



301 East Main Street  
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CITY OF LOWELL  
CITY COUNCIL AGENDA  
MONDAY, MARCH 2, 2020, 7:00 P.M.

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL
2. CONSENT AGENDA
  - Approval of the Agenda.
  - Approve and place on file the minutes of the February 18, 2020 Regular City Council meeting.
  - Authorize payment of invoices in the amount of \$492,932.94.

3. CITIZEN DISCUSSION FOR ITEMS NOT ON THE AGENDA

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

4. OLD BUSINESS
  - a. Ware Road
  - b. Lowell Trail – Dave Austin
  - c. Accreditation MACP
5. NEW BUSINESS
  - a. LCTV Endowment Fund Recommendations
  - b. Commercial and Industrial Districts – Ordinance 20-01
6. BOARD/COMMISSION REPORTS
7. MANAGER'S REPORT
8. APPOINTMENTS
9. COUNCIL COMMENTS
10. ADJOURNMENT

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



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## MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Monday, March 2, 2020

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

2. CONSENT AGENDA

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- Approve and place on file the minutes of the February 18, 2020 Regular meeting of the City Council.
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4. OLD BUSINESS

- a. Ware Road Memo is provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve at a cost not to exceed \$13,800 for BLDI to conduct additional groundwater sampling and removal of soil cuttings and disposal.

- b. Lowell Trail LARA Representative Dave Austin will provide an update.

- c. Accreditation MACP – Memo is provided by Police Chief Steve Bukala.

5. NEW BUSINESS

- a. LCTV Endowment Fund Recommendations. Memo is provided by City Clerk Susan Ullery.

Recommended Motion: LCTV Chair Dennis Kent will present the recommendations.

- b. Commercial and Industrial Districts – Ordinance 20-01. Memo is provided by City Clerk Susan Ullery. Andy Moore from Williams and Works will also be present.

Recommended Motion: That the Lowell City Council approve Ordinance 20-01 as presented.

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

**PROCEEDINGS  
OF  
CITY COUNCIL  
OF THE  
CITY OF LOWELL  
TUESDAY, FEBRUARY 18, 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, Greg Canfield,  
and Mayor DeVore,

Absent: Councilmember Chambers.

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

**2. EXCUSED OF ABSENCE.**

It WAS MOVED BY CANFIELD and seconded by SALZWEDEL to excuse the absence of  
Councilmember Marty Chambers.

YES: 4.                      NO: 0.                      ABSENT: 1.                      MOTION CARRIED.

**3. APPROVAL OF THE CONSENT AGENDA.**

- Approval of the Agenda.
- Approve and place on file the minutes of the February 3, 2020 Regular and Closed session meetings of the City Council.
- Authorize payment of invoices in the amount of \$327,471.15.

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

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

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

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

There were no comments.

**5. OLD BUSINESS**

**a. Ware Road Update.**

City Manager Michael Burns introduced Joe Berlin, a representative from BLDI. Joe Berlin then gave an update presentation on the Ware Road Site and the well monitoring that took place.

b. 990 N. Washington.

City Manager Michael Burns stated the current lease on this property expires on June 30, 2020. He is requesting direction on what City Council would like to do going forward. The property hasn't been assessed properly and in beginning of the 2021 tax year, they will assess it to make sure that the whole property is being assessed. Even though the property is owned by the City, it is being used for private use so it is subject to being taxed. At this time, the assessor has the true cash value of the entire property at \$128,500.00 and the taxable value would be \$64,250.00 making the annual property tax to be \$3057.03. Currently, we are only getting about \$500 to \$600 a year. We also have had concerns expressed from our insurance carrier about this property. We have received eight requests to purchase this property but have informed those people that no decision has been made. If we do sell the property, it does have to be done through an RFP process which our Charter requires. Mr. Diesel who leases the home on the property is here tonight to explain the history of the property.

Mr. Diesel explained the history of the property and how he came to rent the property.

The City Clerk Susan Ullery read a letter from William Thompson who resides at 720 Hillside Court.

The board discussed at length and directed the City Manager to create a lease agreement for the current leasee for 24 months for the one acre with a rent increase to \$500 starting July 1, 2020 and then July 1, 2021 increasing to \$520 with a three one-year lease option. This would mean that the City would split the leased one-acre property off and deciding what to do with the other portion of property later.

c. Resolution 05-20 – Redevelopment Ready Communities.

City Manager Michael Burns stated that in order for the City of Lowell to be able to be a community eligible for investment by the Michigan Economic Development Corporation, we must be engaged in the Redevelopment Ready Communities initiative. If we wish to engage with the RRC, we must do so within 30 days after our presentation. I am not convinced this program will bring us new investment or an increase in taxable value. I am concerned the bureaucracy is going to be burdensome and the ability to meet all the requirements will be difficult. That said, I will attempt annually to complete a task or two to stay engaged. We have projects we are working on with the MEDC currently in which the developers involved need their assistance. While I recognize some of the best practices are good ideas, I am not convinced being enrolled in this program will be game changing for our community. That said, I would hate to hinder developers who need their assistance by not engaging in the program.

IT WAS MOVED BY SALZWEDEL and seconded by YANKOVICH to approve Resolution 05-20 to engage in the Redevelopment Ready Communities Program.

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

NO: None.

ABSENT: Councilmember Chambers.

MOTION CARRIED.

6. NEW BUSINESS

a. Lowell Historical Museum Presentation.

Lisa Plank gave a PowerPoint presentation on the previous year 2019 for the Lowell Historical Museum.

b. Resolution 06-20 – Non Union and Department Pension and OPEB.

City Manager stated our current and future financial position has required him over the last three years to evaluate how we address future retirement costs going forward. It is apparent to me, if we continue to provide retirement and other post-employment benefits (OPEB) in the matter we do currently, this will not be sustainable for the future of the City of Lowell. This will impact how we provide municipal services and the quality of life in the community. I have spent much time in that past three years on these issues. In the last year and a half, I have put forth an effort to plan what is being proposed in the future while ensuring we are providing fair compensation and benefits for our employees that are in line with trends occurring throughout communities in Michigan. At our last City Council meeting, the City Council ratified a labor agreement with our Police Officers Union that has put us on a path toward addressing these future concerns.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL to approve Resolution 06-20 as presented.

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

NO: None.

ABSENT: Councilmember Chambers.

MOTION CARRIED.

IT WAS MOVED BY YANKOVICH and seconded by SALZWEDEL to approve Resolution 08-20 as presented.

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

NO: None.

ABSENT: Councilmember Chambers.

MOTION CARRIED.

c. Resolution 07-20 – Establishing Authorized Signatories for MERS.

General Manager Power Steve Donkersloot of Lowell Light & Power stated that included in your packet is a Resolution to Establish Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals. The purpose of the Resolution is to streamline the way in which MERS and an employer (i.e. LL&P) execute and implement Agreements, Resolutions, Amendments, etc. Currently MERS requires approved and signed Board Minutes reflecting any Board and/or City Council action, which can delay the implementation process of an approved item by 4-6 weeks. Going forward if this is passed, the LL&P Board and/or City Council will still need to approve Agreements, Resolutions, Amendments, etc. but MERS will not require approved and signed Board Minutes.

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to approve Resolution 07-20 as presented.

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

No: None.

ABSENT: Councilmember Chambers.

MOTION CARRIED.

d. PA 202 Waiver.

City Manager Michael Burns stated if you recall when our audit was presented to us in January, you were informed the audited asset valuation of our pension system was 58% funded at the end of the fiscal year. This accounting triggers a preliminary review as being under 60% funded for our pension under Public Act 202 of 2017. Under this act, we are required to file a corrective action plan to address this, and get our pension system towards a path of becoming fully funded if it determined we are under the 60% threshold.

We received notification of our status by the Michigan Department of Treasury on January 15, 2020. The State of Michigan allows for the city to request a waiver of this preliminary review if we meet certain qualifications. This waiver must be filed with Treasury within 45 days of being placed on notice by them. In our situation, I believe we will be able to file a waiver at this time. While our audited valuation states we are at 58%, our actuarial valuation from MERS which was issued last June has us at 63% funded and projects next year for us to be at 60 percent. In addition, our recently approved labor agreement with our Police Officers Union will have them agree, going forward, to bridge their future pension multiplier from 2.5% to 2.0% on the condition all employees who are currently in our Division 10 pension system do the same. Furthermore, they have agreed to close the defined benefit pension plan to new hires July 1, 2020 when all others in the Division 10 pension system do the same. Prior action this evening will close the traditional defined benefit pension plan for all nonunion and department head hires after July 1, 2020. If the Division 10 pension system bridges their future pension multiplier from 2.5% to a 2.0% going forward, MERS has projected that we will go from our current 63% funded to 68% if that happens. This accounts for closing the pension system for new hires. The city is currently taking the necessary path to correct this situation on our own at this time. The waiver process requires a simple council action (voice vote) as part of the application process.

