



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

CITY OF LOWELL
CITY COUNCIL AGENDA
JULY 5, 2022

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

2. CONSENT AGENDA

- Approval of the Agenda.
- Approve and place on file the minutes of the June 20, 2022 Zoning Board of Appeals meeting and June 20, 2022 regular meeting.
- Authorize payment of invoices in the amount of \$106,822.59.

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. Construction Engineering Services – 2022 Lowell Street Improvement Project
- b. Employee Handbook Revision

5. NEW BUSINESS

- a. Tree Removals
- b. Fire Pit Ordinance
- c. Renaissance Zone

6. BOARD/COMMISSION REPORTS

7. MANAGER'S REPORT

8. APPOINTMENTS

9. COUNCIL COMMENTS

10. ADJOURNMENT

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



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

MEMORANDUM

TO: Lowell City Council

FROM: Michael Burns, City Manager

RE: Council Agenda for Tuesday, July 5, 2022

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

- Approval of the Agenda.
- Approve and place on file the minutes of the June 20, 2022 Zoning Board of Appeals meeting and June 20, 2022 regular meeting.
- Authorize payment of invoices in the amount of \$106,822.59.

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. Construction Engineering Services – 2022 Lowell Street Improvement Project. Memo is provided by Public Works Director Daniel Czarnecki.

Recommended Motion: That the Lowell City Council approves the 2022 Lowell Street Improvement Project Construction Engineering Services with Williams and Works, as outlined in their scope of services, dated June 28, 2022, for the amount of \$43,800, with \$34,400 coming from the Local Street fund and \$9,400 being funded by the DDA.

- b. Employee Handbook Revision. Memo is provided by City Manager Michael Burns.

Recommended Motion: That the Lowell City Council approve the employee handbook as presented.

5. NEW BUSINESS

- a. Tree Removals. Memo is provided by Public Works Director Daniel Czarnecki.

Recommended Motion: That the Lowell City Council approve the tree removal quotes from Inbody Tree Service, Lowell, dated June 2022, for the tree removal and stump grinding at three locations in the City, for a total cost of \$8,300.00

- b. Fire Pit Ordinance. Memo is provided by City Manager Michael Burns.

Recommended Motion: No action is needed. However, we would like direction on making changes to the ordinances we propose.

- c. Renaissance Zone. Memo is provided by City Manager Michael Burns.

6. BOARD/COMMISSION REPORTS

7. MANAGER'S REPORT

8. APPOINTMENTS

9. COUNCIL COMMENTS

10. ADJOURNMENT

**PROCEEDINGS
OF
CITY COUNCIL
OF THE
CITY OF LOWELL
MONDAY, JUNE 20, 2022, 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 Clerk Susan Ullery called roll.

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

Absent: None.

Present: City Manager Michael Burns, Chief of Police Chris Hurst, Clerk Susan Ullery, DPW Director Dan Czarnecki, Lowell Light & Power Charlie West, and City Attorney Jessica Wood, City Treasurer Sue Olin.

2. APPROVAL OF THE CONSENT AGENDA.

- Approval of the Agenda as amended.
- Approve and place on file the minutes of the June 06, 2022 regular meeting and closed session meeting.
- PROTEC Membership
- Authorize payment of invoices for \$66,554.17.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS to approve the consent agenda as amended adding item F under new business.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

3. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA.

There were no comments.

4. OLD BUSINESS

a. Line Shack RFP

City Manager Michael Burn provided a Step-Sheet to the Renewed Line Shack RFP and went over the details as well as a full schedule (using scheduled meetings). Burns stated the Request for Proposals for the Purchase and Development of City of Lowell owned property located at 115 Riverside Drive is basically the same.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that Lowell City Council approve the publishing of the RFP for the Line Shack and the schedule.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Lease with Lowell Rotary.

City Manager Michael Burns read his memo stating the Cities lease with the Lowell Rotary Club will expire on June 30, 2022. The Lowell Rotary Club has informed me they would like to continue their lease for another three year term. Rotary will continue to pay a weekly rental of \$75 payable quarterly in advance at the beginning of each calendar quarter based on the number of weeks during the quarter the Council Chambers is used for their meetings. The proposed lease would begin July 1, 2022 and expire on June 30, 2025.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve Resolution 17-22 to renew a lease agreement with the Lowell Rotary Club as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

c. Budget Amendments.

City Manager Michael Burns provided Resolution 18-22 to approve the budget amendments for the current fiscal year along with a spreadsheet identifying all of the adjustments with an explanation as to the need for the adjustment.

IT WAS MOVED BY YANKOVICH and seconded by CHAMBERS that the Lowell City Council approve Resolution 18-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. Additional Street Improvements.

City Manager Michael Burns read his memo stating the bid to repave Valley Vista, Faith, Heffron and Roberta Jayne came in much less than estimated. In addition, the proceeds from our Marijuana Excise Tax were much higher than anticipated. All of these proceeds are going to street improvements, Dan Czarnecki and I asked Williams & Works to request pricing from Youngston Construction, to pave the following additional areas.

- N. West St. from Heffron St. to the north (approximately 275 ft)

- Church St from Main St. to Sibley St. (approximately 570 ft)
- Elizabeth Dean Dr. from Faith Dr. to Carol Lynne Dr. (approximately 235 ft)

We received an estimate of \$173,923.13 to repave all three streets. All three segments have low PASER rating. We have approximately \$106,000 budgeted for Faith, Heffron and Roberta Jayne (DDA is funding Valley Vista) which would be unspent this year and this would add \$68,000 in expenditures to the upcoming capital outlay expense in the Local Street Fund.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council add N. West St., Church St. and Elizabeth Dean Drive to the 2022 Street Improvement Plan at a cost not to exceed \$173,923.13.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

5. **NEW BUSINESS**

a. 605 Grindle.

City Manager Michael Burns read his memo stating Kent County recently notified the City Treasurer's Office that the residence was foreclosed on at 605 Grindle for non-payment of 2019 property taxes. As a result of this the City is given a first right of refusal on whether we would like to purchase the property but must notify them before the first Tuesday in July. I do not believe we are in a situation where we need to consider creating an NSP program. I don't see the need for the City to purchase the house, renovate it and resell it out on the market.

IT WAS MOVED BY DEVORE and seconded by SALZWEDEL that the Lowell City Council opt out from purchasing the property at 605 Grindle.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

b. Industrial Development District – Attwood – Public Hearing.

Mayor Devore opened the Public Hearing.

City Manager Michael Burns received a request from Attwood Corporation to consider an Industrial Development District at their facility at 1016 N. Monroe. An Industrial Development District must be formed in the event an Industrial Tax Credit (ITFC) would be filed at the site. The property is not in the Downtown Development Authority district. We have not received an application for an Industrial Facility Tax Credit at this time. As a result, I have no information regarding any improvements that would further consider at the time if they chose to do so. In the event Attwood chooses to move forward with submitting one, this creation allows us to do so more expeditiously.

Spencer Donahue presented on behalf of Attwood of their intent for the future.

IT WAS MOVED BY CHAMBERS and seconded by SALZWEDEL that the Lowell City Council approve Resolution 19-22 for Attwood at 1016 N. Monroe to establish an Industrial Development District as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

Mayor DeVore closed the Public Hearing.

c. Industrial Facility Tax Credit – King Milling – Public Hearing.

Mayor DeVore opened the Public Hearing.

City Manager Michael Burns read his memo stating the City received an Industrial Facility Tax (IFTC) application for the construction of two additions totaling 10,790 sq. ft. at 139 S. Broadway (King Milling). The proposed plan is to construct an additional mill and a loading facility for the mill. An Industrial Development District for this parcel was created at the January 22, 2019 City Council Meeting. King Milling has received IFTC's in the past. The proposed investment is \$42,500,000 in improvements. The largest investment ever in the City of Lowell to my knowledge. King Milling meets the legal requirements to be considered for the IFTC. This project's revenue would be captured by the Downtown Development Authority and would not have a negative impact to the tax base. However, the DDA would only capture 50% of the new taxable value of this project (except schools) during the abatement period.

Councilmember Yankovich would like a review in a couple of years by City Administration.

Mayor DeVore closed the public hearing.

IT WAS MOVED BY CHAMBERS and seconded by GROVES that the Lowell City Council approve Resolution 20-22 as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

d. 2531 W. Main – Rezoning Request.

City Manager Michael Burns read his memo stating at the meeting of May 9, 2022, the Planning Commission reviewed a request by Ms. Kassandra Lippert of Scooters Coffee regarding the rezoning of property located at 2531 West Main Street from I-1, Industrial District to C-3, General Business. The proposed use on the parcel is a drive-thru Scooter's Coffee Shop.

Councilmember Chambers stated that the Planning Commission approved this but didn't review the site plan because of a needed easement.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the Lowell City Council accept

the recommendation from the Planning Commission and approve this zoning map amendment, Ordinance 22-03.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

e. Employee Agreement – Michael Burns.

City Attorney Jessica Wood summarized the updated agreement for the City Manager Michael Burns.

IT WAS MOVED BY SALZWEDEL and seconded by CHAMBERS to approve the City Manager agreement as presented.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

f. Security Cameras.

City Manager Michael Burns stated that with the recent vandalism at Stoney Lake Park, we have looked at installing surveillance cameras around restrooms at Stoney Lakeside and Creekside Park. Entrance Technologies quotes us for both parks for the cost and installation at \$9174. There will be no monthly service agreement and they will donate two maintenance visits to ensure the system is working and will include firmware updates, lens cleaning and any adjustment during the visits. If approved, we can have the system installed in two weeks.

IT WAS MOVED BY DEVORE and seconded by CHAMBERS that the Lowell City Council approve Entrance Technologies to install cameras at Stoney Lake Park and Creekside Park at a cost not to exceed \$9,174.

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

NO: None.

ABSENT: None.

MOTION CARRIED.

6. BOARD/COMMISSION REPORTS.

Councilmember Yankovich stated the HDC received \$50,000. Also, thank you to Dave Austin who walked through the trails with him, it was very informative.

Councilmember Salzwedel stated the Lowell Light & Power Board met, they continue to amaze him with all the things they do for the community. They moved the meetings down to the Chatum facility now.

Councilmember Chambers stated at the last Planning Commission meeting we approved King Millings new structures and Scooters Drive Thru Coffee will be coming back for approval in the future as well.

Councilmember Groves stated at the Chambers meeting they are still working through the job postings.

Park and Rec meets tomorrow.

Mayor DeVore stated Fire Authority was last week and Chief Witherell promoted our first full-time fire fighter in department history. Brenda Herron and she is fantastic and does so much down there. The new engine is set for delivery late August, very excited!

7. **BUDGET REPORT.**

Nothing new to report.

8. **MANAGER'S REPORT.**

City Manager Michael Burns reported on the following:

- WTP – Normally during the summer months, we have some issues because a lot of water is pumped because of the warmer weather. As the Township continues to grow quite expeditiously, we had over the weekend two average days where we had 680,000 gallons per day sent to Lowell Township. Our tank that goes to Lowell Township holds 500,000 gallons. And if you were to run the plant 24 hours a day, the maximum would be 840,000 gallons a day. We reached out to the Township about our concern and we are going to place and even/odd day water restriction for watering for the Township and the City until further notice.
- Vandalism issues - we had two suspects come into the Police Station and confess to the graffiti portion but they had no involvement in the restroom vandalism. We are looking at some suspects.
- HVAC Unit will be replaced in September or October 2022. Had to have an emergency fix that cost \$9000.
- Promoted Jesalyn Heard to a full-time police officer.
- Will be filling the cemetery position August 31 to Todd Lindeman.
- Darren Dockery will go into the maintenance position for the DPW..

9. **APPOINTMENTS.**

There are no new appointments.

10. **COUNCIL COMMENTS.**

Councilmember Chambers stated he has been approached by people who had gas lines put in and there yards were tore up and left a mess and it needs to be addressed.

Councilmember Salzwedel attended the Sizzlin' Summer Concert on Thursday and had a great time. The Riverwalk Festival is coming up soon and they could really use some volunteers to work if anyone could help out, please contact Liz at the Chamber. Showboat Committee meeting is tomorrow and we will be discussing paint chipping as well as replacing the pump on the chiller.

Councilmember Yankovich stated he just spent 6 days out west and we have no problems with water

compared to what is going on out west.

Mayor DeVore stated the dates for the Riverwalk Festival are July 8, 9 & 10, 2022.

11 **ADJOURNMENT.**

IT WAS MOVED SALZWEDEL and seconded by YANKOVICH to adjourn at 8:11 p.m.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk

**PROCEEDINGS
OF
ZONING BOARD OF APPEALS MEETING
OF THE
CITY OF LOWELL
MONDAY, JUNE 20, 2022, 7:00 P.M.**

1. **SWEARIN OF OFFICER JESALYN HEARD.**

Chief of Police Chris Hurst and City Clerk Sue Ullery swore in Officer Jesalyn Heard as a full-time officer for the City of Lowell.

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

The Meeting was called to order at 7:00 p.m. by Chair Jim Salzwedel and City Clerk Sue Ullery called roll.

Present: Councilmembers acting as Zoning Board of Appeals Members: Cliff Yankovich, Leah Groves, Marty Chambers, Mike DeVore, and Chair Jim Salzwedel.

Absent: None.

Also Present: City Manager Michael Burns, City Clerk Susan Ullery, DPW Director Dan Cznarecki, Police Chief Chris Hurst, City Attorney Jessica Wood, Lowell Light & Power Charlie West and City Treasurer Sue Olin.

2. **APPROVAL OF AGENDA.**

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

YES: Zoning Board of Appeals members Groves, DeVore, Chambers, Yankovich and Chair Salzwedel.

NO: None.

ABSENT: None.

MOTION CARRIED.

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

There were no comments.

4. **NEW BUSINESS.**

a. **Public Hearing – 139 S. Broadway and 149 S. Broadway.**

City Manager Michael Burns reviewed the variance application explaining the applicant King Milling is proposing to construct a mill, building, silos, a truck load out, and a relocated parking area on the property to support the operation on this and adjacent parcels. The zoning ordinance in the General Industrial district requires a 50' front yard setback and the buildings as proposed would have a front yard setback of approximately 7 feet, which is not in compliance. Thus, a 43-foot variance is requested. The purpose of this memorandum is to evaluate the request pursuant to Chapter 20 of the City of Lowell Zoning Ordinance. Burns then read the background stating the subject property has a combined area of approximately 3.2 acres and has approximately 600 feet of frontage along South Broadway Street. The subject property is part of King Milling's larger operation that occupies several parcels at the

southeast corner of Main Street and Hudson. The parcel is within the 1 General Industrial district and the applicant is proposing to construct a mill building and silos with an area of 7,873 square feet and a truck load out with an area of 2,917 square feet. The proposed improvements take advantage of the site's existing conditions and access to the site. These additions would be next to the existing warehouse building on the site as well as accessible by the road on the subject property. The scope of this review is only limited to the building and silos as it relates to the variance request and is not intended to facilitate discussion of the entire site plan, as the Planning Commission approved the site plan during its meeting on June 13, 2022. This approval was given contingent on the applicant receiving a variance from the City Council.

James M. Doyle, owner of King Milling spoke representing King Milling and explained their project and answered Zoning Board of Appeals members' questions.

City Manager Michael Burns then went through the Variance Review Standards stating the standards of Section 21.04 are as follows;

1. That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district; Exceptional or extraordinary circumstances include: exceptional narrowness, shallowness or shape of a specific property on the effective date of this chapter, or by reason of exceptional topographic conditions or other extraordinary situation on the land, building or structure or by reason of the use of development of the property immediately adjoining the property in question, the literal enforcement of the requirements of this ordinance would involve practical difficulties;

Zoning Board of Appeals members all found that this standard has been met. Burns stated he met with them last week and they really do not have an alternative.

2. That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.

Zoning Board of Appeals members all found that this standard has been met.

3. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

Zoning Board of Appeals member Mike DeVore did not find that this standard has been met. All other Zoning Board of Appeals members found that this standard has been met.

4. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.

Zoning Board of Appeals members all found that this standard has been met.

5. The variance will not impair the intent and purpose of this ordinance.

Zoning Board of Appeals members all found that this standard has been met.

6. That the immediate practical difficulty causing the need for the variance request was not created by any action of the applicant.

Zoning Board of Appeals members all found that this standard has been met.

Burns then read Andy Moore with Williams & Works' recommendation stating at the June 20 meeting, the ZBA should consider the documents submitted and carefully listen to comments by the applicant, as well as the public. If in the judgement of the Board, all of the above standards are met and a practical difficulty exists, the Board may approve the variance with or without conditions. Based on our analysis above and knowledge of the site, we recommend that the variance be granted. The discussion contained in this memorandum may be cited as a basis for the decision

There were no public comments.

IT WAS MOVED BY YANKOVICH and seconded by GROVES that the City of Lowell Zoning Board of Appeals adopt Andy Moore's recommendations to approve the 139 South Broadway & 149 South Broadway Variance Application.

ROLL CALL VOTE: YES: Zoning Board of Appeals member Groves, Zoning Board of Appeals member Chambers, Zoning Board of Appeals member Yankovich and Chair Salzwedel.

