of the City of Lowell is amended in part as follows:

- C. No merchandise and related displays shall be located so as to obstruct the sidewalk or otherwise impair the flow of pedestrians.
- D. All merchandise and related displays and fixtures shall be removed and stored indoors at all times when the related business is closed to the public.
- E. The area used for an outdoor merchandise display shall be maintained in a safe, clean, and sanitary manner.

Section 7. Amendment to Section 12.04 of Chapter 12. Section 12.04, ‘Site development requirements,’ of Chapter 12, “C-3 General Business District,” of Appendix A, “Zoning,” of the Code of Ordinances of the City of Lowell is amended to read as follows:

SECTION 12.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- A. Landscaping shall be provided as required in Section 4.26.
- B. Entrance driveways shall be located as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection or from any other driveway.
- C. Only one (1) driveway per principal use, or collective principal use, per street shall be permitted. A second driveway may be permitted provided that such drive is constructed and permitted to share access with an abutting or adjacent principal use or existing lot. The planning commission may permit additional driveways, if justified by a professional traffic study indicating the need for such additional driveways.

Minimum front yard	35 feet
Minimum side yard	Side abutting Residential Districts or Uses - 25 feet Side abutting other Districts - 0 or 10 feet Street side of a corner lot - 35 feet
Minimum rear yard	35 feet
Maximum lot coverage	60%
Maximum building height	40 feet or 3 stories
Minimum lot area	20,000 square feet
Minimum lot width	100 feet

Section 8. Amendment to Section 12.05 of Chapter 12. Subsection A. of Section 12.05, “Outdoor merchandise display,” of Chapter 12, “C-3 General Business District,” of Appendix A, “Zoning,” of the Code of Ordinances of the City of Lowell is amended to read:

- A. The outdoor storage or display of goods or materials shall be prohibited in the required front yard. Goods or materials stored in the side or rear yard shall be screened from the view from the street or from abutting properties.

Section 9. Amendment to Section 12A.04 of Chapter 12. Section 12A.04, ‘Site development requirements,’ of Chapter 12A, “I-L Light Industrial District,” of Appendix A, “Zoning,” of the Code of Ordinances of the City of Lowell is amended in part as follows:

SECTION 12A.04. - SITE DEVELOPMENT REQUIREMENTS.

- E. No use permitted in this chapter shall create or cause to be created fire and explosion hazards, smoke, fumes, odors, gases, dust, liquid or solid waste, vibration, noise, or glare which shall affect adjoining properties adversely.
- F. Refuse and service areas shall be designed and used so as to maximize motor vehicle and pedestrian safety and convenience, promote ease of traffic flow and to minimize the effects, if any, of smoke, noise, dust, vibration, or odor on adjacent or nearby lands.

Minimum front yard	50 feet
Minimum side yard	Side abutting Residential Districts or Uses - 50 feet Side abutting other Districts - 20 feet Street side of a corner lot- 50 feet
Minimum rear yard	Side abutting a Residential Districts or uses- 50 feet Side abutting other Districts- 25 feet
Maximum lot coverage	60%
Maximum building height	40 feet
Minimum lot area	20,000 square feet
Minimum lot width	100 feet

Section 10. Amendment to Section 13.02 of Chapter 13. Subsection L. of Section 13.02, “Uses Permitted by right,” of Chapter 13, “I Industrial District,” of Appendix A, “Zoning,” of the Code of Ordinances of the City of Lowell is amended to read:

- L. Vehicle towing service.

Section 11. Amendment to Section 13.04 of Chapter 13. Section 13.04, ‘Site development requirements,’ of Chapter 13, “I Industrial District,” of Appendix A, “Zoning,” of the Code of Ordinances of the City of Lowell is amended in part to read as follows:

- C. Any side yard or rear yard adjoining any lot or parcel of land abutting a residential district or residential use shall be screened by a compact hedge of deciduous or evergreen trees, having such minimum height as determined by the planning

commission in its review and approval of the site plan under the terms of Chapter 18.