Burns continued stating we are taking care of the things we need to in my opinion to not have to go through this step with the state. We do have an issue in two years from now possibly when the rate of return on our investment from MERS goes from 7.75% to 7.35%, that might put us close to that, it might even put us under again but I do know by breaking down, if we can get that to happen that is a significant positive impact to the system.

Mayor DeVore stated that is what this waiver is intended to do, correct? To get people to start moving forward and we have already taken those steps, correct? Burns stated that is correct, they basically want to make sure that cities in the state are actually working on a plan today. There is no mandate at this time that requires the state to come in and mess with your pensions, that could happen down the road but right now, it at least requires the municipalities to plan for this. Understand, even in our current state, we are in a much better situation than a lot of cities in the state. For example, the City of Benton Harbor is 27% funded and there is a number of downriver communities that are in the 30% range, so we are not that bad. But, we need to resolve this issue and move on.

Councilmember Salzwedel asked how do we get to 100% invested as it would be nice to raise it another 32% and have that, although that is quite a bit.

Burns stated there are a number of things that have to happen. One of them is the future benefit payout plays into that. One of the big issues that happened in 2008 stock market, at that time, the City was actually at 77% and the stock market went down so much that even to this day, the MERS assets have not fully gained what they lost since 2008. One of the other things we have done which a lot of other places haven't is you no longer provide a cost of living adjustment. MERS didn't allow that once we went below 80%. It is projected, it will take us a minimum of 18 years to be at 100%. That said, will we be 100%? Maybe, maybe not, but we will be a lot closer. There is another step to this because one of my concerns going forward is in those out years, the cash flow that's going to be meant to pay this. I am looking at trying to maybe produce the cash flow payments, maybe restock the 30 years. Basically what happened in 2008, they used to have what was called rolling amortization for your unfunded liabilities, so what happened was every year that the unfunded liability was there, you just passed it down to the next year for 30 years and it continued to roll. Well what they did in 2008 is they stopped that and they basically said okay whatever your unfunded is at this point, in 30 years, it needs to be corrected. The first 11 years that the city had, we really didn't do anything to address the problem. We are now, but one of the things that

we can do is if we meet MERS criteria, MERS will allow a one-time reset of the amortization. My concern is in today's dollars, in 2038/2039, our payments and today's dollars are a third of what our general fund takes in, just in pension obligation so I'm working on trying to take these steps so when we make that case to MERS, it will help us. So hopefully we can get ourselves on a path to sustainability. We are not just sitting idle.

Lowell Light and Power General Manager Steve Donkersloot stated from my perspective this is an invisible wise move by City Manager Michael Burns and the Council. I was just pulling our MERS valuation. Currently MERS mandates that anyone with a defined benefit funds their normal cost of the plan plus the unfunded liability over a period of time and Burns was talking about the amortization period. I looked it up, right now it's 22 years so in theory if every single assumption MERS made was correct for the next 22 years, the city would be 100% funded. Problem is, if you look at MERS history, people live longer, retire sooner or retire later, maybe make more than they expected and then they just have never been able to invest and get the return that they've expected. Now Burns and I did get a report last week that MERS did have a 2019 annual return of roughly 13.3% which is higher than their 7.75% assumed return. I said to my board, that is great, the market was about 25% though, so they've lost half of what they could have if they just invested in a simple index fund. The annual return for 2019 was higher than expected so I would think the actual value of the funding level should be higher for our next report.

IT WAS MOVED BY YANKOVICH and seconded by CANFIELD to request a waiver of a preliminary review of underfunded status to the Michigan Department of Treasury in accordance with Public Act 202 of 2017.

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

NO: None.

ABSENT: Councilmember Chambers.

MOTION CARRIED.

## **7. BOARD/COMMISSION REPORTS.**

Councilmember Yankovich stated the Historical District asked for \$100,000 grant from the Community Fund and got \$50,000 so we have some funds to use. There is a lot going on on Main Street. Speaking of that, the Chamber's Annual Dinner is in a couple of days and we are going to be recognizing several businesses that spent well over a million dollars apiece, making things better on Main Street.

Councilmember Salzwedel stated this coming Tuesday, February 25, 2020 the LCTV Board will meet to discuss the fund requests submitted.

Councilmember Canfield stated the Lowell Area Recreation Authority met last Wednesday February 12, 2020 and the railroad situation (trying to figure out how to get the trail across that) is still a thorn in their side, so we are looking at that and working on a plan to move forward. Parks & Recs met tonight and he missed the first half.

DPW Director Dan Czarnecki stated at the first half of the Parks & Rec meeting, a gentleman that works with the Flat River Watershed Council came and requested to put a memorial plaque on a rock for a founding member that recently passed away, down near the river just to the east of the existing boat launchers bench that is down there now. They need to contact the widow first.



Mayor DeVore stated Fire Authority was last Monday. In your packet is a copy of the workshop summary from our Lew Bender session showing a description of the board, some ideas and expectations, some suggested next steps including to delay the scheduled study. We did select a new chair at our last meeting, Jessica Harp from Lowell Township. We are in the process of putting together some ideas for obtaining a new County Truck in the next couple of years. We will get \$204,000 from the County and there is a whole specifications process to go through to get funding from the County.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- Thank you to the Police Officers Association who made some significant changes to their police retirement and retiree health care contract and I've been on both sides of the table for over 20 years now and I have never seen this amount of significant changes made after one meeting and a couple of emails. I was very appreciative and that shows me they understand the issues the city is facing and that they are willing partners to help us move forward.
- I did submit a grant of the City's behalf to the LCTV grant fund for assistance for Ware Road in the amount of \$60,000.
- Update on the Small Urban Development Program for Foreman Street: We did receive a formal notification from MDOT that we will receive \$132,000.00 to replace the street component of Foreman from Beach to Hudson. Good news is 80% of the road costs were funded to replace Foreman (after we do the water and sewer repair). However, because this is an MDOT project, this has to go through their formalized bidding process. That would have required our original plans for grate inspection to have needed to go to the state by December 3, 2019. We received notification from MDOT to be able to apply for this project on December 15, 2019 of our grant. Our plan was to do this project in June but that will now be delayed another year due to the timelines of the application process. The MDOT standards will increase the engineering costs, but we have not bid out anything at this time.
- I met with Steve Donkersloot, Steve Bukala and Dan Czarnecki last week as we are looking at converting all of the remaining mercury vapor street links in the city to LED. We will see a significant savings in our utility cost which we believe will have paid for the purchase LED lights in about 4 years. It is about \$10,000 and will come out of next years' budget.
- We still are doing a Facebook Live, we spent \$50 on a camera. Thanks to Jake Davenport for his help.
- Unless something changes from now until then, I still will be off from February 27 to March 12 for my child to be born. Steve Bukala will be acting City Manager while I am gone.
- I was selected by the Michigan Municipal Executives Organization to be their representative for The International City County Management Association Conference planning. Every state has a representative to assist with that planning.

9. **APPOINTMENTS.**

It was a general consensus to have the three current Airport board members: Paul Nichols, Jeff Ostrander and Tom Grimm continue for another term.

For the Building Authority Board, the person currently serving is not a city resident so we are going to look into that to see what the rules are.

It was a general consensus of the City Council to have Rita Riester continue serving on The Downtown Development Authority.

It was a general consensus of the City Council to have Ardis Barber continue serving on the Historic District Commission.

It was general consensus of the City Council to have Paula Merindorf continue serving on Park & Recreation Board.

10. **COUNCIL COMMENTS.**

Councilmember Yankovich would like to thank the Police Department for making Michael Burns and City Councils' job a little easier by negotiating on their retirement and retiree contracts.

11. **ADJOURNMENT.**

IT WAS MOVED BY SALZWEDEL and seconded by CANFIELD to adjourn at 8:42.

DATE:

APPROVED:

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Mike DeVore, Mayor

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Sue Ullery, Lowell City Clerk

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

**RESOLUTION NO. 05-20**

**RESOLUTION TO PROCEED WITH THE REDEVELOPMENT READY  
COMMUNITIES (RRC) PROGRAM OF THE MICHIGAN ECONOMIC  
DEVELOPMENT CORPORATION (MEDC).**

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

**WHEREAS**, the Michigan Economic Development Corporation (MEDC) selected the City of Lowell as a community to participate in the Redevelopment Ready Communities (RRC) program; and,

**WHEREAS**, the MDEC has developed a program for certifying Redevelopment Ready Communities and the City of Lowell desires to achieve certification by implementing best practices and recommended strategies for redevelopment; and,

**WHEREAS**, the City of Lowell includes within its boundaries properties that present opportunities for redevelopment; and,

**WHEREAS**, the RRC program includes evaluating strong partnerships with boards and commissions related to development including the City Council, Planning Commission, Downtown Development Authority, Zoning Board of Appeals and Brownfield Redevelopment Authority; and,

**WHEREAS**, after review of the RRC Report of Findings, the City of Lowell is willing to complete the tasks as outlined, which will involve interaction with the aforementioned City boards and Commissions;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the City of Lowell will proceed under the RRC Program and will obtain certification as a Redevelopment Ready

Community and receive assistance from the RRC Program in promoting sites within the Community.