NO: Zoning Board of Appeals member Mike DeVore. ABSENT: None. MOTION CARRIED 4-1.

5. **ADJOURNMENT.**

IT WAS MOVED BY CHAMBERS and seconded by DEVORE to adjourn at 7:23 p.m.

YES: 5. NO: NONE. ABSENT: None. MOTION CARRIED.

DATE:

APPROVED:

Mike DeVore, Mayor

Sue Ullery, Lowell City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 17-22

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF
A LEASE AGREEMENT BETWEEN THE CITY AND ROTARY CLUB OF
LOWELL**

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

WHEREAS, the Rotary Club of Lowell ("Rotary") desires to continue to lease the City Council Chambers and adjacent kitchenette, conference room and storage area (the "Leased Premises") for its weekly meetings and the storage of materials related to such meetings; and

WHEREAS, the City is willing to continue to lease the Leased Premises to Rotary for a 3-year term subject to the terms and conditions of a Lease Agreement in the form presented at this meeting (the "Lease").

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Lease between the City and Rotary in the form presented at this meeting is approved and the Mayor and City Clerk are authorized and directed to execute the Lease for and on behalf of the City.

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

YEAS: Councilmembers Salzwedel, Yankovich, Chambers, Groves and Mayor DeVore

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED.

Dated: June 20, 2022

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 at a regular meeting held on June 20, 2022, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: June 20, 2022

Susan Ullery
City Clerk



**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 18-22

**RESOLUTION ADOPTING AN AMENDMENT TO THE
CITY OF LOWELL ANNUAL BUDGET FOR FISCAL
YEAR 2021-2022**

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

WHEREAS, the City Manager has prepared and presented to the City Council at its meeting on June 20, 2022, a proposed amended budget for the 2021-2022 fiscal year of the City (the "Amended Budget") in accordance with the City Charter, applicable State of Michigan law and applicable federal law and regulations, if any; and

WHEREAS, the City Charter allows that after a budget has been adopted for a fiscal year the City Council may make adjustments as it deems necessary.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Amended Budget as presented at this meeting is hereby adopted.
2. That in accordance with the Amended Budget the 2021-2022 fiscal year budget at the following are the estimated revenues and expenses for the 2021-2022 fiscal year of the City:

	<u>Revenues</u>	<u>Appropriations</u>
General Fund	\$3,968,689.92	\$3,962,158.92
Major Street Fund	\$428,658.33	\$488,561.92
Local Street Fund	\$989,288.88	\$1255,691.07
Historic District	\$25,000.00	\$70,000.00
DDA	\$792,500.00	\$892,650.63
Building Inspector Fund	\$110,000.00	\$90,000.00
Designated Contribution	\$351,206.31	\$342,243.85
Airport Fund	\$78,000.00	\$84,000.00
Wastewater Fund	\$1,322,851.07	\$1,505,329.94

Water Fund	\$1,280,291.71	\$1,706,343.07
Cable Fund	\$109,000.00	\$119,543.85
Data Processing	\$122,406.00	\$164,298.94
Equipment Fund	\$274,791.48	\$386,582.95
Cemetery Fund	\$12,000.00	

3. That it has been determined that there is sufficient fund balance when budgeted revenues are less than budgeted appropriations.

4. That pursuant to the provisions of the Uniform Budgeting and Accounting Act, Act 2 of the Public Acts of Michigan 1968, as amended ("Act 2"), the City Manager or his designee(s) is hereby authorized to make budgetary transfers within the identified fund in the Amended Budget or between identified activities within a fund. All other budgetary transfers in the Amended Budget shall be in accordance with Act 2 when City Council approval is required.

5. That the City manager or his designee(s) is authorized to make expenditures budgeted in the Amended Budget in accordance with applicable law, ordinances, rules, regulations and policies.

YEAS: Councilmembers Yankovich, Chambers, Groves, Mayor DeVore and
Councilmember Salzwedel

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

RESOLUTION DECLARED ADOPTED.

Dated: June 20, 2022


 Susan Ullery, City Clerk

CERTIFICATION

I, the undersigned Clerk of the City of Lowell, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council, at a meeting held on June 20, 2022, and that public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: June 20, 2022


Susan Ullery, City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 19-22

**RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT
DISTRICT (PLANT REHABILITATION DISTRICT) FOR 1016 N. MONROE**

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

WHEREAS, Act 198 of the Public Acts of Michigan of 1974, as amended ("Act 198"), provides for the establishment of industrial development and plant rehabilitation districts in local government units and also provides, within such districts, an exemption from certain *ad valorem* property taxes as an incentive to industries to renovate and expand aging facilities and to build and acquire new facilities; and

WHEREAS, Attwood Corporation, has filed a request with the City for the establishment of an industrial development district (plant rehabilitation district); and

WHEREAS, written notice, not less than 7 days prior to the hearing, has (a) been given by regular mail to the owners of all real property within the proposed industrial development district (plant rehabilitation district) and (b) published in the *Lowell Ledger*, a newspaper of general circulation in the City setting the date of June 20, 2022, at 7:00 p.m., local time, in the City Hall at 301 E. Main Street, Lowell, Michigan, at the time and place at which those owners and any other resident or taxpayer of the City were given and afforded an opportunity to be heard on the establishment of the industrial development district (plant rehabilitation district).

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the City Council of the City, based upon the facts and information submitted, does hereby approve the establishment of an industrial development district (plant rehabilitation district), which district is described as follows:

PART GOVT LOT 7 COM 693 FT W OF SE COR THEREOF TH N 924 FT TH E 33 FT TH N TO S 1/8 LINE TH W TO CONT 630 FT ON LT BANK OF FLAT RIVER TH SLY ALONG SD CONT LINE TO S SEC LINE TH E TO BEG* SEC 35 T7N R9W 20.90 A.

and commonly known as 1016 N. Monroe SE, Lowell, Michigan.

2. That all resolutions or parts of resolutions in conflict herewith are rescinded.

YEAS: Councilmember Yankovich, Chambers, Groves, Mayor DeVore and Councilmember Salzwedel

NAYS: Councilmember None

ABSTAIN: Councilmember None

ABSENT: Councilmember None

RESOLUTION DECLARED ADOPTED.


Dated: June 20, 2022


Susan Ullery, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Lowell at a meeting held on June 20, 2022, and that public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: June 20, 2022


Susan Ullery, City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 20-22

**RESOLUTION APPROVING APPLICATION OF KING MILLING, FOR
AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE**

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

WHEREAS, Act 198 of the Public Acts of Michigan of 1974, as amended ("Act 198"), authorizes the City to approve applications for Industrial Facilities Exemption Certificates; and

WHEREAS, pursuant to Act 198 and after a duly noticed public hearing held on January 22, 2019, this City Council by its resolution adopted January 22, 2019, established an Industrial Development District (Plant Rehabilitation District) as legally described in said resolution (the "District"); and

WHEREAS, King Milling (the "Applicant") has filed an application for an Industrial Facilities Exemption Certificate under the provisions of Act 198 for facilities to be located in the District and this City Council has set this time and date to give the Applicant, the City Assessor, a representative of each taxing unit which levies *ad valorem* property taxes in the City, and the residents and taxpayers of the City an opportunity to be heard regarding said application; and

WHEREAS, written notification of the hearing has been given, not less than 7 days prior to the hearing, to the Applicant, the City Assessor and to the legislative body of each taxing unit which levies *ad valorem* property taxes within the City and notice of the public hearing was published in the *Lowell Ledger*, a newspaper of general circulation in the City; and

WHEREAS, the Applicant, the City Assessor, a representative of the affected taxing units, and the residents and taxpayers of the City have been given an opportunity to be heard, and the City

Council has considered any objections with regard to the approval of an Industrial Facilities Exemption Certificate for the Applicant.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. That this City Council finds as follows that:

(a) the facilities, for which the Industrial Facilities Exemption Certificate is requested, are new facilities (facilities to be rehabilitated) within the meaning of Act 198;

(b) the commencement of the construction and/or acquisition (rehabilitation) of the intended facilities occurred not more than six (6) months before the filing of the application for an Industrial Facilities Exemption Certificate by the Applicant;

(c) the facilities are calculated to have the reasonable likelihood to create employment and retain employment;

(d) the facilities will not cause the transfer of employment from another governmental unit in the State of Michigan to the City (the facilities will cause the transfer of employment from Lowell, Michigan ("Lowell"), to the City and the consent of King Milling to the transfer of employment will be (has been) obtained);

(e) the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificate previously granted and currently in force will not have the effect of substantially impeding the operation of the City or impair the financial soundness of the taxing units which levy *ad valorem* property taxes in the City.

2. That the application of the Applicant for an Industrial Facilities Exemption Certificate be and is hereby approved for a period of twelve (12) years (may approve for up to 12 years).

3. That the date of completion of the facilities subject to the Industrial Facilities Exemption Certificate shall be within two years of the effective date of the Industrial Facilities Exemption Certificate issued pursuant hereto.

4. That the cost of the new facilities to be covered by the Industrial Facilities Exemption Certificate is estimated to be \$42,500,000 (SEV \$42,500,000).

5. That approval of the Application is contingent upon the Applicant executing the Property Tax Abatement Agreement attached hereto as Exhibit A.

6. That all resolutions or parts of resolutions in conflict herewith are rescinded.

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


NAYS: Councilmember None.

ABSTAIN: Councilmember None.

ABSENT: Councilmember None.

RESOLUTION DECLARED ADOPTED.


Dated: June 20, 2022


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 meeting held on June 20, 2022, and that public notice of said meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Dated: June 20, 2022


Susan Ullery, City Clerk

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

ORDINANCE NO. 22-03

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP AS
ESTABLISHED IN APPENDIX A, "ZONING" OF THE CODE OF
ORDINANCES OF THE CITY OF LOWELL TO REZONE 2531 WEST
MAIN STREET FROM I INDUSTRIAL TO C-3 GENERAL BUSINESS**

Councilmember YANKOVICH supported by Councilmember GROVES moved the adoption of the following ordinance:

THE CITY OF LOWELL ORDAINS:

Section 1. Amendment of Official Zoning Map. The Official Zoning Map of the City of Lowell Zoning Map is amended such that the parcel in the list below is rezoned from the I Industrial District to the C-3 General Business District:

Parcel ID	Address	Current Zoning	Proposed Zoning
41-20-03-301-030	2531 West Main St	I Industrial	C-3 General Business

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

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

YEAS: Councilmembers Chambers, Groves, Mayor DeVore, Salzwedel and Yankovich

NAYS: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

ORDINANCE DECLARED ADOPTED.

Dated: June 20, 2022

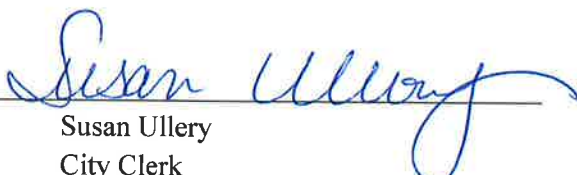


Susan Ullery
City Clerk

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 June 20, 2022, 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 June 22, 2022. I further certify that the above ordinance was entered into the Ordinance Book of the City on July 2, 2022, and was effective July 2, 2022, ten (10) days after publication.

Dated: June 20, 2022



Susan Ullery
City Clerk

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 1/5

Vendor Code	Vendor Name	Description	Amount
Invoice			
00543	ADCCRC LLC		
220474		BOUNDARY SURVEY 115 RIVERSIDE	850.00
TOTAL FOR: ADCCRC LLC			850.00
01513	ADDORIO TECHNOLOGIES, LLC		
9285		COMPUTER SERVICES	2,995.51
9286		COMPUTER SERVICES	884.26
9308		DPW COMPUTER SERVICES	142.27
9313		LPD COMPUTER SERVICES	137.50
TOTAL FOR: ADDORIO TECHNOLOGIES, LLC			4,159.54
00015	ALEXANDER CHEMICAL CORP		
55076		WTP CHEMICALS	2,092.49
55977		WTP CHLORINE	32.50
TOTAL FOR: ALEXANDER CHEMICAL CORP			2,124.99
10816	AMAZON CAPITAL SERVICES		
114-4302871-79834		WTP R & M	33.72
114-8603530-53786		WTP R & M	86.58
1JPP-6ND7-CPR7		DPW SUPPLIES	153.04
1RPN-X9CR-16HY		WTP R & M	634.23
TOTAL FOR: AMAZON CAPITAL SERVICES			907.57
10660	ARROW ENERGY, INC.		
137016		AV GAS FOR AIRPORT	9,346.21
TOTAL FOR: ARROW ENERGY, INC.			9,346.21
00045	BARTLETT, SANDY		
6/21/2022		MILEAGE & METER READS JUNE 2022	767.52
TOTAL FOR: BARTLETT, SANDY			767.52
10121	BEHRENS LIMITED, LCC		
2069		GARAGE CLEANER	129.60
2070		GRAFITTI REMOVER	151.50
TOTAL FOR: BEHRENS LIMITED, LCC			281.10
10822	BLDI ENVIRONMENTAL ENGINEERING		
19798		WARE ROAD PROJECT	2,040.70
TOTAL FOR: BLDI ENVIRONMENTAL ENGINEERING			2,040.70
00065	BOUWHUIS SUPPLY, INC.		
63489		TOWELS/TISSUE	392.41
TOTAL FOR: BOUWHUIS SUPPLY, INC.			392.41
10738	BROWN, AMY		
6/27/2022		MILEAGE & MEAL REIMBURSEMENT	192.95
TOTAL FOR: BROWN, AMY			192.95
00084	CANFIELD PLUMBING & HEATING IN		
40595881		DOG PARK R & M	159.00
TOTAL FOR: CANFIELD PLUMBING & HEATING IN			159.00
10581	CINTAS CORPORATION		
5113785875		LPD SAFETY GLASSES	62.16
TOTAL FOR: CINTAS CORPORATION			62.16
10509	CONSUMERS ENERGY		
5/20 - 6/19		ACCOUNT STATEMENTS	272.55
TOTAL FOR: CONSUMERS ENERGY			272.55

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 2/5

Vendor Code	Vendor Name	Description	Amount
Invoice			
10815	CUSTOM & DESIGN SHEET METAL INC		
3488	WELDING RIVERWALK RAILING		225.00
TOTAL FOR: CUSTOM & DESIGN SHEET METAL INC			225.00
00132	D&D TRUCKING ACQUISITION, LLC		
35132	#7 FUEL TRUCK R & M		1,341.62
35143	#31 LOADER R & M		1,005.83
35165	#9 R & M		315.81
TOTAL FOR: D&D TRUCKING ACQUISITION, LLC			2,663.26
00148	DICKINSON WRIGHT PLLC		
1619614	SHOWBOAT OWNER TRANSFER		1,813.00
1686419	REC MARIJUANA		92.50
1686420	SOCIAL DISTRICT		55.50
1686421	LOWELL SHOWBOAT		370.00
1686422	GENERAL MATTERS		3,108.00
1686423	LINE SHACK AGREEMENT		240.50
169018	WARE ROAD LANDFILL		74.00
1698016	CHAMBER OF COMMERCE LEASE		609.00
1698017	RECREATIONAL MARIJUANA		148.00
1698019	SHOWBOAT - OWNER TRANSFER		2,587.50
1698020	GENERAL MATTERS		8,787.50
1706131	WARE ROAD LANDFILL		166.50
1706132	SHOWBOAT OWNERSHIP TRANSFER		444.00
1706133	SHOWBOAT GENERAL MATTERS		777.00
1706134	GENERAL MATTERS		4,921.00
1706135	LINE SHACK AGREEMENT		407.00
TOTAL FOR: DICKINSON WRIGHT PLLC			24,601.00
02035	DIGITAL OFFICE MACHINES, INC.		
20127	DPW COPY MACHINE		77.05
TOTAL FOR: DIGITAL OFFICE MACHINES, INC.			77.05
10929	DOCKERY, DARREN		
6/27/2022	CEMETERY SUPPLIES REIMBURSEMENT		128.74
TOTAL FOR: DOCKERY, DARREN			128.74
02089	DORNBOS SIGN, INC		
INV63480	LETTERING FOR STATE CHAMP SIGN		32.00
TOTAL FOR: DORNBOS SIGN, INC			32.00
10761	FANS IN THE STANDS		
2001	T-SHIRTS - CARSON & TODD		260.00
TOTAL FOR: FANS IN THE STANDS			260.00
02478	GIVE EM A BRAKE SAFETY		
109608	835 W MAIN - RENTALS		2,325.07
TOTAL FOR: GIVE EM A BRAKE SAFETY			2,325.07
01999	GODWIN'S ADA VILLAGE HARDWARE		
11652	#153 & #154 TRIMMERS		847.76
TOTAL FOR: GODWIN'S ADA VILLAGE HARDWARE			847.76
00225	GRAND RAPIDS COMMUNITY COLLEGE		
6/1 - 6/15/2022	TAX DISBURSMENT		4.75
TOTAL FOR: GRAND RAPIDS COMMUNITY COLLEGE			4.75
00234	HACH COMPANY		
13076951	WTP SUPPLIES		216.44
TOTAL FOR: HACH COMPANY			216.44