D. Landscaping shall be provided as required in Section 4.26.

E. No use permitted in this chapter shall create or cause to be created fire and explosion hazards, smoke, fumes, odors, gases, dust, fumes, liquid or solid waste, vibration, noise, or glare shall exist to affect adjoining residential properties adversely.

Minimum front yard	50 feet
Minimum side yard	Side abutting Residential Districts or Uses - 50 feet Side abutting other Districts - 20 feet Street side of a corner lot- 50 feet
Minimum rear yard	Side abutting Residential Districts or uses- 50 feet Side abutting other Districts- 25 feet
Maximum lot coverage	60%
Maximum building height	40 feet
Minimum lot area	20,000 square feet
Minimum lot width	100 feet

Section 12. Publication. After its adoption, the City Clerk shall publish this ordinance or a summary thereof, as permitted by law, along with its date of adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

Section 13. Effective Date. This ordinance shall take effect ten (10) days after it, or a summary thereof, as permitted by law, along with the date of its adoption, is published in the *Lowell Ledger*, a newspaper of general circulation in the City.

YEAS: Councilmembers _____

NAYS: Councilmembers _____

ABSTAIN: Councilmembers _____

ABSENT: Councilmembers _____

ORDINANCE DECLARED ADOPTED.

Dated: February 3, 2020

Susan Ullery
City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Michigan (the "City"), certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held on February 3, 2020, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Lowell Ledger*, on _____, 2020. I further certify that the above ordinance was entered into the Ordinance Book of the City on _____, 2020, and was effective _____, 2020, ten (10) days after publication.

Dated: _____, 2020

Susan Ullery
City Clerk

CHAPTER 10. - C-1 - NEIGHBORHOOD BUSINESS DISTRICT

SECTION 10.01. - DESCRIPTION AND PURPOSE.

This district is intended to permit local retail business and service uses which are desirable to serve the residential areas of the city. These areas are intended to serve the residents within the city's neighborhoods. Generally, neighborhood commercial uses should not exceed five thousand (5,000) to ten thousand (10,000) square feet of building area.

SECTION 10.02. - USES PERMITTED BY RIGHT.

Land and/or buildings in the C-1 District may be used for the following purposes as uses permitted by right, subject to the approval of a site plan, in accordance with the requirements of Chapter 18:

- A. Office buildings for any of the following occupations:
 - 1. Executive, administrative, professional, accounting, drafting, and other similar professional activities, as determined by the zoning enforcement officer.
 - 2. Medical and dental offices and clinics.
- B. Banks, credit unions, savings and loan associations, and other similar uses as determined by the zoning enforcement officer, including those with drive-through facilities.
- C. Personal service establishments conducting services on the premises, including barber and dry-cleaning service outlets, beauty shops, fitness centers, travel agencies, and other similar uses, as determined by the zoning enforcement officer.
- D. Retail stores.
- E. Drug stores and pharmacies.
- F. Private clubs, fraternal organizations, and lodge halls.
- G. Commercial child care centers.
- H. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- I. Accessory buildings, structures, and uses customarily incidental to any of the above uses permitted by right, or special land uses.
- J. Outdoor merchandise display.
- K. Single-family dwellings.
- L. Two-family dwellings.

SECTION 10.03. - SPECIAL LAND USES.

Land and/or buildings in the C-1 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. Commercial greenhouses and nurseries.
- B. Funeral homes and mortuary establishments.
- C. Veterinary hospitals, animal clinics, and kennels.

SECTION 10.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- A. The outdoor storage or display of goods or materials shall be prohibited in the required front yard. Goods or materials stored in the side or rear yard shall be screened from the view from the street or from abutting properties.
- B. Landscaping shall be provided as required in Section 4.26.
- C. Entrance driveways shall be located as far as possible from any street intersection and from any other driveways.

<u>Minimum f</u> Front yard	25 feet
<u>Minimum s</u> Side yard	Side abutting Residential Districts or Uses - 25 feet Side abutting other Districts - 0 or 10 feet Street side of a corner lot - 35 feet
<u>Minimum</u> Rear yard	35 feet
Maximum lot coverage	60%
<u>Maximum B</u> uilding height	35 feet or 2½ stories
Minimum lot area	8,200 for single and two-family dwellings 15,000 square feet for all other uses
Minimum lot width	66 feet for single and two family dwellings 80 feet for all other uses

CHAPTER 11. - C-2 CENTRAL BUSINESS DISTRICT

SECTION 11.01. - INTENT.