YES: Councilmembers Salzwedel, Yankovich, Canfield and Mayor DeVore

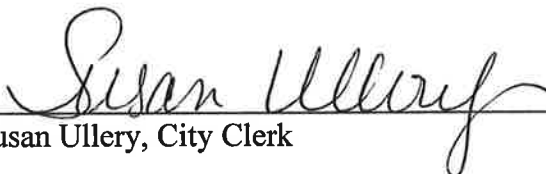
NO: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers Chambers

**RESOLUTION DECLARED ADOPTED.**

Dated: February 18, 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 February 18, 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: February 18, 2020

  
Susan Ullery, City Clerk

**CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**RESOLUTION NO. 06-20**

**RESOLUTION TO CLOSE THE DEFINED BENEFIT  
PENSION PLAN FOR NONUNION EMPLOYEES, CITY  
MANAGERS AND DEPARTMENT HEADS HIRED AFTER  
JUNE 30, 2020 AND REPLACING IT WITH A DEFINED  
CONTRIBUTION PLAN**

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

**WHEREAS**, the City Council finds that it is in the best interest of the financial welfare of the City to change from a Defined Benefit Pension Plan to a Defined Contribution Plan for nonunion employees, City Managers, and Department Heads ("Employees") and set forth certain aspects of the transition;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the City of Lowell hereby closes the Defined Benefit Pension Plan for Employees hired after June 30, 2020.

2. That Employees hired on or after July 1, 2020 shall be enrolled in a Defined Contribution Plan with immediate vesting, to which the City contributes 10% on base wage, with a minimum Employee contribution of 6% of base wage.

3. The City Manager is authorized to take any and all actions, including entering into agreements, executing amendments, and signing documents, in order to effectuate the purposes of this resolution.

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

YEAS: Councilmembers Yankovich, Canfield Mayor DeVore and Councilmember  
Salzwedel

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers Chambers

**RESOLUTION DECLARED ADOPTED.**

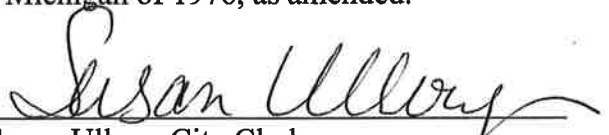
Dated: February 18, 2020

  
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 February 18, 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: February 18, 2020

  
Susan Ullery, City Clerk

It was moved by Salzwedel's seconded  
by Canfield. - Susan Ullery

Res# 07-20

**Resolution Establishing Authorized Signatories for MERS  
Contracts and Service Credit Purchase Approvals**



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution applies to reporting unit(s) # 02 of the participating municipality listed below.

**WHEREAS,** Lowell Light & Power ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

**WHEREAS,** MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

**WHEREAS,** the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

**WHEREAS,** this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. General Manager

Optional additional job positions:

2. \_\_\_\_\_

3. \_\_\_\_\_

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on February 13, 2020.

Authorized signature (must be currently in a position named above): \_\_\_\_\_

Name: Steven Donkersloot

Title: General Manager

Witness signature: \_\_\_\_\_

Witness name: Julie Stewart

Witness title: Office Manager/Staff Accountant

**CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**RESOLUTION NO. 08-20**

**RESOLUTION TO SET FORTH RETIREE HEALTH  
INSURANCE PLAN ELIGIBILITY AND STATUS FOR  
NONUNION EMPLOYEES, CITY MANAGERS, AND  
DEPARTMENT HEADS HIRED AFTER SEPTEMBER 6,  
2016**

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

**WHEREAS**, the City Council finds that it is in the best interest of the financial welfare of the City to modify the eligibility for retiree health insurance coverage for nonunion employees, City Managers, and Department Heads (“Employees”) and set forth certain aspects of the modification;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the City of Lowell shall provide retiree health insurance coverage for Employees retiring on or before June 30, 2025, along with his or her spouse at the time of retirement, for no more than the first five years of retirement or until said retiree and/or spouse becomes eligible for Medicare, whichever is earlier, provided the retiring Employee has achieved one of the following:

Ten Years of Service by Age 60

Fifteen Years of Service by Age 55

Twenty-Five Years of Service by Age 55

2. The City will establish a retiree healthcare savings plan into which it will contribute 2% of annual base wage per fiscal year for each remaining current Employee. Such Employees are not eligible for employer-provided retiree health care.

3. Employees hired after September 6, 2016 will not receive retiree healthcare or a contribution into a retiree healthcare savings plan.

4. The City Manager is authorized to take any and all actions, including entering into agreements, executing amendments, and signing documents, in order to effectuate the purposes of this resolution.

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

YEAS: Councilmembers Canfield, Mayor DeVore, Councilmembers Salzwedel and  
Yankovich



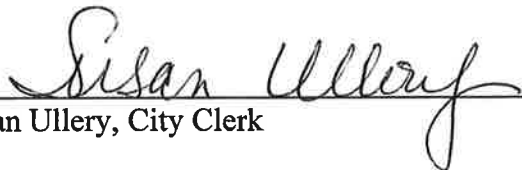
NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers Chambers

**RESOLUTION DECLARED ADOPTED.**

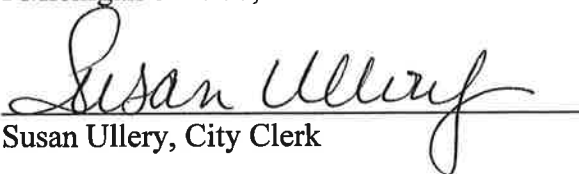
Dated: February 18, 2020

  
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 February 18, 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: February 18, 2020

  
Susan Ullery, City Clerk

Vendor Code	Vendor Name	Invoice	Description	Amount
00007	ADT SECURITY SYSTEMS, INC.	3/4/2020	WTP SECURITY SERVICES	119.97
TOTAL FOR: ADT SECURITY SYSTEMS, INC.				119.97
10816	AMAZON CAPITAL SERVICES	14MG-9CCC-RP4L	WATER/EQUIP SUPPLIES	86.44
		1TTTL-QFWG-6HGP	WTP CARB REPAIR KIT	7.99
		91MQ-RRYT-LCP4	WATER DEPT R & M	230.75
TOTAL FOR: AMAZON CAPITAL SERVICES				325.18
10731	APPLIED IMAGING	1500005	CITY HALL COPY MACHINE CONTRACT	483.06
TOTAL FOR: APPLIED IMAGING				483.06
10649	APWA	2/3/2020	MEMBERSHIP 5/20 - 4/21 - BRECKEN	233.00
TOTAL FOR: APWA				233.00
10818	AT&T MOBILITY	287291108942X0214	FIRST NET PHONE BILL	847.45
TOTAL FOR: AT&T MOBILITY				847.45
10855	BAKER TILLY MUNICIPAL ADVISORS, LLC	BTMA4070	WATER RATE STUDY	12,500.00
TOTAL FOR: BAKER TILLY MUNICIPAL ADVISORS, LLC				12,500.00
00045	BARTLETT, SANDY	FEB 2020	METER READIN G & MILEAGE	771.15
TOTAL FOR: BARTLETT, SANDY				771.15
00065	BOUWHUIS SUPPLY, INC.	60881	DPW TOWELS	102.92
TOTAL FOR: BOUWHUIS SUPPLY, INC.				102.92
00084	CANFIELD PLUMBING & HEATING IN	I182323	CITY HALL SINKS	66.00
		I82543	OLD GARAGE - HVAC	49.50
TOTAL FOR: CANFIELD PLUMBING & HEATING IN				115.50
10509	CONSUMERS ENERGY	FEB 2019	ACCOUNT STATEMENTS	920.96
TOTAL FOR: CONSUMERS ENERGY				920.96
00148	DICKINSON WRIGHT PLLC	1378291	SHOWBOAT CONTRACT WITH MORAN IRON WORKS	1,258.00
TOTAL FOR: DICKINSON WRIGHT PLLC				1,258.00
00813	ELECTION SYSTEMS & SOFTWARE	19-46612	ELECTION SUPPLIES	120.00
TOTAL FOR: ELECTION SYSTEMS & SOFTWARE				120.00
00215	GODWIN ADA VILLAGE HARDWARE	088284	CUT OFF SAW R & M	42.65
		088317	HONDA GENERATOR R & M	86.01
		179879	GLOVES	99.95
TOTAL FOR: GODWIN ADA VILLAGE HARDWARE				228.61

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POST DATES 02/15/2020 - 02/27/2020