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 3/5

Vendor Code	Vendor Name	Invoice	Description	Amount
00710	HAROLD ZEIGLER FORD, INC.	234162	LPE 2016 EXPLORER	56.36
TOTAL FOR: HAROLD ZEIGLER FORD, INC.				56.36
00248	HOOPER PRINTING, LLC	64796	TAX PAPER	112.50
		64819	BUSINESS CARDS - BURNS	39.24
		64874	SIGNAGE	137.85
		64879	PERMIT ENVELOPES	596.44
TOTAL FOR: HOOPER PRINTING, LLC				886.03
CREEKSIDE	KALEL CREASY	6/11/2022	CREEKSIDE PARK DEPOSIT	50.00
TOTAL FOR: KALEL CREASY				50.00
00301	KENT COUNTY HEALTH DEPT	LOWEC2022Q1	DOG LICENSES	327.20
TOTAL FOR: KENT COUNTY HEALTH DEPT				327.20
00300	KENT COUNTY TREASURER	6/1 - 6/15/2022	TAX DISBURSEMENT	11.51
		6/1 - 6/15/22	TAX DISBURSEMENT	16.50
		6/16 - 6/30/2022	TAX DISBURSEMENT	5.10
TOTAL FOR: KENT COUNTY TREASURER				33.11
00303	KENT DISTRICT LIBRARY	6/16 - 6/30/2022	TAX DISBURSEMENT	3.25
TOTAL FOR: KENT DISTRICT LIBRARY				3.25
00302	KENT INTERMEDIATE SCHOOL DIST.	6/1 - 6/15/2022	TAX DISBURSEMENT	15.16
TOTAL FOR: KENT INTERMEDIATE SCHOOL DIST.				15.16
02209	KERKSTRA PORTABLE, INC.	202974	PORTABLE RESTROOM - DDA	500.00
TOTAL FOR: KERKSTRA PORTABLE, INC.				500.00
10627	KIESLER'S POLICE SUPPLY, INC	IN193301	POLICE AMMO	360.00
TOTAL FOR: KIESLER'S POLICE SUPPLY, INC				360.00
01374	LOWELL AREA HISTORICAL MUSEUM	5/1 - 5/15	TAX DISBURSEMENT	0.85
		6/1 - 6/15	TAX DISBURSEMENT	0.62
TOTAL FOR: LOWELL AREA HISTORICAL MUSEUM				1.47
00562	LOWELL AREA SCHOOLS	6/1 - 6/15/2022	TAX DISBURSEMENT	18.33
		6/16 - 6/30/2022	TAX DISBURSEMENT	17.33
TOTAL FOR: LOWELL AREA SCHOOLS				35.66
00341	LOWELL LIGHT & POWER	3600	PHONE/COMCAST/DICKINSON	1,981.07
		3610	IP CONSULTING	4,893.72
TOTAL FOR: LOWELL LIGHT & POWER				6,874.79

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 4/5

Vendor Code	Vendor Name Invoice	Description	Amount
02461	LOWELL ROTARY CLUB		
	391	MEMBERSHIP DUES - BURNS	600.00
	401	MEMBERSHIP DUES - ULLERY	600.00
TOTAL FOR: LOWELL ROTARY CLUB			1,200.00
10251	MAG PLUMBING SERVICE LLC		
	3698	BACKFLOW TESTING	1,634.93
TOTAL FOR: MAG PLUMBING SERVICE LLC			1,634.93
10615	MANSZEWSKI LANDSCAPING LLC		
	1103	MOWING CONTRACT PYMT 1 OF 4	10,520.00
TOTAL FOR: MANSZEWSKI LANDSCAPING LLC			10,520.00
00434	MICHIGAN RURAL WATER ASSOC.		
	0603	MEMBERSHIP	780.00
TOTAL FOR: MICHIGAN RURAL WATER ASSOC.			780.00
00468	NYE UNIFORM COMPANY CO		
	802969	POLICE UNIFORM SHIRT	56.50
	814150	POLICE UNIFORMS	18.50
TOTAL FOR: NYE UNIFORM COMPANY CO			75.00
10195	O'LEARY PAINT		
	000450517	WHITE & YELLOW TRAFFIC PAINT	1,007.10
TOTAL FOR: O'LEARY PAINT			1,007.10
00499	PETTY CASH		
	6/30/2022	PETTY CASH	69.48
TOTAL FOR: PETTY CASH			69.48
10898	POINT BROADBAND		
	5267-20220616-1	ACCOUNT STATEMENT	319.99
TOTAL FOR: POINT BROADBAND			319.99
00506	POSTMASTER		
	6/27/2022	WATER RESTRICTION LETTERS	557.76
	6/30/2022	TAX BILLS MAILING	612.06
	6/30/22	W/S BILLS MAILING	471.69
	6-27-22	WATER RESTRICTION LETTERS ADDED POSTAGE	42.86
TOTAL FOR: POSTMASTER			1,684.37
00512	PREIN & NEWHOF, INC.		
	100068	WTP DRINKING WATER TESTING	378.00
TOTAL FOR: PREIN & NEWHOF, INC.			378.00
10919	ROTH, NANCY		
	6/30/2022	DDA FLOWER REIMBURSEMENT	29.64
TOTAL FOR: ROTH, NANCY			29.64
10616	SITEONE LANDSCAPE SUPPLY LLC		
	120204470-001	DDA LANDSCAPING	15.04
	120552934-001	PARKS SUPPLIES	61.21
TOTAL FOR: SITEONE LANDSCAPE SUPPLY LLC			76.25
10849	SMART BUSINESS SOURCE		
	OE-52088-1	BINDERS	17.38
TOTAL FOR: SMART BUSINESS SOURCE			17.38

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID - CHECK TYPE: PAPER CHECK

Page: 5/5

Vendor Code	Vendor Name	Invoice	Description	Amount
01668	STATE OF MICHIGAN	761-11012658	WTP DRINKING WATER CERTIFICATION	2,899.25
TOTAL FOR: STATE OF MICHIGAN				2,899.25
02232	STATE OF MICHIGAN	6/24/2022	IFT 2021	3,766.78
TOTAL FOR: STATE OF MICHIGAN				3,766.78
00630	THORNAPPLE RIVER NURSERY, INC.	15439	WOOD CHIPS - DDA	108.50
TOTAL FOR: THORNAPPLE RIVER NURSERY, INC.				108.50
10069	TRUGREEN	160342666	CREEKSIDE LAWN SERVICE	560.70
		160530707	DPW LAWN CARE	79.80
		160532963	MUSEUM LAWN CARE	40.95
		160535564	CHAMBER LAWN SERVICE	40.95
		160539531	LIBRARY LAWN CARE	110.25
		160539720	CITY HALL LAWN CARE	44.10
TOTAL FOR: TRUGREEN				876.75
10860	ULINE	149335788	CEMETERY & DDA BATHROOM SUPPLIES	403.96
		150151282	SAFETY CLOTHING & SUPPLIES	488.21
TOTAL FOR: ULINE				892.17
00646	ULLERY, SUSAN	6/28/2022	MILEAGE & MEAL REIMBURSEMENT	268.22
TOTAL FOR: ULLERY, SUSAN				268.22
10969	VEOLIA	20220156	WWTP SURCHARGES APRIL 2022	1,388.50
TOTAL FOR: VEOLIA				1,388.50
02324	VERMEER MIDWEST	PA1066	#88 VAC TRAILER	97.91
TOTAL FOR: VERMEER MIDWEST				97.91
00692	WILLIAMS & WORKS INC.	94146	MONROE ST RESURFACE & SEWER IMP	657.80
		94315	STREET ASSET MGMT	2,187.90
		94317	2022 STREET IMPROVEMENTS	448.55
		94318	GEE DR MILL & FILL	1,318.50
		94365	PLANNING SERVICES	2,086.00
		94381	PARKS & REC PLAN	959.12
		94415	MONROE ST RESURFACE W/S IMPR	114.40
		94416	WASH ST RESURFACING W/S IMPR	8,879.30
TOTAL FOR: WILLIAMS & WORKS INC.				16,651.57
TOTAL - ALL VENDORS				106,822.59

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 000					
101-000-084.015	DUE FROM FIRE AUTHORITY	POINT BROADBAND	ACCOUNT STATEMENT	29.49	77316
101-000-084.015	DUE FROM FIRE AUTHORITY	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	49.54	77310
101-000-085.000	DUE FROM LIGHT & POWER	POINT BROADBAND	ACCOUNT STATEMENT	60.46	77316
101-000-085.000	DUE FROM LIGHT & POWER	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	198.18	77310
101-000-123.000	PREPAID EXPENSES	LOWELL ROTARY CLUB	MEMBERSHIP DUES - ULLERY	600.00	77309
101-000-123.000	PREPAID EXPENSES	LOWELL ROTARY CLUB	MEMBERSHIP DUES - BURNS	600.00	77309
101-000-222.002	DUE TO COUNTY-DOG LICENSE	KENT COUNTY HEALTH DEPT	DOG LICENSES	327.20	77299
101-000-285.004	CREEKSIDE DEPOSIT	KALEL CREASY	CREEKSIDE PARK DEPOSIT	50.00	77298
Total For Dept 000				1,914.87	
Dept 172 MANAGER					
101-172-801.000	PROFESSIONAL SERVICES	BLDI ENVIRONMENTAL ENGINE	WARE ROAD PROJECT	2,040.70	77277
101-172-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	WARE ROAD LANDFILL	74.00	77285
101-172-955.000	MISCELLANEOUS EXPENSE	HOOPER PRINTING, LLC	BUSINESS CARDS - BURNS	39.24	77297
Total For Dept 172 MANAGE				2,153.94	
Dept 191 ELECTIONS					
101-191-864.000	CONFERENCES & CONVENTIONS	ULLERY, SUSAN	MILEAGE & MEAL REIMBURSEM	22.58	77325
Total For Dept 191 ELECTI				22.58	
Dept 210 ATTORNEY					
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	RECREATIONAL MARIJUANA	148.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	GENERAL MATTERS	8,787.50	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	CHAMBER OF COMMERCE LEASE	609.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SHOWBOAT - OWNER TRANSFER	2,587.50	77285
101-210-801.000	PROFESSIONAL SERVICES	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	610.50	77307
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	REC MARIJUANA	92.50	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SOCIAL DISTRICT	55.50	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	LOWELL SHOWBOAT	370.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	GENERAL MATTERS	3,108.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SHOWBOAT OWNER TRANSFER	1,813.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	LINE SHACK AGREEMENT	240.50	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	WARE ROAD LANDFILL	166.50	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SHOWBOAT OWNERSHIP TRANSF	444.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	SHOWBOAT GENERAL MATTERS	777.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	GENERAL MATTERS	4,921.00	77285
101-210-801.000	PROFESSIONAL SERVICES	DICKINSON WRIGHT PLLC	LINE SHACK AGREEMENT	407.00	77285
Total For Dept 210 ATTORN				25,137.50	
Dept 215 CLERK					
101-215-864.000	CONFERENCES & CONVENTIONS	BROWN, AMY	MILEAGE & MEAL REIMBURSEM	192.95	77279
101-215-864.000	CONFERENCES & CONVENTIONS	ULLERY, SUSAN	MILEAGE & MEAL REIMBURSEM	245.64	77325
Total For Dept 215 CLERK				438.59	
Dept 253 TREASURER					
101-253-740.000	OPERATING SUPPLIES	HOOPER PRINTING, LLC	TAX PAPER	112.50	77297
101-253-955.000	MISCELLANEOUS EXPENSE	STATE OF MICHIGAN	IFT 2021	0.40	77321
101-253-955.000	MISCELLANEOUS EXPENSE	POSTMASTER	TAX BILLS MAILING	612.06	77269
101-253-955.000	MISCELLANEOUS EXPENSE	PETTY CASH	PETTY CASH	17.55	77315
Total For Dept 253 TREASU				742.51	
Dept 265 CITY HALL					
101-265-850.000	COMMUNICATIONS	POINT BROADBAND	ACCOUNT STATEMENT	44.99	77316
101-265-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	315.64	77307
101-265-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING	2,230.64	77308
101-265-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	297.26	77310
Total For Dept 265 CITY H				2,888.53	
Dept 276 CEMETERY					
101-276-740.000	OPERATING SUPPLIES	DOCKERY, DARREN	CEMETERY SUPPLIES REIMBUR	128.74	77289
101-276-740.000	OPERATING SUPPLIES	PETTY CASH	PETTY CASH	41.19	77315

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 276 CEMETERY					
101-276-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	99.09	77310
101-276-955.000	MISCELLANEOUS EXPENSE	ULINE	CEMETERY & DDA BATHROOM S	213.54	77324
101-276-955.000	MISCELLANEOUS EXPENSE	ULINE	SAFETY CLOTHING & SUPPLIE	75.93	77324
Total For Dept 276 CEMETE				558.49	
Dept 301 POLICE DEPARTMENT					
101-301-743.000	AMMUNITION	KIESLER'S POLICE SUPPLY,	POLICE AMMO	360.00	77304
101-301-744.000	UNIFORMS	NYE UNIFORM COMPANY CO	POLICE UNIFORMS	18.50	77313
101-301-744.000	UNIFORMS	NYE UNIFORM COMPANY CO	POLICE UNIFORM SHIRT	56.50	77313
101-301-850.000	COMMUNICATIONS	POINT BROADBAND	ACCOUNT STATEMENT	44.98	77316
101-301-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	148.79	77307
101-301-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING	1,204.42	77308
101-301-981.000	POLICE VEHICLES	CINTAS CORPORATION	LPD SAFETY GLASSES	62.16	77281
Total For Dept 301 POLICE				1,895.35	
Dept 400 PLANNING & ZONING					
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	1,103.00	77328
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	576.00	77328
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	192.00	77328
101-400-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	PLANNING SERVICES	215.00	77328
Total For Dept 400 PLANNI				2,086.00	
Dept 441 DEPARTMENT OF PUBLIC WORKS					
101-441-740.000	OPERATING SUPPLIES	BOUWHUIS SUPPLY, INC.	TOWELS/TISSUE	96.30	77278
101-441-740.000	OPERATING SUPPLIES	PETTY CASH	PETTY CASH	10.74	77315
101-441-802.000	CONTRACTUAL	TRUGREEN	DPW LAWN CARE	79.80	77323
101-441-850.000	COMMUNICATIONS	POINT BROADBAND	ACCOUNT STATEMENT	29.49	77316
101-441-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	74.84	77307
101-441-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING	777.95	77308
101-441-930.000	REPAIR & MAINTENANCE	BEHRENS LIMITED, LCC	GARAGE CLEANER	129.60	77276
101-441-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	49.54	77310
101-441-955.000	MISCELLANEOUS EXPENSE	AMAZON CAPITAL SERVICES	DPW SUPPLIES	153.04	77273
101-441-955.000	MISCELLANEOUS EXPENSE	ULINE	SAFETY CLOTHING & SUPPLIE	161.86	77324
Total For Dept 441 DEPART				1,563.16	
Dept 751 PARKS					
101-751-740.000	OPERATING SUPPLIES	BOUWHUIS SUPPLY, INC.	TOWELS/TISSUE	113.53	77278
101-751-740.000	OPERATING SUPPLIES	SITEONE LANDSCAPE SUPPLY	PARKS SUPPLIES	61.21	77318
101-751-802.000	CONTRACTUAL	WILLIAMS & WORKS INC.	PARKS & REC PLAN	959.12	77328
101-751-802.000	CONTRACTUAL	MANSZEWSKI LANDSCAPING LL	MOWING CONTRACT PYMT 1 OF	10,250.00	77311
101-751-802.000	CONTRACTUAL	MANSZEWSKI LANDSCAPING LL	MOWING CONTRACT PYMT 1 OF	180.00	77311
101-751-802.000	CONTRACTUAL	TRUGREEN	CREEKSIDE LAWN SERVICE	560.70	77323
101-751-930.000	REPAIR & MAINTENANCE	BEHRENS LIMITED, LCC	GRAFITTI REMOVER	151.50	77276
101-751-930.000	REPAIR & MAINTENANCE	O'LEARY PAINT	WHITE & YELLOW TRAFFIC PA	225.70	77314
Total For Dept 751 PARKS				12,501.76	
Dept 790 LIBRARY					
101-790-802.000	CONTRACTUAL	TRUGREEN	LIBRARY LAWN CARE	110.25	77323
101-790-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	426.14	77307
101-790-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	148.63	77310
Total For Dept 790 LIBRAR				685.02	
Dept 804 MUSEUM					
101-804-887.000	CONTRIBUTIONS & MAINTENAN	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	99.09	77310
101-804-887.000	CONTRIBUTIONS & MAINTENAN	TRUGREEN	MUSEUM LAWN CARE	40.95	77323
101-804-955.000	PROPERTY TAX DISTRIBUTION	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	0.85	77305
101-804-955.000	PROPERTY TAX DISTRIBUTION	LOWELL AREA HISTORICAL MU	TAX DISBURSEMENT	0.62	77305
Total For Dept 804 MUSEUM				141.51	
Total For Fund 101 GENERA				52,729.81	