This district is intended to accommodate uses which can provide office, personal services, convenience (day-to-day), and comparison commercial goods for visitors to and residents of Lowell. Development in this district should be pedestrian-oriented and consistent with the established historic development pattern of downtown Lowell in terms of both building design and land use.

SECTION 11.02. - USES PERMITTED BY RIGHT.

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

A. Office buildings for any of the following occupations:

1. Executive, administrative, professional, accounting, drafting, and other similar professional activities, as determined by the zoning enforcement officer.
2. Medical and dental offices and clinics.

B. Banks, credit unions, savings and loan associations, and other similar uses as determined by the zoning enforcement officer, exclusive of drive-through facilities.

C. Personal service establishments conducting services on the premises, including barber and dry-cleaning service outlets, beauty shops, fitness centers, travel agencies, and other similar uses, as determined by the zoning enforcement officer.

D. Residential dwellings, in the same building with commercial uses.

E. Mixed use developments

F. Art galleries and museums

D.G. Retail stores.

E.H. Drug stores and pharmacies.

F.I. Restaurants, ~~exclusive without of~~ drive-through facilities.

G.J. Private clubs, fraternal organizations, and lodge halls.

H.K. Indoor recreational facilities, excluding bowling alleys.

I.L. Child care centers.

J.M. Accessory buildings, structures, and uses.

K.N. Outdoor merchandise display.

SECTION 11.03. - SPECIAL LAND USES.

Land and/or buildings in the C-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. Funeral homes and mortuary establishments.
- B. Banks, credit unions, savings and loan associations, and other similar uses as determined by the zoning enforcement officer, with drive-through facilities.
- C. Hotels and motels.
- D. Theaters, concert halls, or similar places of public assembly, as determined by the zoning enforcement officer.
- D-E. Multiple-family dwellings
- E-F. Residential dwellings, in the same building with commercial uses.
- F-G. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- G-H. Off-street parking lots.
- H-I. Short-term rentals

SECTION 11.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- A. There shall be no off-street parking located in the front yard of a lot; parking shall be located in the rear or side yard, or as otherwise permitted in Chapter 19.
- B. Buildings must have the primary entrance facing a public sidewalk.

<u>Minimum F</u> front yard	None
<u>Minimum S</u> side yard	Side abutting Residential Districts or Uses - 5 feet Side abutting other Districts - 0 or 10 feet
<u>Minimum R</u> rear yard	Abutting Residential Districts or uses - 25 feet Abutting other Districts - None
<u>Maximum L</u> ot coverage	100%
<u>Maximum B</u> uilding height	40 feet
Minimum lot area	None
Minimum lot width	None

SECTION 11.05. - OUTDOOR MERCHANDISE DISPLAY.

Outdoor merchandise displays shall meet the following requirements:

- A. No merchandise and related displays and fixtures shall be located closer than eight (8) feet from the curb line of a public street or a tree.
- B. No merchandise and related displays and fixtures shall be located so as to obstruct the visibility of vehicles on the public street.
- B-C. No merchandise and related displays shall be located so as to obstruct the sidewalk or otherwise impair the flow of pedestrians.
- C-D. All merchandise and related displays and fixtures shall be removed and stored indoors at all times when the related business is closed to the public.
- D. E. The area used for an outdoor merchandise display shall be maintained in a safe, clean, and sanitary manner.

CHAPTER 12. - C-3 - GENERAL BUSINESS DISTRICT

SECTION 12.01. - DESCRIPTION AND PURPOSE.

This district, compatible with the Mixed Use Future Land Use Category of the Master Plan, is intended to permit a mixture of residential, office and commercial land uses but not necessarily in downtown style buildings. This district is intended to accommodate users which can provide office, personal services, and commercial goods for visitors to and residents of the city including automobile related uses which would ordinarily be incompatible with the character of residential districts. These uses are principally intended to serve the community and M-21 traffic. Areas proposed for this district will be reviewed with consideration toward traffic, impact on adjacent areas, size and access to the lot, and whether or not the proposed area helps prevent strip commercial development.