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BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Vendor Code	Vendor Name	Invoice	Description	Amount
00225	GRAND RAPIDS COMMUNITY COLLEGE	2/1 - 2/15/2020	TAX DISBURSEMENT	583.27
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE				583.27
10518	GROUNDHAWG EXCAVATING & LANDSCAPING	860	SIDEWALK AT RICHARDS PARK	3,571.88
TOTAL FOR: GROUNDHAWG EXCAVATING & LANDSCAPING				3,571.88
00248	HOOPER PRINTING	59619	ENVELOPES	518.64
TOTAL FOR: HOOPER PRINTING				518.64
00262	IDEXX DISTRIBUTION CORP.	305966311	WTP SUPPLIES	18.11
TOTAL FOR: IDEXX DISTRIBUTION CORP.				18.11
00291	KENT COUNTY ROAD COMMISSION	411905	TRAFFIC SIGNAL JAN 2020	44.97
TOTAL FOR: KENT COUNTY ROAD COMMISSION				44.97
00300	KENT COUNTY TREASURER	2/1 - 2/15/2020	TAX DISBURSEMENT	63,098.63
		2/26/2020	TRAILER FEES	310.00
TOTAL FOR: KENT COUNTY TREASURER				63,408.63
00303	KENT DISTRICT LIBRARY	2/1 - 2/15/2020	TAX DISBURSEMENT	37,648.39
TOTAL FOR: KENT DISTRICT LIBRARY				37,648.39
00302	KENT INTERMEDIATE SCHOOL DIST.	2/1 - 2/15/2020	TAX DISBURSEMENT	2,132.94
TOTAL FOR: KENT INTERMEDIATE SCHOOL DIST.				2,132.94
02209	KERKSTRA PORTABLE, INC.	152860	PORTABLE RESTROOM OAKWOOD	90.00
TOTAL FOR: KERKSTRA PORTABLE, INC.				90.00
00805	LEE'S TRENCHING SERVICE, INC.	107476	1002 W MAIN - WATER MAIN R & M	16,602.50
TOTAL FOR: LEE'S TRENCHING SERVICE, INC.				16,602.50
01374	LOWELL AREA HISTORICAL MUSEUM	2/1 - 2/15/2020	TAX DISBURSEMENT	80.36
TOTAL FOR: LOWELL AREA HISTORICAL MUSEUM				80.36
00562	LOWELL AREA SCHOOLS	2/1 - 2/15/2020	TAX DISBURSEMENT	282,215.12
TOTAL FOR: LOWELL AREA SCHOOLS				282,215.12
00341	LOWELL LIGHT & POWER	3392	JAN 2020 ACCESS POINT	1,326.39
TOTAL FOR: LOWELL LIGHT & POWER				1,326.39
10083	MICHIGAN CAT	SD10787986	CITY HALL R & M	1,535.89
TOTAL FOR: MICHIGAN CAT				1,535.89

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
01159	PURCHASE POWER		
	2/10/2020	POSTAGE METER REFILL	584.90
TOTAL FOR: PURCHASE POWER			584.90
00827	RS TECHNICAL SERVICES, INC.		
	21514	WTP R & M	880.14
TOTAL FOR: RS TECHNICAL SERVICES, INC.			880.14
10042	SAWYER ENGINE & COMPRESSOR INC.		
	51162	WTP R & M	1,892.59
TOTAL FOR: SAWYER ENGINE & COMPRESSOR INC.			1,892.59
01225	STATE OF MICHIGAN		
	2/19/2020	NOTARY APPLICATION - BROWN	10.00
TOTAL FOR: STATE OF MICHIGAN			10.00
10583	SUEZ WATER ENVIRONMENTAL SVC INC		
	202039156	SURCHARGE FOR JAN 2020	352.07
	202039175	WWTP FEB 2020 SERVICES	38,490.00
TOTAL FOR: SUEZ WATER ENVIRONMENTAL SVC INC			38,842.07
10328	SUSAN M STEVENS		
	1312020	SEPTEMBER 2019 NEWSLETER	650.00
TOTAL FOR: SUSAN M STEVENS			650.00
00930	TRUCK & TRAILER SPECIALTIES		
	DJO002116	SALT SPREADER #16-2	21,735.36
	DJO002493	2008 INTL #16 R & M	225.00
TOTAL FOR: TRUCK & TRAILER SPECIALTIES			21,960.36
10484	VERGENNES BROADBAND		
	5267-20200215-1	FIBER PLAN	309.99
TOTAL FOR: VERGENNES BROADBAND			309.99
TOTAL - ALL VENDORS			492,932.94

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INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL  
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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-084.015	DUE FROM FIRE AUTHORITY	VERGENNES BROADBAND	FIBER PLAN	28.57	74067
101-000-085.000	DUE FROM LIGHT & POWER	VERGENNES BROADBAND	FIBER PLAN	58.58	74067
101-000-222.000	DUE TO COUNTY-TRAILER FEE	KENT COUNTY TREASURER	TRAILER FEES	62.00	74051
101-000-225.000	DUE TO SET -TRAILER FEES	KENT COUNTY TREASURER	TRAILER FEES	248.00	74051
Total For Dept 000				397.15	
Dept 172 MANAGER					
101-172-801.000	PROFESSIONAL SERVICES	SUSAN M STEVENS	SEPTEMBER 2019 NEWSLETER	650.00	74065
101-172-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	45.08	74035
Total For Dept 172 MANAGE				695.08	
Dept 191 ELECTIONS					
101-191-740.000	OPERATING SUPPLIES	ELECTION SYSTEMS & SOFTWA	ELECTION SUPPLIES	120.00	74043
Total For Dept 191 ELECTI				120.00	
Dept 215 CLERK					
101-215-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	45.08	74035
101-215-955.000	MISCELLANEOUS EXPENSE	STATE OF MICHIGAN	NOTARY APPLICATION - BROW	10.00	74063
Total For Dept 215 CLERK				55.08	
Dept 265 CITY HALL					
101-265-730.000	POSTAGE	HOOPER PRINTING	ENVELOPES	518.64	74047
101-265-730.000	POSTAGE	PURCHASE POWER	POSTAGE METER REFILL	584.90	74060
101-265-850.000	COMMUNICATIONS	VERGENNES BROADBAND	FIBER PLAN	43.57	74067
101-265-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	460.36	74058
101-265-930.000	REPAIR & MAINTENANCE	MICHIGAN CAT	CITY HALL R & M	1,535.89	74059
101-265-930.000	REPAIR & MAINTENANCE	CANFIELD PLUMBING & HEATI	CITY HALL SINKS	66.00	74040
Total For Dept 265 CITY H				3,209.36	
Dept 276 CEMETERY					
101-276-802.000	CONTRACTUAL	KERKSTRA PORTABLE, INC.	PORTABLE RESTROOM OAKWOOD	90.00	74054
Total For Dept 276 CEMETE				90.00	
Dept 301 POLICE DEPARTMENT					
101-301-850.000	COMMUNICATIONS	VERGENNES BROADBAND	FIBER PLAN	43.57	74067
101-301-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	398.64	74035
101-301-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	117.43	74058
Total For Dept 301 POLICE				559.64	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-740.000	OPERATING SUPPLIES	BOUWHUIS SUPPLY, INC.	DPW TOWELS	102.92	74039
101-441-850.000	COMMUNICATIONS	VERGENNES BROADBAND	FIBER PLAN	28.57	74067
101-441-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	88.35	74035
101-441-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	52.21	74058
101-441-926.000	STREET LIGHTING	LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	199.84	74058
101-441-930.000	REPAIR & MAINTENANCE	CANFIELD PLUMBING & HEATI	OLD GARAGE - HVAC	49.50	74040
Total For Dept 441 DEPART				521.39	
Dept 751 PARKS					
101-751-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	38.24	74035
Total For Dept 751 PARKS				38.24	
Dept 790 LIBRARY					
101-790-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	127.14	74058
Total For Dept 790 LIBRAR				127.14	
Dept 804 MUSEUM					
101-804-955.000	PROPERTY TAX DISTRIBUTION	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	80.36	74056
Total For Dept 804 MUSEUM				80.36	
Total For Fund 101 GENERA				5,893.44	
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
202-463-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	25.05	74035