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 3/6

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 202 MAJOR STREET FUND					
Dept 450 CAPITAL OUTLAY					
202-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RESURFACE & SEW	219.26	77328
202-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RESURFACE W/S I	38.13	77328
202-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	GEE DR MILL & FILL	1,318.50	77328
Total For Dept 450 CAPITA				1,575.89	
Dept 463 MAINTENANCE					
202-463-740.000	OPERATING SUPPLIES	ULINE	SAFETY CLOTHING & SUPPLIE	125.21	77324
Total For Dept 463 MAINTEN				125.21	
Dept 474 TRAFFIC					
202-474-740.000	OPERATING SUPPLIES	DORNBOS SIGN, INC	LETTERING FOR STATE CHAMP	32.00	77290
202-474-740.000	OPERATING SUPPLIES	O'LEARY PAINT	WHITE & YELLOW TRAFFIC PA	330.00	77314
Total For Dept 474 TRAFFI				362.00	
Dept 483 ADMINISTRATION					
202-483-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	STREET ASSET MGMT	1,093.95	77328
Total For Dept 483 ADMINI				1,093.95	
Total For Fund 202 MAJOR				3,157.05	
Fund 203 LOCAL STREET FUND					
Dept 450 CAPITAL OUTLAY					
203-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	2022 STREET IMPR OVEMENTS	448.55	77328
203-450-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	WASH ST RESURFACING W/S I	8,879.30	77328
Total For Dept 450 CAPITA				9,327.85	
Dept 463 MAINTENANCE					
203-463-740.000	OPERATING SUPPLIES	ULINE	SAFETY CLOTHING & SUPPLIE	125.21	77324
Total For Dept 463 MAINTEN				125.21	
Dept 483 ADMINISTRATION					
203-483-801.000	PROFESSIONAL SERVICES	WILLIAMS & WORKS INC.	STREET ASSET MGMT	1,093.95	77328
Total For Dept 483 ADMINI				1,093.95	
Total For Fund 203 LOCAL				10,547.01	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 463 MAINTENANCE					
248-463-740.000	OPERATING SUPPLIES	SITEONE LANDSCAPE SUPPLY	DDA LANDSCAPING	15.04	77318
248-463-740.000	OPERATING SUPPLIES	ULINE	CEMETERY & DDA BATHROOM S	190.42	77324
248-463-740.000	OPERATING SUPPLIES	ADCCRC LLC	BOUNDARY SURVEY 115 RIVER	850.00	77270
248-463-740.000	OPERATING SUPPLIES	BOUWHUIS SUPPLY, INC.	TOWELS/TISSUE	182.58	77278
248-463-740.000	OPERATING SUPPLIES	HOOPER PRINTING, LLC	SIGNAGE	137.85	77297
248-463-740.000	OPERATING SUPPLIES	O'LEARY PAINT	WHITE & YELLOW TRAFFIC PA	451.40	77314
248-463-740.000	OPERATING SUPPLIES	ROTH, NANCY	DDA FLOWER REIMBURSEMENT	29.64	77333
248-463-802.000	CONTRACTUAL	KERKSTRA PORTABLE, INC.	PORTABLE RESTROOM - DDA	500.00	77303
248-463-802.000	CONTRACTUAL	TRUGREEN	CHAMBER LAWN SERVICE	40.95	77323
248-463-802.000	CONTRACTUAL	TRUGREEN	CITY HALL LAWN CARE	44.10	77323
248-463-930.000	REPAIR & MAINTENANCE	CUSTOM & DESIGN SHEET MET	WELDING RIVERWALK RAILING	225.00	77283
248-463-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	198.16	77310
248-463-930.000	REPAIR & MAINTENANCE	THORNAPPLE RIVER NURSERY,	WOOD CHIPS - DDA	108.50	77322
Total For Dept 463 MAINTEN				2,973.64	
Total For Fund 248 DOWNTOWN				2,973.64	
Fund 260 DESIGNATED CONTRIBUTIONS					
Dept 758 DOG PARK					
260-758-930.000	REPAIR & MAINTENANCE	CANFIELD PLUMBING & HEATI	DOG PARK R & M	159.00	77280
Total For Dept 758 DOG PA				159.00	
Total For Fund 260 DESIGN				159.00	
Fund 581 AIRPORT FUND					
Dept 000					
581-000-740.000	OPERATING SUPPLIES	ARROW ENERGY, INC.	AV GAS FOR AIRPORT	9,346.21	77274
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	35.34	77282

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 4/6

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 581 AIRPORT FUND					
Dept 000					
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	29.51	77282
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	164.74	77282
581-000-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	ACCOUNT STATEMENTS	42.96	77282
581-000-955.000	MISCELLANEOUS EXPENSE	POINT BROADBAND	ACCOUNT STATEMENT	51.60	77316
Total For Dept 000				9,670.36	
Total For Fund 581 AIRPOR				9,670.36	
Fund 590 WASTEWATER FUND					
Dept 000					
590-000-043.000	DUE FROM EARTH TECH	POINT BROADBAND	ACCOUNT STATEMENT	29.49	77316
590-000-043.000	DUE FROM EARTH TECH	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	118.99	77307
590-000-043.000	DUE FROM EARTH TECH	LOWELL LIGHT & POWER	IP CONSULTING	486.22	77308
590-000-043.000	DUE FROM EARTH TECH	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	99.09	77310
Total For Dept 000				733.79	
Dept 550 TREATMENT					
590-550-802.000	CONTRACTUAL	VEOLIA	WWTP SURCHARGES APRIL 202	1,388.50	77326
Total For Dept 550 TREATM				1,388.50	
Dept 551 COLLECTION					
590-551-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RESURFACE & SEW	219.27	77328
590-551-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RESURFACE W/S I	38.14	77328
Total For Dept 551 COLLEC				257.41	
Dept 552 CUSTOMER ACCOUNTS					
590-552-703.000	SALARIES-METER READS	BARTLETT, SANDY	MILEAGE & METER READS JUN	353.93	77275
590-552-727.000	OFFICE SUPPLIES	HOOPER PRINTING, LLC	PERMIT ENVELOPES	298.22	77297
590-552-730.000	POSTAGE	POSTMASTER	W/S BILLS MAILING	235.84	77269
590-552-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	MILEAGE & METER READS JUN	29.84	77275
Total For Dept 552 CUSTOM				917.83	
Total For Fund 590 WASTEW				3,297.53	
Fund 591 WATER FUND					
Dept 570 TREATMENT					
591-570-740.000	OPERATING SUPPLIES	HACH COMPANY	WTP SUPPLIES	216.44	77295
591-570-743.000	CHEMICALS	ALEXANDER CHEMICAL CORP	WTP CHLORINE	32.50	77272
591-570-743.000	CHEMICALS	ALEXANDER CHEMICAL CORP	WTP CHEMICALS	2,092.49	77272
591-570-744.000	UNIFORMS	FANS IN THE STANDS	T-SHIRTS - CARSON & TODD	260.00	77291
591-570-801.000	PROFESSIONAL SERVICES	PREIN & NEWHOF, INC.	WTP DRINKING WATER TESTIN	378.00	77317
591-570-850.000	COMMUNICATIONS	POINT BROADBAND	ACCOUNT STATEMENT	29.49	77316
591-570-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	PHONE/COMCAST/DICKINSON	286.17	77307
591-570-850.000	COMMUNICATIONS	LOWELL LIGHT & POWER	IP CONSULTING	194.49	77308
591-570-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WTP R & M	33.72	77273
591-570-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WTP R & M	86.58	77273
591-570-930.000	REPAIR & MAINTENANCE	AMAZON CAPITAL SERVICES	WTP R & M	634.23	77273
591-570-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	198.17	77310
591-570-955.000	MISCELLANEOUS EXPENSE	STATE OF MICHIGAN	WTP DRINKING WATER CERTIF	2,899.25	77320
Total For Dept 570 TREATM				7,341.53	
Dept 571 DISTRIBUTION					
591-571-802.000	CONTRACTUAL	MANSZEWSKI LANDSCAPING LL	MOWING CONTRACT PYMT 1 OF	90.00	77311
591-571-930.000	REPAIR & MAINTENANCE	GIVE EM A BRAKE SAFETY	835 W MAIN - RENTALS	2,325.07	77292
591-571-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	99.09	77310
591-571-930.000	REPAIR & MAINTENANCE	MAG PLUMBING SERVICE LLC	BACKFLOW TESTING	99.09	77310
591-571-955.000	MISCELLANEOUS EXPENSE	MICHIGAN RURAL WATER ASSO	MEMBERSHIP	780.00	77312
591-571-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RESURFACE & SEW	219.27	77328
591-571-970.000	CAPITAL OUTLAY	WILLIAMS & WORKS INC.	MONROE ST RESURFACE W/S I	38.13	77328
Total For Dept 571 DISTRI				3,650.65	
Dept 572 CUSTOMER ACCOUNTS					

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 5/6

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 WATER FUND					
Dept 572 CUSTOMER ACCOUNTS					
591-572-703.000	SALARIES-METER READS	BARTLETT, SANDY	MILEAGE & METER READS JUN	353.92	77275
591-572-727.000	OFFICE SUPPLIES	HOOPER PRINTING, LLC	PERMIT ENVELOPES	298.22	77297
591-572-730.000	POSTAGE	POSTMASTER	WATER RESTRICTION LETTERS	557.76	77267
591-572-730.000	POSTAGE	POSTMASTER	WATER RESTRICTION LETTERS	42.86	77268
591-572-730.000	POSTAGE	POSTMASTER	W/S BILLS MAILING	235.85	77269
591-572-860.000	TRAVEL EXPENSES	BARTLETT, SANDY	MILEAGE & METER READS JUN	29.83	77275
Total For Dept 572 CUSTOM				1,518.44	
Total For Fund 591 WATER				12,510.62	
Fund 636 DATA PROCESSING FUND					
Dept 000					
636-000-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	LPD COMPUTER SERVICES	137.50	77271
636-000-801.000	PROFESSIONAL SERVICES	ADDORIO TECHNOLOGIES, LLC	DPW COMPUTER SERVICES	142.27	77271
636-000-802.000	CONTRACTUAL	ADDORIO TECHNOLOGIES, LLC	COMPUTER SERVICES	2,995.51	77271
636-000-802.000	CONTRACTUAL	ADDORIO TECHNOLOGIES, LLC	COMPUTER SERVICES	884.26	77271
636-000-802.000	CONTRACTUAL	DIGITAL OFFICE MACHINES,	DPW COPY MACHINE	77.05	77288
Total For Dept 000				4,236.59	
Total For Fund 636 DATA P				4,236.59	
Fund 661 EQUIPMENT FUND					
Dept 895 FLEET MAINT. & REPLACEMENT					
661-895-727.000	OFFICE SUPPLIES	SMART BUSINESS SOURCE	BINDERS	17.38	77319
661-895-930.000	REPAIR & MAINTENANCE	D&D TRUCKING ACQUISITION,	#9 R & M	315.81	77284
661-895-930.000	REPAIR & MAINTENANCE	D&D TRUCKING ACQUISITION,	#31 LOADER R & M	1,005.83	77284
661-895-930.000	REPAIR & MAINTENANCE	VERMEER MIDWEST	#88 VAC TRAILER	97.91	77327
661-895-930.000	REPAIR & MAINTENANCE	GODWIN'S ADA VILLAGE HARD	#153 & #154 TRIMMERS	847.76	77293
661-895-930.000	REPAIR & MAINTENANCE	D&D TRUCKING ACQUISITION,	#7 FUEL TRUCK R & M	1,341.62	77284
661-895-930.000	REPAIR & MAINTENANCE	HAROLD ZEIGLER FORD, INC.	LPE 2016 EXPLORER	56.36	77296
Total For Dept 895 FLEET				3,682.67	
Total For Fund 661 EQUIPM				3,682.67	
Fund 703 CURRENT TAX COLLECTION FUND					
Dept 000					
703-000-222.000	DUE TO COUNTY-CURRENT TAX	KENT COUNTY TREASURER	TAX DISBURSEMENT	11.51	77300
703-000-222.000	DUE TO COUNTY-CURRENT TAX	KENT COUNTY TREASURER	TAX DISBURSEMENT	5.10	77330
703-000-223.000	DUE TO LIBRARY	KENT DISTRICT LIBRARY	TAX DISBURSEMENT	3.25	77331
703-000-225.000	DUE TO SCHOOLS	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	18.33	77306
703-000-225.000	DUE TO SCHOOLS	LOWELL AREA SCHOOLS	TAX DISBURSEMENT	17.33	77332
703-000-228.009	DUE TO STATE-S.E.T.	KENT COUNTY TREASURER	TAX DISBURSMENT	16.50	77301
703-000-234.000	DUE TO INTERMED SCH DISTR	KENT INTERMEDIATE SCHOOL	TAX DISBURSEMENT	15.16	77302
703-000-235.000	DUE TO COMMUNITY COLLEGE	GRAND RAPIDS COMMUNITY CO	TAX DISBURSMENT	4.75	77294
703-000-274.001	UNDISTRIBUTED PA 198 TAXE	STATE OF MICHIGAN	IFT 2021	3,766.38	77321
Total For Dept 000				3,858.31	
Total For Fund 703 CURREN				3,858.31	

06/30/2022 01:31 PM
User: LORI
DB: Lowell

INVOICE GL DISTRIBUTION REPORT FOR CITY OF LOWELL
EXP CHECK RUN DATES 06/18/2022 - 06/30/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 6/6

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
<hr/>					
Fund Totals:					
			Fund 101 GENERAL FUND	52,729.81	
			Fund 202 MAJOR STREET FUN	3,157.05	
			Fund 203 LOCAL STREET FUN	10,547.01	
			Fund 248 DOWNTOWN DEVELOP	2,973.64	
			Fund 260 DESIGNATED CONTR	159.00	
			Fund 581 AIRPORT FUND	9,670.36	
			Fund 590 WASTEWATER FUND	3,297.53	
			Fund 591 WATER FUND	12,510.62	
			Fund 636 DATA PROCESSING	4,236.59	
			Fund 661 EQUIPMENT FUND	3,682.67	
			Fund 703 CURRENT TAX COLL	3,858.31	
				<hr/>	
				106,822.59	

Memorandum



DATE: June 28, 2022

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

PUBLIC WORKS

RE: 2022 Lowell Street Improvement Project
Construction Engineering Services

The 2022 Lowell Street Improvement Project will need engineering oversight during construction. There are portions of seven streets within the project that will be reconstructed with new base gravel and new asphalt. Our engineers, Williams & Works, have provided us with a scope of services for this work. Their services will include contract documentation, construction staking, construction observation of the proposed work, construction engineering as required to address and resolve issues as they arise, documentation of construction activities and pay item quantities, and coordinate material testing. Williams & Works will also handle all the contract administration including execution of contract documents, arrange and attend pre-construction and progress meetings, review request for construction payments, and finalize paperwork at the end of the project.

Williams & Works has indicated they can do all the construction engineering, administration, and materials testing work for a cost not exceed \$43,800. Material testing work such as compaction testing, asphalt sampling and testing, concrete testing, etc., will be performed by a subcontractor and will be coordinated through Williams & Works.

Because the work on Valley Vista Dr. is within the Downtown Development Authority, the DDA will be asked to pay \$9,400 towards this total amount. The Local Streets fund will pay the remaining \$34,400.

It is my recommendation: **That the Lowell City Council approves the 2022 Lowell Street Improvement Project Construction Engineering Services with Williams & Works, as outlined in their scope of services, dated June 28, 2022, for the amount of \$43,800, with \$34,400 coming from the Local Street fund and \$9,400 being funded by the DDA.**

williams&works

engineers | surveyors | planners

June 28, 2022

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

RE: 2022 Lowell Street Improvement Project
Construction Engineering Services

Dear Mr. Czarnecki:

Following is our proposed Scope of Services and budget for the construction phase of the **2022 Lowell Street Improvement** project.

Schedule

- For the purpose of budgeting, we are basing our service on an assumed construction time frame of 60 calendar days. Currently, the Contractor is expecting to begin this work in late July.
- For on-site construction observation, we have assumed a total 224 on-site hours. This is based on an average of 24 hours per week for 6 weeks and 40 hours per week for 2 weeks, plus final inspections. *Our efforts and fees will be adjusted with the Contractor's actual completion time.*

Services

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

- Confirm the work limits with the Contractor and the City including intersections, driveway approaches, curb, castings, etc.
- Once the existing material has been removed, we will observe the existing base and recommend areas that may need improvement before paving.
- Check grades and forms at sidewalk ramp, curbs and drive approaches before concrete work is completed. Observe finished concrete work.
- Provide on-site observation during all paving activities.
- Conduct on-site progress meetings as required.
- Interact with and inform impacted property owners during construction.
- Conduct post completion walk thru with City and Contractor to develop punch list.
- Record as-constructed information and prepare as-constructed drawings for submittal to the City.
- **Materials Testing** – We will subcontract with an independent testing facility for concrete and density testing. Our budget includes an allowance of \$6,000 for these contracted services.
- **Administration** – Provide as-needed construction administration services.
 - Prepare any necessary field orders and change orders.
 - Review all requests for payment by the Contractor and recommend payment to the City Council. Provide breakdown of project costs by department for submittal to City Treasurer.
 - Attend on-site progress meetings as necessary.
 - Provide project update updates at City Council meetings as needed.