SECTION 12.02. - USES PERMITTED BY RIGHT.

Land and/or buildings in the C-3 District may be used for the following purposes as uses permitted by right, subject to the approval of a site plan, in accordance with the requirements of Chapter 18:

- A. Office buildings for any of the following occupations:
 - 1. Executive, administrative, professional, accounting, drafting, and other similar professional activities, as determined by the zoning enforcement officer.
 - 2. Medical and dental offices and clinics.
- B. Banks, credit unions, savings and loan associations, and other similar uses as determined by the zoning enforcement officer, including those with drive-through facilities.
- C. Personal service establishments conducting services on the premises, including barber and dry-cleaning service outlets, beauty shops, fitness centers, travel agencies, and other similar uses, as determined by the zoning enforcement officer.
- D. Retail stores.
- E. Drug stores and pharmacies.
- F. Restaurants, exclusive of drive-through facilities.
- G. Private clubs, fraternal organizations, and lodge halls.
- H. Dry-cleaning and laundry establishments performing cleaning operations on the premises, including retail/service operations.
- I. Indoor recreational facilities, including bowling alleys.
- J. Commercial child care centers.
- K. Utility and public service buildings, without storage yards, but not including essential public services such as poles, wires, and underground utility systems.

- L. Accessory buildings, structures, and uses customarily incidental to any of the above uses permitted by right, or special land uses.
- M. Outdoor merchandise display.

SECTION 12.03. - SPECIAL LAND USES.

Land and/or buildings in the C-3 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. Boarding houses or lodging houses.
- B. Commercial greenhouses and nurseries.
- C. Commercial kennels.
- D. Commercial storage warehouses.
- E. Funeral homes and mortuary establishments.
- F. Hotels and motels.
- G. Open air business.
- H. Theaters or similar places of public assembly as determined by the zoning enforcement officer.
- I. Restaurants and drive-through facilities.
- J. Retail business supplies.
- K. Sexually oriented businesses (as further regulated by Chapter 17A).
- L. Vehicle repair facilities, including body shops.
- M. Vehicle service stations, excluding body shops.
- N. Vehicle towing service.
- O. Vehicle wash establishments, either self-service or automatic.
- P. Veterinary hospitals and animal clinics.
- Q. Brewery/Winery
- R. Adult use marijuana establishments

SECTION 12.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- ~~A. The outdoor storage or display of goods or materials shall be prohibited in the required front yard. Goods or materials stored in the side or rear yard shall be screened from the view from the street or from abutting properties.~~

~~B.S.~~ Landscaping shall be provided as required in Section 4.26.

~~G.T.~~ Entrance driveways shall be located as far as practicable from two (2) intersecting streets and shall be at least one hundred (100) feet from an intersection or from any other driveway.

~~D.U.~~ Only one (1) driveway per principal use, or collective principal use, per street shall be permitted. A second driveway may be permitted provided that such drive is constructed and permitted to share access with an abutting or adjacent principal use or existing lot. The planning commission may permit additional driveways, if justified by a professional traffic study indicating the need for such additional driveways.

Minimum f Front yard	35 feet
Minimum S side yard	Side abutting Residential Districts or Uses - 25 feet Side abutting other Districts - 0 or 10 feet Street side of a corner lot - 35 feet
Minimum r Rear yard	35 feet
Maximum L lot coverage	60% (including building and parking areas)
Maximum B building height	40 feet or 3 stories
Minimum lot area	20,000 square feet
Minimum lot width	100 feet

SECTION 12.05. - OUTDOOR MERCHANDISE DISPLAY.

Outdoor merchandise displays shall meet the following requirements:

~~A. The outdoor storage or display of goods or materials shall be prohibited in the required front yard. Goods or materials stored in the side or rear yard shall be screened from the view from the street or from abutting properties.~~

~~A. No merchandise and related displays and fixtures shall be located closer than ten (10) feet from any lot line abutting a public street.~~

B. No merchandise and related displays and fixtures shall be located so as to obstruct the movement of pedestrians along ~~the public~~ sidewalk or obstruct the visibility of vehicles on the public street.