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 202 MAJOR STREET FUND					
Dept 463 MAINTENANCE					
		Total For Dept 463 MAINTENANCE		25.05	
Dept 474 TRAFFIC					
202-474-802.000 CONTRACTUAL		KENT COUNTY ROAD COMMISSI	TRAFFIC SIGNAL JAN 2020	44.97	74049
		Total For Dept 474 TRAFFIC		44.97	
		Total For Fund 202 MAJOR		70.02	
Fund 203 LOCAL STREET FUND					
Dept 463 MAINTENANCE					
203-463-850.000 COMMUNICATIONS		AT&T MOBILITY	FIRST NET PHONE BILL	25.06	74035
		Total For Dept 463 MAINTENANCE		25.06	
Dept 478 WINTER MAINTENANCE					
203-478-740.000 OPERATING SUPPLIES		GODWIN ADA VILLAGE HARDWA	GLOVES	99.95	74044
		Total For Dept 478 WINTER		99.95	
		Total For Fund 203 LOCAL		125.01	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
248-463-740.000 OPERATING SUPPLIES		LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	74.28	74058
		Total For Dept 463 MAINTENANCE		74.28	
		Total For Fund 248 DOWNTOWN		74.28	
Fund 260 DESIGNATED CONTRIBUTIONS					
Dept 442 SIDEWALK					
260-442-974.000 LAND IMPROVEMENTS		GROUNDHAWG EXCAVATING & L	SIDEWALK AT RICHARDS PARK	3,571.88	74046
		Total For Dept 442 SIDEWALK		3,571.88	
Dept 751 PARKS					
260-751-801.000 PROFESSIONAL SERVICES		DICKINSON WRIGHT PLLC	SHOWBOAT CONTRACT WITH MO	1,258.00	74042
		Total For Dept 751 PARKS		1,258.00	
		Total For Fund 260 DESIGN		4,829.88	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-920.000 PUBLIC UTILITIES		CONSUMERS ENERGY	ACCOUNT STATEMENTS	595.08	74041
581-000-955.000 MISCELLANEOUS EXPENSE		VERGENNES BROADBAND	FIBER PLAN	49.99	74067
		Total For Dept 000		645.07	
		Total For Fund 581 AIRPORT		645.07	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-043.000 DUE FROM EARTH TECH		VERGENNES BROADBAND	FIBER PLAN	28.57	74067
590-000-043.000 DUE FROM EARTH TECH		LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	179.35	74058
		Total For Dept 000		207.92	
Dept 550 TREATMENT					
590-550-802.000 CONTRACTUAL		SUEZ WATER ENVIRONMENTAL	WWTP FEB 2020 SERVICES	38,490.00	74064
590-550-802.000 CONTRACTUAL		SUEZ WATER ENVIRONMENTAL	SURCHARGE FOR JAN 2020	352.07	74064
590-550-850.000 COMMUNICATIONS		AT&T MOBILITY	FIRST NET PHONE BILL	38.24	74035
		Total For Dept 550 TREATMENT		38,880.31	
Dept 551 COLLECTION					
590-551-850.000 COMMUNICATIONS		AT&T MOBILITY	FIRST NET PHONE BILL	71.86	74035
		Total For Dept 551 COLLECTION		71.86	
Dept 552 CUSTOMER ACCOUNTS					
590-552-703.000 SALARIES-METER READS		BARTLETT, SANDY	METER READING & MILEAGE	353.38	74038
590-552-860.000 TRAVEL EXPENSES		BARTLETT, SANDY	METER READING & MILEAGE	32.20	74038
		Total For Dept 552 CUSTOMER		385.58	
		Total For Fund 590 WASTEWATER		39,545.67	
Fund 591 WATER FUND					

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GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 570 TREATMENT					
591-570-740.000	OPERATING SUPPLIES	AMAZON CAPITAL SERVICES	WTP CARB REPAIR KIT	7.99	74032
591-570-740.000	OPERATING SUPPLIES	IDEXX DISTRIBUTION CORP.	WTP SUPPLIES	18.11	74048
591-570-802.000	CONTRACTUAL	ADT SECURITY SYSTEMS, INC	WTP SECURITY SERVICES	119.97	74031
591-570-850.000	COMMUNICATIONS	VERGENNES BROADBAND	FIBER PLAN	28.57	74067
591-570-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	JAN 2020 ACCESS POINT	115.78	74058
591-570-930.000	REPAIR & MAINTENANCE	SAWYER ENGINE & COMPRESSO	WTP R & M	1,892.59	74062
591-570-930.000	REPAIR & MAINTENANCE	RS TECHNICAL SERVICES, IN	WTP R & M	880.14	74061
Total For Dept 570 TREATM				3,063.15	
Dept 571 DISTRIBUTION					
591-571-727.000	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES	WATER/EQUIP SUPPLIES	11.39	74032
591-571-802.000	CONTRACTUAL	LEE'S TRENCHING SERVICE,	1002 W MAIN - WATER MAIN	16,602.50	74055
591-571-850.000	COMMUNICATIONS	AT&T MOBILITY	FIRST NET PHONE BILL	71.85	74035
591-571-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	325.88	74041
591-571-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WATER/EQUIP SUPPLIES	44.87	74032
591-571-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WATER DEPT R & M	230.75	74032
Total For Dept 571 DISTRI				17,287.24	
Dept 572 CUSTOMER ACCOUNTS					
591-572-703.000	SALARIES-METER READS	BARTLETT, SANDY	METER READIN G & MILEAGE	353.37	74038
591-572-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	METER READIN G & MILEAGE	32.20	74038
Total For Dept 572 CUSTOM				385.57	
Dept 573 ADMINISTRATION					
591-573-801.000	PROFESSIONAL SERVICES	BAKER TILLY MUNICIPAL ADV	WATER RATE STUDY	12,500.00	74037
Total For Dept 573 ADMINI				12,500.00	
Total For Fund 591 WATER				33,235.96	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-802.000	CONTRACTUAL	APPLIED IMAGING	CITY HALL COPY MACHINE CO	483.06	74033
Total For Dept 000				483.06	
Total For Fund 636 DATA P				483.06	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-740.000	OPERATING SUPPLIES	APWA	MEMBERSHIP 5/20 - 4/21 -	233.00	74034
661-895-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WATER/EQUIP SUPPLIES	30.18	74032
661-895-930.000	REPAIR & MAINTENANCE	GODWIN ADA VILLAGE HARDWA	HONDA GENERATOR R & M	86.01	74044
661-895-930.000	REPAIR & MAINTENANCE	GODWIN ADA VILLAGE HARDWA	CUT OFF SAW R & M	42.65	74044
661-895-930.000	REPAIR & MAINTENANCE	TRUCK & TRAILER SPECIALTI	2008 INTL #16 R & M	225.00	74066
661-895-981.000	EQUIPMENT	TRUCK & TRAILER SPECIALTI	SALT SPREADER #16-2	21,735.36	74066
Total For Dept 895 FLEET				22,352.20	
Total For Fund 661 EQUIPM				22,352.20	
Fund 703 CURRENT TAX COLLECTION FUND					
Dept 000					
703-000-222.000	DUE TO COUNTY-CURRENT TAX	KENT COUNTY TREASURER	TAX DISBURSEMENT	60,817.90	74050
703-000-223.000	DUE TO LIBRARY	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	37,648.39	74052
703-000-225.000	DUE TO SCHOOLS	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	282,215.12	74057
703-000-228.009	DUE TO STATE-S.E.T.	KENT COUNTY TREASURER	TAX DISBURSEMENT	2,280.73	74050
703-000-234.000	DUE TO INTERMED SCH DISTR	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	2,132.94	74053
703-000-235.000	DUE TO COMMUNITY COLLEGE	GRAND RAPIDS COMMUNITY CO	TAX DISBURSEMENT	583.27	74045
Total For Dept 000				385,678.35	
Total For Fund 703 CURREN				385,678.35	

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Fund Totals:

Fund 101	GENERAL FUND	5,893.44
Fund 202	MAJOR STREET FUN	70.02
Fund 203	LOCAL STREET FUN	125.01
Fund 248	DOWNTOWN DEVELOP	74.28
Fund 260	DESIGNATED CONTR	4,829.88
Fund 581	AIRPORT FUND	645.07
Fund 590	WASTEWATER FUND	39,545.67
Fund 591	WATER FUND	33,235.96
Fund 636	DATA PROCESSING	483.06
Fund 661	EQUIPMENT FUND	22,352.20
Fund 703	CURRENT TAX COLL	385,678.35

492,932.94





# **LOWELL CITY COUNCIL**

## **MEMORANDUM**

**DATE: February 24, 2020**

**TO: Mayor DeVore and the City Council**

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

**RE: Ware Road**

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As stated by Joe Berlin at our last City Council meeting, we would need to have additional groundwater sampling and wells drilled as part of our work plan being filed with the Michigan Department of Environment, Great Lakes and Energy (EGLE).

Attached is a proposal from BLDI that entails the additional groundwater sampling. Also, the proposal includes removal and disposal of soil cuttings and well development water that were generated during the monitoring well installation and need to be removed from the site. There are currently 26 drums onsite to be removed.

Total cost of the proposal is \$13,800 for this series of work. This work is necessary to fulfill our requirements with EGLE.