Proposed Budget – Based on the above services, we recommend the City budget a total of \$43,800 as follows:

Construction Engineering -	\$ 29,400
<u>Materials Testing Allowance -</u>	<u>\$ 5,000</u>
Total	\$ 34,400

Valley Vista Construction Engineering -	\$ 8,400
<u>Valley Vista Materials Testing Allowance -</u>	<u>\$ 1,000</u>
Total	\$ 9,400

Dan Czarnecki – City of Lowell
June 28, 2022
Page 3 of 3

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

Sincerely,

Williams & Works



Katie Mendez, E.I.T.



LOWELL CITY COUNCIL

MEMORANDUM

DATE: June 30, 2022

TO: Mayor DeVore and Lowell City Council

FROM: Michael T. Burns, City Manager

MS

RE: Employee Handbook

The city updated the employee handbook approximately two and a half years ago. Since this time, there have been some changes mainly to retirement benefits. However, I along with Lizzie Mills and Chad Karsten from Fahey, Schultz, Burzych, Rhodes reviewed our handbook to make sure it was most compliant with current law. We also tightened some language to the handbook due to some issues we had in the past.

It should be noted whereby any contractual language in either the Police Department and DPW Collective Bargaining Agreements differs from the employee handbook, the CBA would take precedence on an issue impacting an employment matter with a member of the bargaining unit.

I attached a red-line and clean version of the handbook which identify the changes made. **I recommend the employee handbook be approved as presented.**



MISSION STATEMENT

"We strive to provide a positive work environment with competitive wages, personal respect and opportunity for professional growth."

INTRODUCTION

The City of Lowell consists of 5 Council members elected to serve by the citizens of the City through elections held every odd numbered year. Council member terms are four (4) years. The Council members collectively elect a Mayor. The Council's most important role is its Charter, written policies, policy-based decisions, and the appointment of the City Manager.

The City of Lowell is responsible for the administration and operation of City facilities and services. The City's ability to perform these functions and provide these services is directly related to the efficiency of the employees working for the City. An important factor in attracting and keeping efficient and fully trained employees is the establishment of current and uniform employee policies and procedures.

The City Manager is responsible for the implementation of these policies and procedures and the overall coordination of all employee matters. The contents of the Employee Handbook apply to all individuals employed by the City of Lowell.

The City remains free to unilaterally change, suspend or modify any or all of the working conditions described in the handbook without giving cause or justification to employees. In the event any policy conflicts with a collective bargaining agreement, the collective bargaining agreement prevails for bargaining unit employees.

All employees are responsible for knowing, understanding and following the policies and procedures within the handbook. Employees are invited and encouraged to address questions to their supervisor or the City Manager at any time.

The Council accordingly adopted the policies and procedures in this Employee Handbook.

Michael Burns
City Manager

July 1, 2022
Date

TABLE OF CONTENTS

MISSION STATEMENT	i
INTRODUCTION.....	i
TABLE OF CONTENTS	i
Policy 1: General Procedures.....	1
Section 1.0 Employer Expectations.....	1
Section 1.1 Applicability.....	1
Section 1.2 Proprietary Information/Confidentiality	1
Section 1.3 Outside Employment	2
Section 1.4 Dress Code	2
Section 1.5 Personnel Files	3
Section 1.6 Social Security Number Privacy Policy	3
Policy 2: Employment Laws and Policies	4
Section 2.0 Drug Free Workplace/Fitness for Duty	4
Section 2.1 Equal Employment Opportunity	5
Section 2.2 Immigration Law Compliance	6
Section 2.3 Americans with Disabilities Act (ADA)	6
Section 2.4 Anti-Harassment Policy Statement.....	6
Section 2.5 Violence in the Workplace	8
Section 2.6 Weapons	9
Section 2.7 Use of Internet, E-Mail, Computer and Communication Systems Usage	10
Section 2.8 Social Media	11
Section 2.9 Removal of City Assets.....	13
Section 2.10 Cell Phone Policy	13
Section 2.11 Employment of Relatives.....	14
Section 2.12 No Smoking Policy	14
Policy 3: Employment Standards	15
Section 3.0 Employment Classifications and At Will Status	15
Section 3.1 New Employee Orientation.....	16
Section 3.2 Filling Vacancies	16
Section 3.3 Job Transfers	16
Section 3.4 On-the-Job Travel Reimbursement.....	16
Section 3.5 Termination of Employment.....	17

Policy 4: Employee Compensation.....	19
Section 4.0 Pay Days	19
Section 4.1 Direct Deposit	19
Section 4.2 Payroll Deductions	19
Section 4.3 Overtime Pay.....	19
Section 4.4 Stand-By Pay	20
Policy 5: Employee Benefits.....	20
Section 5.0 Employee Eligibility and Responsibility.....	20
Section 5.1 Group Health Care Insurance.....	20
Section 5.2 Waiver of Group Health Care Insurance	21
Section 5.3 Supplemental Medical Insurance	21
Section 5.4 Group Dental Insurance	21
Section 5.5 Vision Insurance	21
Section 5.6 Term Life Insurance.....	21
Section 5.7 Continuation of Insurance Premiums	22
Section 5.8 Short-Term Disability	22
Section 5.9 Long-Term Disability	22
Section 5.10 Accidental Death and Dismemberment	22
Section 5.11 Health Savings Account (HSA)	23
Section 5.12 Retirement.....	23
Section 5.13 Deferred Compensation	23
Section 5.14 Educational Assistance	24
Section 5.15 Retiree Health Care	25
Section 5.16 Longevity Pay.....	25
Section 5.17 Miscellaneous Benefits.....	25
Policy 6: Hours of Work	26
Section 6.0 Hours of Work.....	26
Section 6.1 Time Reporting.....	26
Section 6.2 Work Breaks and Meal Periods.....	26
Policy 7: Absence Time	26
Section 7.0 Personal Days.....	26
Section 7.1 Vacation	27

Section 7.2 Sick Time	27
Section 7.3 Attendance Expectations	28
Section 7.4 Funeral Leave	28
Section 7.5 Jury Duty	28
Section 7.6 Holidays.....	28
Section 7.7 Separation	29
Section 7.8 Family and Medical Leave Act (FMLA)	29
Section 7.9 Military Family and Medical Leave Act (FMLA).....	31
Section 7.10 Workers' Compensation Leave	31
Policy 8: Disciplinary Action	31
Section 8.0 Discipline Policy.....	31
Policy 9: Workplace Safety.....	32
Section 9.0 Accident Reporting Procedure	32
Section 9.1 Motorized Equipment.....	32
Policy 10: Open Door Policy.....	32
Section 10.0 Open Door Policy.....	32
Policy 11: Employee Reference.....	33
Section 11.0 Employee References Policy.....	33
Policy 12: Miscellaneous.....	33
Section 12.0 Travel & Business Expense Reimbursement	33
Section 12.1 Expense Reports	37

Policy 1: General Procedures

Section 1.0 Employer Expectations

Within this Employee Handbook are the fundamental elements of the City of Lowell's operating principles. This handbook is provided for guidance only and is not a contract; policies and procedures may be changed at any time.

You, as an employee, are valued, trusted and depended upon by your supervisor, co-workers, customers and the public. It is your willingness to work safely, learn, teach, cooperate and communicate what the City relies on to meet its obligations to its customers and the public.

All employment not covered by a collective bargaining agreement or employment agreement to the contrary is "at-will". This means the employee may resign at any time for any reason or no reason, and the City may terminate the employee at any time for any reason or no reason.

It is important that all employees know and understand what is expected of them in order to meet the standards of quality and efficiency required to represent the City.

Thank you for being honest, respectful, dependable, safe, loyal, punctual and flexible. These are a few of the qualities and expectations the City needs and relies on from its employees.

Section 1.1 Applicability

This Handbook and the policies, procedures and benefits described or referred to are applicable to all persons employed by the City. It is not intended to create any third-party rights. If the terms of a policy, procedure or benefit vary according to an employee's classification, the terms that apply to that classification will be specifically described.

Section 1.2 Proprietary Information/Confidentiality

All employees are responsible for protecting the City's confidential and sensitive information.

Specific examples of confidential information include:

- Plans, strategies, tactics or organizational structure not announced to the public.
- Financial data or operations results not announced to the public.
- Employees' personal information, including addresses, phone numbers, performance evaluations, Social Security numbers, personal health information and disciplinary records.
- Customer records such as billing information, credit status and other personal information available to employees.

An employee should presume information is confidential unless demonstrated otherwise and hold that information in confidence. Examples of some exceptions: if the communication of information is consistent with your normal job duties or you are authorized to disclose it by your supervisor, the City Manager or member of the Council. If you are uncertain about whether something is confidential, check with the City Manager before disclosing it.

Section 1.3 Outside Employment

No employee may work at other employment that would lead to a conflict of interest or impair performance as an employee of the City. Written permission from the City Manager or his/her designate must be obtained before any outside work or employment is undertaken. No employee may utilize City facilities to conduct outside employment. If the City Manager determines that the outside employment would violate this policy, or if after outside employment has been approved, the City Manager determines the outside employment violated this policy, the employee must resign either the outside employment or their position with the City. Additionally, if the requirements and/or conditions of the outside employment change, the employee must promptly advise his/her supervisor and re-apply for approval with the new requirements and/or conditions.

Section 1.4 Dress Code

Work attire should complement an environment that reflects an efficient, orderly and professionally operated organization. The City's appropriate causal business attire program also requires the use of common sense and good judgment.

Where uniforms are required, employees may not deviate except under the express approval of the department head. Uniform replacements resulting from negligent loss or misuse may be at the employee's expense and subject to disciplinary action.

If you question the appropriateness of the attire, it probably isn't appropriate.

Supervisors are responsible for monitoring and enforcing this policy. It will be administered according to the following steps:

1. If questionable attire is worn in the office, the supervisor will hold a private meeting with the employee to discuss and counsel the employee regarding the possible inappropriateness of the attire.
2. If an obvious policy violation occurs, the supervisor will hold a private discussion with the employee and ask the employee to go home and change his/her attire immediately. The first time the employee is sent home will be compensated.
3. Repeated policy violations may result in disciplinary action, up to and including termination.

Section 1.5 Personnel Files

Employee personnel files are maintained in a locked file cabinet. Access is limited to City employees with a legitimate need for such information in the performance of their job. You are required to advise your supervisor of any changes of name, current address, phone number, marital status, dependents and emergency contact information in writing, signed and dated. Employee personal information will not be released to outside parties without a signed authorization provided by the employee to his/her supervisor or the City Manager unless required by law. You may review the contents of your personnel file upon request to the City Manager up to two (2) times within twelve (12) months. Your review must be accompanied by your supervisor or the City Manager. No contents may be removed or copied without the consent and knowledge of the City Manager.

Employee personnel files will only contain information pertaining to the employee's relationship with his/ her employer.

Section 1.6 Social Security Number Privacy Policy

The City's goal is to ensure, to the largest extent possible, that employees' social security numbers are maintained confidentially. Employees' social security numbers will not be released to anyone, except as required by law. Employees' social security numbers will be made available internally only on a "need-to-know" basis.

In no case shall anything other than the last four digits of an employee social security number appear on any external correspondence, except as required by law, nor will it be publicly displayed in any manner. Social security numbers are not to be used as passwords or identifiers for any City computer system. The social security number will not be used in the ordinary course of business except as the City may determine that it is necessary to verify an individual's identity or to administer employee benefits, such as health insurance. Any documents that include social security numbers that are discarded are to be shredded.

Any violation of this policy will result in discipline up to and including termination of employment.

Policy 2: Employment Laws and Policies

Section 2.0 Drug Free Workplace/Fitness for Duty

It is the City's intent and obligation to provide a drug-free, healthful, safe and secure work environment. Employees must, as a condition of employment, abide by the terms of these policies and report any conviction under criminal drug statutes for violations occurring on City premises or while conducting City business. The City recognizes drug and alcohol dependency as an illness and a major health problem. It also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use available community resources and City health insurance plans as appropriate before violating this policy.

1. No employee will possess, distribute, use or be impaired by illegal prohibited drugs on City property; while on City business; in City vehicles; or during working hours, including rest and meal periods. The use, impairment by, or possession of marijuana is prohibited in the workplace.
2. No employee will possess, distribute, use or be impaired by alcohol while on City property, while on City business or while in City vehicles, or during working hours, including rest and meal periods.
3. No employee shall be impaired by legal prohibited drugs or substances, nor shall any employee have in their bodily system illegal prohibited drugs or substances while on City property; while on City business; while on job sites or in City vehicles; or during working hours, including rest and meal periods.

"Illegal prohibited drugs" are substances that are illegal to sell or possess or that are used contrary to direction or prescription. Consistent with state law, the City does not consider marijuana (recreational or medical) to be an "illegal prohibited drug" when used off-duty except as to those employees who are prohibited from performed essential functions of their job if they use marijuana (e.g., police officers and employees subject to federal Department of Transportation regulation); "legal prohibited drugs or substances" are any prescription or non-prescription drugs or substances that may adversely affect working ability. An employee who is taking a legal prohibited drug or substance must notify his or her supervisor if its use is expected to adversely affect the employee's performance of the essential functions of the employee's job. Employees have a duty to know if any of the legal prescription or non-prescription drugs or substances they are taking may adversely affect working ability. At the option of the department head, an employee may be reassigned to less hazardous duty or be placed on sick leave if impaired work performance might pose a threat to the public confidence or to the safety of the employee or others.

Employees convicted under a criminal drug statute for violations occurring on the City's premises or while conducting City business or in City vehicles shall report it in writing to their supervisor within five (5) days of the conviction. Supervisors receiving a report of conviction from an employee shall notify the City Manager at once.

The City reserves the right to require any employee to submit to blood and/or urinalysis or other appropriate examination for the purpose of detecting the employee's use of illegal prohibited drugs or legal prohibited drugs, controlled substances, and/or alcohol.

If, based on reasonable suspicion, any employee is believed to pose an immediate safety risk to anyone, including themselves, the supervisor is to remove the employee of all work responsibilities. The supervisor will escort the employee to an approved facility to perform the test and make arrangements to take the employee home. If the test results are not immediately available, the employee will be relieved of all work duties and provided with the option of using vacation time or unpaid absence until the test results are received.

The City Manager will notify the supervisor and/or the department head when the test results are received. Negative test results will allow the employee to return to regular duty at the beginning of the next work day. Any loss of pay or vacation time shall be restored with regular straight-time pay. Positive test results require a determination by the City Manager regarding the action to be taken which may result in immediate termination of employment. If the employee refuses to cooperate with a testing request, it will be treated as a positive test result.

Immediate suspension means the employee must leave the workplace (office or job site); however, the employee must not be allowed to drive, including his/her own personal vehicle. Necessary arrangements for transportation home will be made by the supervisor.

Searches: The City reserves the right to search an employee, an employee's work area and an employee's vehicle on City property if the City has a reasonable suspicion that this policy may have been violated.

A violation of this policy or a failure to cooperate in enforcement of this policy will result in disciplinary action up to and including termination from employment and could also be referred for prosecution, as appropriate.

Section 2.1 Equal Employment Opportunity

The City does not, and will not, discriminate for or against any employee or applicant for employment or promotion because of age, sex, race, religion, creed, color, national origin, ancestry, height, weight, marital status, sexual orientation, gender identity, disability or covered veteran status or other basis protected by applicable law. This policy applies to all aspects of employment on the job, and applies to benefits to the extent required by law.

No employee or applicant will be coerced, intimidated, interfered with or discriminated against for filing a complaint or assisting in an investigation for the corresponding federal and state laws.

Section 2.2 Immigration Law Compliance

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

Section 2.3 Americans with Disabilities Act (ADA)

The City will not discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or termination of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. Any employee who needs an accommodation to perform essential job duties must notify a supervisor or the City Manager in writing as promptly as possible, but in no case later than one hundred eight-two (182) days after the employee knows or reasonably should have known that an accommodation was needed.

Section 2.4 Anti-Harassment Policy Statement

Under no circumstances will the City condone or tolerate harassment or discrimination based on age, sex, race, religion, creed, color, national origin, ancestry, height, weight, marital status, sexual orientation, gender identity, disability or covered veteran status or other basis protected by applicable law.

Harassment is any unwelcome or unsolicited verbal or physical conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment. Examples of harassment include, but are not limited to, disparaging remarks; unwelcome or unsolicited touching; threats of physical harm; and the use of degrading words, nicknames, pictures, cartoons, stories or jokes.

Harassment and discrimination prohibited by this policy must be distinguished from conduct or communication that, even though unpleasant or disconcerting, is not inappropriate in the context of carrying out instructional, advisory, counseling or supervisory responsibilities.

Definition. Harassment prohibited by this policy is defined as unwelcome verbal or physical conduct or communication based on a characteristic protected by applicable law when:

1. Submission to the conduct or communication is made either an explicit or implicit term or condition of employment;
2. Submission to or rejection of the conduct or communication by an employee is used as a basis for an employment decision affecting that individual; or
3. The conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive work environment.

Such offensive contact or harassment is prohibited whether it is conducted directly or indirectly, via telephone or other electronic communication, through the mails or other written communication, or in person.