C. The area used for an outdoor merchandise display shall be maintained in a safe, clean, and sanitary manner.

CHAPTER 12A. - I-L LIGHT INDUSTRIAL DISTRICT

SECTION 12A.01. - DESCRIPTION AND PURPOSE.

This district is intended to permit light industrial and related uses which are desirable to serve the employment needs of the city, but which are lower intensity uses than those permitted in the I-Industrial district. The uses permitted in this district vary in intensity of use, but in no case is it intended that these uses negatively affect residential and other uses in the city. Rather, it is intended to allow these uses to operate as freely as possible while insuring that the natural and residential areas of the city are protected. This district may act as a buffer between an I-Industrial District and less intensive uses. As such, this district permits the compounding, assembling, or treatment of articles or materials, but does not permit heavy manufacturing or the processing of raw materials. This district also provides for certain other services and uses that are compatible with light industrial uses.

SECTION 12A.02. - USES PERMITTED BY RIGHT.

Land and/or buildings in the I-L Light Industrial District may be used for the following purposes as uses permitted by right, subject to the approval of a site plan, in accordance with the requirements of Chapter 18:

- A. Office buildings for any of the following occupations:
 - 1. Executive, administrative, professional, accounting, drafting, and other similar professional activities as determined by the zoning enforcement officer.
 - 2. Medical and dental offices and clinics.
- B. Banks, credit unions, savings and loan associations, and other similar uses as determined by the zoning enforcement officer, including those with drive-through facilities.
- C. The manufacture, compounding, processing, packing, or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, toiletries, and food products, except the rendering or refining of fats and oils.
- D. The manufacture, compounding, assembly, or treatment of articles from the following previously prepared materials: aluminum, bone cellophane, canvas, cloth, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paint, paper, plastics, precious or semi-precious metals or stones, shell, rubber, tin, iron, steel, tobacco, wood, and yarn.
- E. Vehicle service stations.
- F. Bulk printing shops with or without retail outlets.
- G. Warehouses and storage, including commercial storage warehouses.
- H. Wholesale sales outlets.
- I. Off-street parking lots.

- J. Utility and public services buildings, including storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- K. Accessory buildings, structures, and uses customarily incidental to any of the above uses permitted by right, or special land uses.
- L. Off-site parking lots not associated with another principal use.

SECTION 12A.03. - SPECIAL LAND USES.

Land and/or building in the I-L 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. Radio and television transmitting buildings and towers.
- B. Retail building supplies, including outside storage yards.
- C. Dismantling or disassembling of used motor vehicles or parts thereof.
- D. Machine shops.
- E. Other light industrial uses not included in section 12A.02 that involved the compounding, assembly, treatment of goods, articles, or materials, but which do not involve heavy manufacturing or the processing of raw materials, provided any environmental effects such as noise, smoke, dust, vibration, odor or other similar effects shall not be substantially greater than that from the uses permitted in this district.
- F. Vehicle repair facilities, excluding body shops.
- G. Vehicle service stations, excluding body shops.
- H. Accessory buildings not meeting the requirements of section 4.08.J.
- I. Adult use marihuana establishments

SECTION 12A.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- A. Permitted and special land uses in this chapter shall be conducted within a completely enclosed building or within an area enclosed on all sides by a solid noncombustible fence or wall at least six (6) feet in height; provided further that no goods, materials, or objects shall be stacked higher than the fence or wall.
- B. The outdoor storage of goods or materials shall be prohibited in the required front yard or within any yard abutting a residential district or use.
- C. Landscaping shall be provided as required in Section 4.26.
- D. Any side yard or rear yard adjoining any lot or parcel of land abutting a residential district or residential use shall be screened by a compact hedge of deciduous or evergreen trees,

having such minimum height as determined by the planning commission in its review and approval of the site plan under the terms of Chapter 18.