**I recommend the Lowell City Council approve at a cost not to exceed \$13,800 for BLDI to conduct additional groundwater sampling and removal of soil cuttings and disposal.**



Environmental Engineering | *Working for you*

## Environmental Services Order Form

Please E-mail Completed Form to: [bldi@bldi.com](mailto:bldi@bldi.com)

BLDI Project #:  Date:   
Client Project #:

### SECTION 1 - Person Responsible for Payment

Name:   
Company:   
Full Address:   
E-mail:   
Phone:   
Relationship to Project:

### SECTION 2 - Property Information

Site Contact:  Phone:   
E-mail:   
Site Name:   
Full Address:   
Current Operations:   
Reliance Parties:

### SECTION 3 - Order Details

Assigned BLDI Staffer:  E-mail:

### SECTION 3 - Order Details Continued

Scope of Work:

This proposal is Confidential, is inherently the property of BLDI, and shall not be forwarded or shared in any form with other parties without written approval from BLDI.

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Based on the results of the initial hydrogeologic investigation conducted by BLDI, it is recommended that a second groundwater sampling event be conducted to verify the concentrations of target analytes and groundwater flow direction for consistency.

Proposed SOW:

- Coordinate Property access and Client notifications
- Assess and implement Site Safety Plan per Company Safety Program consistent with OSHA HAZWOPER and Other Standards (29 CFR 1910)
- Groundwater samples will be collected and analyzed from all of the monitoring wells at the Site. QA/QC samples will be collected and analyzed as applicable.
- Properly cleanup after sampling operations are complete
- The samples will be analyzed for the presence of volatile organic compounds (VOCs).
- Prepare a written report that describes the objectives, field investigation activities, analytical results, findings, and conclusions consistent with good and customary practice, including relevant agency guidance.

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In addition, as outlined in the previous proposal, the soil cuttings and well development water that were generated during the monitoring well installation were containerized and need to be removed from the site. There are currently 26 drums onsite to be removed. Analytical testing was conducted to determine how these soil cuttings should be disposed. The estimated cost of the analytical and disposal of the soil cuttings/development water is also proposed below.

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## SECTION 4 - Unknown Conditions & Utilities

This scope of work (SOW) and cost estimate are based on BLDI's current knowledge of the Property and experience with similar properties in this area. BLDI will make every effort to meet this cost estimate; however, this SOW includes subsurface exploration and unknown Property specific conditions may result in a final cost different than the one presented on this order form. BLDI will not exceed the cost estimate presented on this order form by 10% without first obtaining the permission of our Client.

Please be aware that the utility companies (or their designees) will only mark the locations of the buried utilities that are owned by the utility companies (i.e., upstream of the meters). BLDI is not responsible for the repair of buried private utilities that are not marked and may become damaged during subsurface investigation activities.

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## SECTION 5 - Safety or Security Concerns

If personal safety or security issues (not identified by the client) are encountered at the Property, BLDI reserves the right to immediately leave and return at a later time with appropriate security measures. Additional fees will be assessed for these services and the return site visit.

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## SECTION 6 - Report Delivery

BLDI will provide an e-mailed link to retrieve a PDF copy of the final report, as applicable. No hard copies will be provided, unless specifically requested by the client. The cost of a hard final hard copy is \$90.00 and the cost of subsequent hard copies is \$30.00. Reports requested to be sent to Client in "draft" form will be finalized in two (2) weeks, unless otherwise directed.

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## SECTION 7 - Authorization by Person Responsible for Payment

Requested Service(s):	<input type="text" value="Other (See Other/Notes Below)"/>	Cost:	<input type="text" value="\$6,400"/>
	<input type="text" value="Other (See Other/Notes Below)"/>	Cost:	<input type="text" value="\$7,400"/>
	<input type="text"/>	Cost:	<input type="text"/>
	<input type="text"/>	Cost:	<input type="text"/>
Billing:	<input type="text" value="Time &amp; Expense"/>	Total:	<input type="text" value="\$13,800"/>
Down Payment:	<input type="text" value="Not Required"/>	Amount:	<input type="text"/>
Other/Notes:	<input type="text" value="Item 1 = Groundwater Sampling and a Site Status Report"/> <input type="text" value="Item 2 = Soil cuttings removal and disposal"/>		

*Down payments are required prior to implementing the identified SOW for Clients whom BLDI does not currently have an established business relationship with. This is to cover outside contractor expenses (GPR, driller, lab).  
Post-delivery consulting beyond 30 minutes will incur additional fees on a time & expense basis.*

**This proposal is available for acceptance 30 days from the date shown above.**

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## SECTION 7 - Authorization by Person Responsible for Payment Continued

*Please sign below to confirm authority to execute agreement, acceptance of pricing, scope of engagement, access to the Property, and BLDI standard contract terms and conditions. BLDI assumes that Property access will be provided within four (4) days of order.*

### Electronic Signature Agreement:

By typing your name in the Signature box below, you are signing this Agreement electronically. You agree your electronic signature is the legal equivalent of your manual signature on this Agreement. By typing your name, you consent to be legally bound by this Agreement's terms and conditions.

Signature:

Date:

Company:

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## SECTION 8 - Additional Information

- Reliance Parties, including all lenders, participants and LLCs, require identification. **Re-issuance of reports or issuance of Reliance Letters to meet Client needs may incur additional fees.**

- Select Reliance Parties, including U.S. Small Business Administration (SBA), may require additional or different tasks (e.g. agency contacts, asbestos) from those provided in the Phase II ESA SOW. If such parties will or may be involved in this project, **please identify as early in process as possible.** Failure to do so often requires additional work and project delays.

- SBA loans for sites with environmental impact require either site cleanup or use of SBA Mitigating Factors for SBA to disburse funds.

- In Michigan, Phase II ESAs for SBA loans not only require documentation of a "Facility" for a Baseline Environmental Assessment (BEA) but also a Documentation of Due Care Compliance (DDCC) for MDEQ approval. An industry standard Phase II ESA may not fully meet MDEQ requirements for approval of a DDCC.

- In Michigan, the use of the Baseline Environmental Assessment (BEA) for liability exemption requires EACH party (e.g. owner, operator) to be a named party on their own, individual BEA submitted to the agency (MDEQ).

### Terms & Conditions:

BLDI standard terms & conditions will be provided upon request. Please e-mail request to [bldi@bldi.com](mailto:bldi@bldi.com)

### Helpful Links Regarding the Environmental Process:

Frequently Asked Questions (FAQs): [www.bldi.com/edd-faqs1](http://www.bldi.com/edd-faqs1)

SBA Lending Update, including Michigan-specific flowchart of SBA process: [www.michiganenvironmentalblog.com](http://www.michiganenvironmentalblog.com)

### Customer Contacts:

Please contact your Assigned BLDI staffer with technical questions.

Customer Service questions or concerns can be directed to Marty Janowiak or Colleen Rumney at 616-459-3737.

## Sue Ullery

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**From:** Austin, Dave <Austin@williams-works.com>  
**Sent:** Wednesday, February 26, 2020 2:01 PM  
**To:** Mike Burns  
**Cc:** Sue Ullery; Dan Czarnecki; Steve Bukala; 'betsy@addorio.com'; Mark Anderson  
**Subject:** Lowell Area Trail Connection Update to Council for March 2nd Meeting  
**Attachments:** Lowell Trail - Alt Route Draft 02.26.2020.pdf

Mike:

For the purpose of your Council packet for the March 2<sup>nd</sup> meeting, I am offering the following summary of my brief presentation on the trail project. I am also including a couple of graphics for Sue to display from her machine that evening.

Please let me know if you have any questions.

Thanks,

Dave

*On April 1<sup>st</sup>, both the City and the Lowell Area Recreation Authority will be submitting updated grant applications to the MDNRR Trust Fund program towards the project that will connect the regional River Valley Rail Trail legs from Belding and from Saranac through the City. At the March 16<sup>th</sup> meeting, a public hearing will be held and the Council will be asked to consider a resolution authorizing submittal of the revised application. (The applications that were submitted last year by the City and LARA were voluntarily withdrawn as all permits and matching funds were not secured by the October 1<sup>st</sup> deadline, so reapplication is necessary).*

*The revised application will show a new proposed route for the portion of the trail east of Hudson St. The original route proposed going through Recreation Park, crossing the Flat River, going under or across the active King Milling railroad spur, then crossing the Grand River with a new pedestrian bridge parallel to the S. Jackson bridge. After review of the formal applications, the railroad concluded that they will not issue permits for the crossing of this spur due to safety and liability concerns. At a recent meeting with the railroad and MDOT, it was determined that the most feasible location to cross the tracks will be at the intersection of Grand River Dr. and S. Hudson (Segwun). This route will require a new pedestrian bridge over the Grand River from the fairgrounds to Gran River Dr. The trail will then proceed east to the connection point at S. Jackson. Conversations are being held with property owners along Grand River Dr. and the railroad to develop the exact alignment.*

*Since the necessary route has changed, we wanted to update Council before the March 16<sup>th</sup> meeting and invite any questions or concerns you may have.*