Reporting a Violation. If an employee believes that a violation of this policy has occurred, the employee has an obligation to immediately report the alleged violation immediately, preferably within 48 hours, to the Department Director or City Manager. While there is no requirement that the incident be reported in writing, a written report that details the nature of the harassment, dates, times and other persons present when the harassment occurred will enable the City to take effective, timely and constructive action.

The City takes all reports of a violation of this policy seriously and will investigate promptly. Therefore, employees are expected to bring violations to the City's attention in good faith. Good faith means that the employee has a sincerely held belief, even if erroneous, that the policy has been violated.

Investigation and Resolution. There will be a prompt investigation of any harassment claims. An investigation may include interviews of possible witnesses including the person claiming the harassment occurred, and the person or persons claimed to be involved in, or witnessing, the harassment. The investigation will be conducted as confidentially and objectively as possible. Employees are expected to cooperate fully with any investigation.

After the investigation has been completed, a determination will be made regarding the appropriate resolution of the matter. The determination will be reported to the employee who allegedly was subjected to the harassment. If unlawful harassment is found to have occurred, the City will take immediate remedial action, such as the imposition of discipline, up to and including termination. If misconduct or other inappropriate behavior occurred (even if it does not reach the level of unlawful harassment), responsive action will be at the City's discretion, which may include, but is not limited to, discipline or change of status, such as job transfer, reassignment, pay reduction or other action.

No Retaliation. The City forbids retaliation or reprisals against anyone who has reported harassment or has participated in any investigation as a witness or otherwise. Retaliation is a serious violation of this policy and subject to investigation and the corrective measures described in this policy. Retaliation must be immediately reported to the Department Director or City Manager.

Section 2.5 Violence in the Workplace

The City will not tolerate threats or acts of violence committed by or against employees. For purposes of this work rule, the following definitions shall apply:

Act of violence means any intentional, reckless, or grossly negligent act that would reasonably be expected to cause physical injury or death to another person.

Threat of violence means any intentional communication or other act that threatens an act of violence and would cause a reasonable person to feel terrorized, threatened, or fear physical injury or death to oneself or another person. Any threat of violence, whether verbal, written, visual or by gesture, will be presumed to be an expression of intent to do harm to another person.

Workplace means an office or building owned or leased by the City, customer's property or service territory in which employees are assigned to work. It includes any City common grounds or parking area used by employees assigned to or working in the office or building.

Explosive means any bomb, grenade, missile, or other dangerous device designed to expand suddenly and release internal energy resulting in an explosion.

Firearm means a weapon from which a dangerous projectile may be expelled by an explosive, gas, or air.

Act or Threat of Violence

An act of violence or a threat of violence that is work-related or occurs in the workplace is strictly prohibited. It is critical that an employee who is subjected to or is aware of an act of workplace or work-related violence or a threat of imminent violence take prompt and appropriate measures to ensure his or her personal safety and report the incident to appropriate law enforcement personnel and his/her own supervisor. The supervisor shall immediately notify the City Manager of the incident.

Non-imminent acts or threats of violence shall be reported to the employee's supervisor or any available manager. If the employee's supervisor is the individual engaging in violence or making a violent threat, the employee shall report the incident to another supervisor or any available manager.

All reports of an act of violence or a threat of workplace or work-related violence will be investigated and appropriately addressed.

If a supervisor or City Manager receives information regarding an alleged act of violence, receives a threat of violence, or has a reasonable suspicion that an employee may have transported a firearm or explosive on City property without authorization, the supervisor, City Manager or other appropriate authority may conduct a search of desks, lockers, and any other storage space located on City property as part of the effort to investigate and appropriately address the situation.

Reporting

Employees are obligated to report to management if any of the following circumstances occur:

- The employee is subjected to workplace or work-related violence by a supervisor, manager, co-worker, or other person.
- The employee witnesses a supervisor, manager, co-worker, or other person in the workplace engaging in workplace or work-related violence involving another person.
- The employee receives a protective or restraining order, which lists City-owned or leased premises as a protected area. (A copy of such order shall be provided to the City's management.)

A supervisor or manager who witnesses, or is made aware of by one who witnesses, a subordinate employee engaging in workplace or work-related violence, threatening behavior, or making threats of violence or has unauthorized possession of a firearm or explosive is obligated to report the behavior to the appropriate authority and to take prompt and appropriate remedial action.

Any violation of this work rule may result in discipline, up to and including termination of employment.

Section 2.6 Weapons

Weapons, licensed or unlicensed, are prohibited on City property; even in personal vehicles. Examples include: firearms, knives, explosives, ammunition, pellet guns, paintball guns, tasers, bows, arrows and swords.

Violations may subject employees to discipline up to and including termination of employment.

Section 2.7 Use of Internet, E-Mail, Computer and Communication Systems Usage

The use of the City's Electronic Communications Systems, including computer systems, fax machines, and all forms of e-mail and Internet access, are provided for conducting City business. Limited personal use of the electronic communication system, e-mail system or the Internet is acceptable as long as it is not inappropriate and occurs during personal time (such as lunch or other breaks) and does not result in expense to the City.

Use of the City's computers, electronic communications networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate City business;
- Engaging in private or personal business activities, including excessive use of instant messaging or social media or engaging in online shopping except as allowed on personal time;
- Soliciting or selling products or services that are unrelated to the City's business; distract, intimidate or harass coworkers or third parties; or disrupt the workplace
- Misrepresenting oneself or City;
- Violating federal or state law;
- Engaging in unlawful or malicious activities;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designated to disrupt, disable, impair, or otherwise harm either the City's networks or systems or those of any other individual or entity;
- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing pornographic materials;
- Becoming involved in partisan politics that could be misconstrued as representing the viewpoint of City;
- Causing congestion, disruption, disablement, alteration or impairment of the City's networks or systems
- Maintaining, organizing, or participating in non-work-related blogs, Web journals, "chat rooms," or private/personal/instant messaging other than as allowed on personal time;
- Failing to log off and secure, controlled-access computer and other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Accessing any gambling web site; and/or
- Defeating or attempting to defeat security restrictions on City systems and applications.
- Using City's computer systems to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited.

Use of City's resources in violation of City policy or applicable law may lead to disciplinary action, up to and including termination and criminal prosecution. The City will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use.

City owns the rights to all data and files in any computer and network system used in the course of City business. The City also reserves the right to monitor electronic mail messages (including personal/private instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using the City's equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by management at all times. City employees should also be aware that messages relating to City business or created with City equipment may be subject to public disclosure under Michigan's Freedom of Information Act. The City has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or City Manager.

City has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software. Violation of this policy may lead to disciplinary action, up to and including termination.

Electronic Mail Tampering

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

Internet Browser(s)

Employees are individually liable for any and all damages incurred as a result of violating City's security policy, copyright and licensing agreements.

Section 2.8 Social Media

This policy provides guidance for employee use of social media, which should be understood broadly for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a simultaneous manner.

Procedures:

1. The following principles apply to professional use of social media on behalf of the City of Lowell as well as personal use of social media when referencing the City.
2. Employees should be aware of the effect their actions may have on their images, as well as the City's. The information that employees post or publish may be public information for a long time.
3. Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
4. Employees are not to publish, post or release any City business information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the City Manager and/or their supervisor.
5. Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to authorized City spokespersons.
6. If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and if the situation occurs while using work-related social media, seek the advice of a supervisor.
7. Employees should get appropriate permission before they refer to or post images of current or former employees, Council members, vendors or suppliers taken at the workplace in non-public areas or internal meetings. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
8. Social media use shouldn't interfere with employee's responsibilities at the City. When using City computer systems, use of social media for business purposes is allowed (ex: Facebook, Twitter, City's blogs and LinkedIn), but personal use of social media networks or personal blogging of online content is prohibited, except on a break or lunch, and personal use at a prohibited time may result in disciplinary action.
9. Subject to applicable law, after-hours online activity that violates the City's Employee Handbook or any other City policy may subject an employee to disciplinary action up to and including termination.

10. If employees publish content after-hours that involves work or subjects associated with the City, a disclaimer should be used, such as this: "The postings on this site are my own and may not represent the City's positions, strategies or opinions."
11. It is required employees keep the City's related social media accounts separate from personal accounts, if practical.
12. The City's official social media pages are viewed by the public as representing the City's official position on various issues. For that reason, when employees post on the City's social media pages on behalf of the City, employees must refrain from interjecting personal feelings, opinions, or political positions unless authorized to do so by the City Manager.

Section 2.9 Removal of City Assets

No City asset, vehicle, tool or piece of equipment (collectively referred to as "belongings" for the purpose of this Section) may be removed from or used on City property for personal use with the exception of use with the prior approval of management. And on the contrary, no personal belonging(s) may be used in the process of performing work for the City during the course of completing a job assignment, except if certain conditions, described later in this Section, are met. This includes all motorized, electronic, mechanical and hand operated items.

All belongings, City issued or personal, used in the process of doing work for the City during the course of completing a job assignment must meet all City safety standards.

Should an occasion arise when a personal belonging is required for completing a job assignment, e.g.; travel to classes and off-site meetings or any job-related activity in which a City belonging is unavailable or does not exist, with the written permission of the employee, the City may choose to utilize the employee's personal belonging(s) upon determination of proper and adequate insurance coverage(s) and compliance with all City safety standards. The City will not be responsible for any damage that may occur to the employee's belonging(s) while being used during a job assignment. The employee will be required to sign a waiver form prior to using any personal belonging acknowledging this condition. When an employee's belonging is used for a job assignment, the employee will be reimbursed at the proper IRS or State of Michigan rate in accordance with applicable rule.

Section 2.10 Cell Phone Policy

The City provides various communication devices to its employees. Personal use of a City owned cell phone by an employee is considered a taxable fringe benefit to the employee.

This policy applies to all employees using cell phones provided and funded by the City. A City owned cell phone is one that was purchased or leased by the City or authorized representative with City funds. A personal call is one not related to City business or service to the public.

The primary responsibility for complying with this policy lies with the City Manager. The City Manager or designated representative will identify each departmental cell phone needs, determine the best combination of cell phone and service plan for the department and implement an interdepartmental review procedure to ensure that phones are used for their intended purpose and that the billings are accurate. The City Manager or designated representative will ensure that all City owned equipment is recovered in the event that an employee is terminated, leaves the employ of the City or a service plan is terminated.

Policy Outline

- a. City owned cell phones are intended for conducting the business of the City.
- b. The City will require employees to reimburse the City for extra billing charges.
- c. Employees will reimburse the City for personal calls that result in long distance, roaming or other charges over and above the plan rate.
- d. The City Manager or a designated representative will review cell phone bills to ensure compliance with this policy.

Discretion in personal use must still be used during work hours and excessive personal use by employees during work hours may be subject to termination of City cell phone use and/or disciplinary action. Employees should remain mindful that written records stored on a cell phone (e.g., text messages, e-mails) pertaining to City business may be subject to public disclosure under Michigan's Freedom of Information Act.

Section 2.11 Employment of Relatives

Employment of relatives of the City Manager or Council members will require approval of the City Council. All other employment of relatives of employees shall be at the discretion of the City Manager, with this information being shared with the Council. Any cases which the City Manager deems appropriate may be submitted to the Council for approval.

Section 2.12 No Smoking Policy

No smoking will be allowed on the premises or property of the City. This prohibition includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, City-owned or leased vehicles, and all

other enclosed facilities. Michigan's no smoking law includes civil fines that may be imposed for violation of the law. Employees who smoke in violation of the law will be subject to discipline up to and including termination.

Policy 3: Employment Standards

Section 3.0 Employment Classifications and At Will Status

Employees at City of Lowell fall into one of three categories:

1. Regular Full-Time: An employee who is scheduled regularly to work not less than 33 hours and not more than 40 hours per week in a position classified by the City. A full-time employee receives full benefits including, but not limited to: sick leave, vacation, insurances and Holiday pay.
2. Regular Part-Time: An employee who is normally scheduled to work no more than an average of 25 hours per week or 1300 hours annually in a position classified by the City.
3. Temporary: Any employee who does not fall within the definitions of regular full-time or regular part-time when the employee works irregular schedules or was hired for a specific task or assignment which has a termination point. This includes contract, season and per diem employees.

Non-Exempt

An employee who is paid an hourly rate which is at least the greater of the state or federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 in a work week.

Exempt

An employee who is compensated on a salary basis at a rate not less than the salary threshold promulgated by the United States Department of Labor for exempt employees. The employee's primary duty must be managing a department or operation. They must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent and have the authority to hire or fire other employee, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees.

Section 3.1 **New Employee Orientation**

An employee should consider his/her "orientation period" as the first six (6) months from the employment date with the City. During the orientation period, the employee will receive training and mentoring by a supervisor, peer and/or outside educational source to meet the necessary requirements to perform his/her job duties. This time period will be used to determine whether the employee has the ability, skills and knowledge to meet the requirements to successfully perform all aspects within the job description. The City Manager may extend an employee's orientation period. Written notice will be given to the employee stating the reason for the extension and the date the new orientation period ends.

Section 3.2 **Filling Vacancies**

When a vacancy occurs within the City for a permanent full-time or part-time position, the vacancy shall be posted, as deemed appropriate, by the City Manager. Employees interested in filling the vacancy may file a written "Request for Consideration" by the deadline established in the posted announcement. The City Manager will consider all applicants expressing interest in the position based on their qualifications. The City prefers to fill vacancies with internal candidates where appropriate but reserves full discretion to consider and hire qualified external candidates.

Section 3.3 **Job Transfers**

Any employee who fills a vacancy within the City shall be required to serve a new orientation period of six (6) months. During the orientation period, the employee will receive training and mentoring by a supervisor, peer and/or outside educational source to meet the necessary requirements to perform his/her job duties in the new position. In the event the employee desires to return to his/her former position within the orientation period, the employee may request to do so by making the request, in writing, to his/her supervisor or the City Manager. The request may be approved or denied depending on operational needs and whether the former position has already been filled. Additionally, in the event the supervisor or the City Manager/department head determines the employee is not meeting the expectations, within the orientation period, of performing the new position successfully, the employee may be given written notice to return to his/her former job or may be given an extension of the orientation period. The written notice will state the reason for the extension and the date the new orientation period ends.

Section 3.4 **On-the-Job Travel Reimbursement**

City-sponsored training classes and conferences are considered a daily work assignment with regards to pay, meals and hours of work. No employee will be permitted overtime for travel without the advance approval of their supervisor. Additionally, an employee will not be paid for

a full workday if they return from a training or conference prior to their normal quitting time and they do not remain at work and on-the-job.

An Employee may be provided a City vehicle to travel to and from the reporting site when available. The City vehicle is only to be driven to and from his/her normal City of Lowell work location and designated location during the assignment period. Under no circumstances should the City vehicle be taken home, driven after hours, driven for any reason if alcoholic beverages have been consumed, or used for any purpose other than directed by the employee's supervisor/City Manager. When a personal vehicle is used, the employee will be reimbursed for mileage from the employee's work location to the site of the off-site business address based on information from an Internet map service such as MapQuest or Google.

An employee may be assigned City equipment while attending training. This includes City laptop computers. All devices and tools are to be used specifically for the purpose of completing work assignments. All tools and equipment are the responsibility of the employee. Should negligent damage or loss occur to the assigned laptop computers or other City equipment, the employee may be required to reimburse the City for repair or replacement.

Section 3.5 Termination of Employment

When an employee voluntarily terminates his/her own employment, the City requests the employee provide a written notice of resignation to the City Manager at least twenty-one (21) days in advance of the intended final day of employment. The employee will be provided the appropriate information regarding any continuing benefits/resources they may be eligible to receive.

When termination is the result of a decision made by the City; the employee will be provided the appropriate information regarding any continuing benefits/resources they may be eligible to receive.

The following are examples of behavior or actions that may result in immediate termination by the City:

1. Theft, abuse, misuse, removal or deliberate destruction of City property, or the property of its employees, customers or the City public.
2. Possession, sale, use of or being under the influence of intoxicating beverages, marijuana, narcotics or any controlled or prohibited substance while on duty or on City property.
3. Failing to notify your supervisor you are using a prescribed medication or over-the-counter medication that could interfere with your ability to perform your assigned duties in a safe and efficient manner.

4. Possession of weapons, licensed or unlicensed. Examples include: firearms, knives, explosives, ammunition, pellet guns, paintball guns, tasers, bows, arrows and swords.
5. Engaging in sexual or other unlawful harassment.
6. Use of abusive language, threatening, intimidating, coercing and/or fighting with coworkers, management, customers or the city public.
7. Obscene or indecent conduct.
8. Sleeping on duty or otherwise not being alert to perform assigned job duties.
9. Horseplay, creating a distraction, interfering with an employee or causing unsafe or unsanitary working conditions.
10. Falsifying records, reports, documents, or knowingly misrepresenting any information presented to management of the City. This includes, but is not limited to, time sheets, accident reports, customer billings, customer records, identification documents and educational certificates.
11. Failure to report errors/mistakes made during the course of daily job duties that could be considered falsifying City records, reports, billings and documents. Covering up or hiding errors regardless of intent by the employee or co-worker.
12. Conducting personal business or performing duties of outside supplemental employment during City work hours or on City property.
13. Failing to report to work without proper notice or failure to provide requested proof of illness for an absence when requested.
14. Use of your position of employment with the City to directly or indirectly gain benefits, favors, money, advantages, privileges or anything of value other than regular compensation from the City.
15. Disregard of or refusal to obey a direct order, either written or verbal, from a supervisor or the City Manager.
16. Destroying, altering or removing any materials or information posted by City management.