~~E. No parking area shall be located nearer than twenty-five (25) feet to any rear lot line.~~

~~F.E.~~ No use permitted in this chapter shall create or cause to be created fire and explosion hazards, smoke, fumes, odors, gases, dust, liquid or solid waste, vibration, noise, or glare which shall affect adjoining properties adversely.

~~G. Ingress to and egress from any lot or parcel of land shall be designed and used so as to maximize pedestrian safety, ease of traffic flow and control and ready access by emergency vehicles and personnel.~~

~~H. Off street parking and loading areas must be hard surfaced and designed and used so as to avoid significant adverse impact on adjacent and nearby lands.~~

~~I.F.~~ Refuse and service areas shall be designed and used so as to maximize motor vehicle and pedestrian safety and convenience, promote ease of traffic flow and to minimize the effects, if any, of smoke, noise, dust, vibration, or odor on adjacent or nearby lands.

Minimum F front yard	50 feet
Minimum s Side yard	Side abutting Residential Districts or Uses - 50 feet Side abutting other Districts - 20 feet Street side of a corner lot- 50 feet
Minimum r Rear yard	Side abutting a Residential Districts or uses- 50 feet Side abutting other Districts- 25 feet
Maximum L lot coverage	60% (including building and parking areas)
Maximum B building height	40 feet
Minimum lot area	20,000 square feet
Minimum lot width	100 feet

CHAPTER 13. - I - INDUSTRIAL DISTRICT

SECTION 13.01. - DESCRIPTION AND PURPOSE.

This district is intended to permit industrial and related uses which are desirable to serve the employment needs for the residents of the city. The uses permitted in this district vary in intensity of use, but in no case is it intended that these uses negatively affect residential and other uses in the city. Rather it is intended to allow these uses to operate as freely as possible while ensuring that the natural and residential areas of the city are protected.

SECTION 13.02. - USES PERMITTED BY RIGHT.

Land and/or buildings in the I-Industrial District may be used for the following purposes as uses permitted by right, subject to the approval of a site plan, in accordance with the requirements of Chapter 18:

- A. Office buildings for any of the following occupations:
 - 1. Executive, administrative, professional, accounting, drafting and other similar professional activities, as determined by the zoning enforcement officer.
 - 2. Medical and dental offices and clinics.
- B. Banks, credit unions, savings and loan associations and other similar uses as determined by the zoning enforcement officer including those with drive-through facilities.
- C. The manufacture, compounding, assembly or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, toiletries and food products except the rendering or refining of fats and oils.
- D. The manufacture, compounding, assembly or treatment of articles from the previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fibers, fur, glass, hair, horn, leather, paint, paper, plastics, precious or semi-precious metals or stones, shell, rubber, tin, iron, steel, tobacco, wood, and yarn.
- E. Vehicle repair facilities, including body shops, provided, if a body shop includes a towing or wrecker service, the site design standards of section 17.04.CC. must be met.
- F. Vehicle service stations.
- G. Bulk printing shops without retail outlets.
- H. Warehouse and storage, including commercial storage warehouses.
- I. Wholesale sales outlets.
- J. Off-street parking lots.
- K. Utility and public service buildings, including storage yards, but not including essential public services such as poles, wires, and underground utility systems.
- L. Vehicle towing service ~~(provided the requirements of section 17.04.CC. are met).~~

M. Accessory buildings, structures, and uses customarily incidental to any of the above uses permitted by right; or special land uses.

N. Brewery/Winery

SECTION 13.03. - SPECIAL LAND USES.

Land and/or buildings in the I 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. Landing and take-off areas for rotocraft, and airports.
- B. Petroleum storage located at least five hundred (500) feet from any residentially zoned property.
- C. Radio and television transmitting buildings and towers.
- D. Retail building supplies including outside storage yards.
- E. Commercial wireless communication towers.
- F. Accessory buildings not meeting the requirements of subsection 4.08.J.
- G. Removal and processing of topsoil, stone, rock, sand, gravel, lime, or other soil or mineral resources.
- H. Adult use marihuana establishments

SECTION 13.04. - SITE DEVELOPMENT REQUIREMENTS.

No building or structure, nor the enlargement of any building or structure, shall be hereafter erected unless the following requirements are met and maintained in connection with such building, structure, or enlargement.