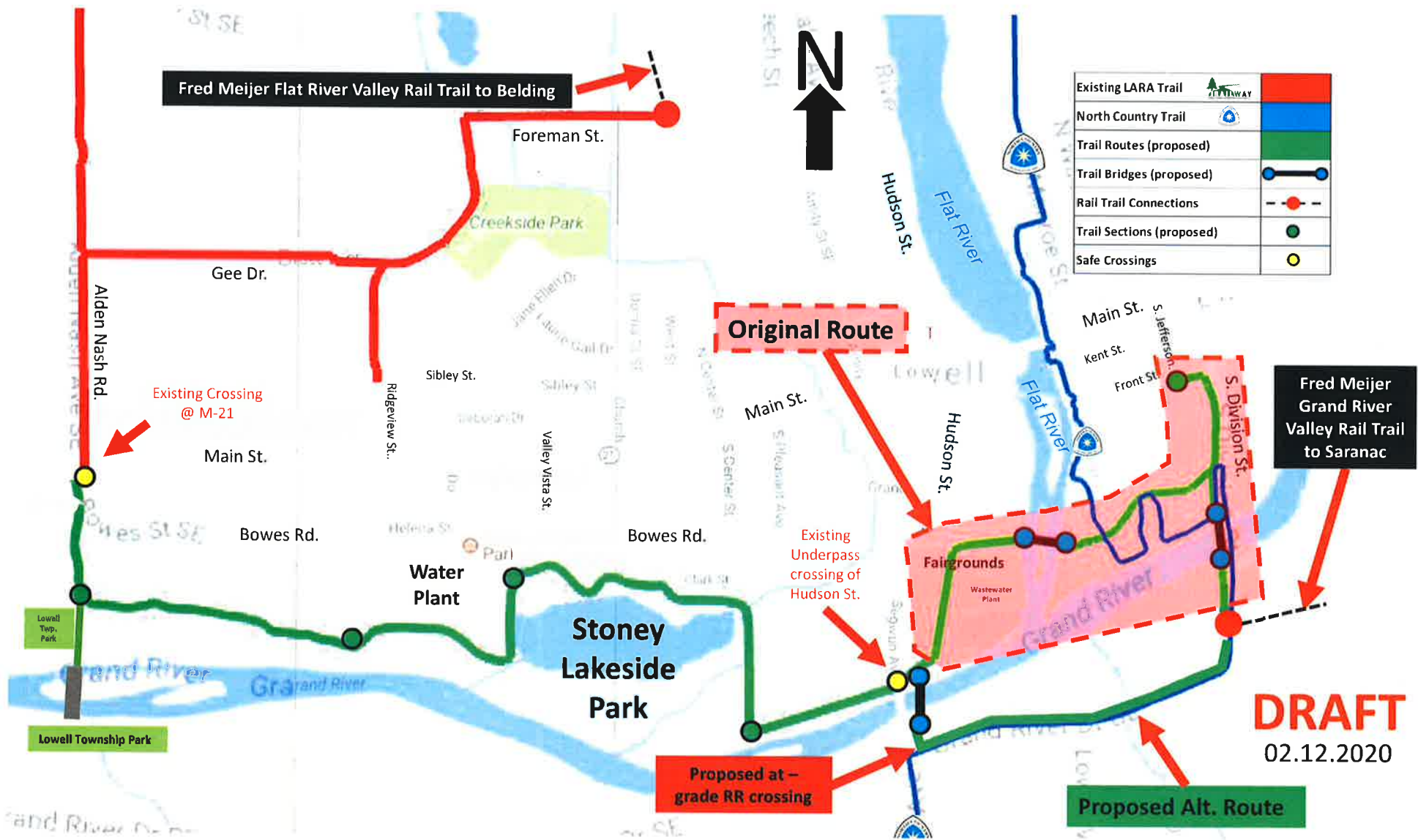
David Austin, P.E.

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**williams&works**

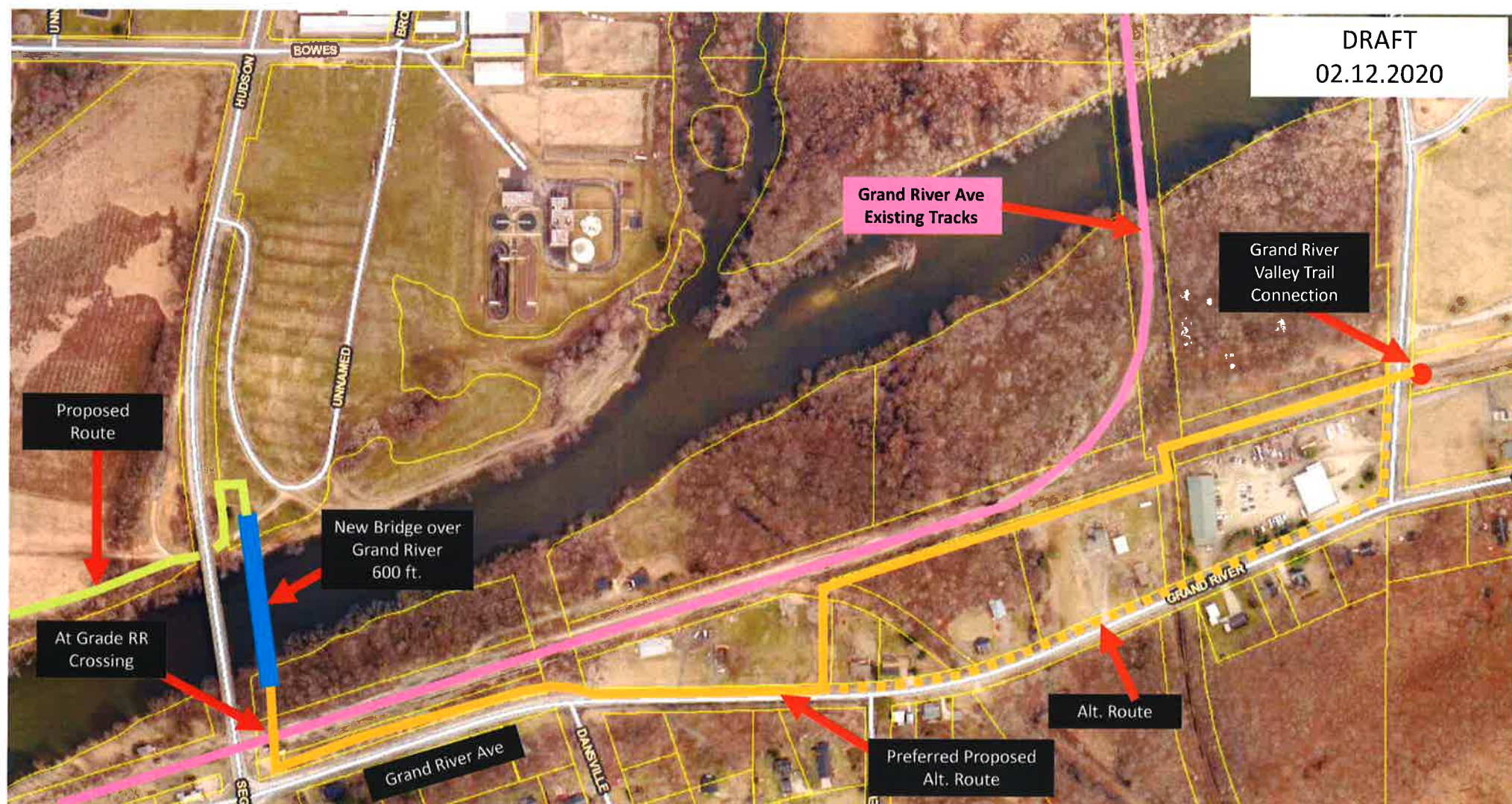
(616) 224-1500 | (800) 224-1590

[williams-works.com](http://williams-works.com)





DRAFT  
02.12.2020





# Police Department

**Steven Bukala**  
Chief of Police



February 26, 2020

## Old Business-Accreditation MACP

City council members requested an update on our accreditation project since we have signed up. Since April of 2019-December 2019, I have gone through and updated all of our policy and procedures for the Lowell Police Department (total of 55). We have also gone through all of our job descriptions and Field Training Program to meet the standards set by the Michigan Association of Chiefs of Police.

A common theme began to come up in my conversations with MACP and the other agencies going through or just finishing the process is whether or not we are using the Power DMS software accreditation module. Right now we are not. The process is taking a very long time to develop proofs that we are following policies as we have to physically find proofs by hand, where Power DMS will do this for LPD automatically.

Sgt. Hurst and I looked into this at the chief's conference in February and I completed a go to meeting webinar with the sales representative. What Power DMS does is pull each policy, develops a training module and a tracking system for each officer, and compiles the proofs we need for the accreditation process. This will cut my time by 50% or more trying to manage this accreditation process.

Since we are a small agency, I was able to negotiate \$1000 off the base price and will be putting Power DMS into our 2020-2021 budget to continue using the system. I was also able to get a price for our last four months of this year's budget to get a jump on the program. Although this is not a budgeted item, I have money available to pay for this out of the equipment line item for the remainder of this year.