17. Supporting a restriction of output, slowdown or any unauthorized interruption of assigned duties.
18. Soliciting or receiving any gift, service, gratuity, loan, fee, or anything else of value which is offered or may be offered as a consequence of City employment.
19. Taking any other actions which interfere with the proper performance of an employee's assigned work or which would reflect negatively on the City.
20. Failing to comply with any provision in this Personnel Handbook or other applicable rules and regulations.

Policy 4: Employee Compensation

Section 4.0 Pay Days

Employees will be paid every other Friday. Paychecks will cover a two (2) week period which starts Sunday and ends on the Saturday proceeding the pay day.

Section 4.1 Direct Deposit

Employees are to receive their pay checks via direct deposit in an account(s) at a financial institution(s) of their choice or through payroll debit card. A "pay stub" will be given to each employee to provide all accounting of time worked, earnings and deductions for both for the current pay period and year-to-date.

Section 4.2 Payroll Deductions

Employees may elect to have a portion of his/her net pay directed to more than one financial institution or account, e.g.; Christmas club, savings, checking, loans, etc.

Improper deductions from wages of employees are not to be made. If you believe that an improper deduction has been made, immediately report this information to the city payroll representative. Preferably, the report will be made in writing and immediately after the deduction has been made. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction that was made.

Section 4.3 Overtime Pay

All City employees are expected to work overtime upon request. Overtime must be authorized in advance in writing, by a supervisor. Non-exempt employees will receive one and one-half (1 ½)

times their regular straight-time pay rate for all hours worked in a workweek over 40, including weeks when using vacation, personal days or a holiday. Any full-time employee required to work on a holiday will receive one and one-half (1 ½) times their regular straight-time pay for that day.

Section 4.4 **Stand-By Pay**

The City Manager/department head may require an employee to “stand-by” for possible emergencies outside of their regular eight (8) hour work day. An employee on stand-by must, at all times, be reachable by telephone within fifteen (15) minutes and must report to the required location within thirty (30) minutes of the call. If an employee on stand-by fails to respond and report within the required time periods, he/she shall forfeit their stand-by pay for that stand-by period and may receive disciplinary action. Employees on stand-by shall receive two (2) hours pay per day at their regular straight-time rate, In addition to the stand-by pay of two (2) hours as described above, employees on stand-by who are called to work shall receive pay at one and one-half (1 ½) times their regular straight-time rate for all *time* worked during the stand-by period. Time worked begins when an employee punches “in” and concludes when an employee punches “out.” Travel time is NOT included as time worked.

Policy 5: Employee Benefits

Section 5.0 **Employee Eligibility and Responsibility**

The City’s various Insurance plans provide optional coverage for regular full-time employees and their eligible dependents. It is your responsibility to notify the City, in writing, within **30 days** of any life event as it may affect the eligibility, cost and coverage to the employee and/or their eligible dependents. These events include:

- Birth or death
- Marriage or divorce
- Legal adoption or guardianship

Open enrollment date deadline is July 1. Employees may make changes to their coverage for any reason or opt-out by completing a waiver form for healthcare by this date.

Section 5.1 **Group Health Care Insurance**

Regular full-time employees become eligible to participate in the City’s group health care plan following their completion of thirty (30) calendar days of employment, (e.g.; hire date is May 10, benefits become effective June 10). Group health care insurance, covering certain hospitalization, surgical and medical expenses, is offered on a voluntary basis with 100% of the premium paid by the employer. The specific terms and conditions governing group insurance plans are set forth in detail in the master policy or policies as issued by the carrier or carriers.

Summary descriptions of the plans are available from the insurance carrier via mail or online. The City will determine the method of providing group health care, including the selection of insurance carriers, while maintaining the current level of benefits.

Section 5.2 Waiver of Group Health Care Insurance

Employees who are provided health care insurance from another source, (e.g.; spouse or independent source) may receive an opt-out payment in lieu of receiving coverage from the City. The payment may be received as additional gross pay or as pre-tax by contributing to the ICMA Deferred Compensation Plan. A Waiver of Coverage form must be signed every year at open enrollment when an employee elects to waive group health care insurance from the City. The City contributes \$325 per month in lieu for a double policy and \$400 per month in lieu for a family policy.

Section 5.3 Supplemental Medical Insurance

Employees may elect to secure supplemental medical insurance at their own expense through American Family Life Assurance Company of Columbus (AFLAC). Payments are pre-tax and will be made through payroll deduction, providing an additional cost benefit to the employee.

Section 5.4 Group Dental Insurance

Regular full-time employees become eligible to participate in group dental benefits after thirty (30) calendar days from their date of hire. Coverage will begin on the first day of the month following, (e.g., hire date is May 10, benefits become effective July 1). Group dental insurance, covering certain dental expenses, is offered on a voluntary basis in addition to the group health care plan with 100% of the premium paid by the employer. Summary descriptions of the plans are available from the insurance carrier via mail or online.

Section 5.5 Vision Insurance

Regular full-time employees are offered family vision care benefits provided by Vision Service Plan (VSP). Details of the plan are available from the carrier via mail or online.

Section 5.6 Term Life Insurance

Regular full-time employees become entitled to receive the City's term life insurance plan after six (6) months of active employment. The premium is fully paid by the City for the employee up to the amount of \$50,000 through Standard Life and Accident Insurance Company.

Section 5.7 Continuation of Insurance Premiums

In the event a covered employee is on unpaid leave of absence (except for leaves taken under the Family Medical Leave Act (FMLA) if eligible) or otherwise as required by applicable law, the City will not pay any insurance premium for the employee or their eligible dependents beyond the month in which the leave of absence, resignation or termination occurs.

In the case of a layoff, the City will continue its portion of the premium payment of health and dental care coverage for a period of up to one (1) month; subject to the approval of the insurance carrier.

Employees on an approved unpaid leave of absence may continue insurance benefits on a month to-month basis, after the first month the leave commences, by paying the total applicable insurance premiums in advance monthly; subject to the approval of the insurance carrier. The City will resume its portion of the payment of insurance premiums for eligible employees who return to work from an approved unpaid leave of absence as of the first of day of the premium month following the date of the employee's return to work.

When applicable, employees and/or their covered dependents will be provided with the option to continue health insurance coverage through COBRA (Consolidated Omnibus Budget Reconciliation Act) at the time the City premiums are discontinued.

Section 5.8 Short-Term Disability

All active, regular full-time employees, after thirty (30) calendar days of active employment, are eligible to receive Short-Term Disability (STD) benefits. The City pays the premium. Summary descriptions of the plans are available in the City Manager's office.

Section 5.9 Long-Term Disability

All active, regular full-time employees, after thirty (30) calendar days of active employment, are eligible to receive Long-Term Disability (LTD) benefits. The City pays the premium. Summary descriptions of the plans are available in the City Manager's office.

Section 5.10 Accidental Death and Dismemberment

All active, regular full-time employees, after 30 days of active employment, are eligible to receive Accidental Death and Dismemberment insurance. The City pays the premium. Summary descriptions of the plans are available in the City Manager's office.

Section 5.11 Health Savings Account (HSA)

Regular Full-Time employees are eligible for the Priority Health HSA 1400/2800 plan. Employees will be able to establish Health Savings Accounts and use these funds to contribute to the deduction amount prior to activating insurance benefits.

Section 5.12 Retirement

Employees hired prior to June 30, 2020, are enrolled in the Municipal Employees' Retirement System (MERS). Under Benefit Program B-4, 2.5% of the employee's final average compensation (last 3 years) is multiplied by years and months of credited service. An employee gains vested status (eligible for retirement benefits) with ten (10) years of credited service. Effective January 1, 2021, or as soon thereafter as the defined contribution plan is established for new hires, the benefit multiplier shall be bridged down to 2.0% with termination FAC. With the F55 rider, an employee reaching 55 years of age may retire at full benefit with 25 years of credited service. Employees hired prior to June 30, 2020, will contribute seven percent (7%) to their defined benefit pension plan through payroll deduction. When the benefit multiplier is reduced to 2.0%, the employees shall contribute five percent (5%) of gross wages through payroll deduction.

All employees hired after July 1, 2020, will be enrolled in a deferred compensation plan from MERS. The City will contribute 10% of the employee's base wage and the employee will contribute 6% of their base wage.

All employees may be provided with applicable plan documents at any time by requesting it from their supervisor.

Section 5.13 Deferred Compensation

Employees have the opportunity to set aside monies by payroll deduction into a deferred compensation program established through the International City Management Association Retirement Corporation (ICMA-RC). These pre-tax dollars give an additional source of pension benefit while reducing the employee's taxable income.

The ICMA program is strictly voluntary and involves only employee contributions.

The City also has MERS 457 plans which are strictly voluntary and involve only employee contributions.

Section 5.14 Educational Assistance

The City offers employees the opportunity to participate in the Employee Educational Reimbursement Program. Tuition costs are reimbursable to full-time employees enrolled in up to six (6) adult education or university credits a term, but no more than twelve (12) such credits per year.

The tuition reimbursement provided no more than the maximum of the average cost per credit hour for upper division courses at GRCC, GVSU, Ferris State University, CMU, WMU and MSU provided:

1. The course is job related and is taken from an accredited institution of higher education as approved by the Department Director or City Manager at his or her sole discretion.
2. An application for reimbursement is submitted and approved by the department head or City Manager prior to enrollment.
3. A grade of "C" (2.0) is attained on adult education or undergraduate work and "B" (3.0) on graduate work. If grades are not given, a passing grade is required.
4. Employees may be reimbursed for the cost of required textbooks if they are not paid for by another source and tuition is paid for by another source.
5. An employee receiving any such reimbursement must agree to remain employed by any City Department for a period of five (5) years after the last date of any reimbursement payment for any course. If the employee leaves the City's employment prior to that time he or she shall repay the City 20% of the amount of all reimbursement received at any time for each year the employee leaves the City's employment before the end of the five-year period. The employee shall execute a promissory note for repayment.

When evaluating employee applications for tuition reimbursement for approval or disapproval, the City shall apply the following criteria and guidelines in determining whether the application satisfies the requirement of being "job related."

1. Each course must stand by itself. Degree program courses or courses taken to fill requirements toward a degree may or may not relate directly to the employee's job.
2. The course must provide a direct and obvious benefit to the employee for the performance of the employee's required duties with the City.

3. Any employee submitting an application for tuition reimbursement must provide a copy of the course description together with a statement setting forth the manner in which the course is directly related to the employee's job with the City.
4. Any employee submitting an application for tuition reimbursement must provide a copy of the course description together with a statement setting forth the manner in which the course is directly related to the employee's job with the City.

Section 5.15 Retiree Health Care

A regular full-time employee who retires directly from the City and at the time of retirement has worked at least ten (10) years of continuous service and has met one of the defined requirements by MERS to be eligible to draw their retirement benefit is eligible to receive group health care insurance including coverage for the employee's spouse in accordance with the policy terms. The retiree may cover additional eligible dependents at a group rate as allowed by the Affordable Care Act (ACA) entirely at the retiree's expense.

For the purposes of this section, an individual is retired when they are eligible for and are receiving benefits under the City's Retirement Plan. The specific terms and conditions governing the group insurance plan is set forth in detail in the master policy or policies as issued by the carrier or carriers. The City reserves the right to amend, modify or delete this medical continuation policy at any time. Additionally, termination of this continuation policy, amendment or other change may apply to both current participants and potential future participants as determined by the City within its sole discretion and judgment.

All new non-union employees and department heads hired after September 6, 2016, will no longer be eligible for retiree health care.

Section 5.16 Longevity Pay

Every employee who has been employed for a continuous period of three (3) full years shall be entitled to a longevity payment of \$65.00 for each year over three (3) years of continuous service. Longevity payments shall be issued at the end of the month for all employee's whose anniversary date fall within that month following his/her fourth (4th) year of employment. Maximum longevity payment shall be \$650.00. (7/1/2010)

Section 5.17 Miscellaneous Benefits

During the month of December, all employees will be eligible to receive \$25 in Lowell Bucks at no expense to the employees. They will be distributed in the form of a voucher that can be redeemed at any participating business unless otherwise instructed.

Policy 6: Hours of Work

Section 6.0 Hours of Work

The City's regular operating period is Monday through Friday from 8:00 A.M. to 5:00 P.M. Work schedules are assigned by an employee's supervisor as determined by the needs of service.

Section 6.1 Time Reporting

Each employee must record his/her hours worked and paid or unpaid time off, for the corresponding pay period on timesheets to be submitted to his/her supervisor on the last day worked during the pay period. The supervisor reviews and approves the time sheet and submits it to the employee responsible for entering the data from the time sheet into the payroll system.

Section 6.2 Work Breaks and Meal Periods

An employee may take one 15-minute break period for each four (4) hours of time on the job whenever practicable. Work breaks are intended to provide an employee relief from the job and do not include compensated travel time to and from the work place for the purpose of a work break. Office employees are to remain on City property during work breaks and field employees should remain at the jobsite they are on at the time they take a work break. Such work breaks will be compensable and scheduled, as deemed necessary, by an employee's supervisor or designated representative.

An employee will be provided time for meals when working a regular full-time day. Meal periods will be for 30 minutes or more and will not be compensated. Therefore, employees may leave their work area during this period. Length and time of meal periods are scheduled, as deemed necessary, by an employee's supervisor or designated representative.

Policy 7: Absence Time

Section 7.0 Personal Days

Regular full-time employees shall receive three (3) personal paid leave days per fiscal year, on July 1, at the rate of the employee's regular straight-time pay. Personal leave time must be scheduled in advance with his/her supervisor or designated representative. Any unused personal leave days will be paid at the end of the fiscal year.

New employees will be credited with personal days on a pro-rated basis beginning from the date of hire at the rate of two (2) hours per month after 30 days of employment.

Section 7.1 Vacation

All full-time employees of the City will receive vacation time as follows. All employees will receive their vacation time at the beginning of the fiscal year (July 1):

<u>Years of Service</u>	<u>Hours</u>
1	40
5	80
7	120
12	160
20	168
21	176
22	184
23	192
24	200

Vacation leave may not be accumulated beyond 160 hours without prior approval from the Department Head or City Manager. Vacation may not be paid directly in lieu of time off. Earned vacation time will be paid to an employee at the time of termination of employment when advance notice requirements are met and/or at the discretion of the City Manager or his/her designate.

All Vacation must be **scheduled and approved at least 1 week in advance**, except in cases of emergency.

Section 7.2 Sick Time

All full-time employees shall be entitled to sick leave which is to be accumulated at the rate of one (1) day per month with a maximum amount of sick leave not to exceed 24 days. Vacation time may not be substituted for sick leave except in the case of an employee exhausting sick leave while on an extended leave due to illness or injury upon the approval of the City Manager or his/her designate.

Any employee who has been absent from work for more than three (3) consecutive calendar days shall be required to provide authorizations to return to work from a physician or other licensed healthcare professional.

Section 7.3 Attendance Expectations

Reliability is one of the most important expectations the City requests from its employees. Efficiency and productivity are essential to the success of City of Lowell. Being there for our business partners, co-workers, customers and the City public is the reason we exist. Employees are expected to be at their workplace and ready to work at the beginning of their start time and remain on duty until the end of their shift. The only exceptions are work breaks, meal periods, personal time, vacation or any other approved absence. Excessive tardiness and absences will have a direct impact on your eligibility for promotion and may subject you to discipline up to and including termination.

Section 7.4 Funeral Leave

Upon request, an employee will be granted a paid leave of absence for three (3) normally scheduled work days following the date of death of a member of the employee's immediate family. Immediate family shall be defined as spouse, child, parent, sister, brother, grandparents and grandchildren, father-in-law and mother-in-law. A one (1) day paid leave will be granted to attend the funeral of a sister-in-law and brother-in-law. The amount of pay will be at the regular straight time rate for the approved work days the employee is absent.

Section 7.5 Jury Duty

An employee that is summoned by a court to serve as a juror will be not suffer loss of straight-time pay for the period of his/her jury duty. For each day of service as a juror the employee would have worked, he/she will receive the difference between his/her regular rate of pay for the number of hours he/she was scheduled to work on that day and the amount he/she received from the court, excluding mileage reimbursements. To be eligible for jury duty pay from the City, you must:

- a) Be a regular full-time or regular part-time employee.
- b) Give your supervisor reasonable advanced notice of the date you are required to report for jury duty.
- c) Give satisfactory evidence that you served as a juror in court on the day you were absent from work.
- d) Return to work promptly after being excused from jury duty service.