- A. Permitted and special land uses in this chapter shall be conducted within a completely enclosed building or within an area enclosed on all sides by a solid non-combustible fence or wall at least six (6) feet in height; provided further that no goods, materials, or objects shall be stacked higher than the fence or wall.
- B. The outdoor storage of goods or materials shall be prohibited in the required front yard or within any yard abutting a residential district or use.
- C. Any side yard or rear yard adjoining any lot or parcel of land abutting a residential district or residential use shall be screened by a compact hedge of deciduous or evergreen trees, having such minimum height as determined by the planning commission in its review and approval of the site plan under the terms of Chapter 18.
- G.D. Landscaping shall be provided as required in Section 4.26.
- ~~D. No parking area shall be located nearer than twenty five (25) feet to any rear lot line.~~

- E. No use permitted in this chapter shall create or cause to be created fire and explosion hazards, smoke, fumes, odors, gases, dust, fumes, liquid or solid waste, vibration, noise, or glare shall exist to affect adjoining residential properties adversely.

<u>Minimum F</u> ront yard	50 feet
<u>Minimum S</u> ide yard	Side abutting Residential Districts or Uses - 50 feet Side abutting other Districts - 20 feet Street side of a corner lot- 50 feet
<u>Minimum R</u> ear yard	Side abutting Residential Districts or uses- 50 feet Side abutting other Districts- 25 feet
<u>Maximum L</u> ot coverage	60% (including building and parking areas)
<u>Maximum B</u> uilding height	40 feet
Minimum lot area	20,000 square feet
Minimum lot width	100 feet



LOWELL CITY COUNCIL

MEMORANDUM

DATE: January 27, 2020

TO: Mayor DeVore and the City Council

FROM: Michael T. Burns, City Manager MB

RE: FY 2020 Budget Calendar

We are beginning to prepare for the upcoming Fiscal Year 2021 Budget. My responsibility in the City Charter is to provide the council with a balanced budget. I will ensure this occurs by the third Monday in April as the City Charter requires me to.

While it is obviously important to engage with the Council and the general public regarding the proposed budget, I will be holding that session via an all-day budget session on Saturday April 25, 2020. Department Directors will be presenting their budget line item by line item on that day. The Public Hearing for the Budget Hearing will be held on Monday May 18, 2020. The Council can approve the budget that evening or if we need to make changes, we can do so. Listed below are dates you need to be aware of.

- February 3, 2020 – March 4, 2020 – Department Directors prepare and work with the City Manager and City Treasurer on budget work sheets.
- March 5, 2020 – City Manager requires that Department Directors have budget submitted.
- March 5, 2020 to April 10, 2020 – City Manager and City Treasurer review budget requests. City Manager will make modifications as needed.
- April 13, 2020 to April 17, 2020 – Budget will be formalized to publication.
- April 20, 2020 – Budget will be submitted to City Council.
- April 25, 2020 – Budget Work Session.
- May 4, 2020– Public Hearing for Fiscal Year (FY) 2021 Budget date set at City Council Meeting.
- May 18, 2020 – Public Hearing for FY 2021 Budget held. Council may approve that evening.
- July 1, 2020 – FY 2021 year begins.

I recommend the budget calendar is approved as presented.

APPOINTMENTS

	Expires
Airport Board	
Vacancy (Paul Nicholls – Currently Serving)	01/01/2020
Vacancy (Jeff Ostrander – Currently Serving)	01/01/2020
Vacancy (Tom Grimm – Currently Serving)	01/01/2020
Building Authority	
Vacancy (Charles Myers – Currently Serving)	01/01/2020
Downtown Development Authority	
Vacancy (Eric Wakeman – Currently Serving)	01/01/2020
Vacancy (Rita Reister – Currently Serving)	01/01/2020
Downtown Historic District Commission	
Vacancy (Ardis Barber – Currently Serving)	01/01/2020
Lowell Area Fire and Emergency Services Authority	
Vacancy (Dave Pasquale – Currently Serving)	01/01/2020
Parks and Recreation Commission	
Vacancy (Paula Mierendorf – Currently Serving)	01/01/2020