Therefore I am recommended the city council authorize the expenditure of \$1624.90 and authorize me to oversee the Power DMS Accreditation Module program

A handwritten signature in blue ink, appearing to read "Steve Bukala".

Chief Steve Bukala



## Service Order

## Contract Details

Account Number: A-34538  
Customer: Lowell Police Department (MI)  
Sales Rep: Eddie Blackmon

## Order Details

Order #: Q-94248  
Order Date: 2/24/2020  
Valid Until: 2/24/2020  
Subscription Start Date: 2/24/2020  
Initial Term (months): 4

## Customer Contact

Billing Contact: Lowell Police Department (MI)

Address: 111 N Monroe St  
Lowell, MI 49331

Billing Contact Email:

Phone:

Fax:

## Payment Terms

Payment Term:

PO Number:

Notes:

## Subscription Service

Item	Type	Start Date	End Date	Qty	Total
PowerDMS Pro Base	Recurring	2/24/2020	6/23/2020	1	\$1,000.00
Capture signatures to ensure acknowledgement of crucial content, and generate reports based on user activity. Create workflows to simplify content updates and approvals. View content changes side-by-side.					
PowerDMS Pro License	Recurring	2/24/2020	6/23/2020	15	\$124.95
Per user license for PowerDMS Pro					
PowerDMS Training	Recurring	2/24/2020	6/23/2020	15	\$49.95
Develop courses from your content to train employees, and create tests and exams to ensure understanding. Assign, track and award certificates.					
PowerDMS University - 100-499	Recurring	2/24/2020	6/23/2020	1	\$166.67
Access to PowerDMS University with unlimited Boot Camp registrations.					
PowerDMS Standards for Michigan Association of Chiefs of Police Accreditation	Recurring	2/24/2020	6/23/2020	1	\$283.33
Attach proofs to show compliance with Michigan Association of Chiefs of Police Accreditation Standard, assign assessment tasks, track revisions, and status-based grading.					
Michigan Association of Chiefs of Police Accreditation Manual	Recurring	2/24/2020	6/23/2020	1	\$0.00
View Standards manual electronically.					
TOTAL:					\$1,624.90

## Additional Terms and Conditions

**Payment Terms** All invoices issued hereunder are **due upon the invoice due date**. The fees set forth in this Service Order are exclusive of all applicable taxes, levies, or duties imposed by taxing authorities and Customer shall be responsible for payment of any such applicable taxes, levies, or duties. All payment obligations are non-cancellable, and all fees paid are non-refundable.

**Terms & Conditions** Unless otherwise agreed in writing by PowerDMS and Licensee, this Service Order and the services to be furnished pursuant to this Service Order are subject to the terms and conditions set forth here: <http://www.powerdms.com/terms-and-conditions/>. The Effective Date (as defined in the terms and conditions) shall be the date set forth below.



Accepted and Agreed By:  
**Lowell Police Department (MI)**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date \_\_\_\_\_

**THE INFORMATION AND PRICING CONTAINED IN THIS SERVICE ORDER IS STRICTLY CONFIDENTIAL**



**LOWELL CITY ADMINISTRATION**  
**INTER OFFICE MEMORANDUM**

**DATE:** February 27, 2020  
**TO:** Mike Burns, City Manager  
**FROM:** Susan Ullery, City Clerk  
**RE:** LCTV Endowment Fund  
Recommendations

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The LCTV Endowment Board met on February 25, 2020 to discuss the applications received for grant opportunities.

LCTV Chair Dennis Kent will present the recommendations.

LCTV ENDOWMENT FUND BOARD  
TUESDAY, FEBRUARY 25, 2020  
7:00 P.M.

**1. CALL TO ORDER; ROLL CALL**

The meeting was called to order at 7:00 p.m. by Chair Dennis Kent.

Present:	City of Lowell	Dennis Kent Mark Mundt Jim Salzwedel Jeff Dickerman
	Lowell Charter Township	Bill Thompson Sue Simmonds
	Vergennes Township	Tim Wittenbach

Absent: None.

Also Present: City Clerk Susan Ullery

**2. APPROVAL OF AGENDA**

IT WAS MOVED BY THOMPSON and seconded by DICKERMAN to approve the agenda as written.

YES: 7. NO: 0. ABSENT: 0. MOTION CARRIED.

**3. APPROVAL OF THE MINUTES**

IT WAS MOVED BY THOMPSON and seconded by DICKERMAN to approve the minutes of the December 5, 2019 meeting as written.

YES: 7. NO: 0. ABSENT: 0. MOTION CARRIED.

**4. PUBLIC COMMENTS**

No public comments.

**5. OLD BUSINESS**

a. Progress Reports – Comments.

The Boardmembers reviewed the progress reports.

Ullery noted she would begin to include the history of grants in this agenda packet as well as the December organizational meeting.

City Manager Mike Burns explained the City has spent nearly \$10,000 of the grant on expenses toward the MEP, architectural work and interior design of the public restroom and DPW Building. Bids for the general contractor will be accepted soon. He also noted the sidewalk project will begin this spring. Several attempts to begin were made in the fall, however weather was a factor.

## 6. NEW BUSINESS

### a. Financial Statement from Grand Rapids Foundation.

The Financial Statement from the Grand Rapids Foundation was reviewed and there is approximately \$109,967.43 available for grants. Chair Dennis Kent requested a Grand Rapids Foundation representative be present at the December 2020 meeting.

### b. Review of 2020 grant applications – Possible Final Recommendations to City Council.

After reviewing and discussing the grant applications, the board agreed to fund all of the requests as follows:

Applicant	Description	Rec. Amt.
City of Lowell	LTV Fund Administration Expenses.....	\$4,000.00
City of Lowell	Ware Road Landfill Project.....	\$30,000.00
Fallasburg Historical Society	Misner House Roof Replacement... ..	\$5,000.00
Flat River Outreach Ministries	FROM Food Pantry Renovation.....	\$5,000.00
GR Amateur Astro. Assoc.	Ash Dome Refurbishing.....	\$10,000.00
Lowell Area Arts Council	2020 Office Updates.....	\$11,000.00
Lowell Area Hist. Museum	Youth Summer Camp.....	\$2,000.00
The Barn for Equine Learning	Therapeutic Office Space.....	\$10,800.00
Vergennes Township	Vergennes Twp. Community Room.....	\$7,000.00
Lowell YMCA	Energize Lowell.....	\$25,000.00

IT WAS MOVED BY THOMPSON and seconded by SIMMONDS to recommend the City Council approve \$109,800.00 in grants as noted above.

YES: 7. NO: 0. ABSENT: 0. MOTION CARRIED.

### c. Determine if an additional meeting is necessary for final recommendations to City Council.

By general consensus, the board agreed an additional meeting was not necessary.

### d. Schedule 2020/2021 Meetings.

By general consensus, the board agreed to meet on December 5, 2020 at 7:00 p.m. Further meetings will be established.

## 7. ADJOURNMENT

IT WAS MOVED BY SALZWEDEL and seconded by DICKERMAN to adjourn at 8.39 p.m.

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Dennis J. Kent  
Chair

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Mark Mundt  
Recording Secretary



**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

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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> ront yard	None
<u>Minimum S</u> ide yard	Side abutting Residential Districts or Uses - 5 feet Side abutting other Districts - 0 or 10 feet
<u>Minimum R</u> ear 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 marihuana 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.

<del>Minimum f</del> Front yard	35 feet
<del>Minimum S</del> 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
<del>Minimum r</del> Rear yard	35 feet
<del>Maximum L</del> Lot coverage	60% <del>(including building and parking areas)</del>
<del>Maximum B</del> 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.

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

## **APPOINTMENTS**

	Expires
Building Authority Vacancy (Charles Myers – Currently Serving)	01/01/2020
Downtown Development Authority Vacancy (Eric Wakeman – Currently Serving)	01/01/2020
Lowell Area Fire and Emergency Services Authority Vacancy (Dave Pasquale – Currently Serving)	01/01/2020



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

## CITY OF LOWELL

### Application for Board or Commission Appointment

Name: James Salzwedel  
Address: 505 N Jefferson  
Telephone Numbers: Home 897-7025 Cell 260-3922  
Email: jmsalzwedel@aol.com  
Board or Commission Position Desired: Fire Authority Board

Please give a brief resume of your qualifications for the desired position (you may attach additional information):

Currently serving on City Council, Arbor Board & LCTV Fund  
board. Have served on past boards Planning Comm. Lowell Light &  
Power. Involved in other community projects. Have served  
on other work related boards. I am ready for the challenge  
ahead to help make this board a real working board that  
others will be glad to belong in the future!

Signature [Signature]

**Please return application to:**

City of Lowell  
Attn: City Clerk  
301 East Main Street  
Lowell, MI 49331

Or by email to:

[sullery@ci.lowell.mi.us](mailto:sullery@ci.lowell.mi.us)