Section 7.6 Holidays

Regular full-time employees are eligible for holiday pay when they satisfy all the following conditions and qualifications:

- a) An employee must work all his/her scheduled hours on his/her last regularly scheduled workday before the holiday and on the first regularly scheduled work day after the holiday or be on approved, paid absence.
- b) An employee must be on the active payroll as of the date of the holiday. For purposes of this section a person is not on the active payroll during unpaid leaves of absences, Short Term Disability, Long-Term Disability, while receiving Workers' Compensation or on a disciplinary suspension.
- c) An otherwise eligible employee who is required to work on a recognized holiday but fails to report and perform all required work shall not receive any holiday pay for such holiday.

All non-exempt employees shall receive holiday pay for each recognized holiday in an amount equal to the number of hours normally worked on that day or the amount to equal the total average of hours worked in a normal work week. All holiday pay shall be at the employee's regular straight-time rate. Exempt employees shall receive each recognized holiday off work.

The following are days recognized as holidays by the City:

New Year's Day	Labor Day
President's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Christmas Eve
Fourth of July	Christmas Day
Floating Holiday	

When a holiday falls on a Saturday, it will generally be observed on the preceding Friday. When a holiday falls on a Sunday, it will generally be observed on the following Monday. The City reserves the discretion, however, to close on another day or grant alternate time off.

Section 7.7 Separation

Employees are required to provide a minimum of 21 days' notice of intent to terminate employment. Failure to provide a minimum notice will result in loss of payment for any accrued paid time off unless waived by the City Manager.

Section 7.8 Family and Medical Leave Act (FMLA)

The City recognizes that employees may have a need to take time off from work for family and medical reasons. The City is a covered employer under the Family and Medical Leave Act (FMLA) and will fulfill any obligations it may have pursuant to that Act.

Employees who have been employed by the City for twelve months; have worked at least 1,250 hours during the previous twelve months; and work at a location with fifty or more employees or within seventy-five miles of locations that together have a total of fifty or more employees, may be eligible for up to twelve weeks of unpaid, job-protected leave per twelve-month period for certain family and medical reasons, and up to twenty-six weeks of unpaid, job-protected leave per twelve-month period for certain military-related reasons. The City does not employ 50 or more individuals, and thus the City currently has no employees eligible for FMLA leave. If that changes, eligible employees who request and are granted such leave, must use all of their available accrued and unused paid leave as part of FMLA leave.

An eligible employee must provide the City 30 days' advance notice of the need to take FMLA leave when that need is foreseeable. Where 30 days' notice is not possible, an employee must provide notice as soon as practicable and, in doing so, comply with the City's normal call-in procedures. When giving notice of an intent or need to take FMLA leave, the employee must provide the City with enough information to know that FMLA leave is needed, as well as the anticipated time and duration of the leave.

When requesting FMLA leave, an employee must provide medical certification from an appropriate health care provider. The City may require periodic recertification during an employee's FMLA leave. If there is a reasonable basis to doubt any certification provided, we may require that an employee obtain, at the City's expense, the opinion of a second health care provider, in regard to any information required to be certified. If the second opinion differs from the original certification provided, the employee may obtain the opinion of a third health care provider mutually agreed upon between the employee and the City, in regard to any information required to be certified. The City will pay the cost of the opinion of the third health care provider, whose opinion will be final and binding to the employee and the City.

If an employee participated in the medical health insurance plan until taking FMLA, the City will continue to maintain his/her health insurance coverage and, where applicable, the coverage of his/her dependents during the FMLA leave, up to the maximum allowable leave. However, the employee must arrange to pay the premium contributions that have previously been deducted in order to continue such insurance during the FMLA leave. If an employee fails to return to work at the end of the FMLA leave, the City may require the employee to reimburse the City for the amount paid for his/her health insurance premiums during the leave.

If an employee fails to return to work upon the expiration of FLMA leave or use more than twelve weeks of leave within the applicable twelve-month period, that employee is not guaranteed a position or the same position upon return and may be treated as having voluntarily resigned from employment with the City, in the City's sole discretion. The City may choose to exempt certain highly compensated, "key" employees from this job restoration requirement and not return them to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status when they request leave. If the City Commission deems it necessary to deny job restoration for a key employee on

FMLA leave, the City will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Section 7.9 Military Family and Medical Leave Act (FMLA)

The City abides by all state and federal statutes and regulations regarding the rights of employees to leaves of absence and return for military active duty or training. Employees who require a leave should inform the *City Manager*, as soon as they receive their orders, of the date that the employee must leave for service.

The Veterans Benefits Improvement Act of 2004 extends the maximum coverage period of employer-sponsored health care for employees covered by the Uniformed Services Employment and Reemployment Rights Act [USERRA] from 18 to 24 months. USERRA gives employees who are absent from work because of duties in the uniformed services the right to continue employer provided health care coverage at a charge of up to 102% of the full premium under the plan, unless the employee is absent from work for less than 31 days, in which case the employee will not be charged more than the employee's share of the cost of the coverage. Employees who want to be reinstated after Military Duty must contact the City within the time limits prescribed by USERRA in order to be eligible.

Section 7.10 Workers' Compensation Leave

Leaves of absence for a work-related injury or illness are granted to employees eligible to receive benefits under the State of Michigan's Workers' Compensation Law. Any injury on the job must be reported to your supervisor immediately, even though you may not feel medical attention is required. Failure to report an incident where future medical attention is required may result in denial of benefits under the State of Michigan's Workers' Compensation Law.

An employee returning to work after a leave due to a work-related injury or illness must submit adequate documentation from the treating medical provider stating the employee's ability to perform the essential functions of the job. All efforts will be made by the City to provide an employee with limited duty work should there be restrictions placed on the employee prohibiting them from returning to full duty.

Policy 8: Disciplinary Action

Section 8.0 Discipline Policy

All employees are expected to conduct themselves in a manner which reflects positively upon the City. Employees should be courteous in their dealings with customers, co-workers and the City public. It is expected that employees follow the guidelines the City sets forth to maintain productive and harmonious working relationships. In the event a need arises to address

misconduct or inappropriate actions by any employee, disciplinary action may be taken based on the severity of the situation as determined by the immediate supervisor. The goal of discipline is to impose corrective action while facilitating performance improvement with the employee.

Policy 9: Workplace Safety

Section 9.0 Accident Reporting Procedure

Employees must promptly report unsafe behavior and working conditions, safety hazards, property damage, personal injuries and illnesses which arise out of and in the course of employment, even though you may not feel medical attention is required.

In the event an accident involves another vehicle or equipment not owned by the City, the employee(s) involved should obtain as much information as possible regarding the other party and/or property. If a police report is prepared, obtain information from the reporting officer; e.g.; the report number, name of the police agency responding to the call, the officer's name.

Section 9.1 Motorized Equipment

All operators of motorized vehicles and equipment, while performing work activity for the City, shall be responsible for the proper operation of such vehicle and equipment and obey all traffic and safety regulations.

It shall be the duty and responsibility of all operators of motorized vehicles and equipment to report any defect to their supervisor and use every precaution to prevent additional property loss and ensure the safety of all employees and bystanders while in operation.

Policy 10: Open Door Policy

Section 10.0 Open Door Policy

The City of Lowell strives to provide good working conditions and to maintain harmonious working relationships among employees, as well as between employees and management. To correct any work-related problems, City Administration must be fully informed about them. Therefore, City Administration has an "open door" problem-solving policy. Employees are encouraged to discuss concerns or suggestions with their immediate supervisor/Department Director. Employees who believe that the supervisor has not or cannot adequately address the situation are encouraged to discuss the problem with the City Manager.

Policy 11: Employee Reference

Section 11.0 Employee References Policy

Any request for a reference by anyone or any entity received regarding a former employee must be forwarded to the City Manager's Office. No other person may provide an employment reference. A "reference request" is defined to include any request for information about a former employee, whether the request is made in writing, verbally, or through any electronic or media platform, and includes any request for information regarding the employee's performance or for a recommendation.

It is our policy to provide only an employee's dates of service and the title of the employee's last position in response to requests for references. If an employee would like to have other information disclosed, a written request authorized and signed by the employee, which specifically identifies the information to be disclosed, must be provided in advance to the City Manager's Office.

Policy 12: Miscellaneous

Section 12.0 Travel & Business Expense Reimbursement

This policy contains guidance and limits for all travel while conducting business and fulfilling work assignments. This policy will reflect our collective responsibility to conduct business in a financially responsible manner.

City Guidelines

These policies and procedures are designed to act as a guideline for business travel and miscellaneous expense reimbursements. They are based on practices employed by most organizations of our size and take into consideration what is considered reasonable and customary. While this policy does not contain suggested expense limits, all employees/ Council members are expected to use their best professional judgment when incurring expenses on behalf of the City. This policy recognizes that, in some isolated cases, business related expenses might need to be reviewed on a case-by-case basis; however, this primarily applies if the expense in question was not discussed in this policy.

This policy is designed to accomplish the following key points:

- Ensure all employees/ Council members have a clear and consistent understanding of policies and procedures for business and travel expenses.
- Ensure employees/ Council members are reimbursed for legitimate business travel and other approved expenses.

- Provide employees/ Council members who must travel with a reasonable level of service and comfort at the lowest possible cost.
- Maximize the City's ability to negotiate discounted rates with preferred suppliers and reduce travel expenses.
- Provide the appropriate level of accounting and business controls for the City to ensure that expenses are reviewed and approved by the appropriate person.

Responsibility

The traveler is responsible for complying with the City of Lowell Travel Policies. The supervisor who approves and signs expense reports is responsible for accurately reviewing expense reports for compliance. The City assumes no obligation to reimburse employees/ Council members for expenses that are not in compliance with this policy. Any changes to this policy must be presented to the Council for approval and noted as a policy change.

Enforcement

Employees who do not comply with this policy may be subject to delay or withholding of reimbursement and/or disciplinary action.

Alcoholic Beverages

The City's policy is to abstain from consuming alcoholic beverages during business hours or performing a service required by the City during its normal course of duty. Therefore, alcoholic beverages are not a reimbursable business expense. Additionally, an employee who is arrested and convicted for *Driving under the Influence* while in the performance of City of Lowell business, or when returning from a business function, is subject to disciplinary action up to and including termination.

Documentation Requirements

Employees/Council members must provide the following information and attach to a completed Expense Report, signed and approved by your Supervisor:

- Purpose of travel
- Name, location and date of Conference, Meeting or Seminar
- Meals – Original itemized receipts showing the charges, name and location of restaurant (this includes room service charges)
- Receipts are to be provided for any individual expenditures in excess of \$25; including tolls, taxi fares, shuttle busses, parking fees
- Air/Rail – original passenger receipt

- Hotel – hotel itemized receipt
- Car Rental – credit card receipt or rental agency invoice

Cash Advance/Per Diem

Employees/Council members may receive a cash advance for business travel based on the regular federal per diem allowance for meals and incidental expenses while traveling away from home when overnight lodging is provided by the City. The rates are different for different locations. A copy of the appropriate IRS rate schedule should be attached to your Cash Advance request. These rates are determined in IRS publication 1542, which gives the rates in the continental United States for the current year. It is available on the Internet at www.irs.gov. To avoid taxability, the employee/Council member needs to comply with the same documentation requirements as reimbursement of expenses. Any amount advanced that is not accountable with proper documentation of expense must be returned to the City. For partial days of travel when overnight lodging is not required, a partial per diem allowance rate will be advanced by prorating the regular federal per diem allowance appropriate to the period of time the travel takes place.

Incorrect or Incomplete Expense Reports

Expense reports that are incorrect, incomplete or include disorganized receipts:

- Will be returned to the employee/Council member for completion
- May result in delay or non-reimbursement

Disregard for City of Lowell Travel Policy or altering of receipts may result in disciplinary action up to and including termination.

Business Use of Personal Vehicle

Employees/Council members may be required to use their personal vehicle for City of Lowell travel, at the discretion of the employee's supervisor, when a City vehicle is unavailable for use. It is the personal responsibility of the vehicle owner to carry adequate insurance coverage for their protection and for the protection of any passengers. Employees may only use their personal vehicle for City business if they maintain minimum of \$100,000/\$300,000 bodily injury coverage and \$50,000 property damage coverage on their vehicles.

Mileage is reimbursed at the rate established by the IRS. This mileage allowance is in lieu of actual expenses for gasoline, oil, repairs, tags, insurance and depreciation. Therefore, actual expenses for those items will not be reimbursed when your personal vehicle is used for business travel.

For the purpose of consistency, the start location of any business travel will commence at the main building located at 301 E. Main St. The ending location will be the address of the designated

business location or airport where the employee/Council member is required to report. In the event it is necessary for the employee/Council member to travel to more than one location during the day's events (e.g., restaurant, hotel, meeting facility) incidental mileage will be reimbursed for actual miles driven not to exceed 10 miles during one business day, unless there is a documented reason for excess mileage. To be reimbursed for the use of your personal vehicle for business travel, employees/Council members must list on the expense report:

- Date and purpose of the trip
- Locations traveled to and from
- Mileage is determined by MapQuest or comparable mileage data source if necessary and a copy attached to your Expense Report.

Lodging/Hotel

Hotel reservations should be made in such a manner as to secure the best available rate. Employees /Council members are required, whenever possible, to use properties in the "moderate" category.

Meals

Personal meals are defined as meal expenses incurred only by the employee/Council member when dining on an out-of-town business trip.

Miscellaneous Expenses

The Miscellaneous column is designated for expenses that do not fit into the previous categories, yet are directly business related and therefore, reimbursable. The following items can be considered as reimbursable business expenses:

- Office services (e.g., faxes, copies, overnight delivery/postage)
- Toll fees, taxi fares, shuttle busses and parking fees
- Laundry/Dry Cleaning/Suit Pressing for trips exceeding 3 days
- Seminar fees/training classes with prior management approval

The following items are NOT reimbursable under this policy:

- Airline Club/Country Club membership dues
- Parking tickets or other fines
- Delinquency fees/Finance charges for personal credit cards
- Excess baggage charges
- All direct travel expenses for companions/family members accompanying an employee

- Expenses related to vacation or personal days while on a business trip
- Loss/Theft of personal funds or property/lost luggage
- Non-compulsory insurance coverage
- Rental car upgrades
- Repairs due to accidents
- Excessive mini-bar charges (including any alcohol)
- Hotel in room movies, games or other like entertainment

Never assume that an item will be covered under the “Miscellaneous” category. Be sure to check with your supervisor or the City Manager if an item you need is not outlined, specifically in this policy.

Approval/Authorization Process

The employee’s supervisor must approve all expense reports. No employee is authorized to approve his/her own, a peer’s, or a supervisor’s expense report. Council member’s expense reports are approved by the City Manager. The supervisor/City Manager is responsible for verifying:

- Business purpose
- Correct totals
- Supporting documentation and receipts
- Policy compliance

Once approval has been obtained, be sure to make a copy of the signed report along with copies of your receipts for your own records.

Section 12.1 Expense Reports

Expense reports are to be submitted to your supervisor no later than thirty (30) days after a reimbursable expense occurs.

The supervisor must approve all expense reports. No employee is authorized to approve his/her own, a peer’s, or a supervisor’s expense report. Council member’s expense reports are approved by the City Manager. The supervisor/City Manager is responsible for verifying:

- Business purpose
- Correct totals
- Supporting documentation and receipts
- Policy compliance

Once approval has been obtained, be sure to make a copy of the signed report along with copies of your receipts for your own records.



MISSION STATEMENT

"We strive to provide a positive work environment with competitive wages, personal respect and opportunity for professional growth".

INTRODUCTION

The City of Lowell consists of 5 Council members elected to serve by the citizens of the City through elections held every odd numbered year. Council member terms are four (4) years. The Council members collectively elect a Mayor. The Council's most important role is its Charter, written policies, policy-based decisions, and the appointment of the City Manager.

The City of Lowell is responsible for the administration and operation of City facilities and services. The City's ability to perform these functions and provide these services is directly related to the efficiency of the employees working for the City. An important factor in attracting and keeping efficient and fully trained employees is the establishment of current and uniform employee policies and procedures.

The City Manager is responsible for the implementation of these policies and procedures and the overall coordination of all employee matters. The contents of the Employee Handbook apply to all individuals employed by the City of Lowell.

The City remains free to unilaterally change, suspend or modify any or all of the working conditions described in the handbook without giving cause or justification to employees. In the event any policy conflicts with ~~the Working Agreement~~ a collective bargaining agreement, the collective bargaining aWorking Agreement prevails for bargaining unit employees.

All employees are responsible for knowing, understanding and following the policies and procedures within the handbook. Employees are invited and encouraged to address questions to their supervisor, or the City Manager at any time.

The Council accordingly adopted the policies and procedures in this Employee Handbook.

Michael Burns
City Manager

July 1, 2022
Date

Policy 1

General Procedures

Section 1.0 **Employer Expectations**

Within this Employee Handbook are the fundamental elements of the City of Lowell's operating principles. This handbook is provided for guidance only and is not a contract; policies and procedures may be changed at any time.

You, as an employee, are valued, trusted and depended upon by your supervisor, co-workers, customers and the public. It is your willingness to work safely, learn, teach, cooperate and communicate what the City relies on to meet its obligations to its customers and the public.

All employment not covered by a ~~working~~ collective bargaining agreement or employment agreement to the contrary is "at-will". This means the employee may resign at any time for any reason or no reason, and the City may terminate the employee at any time for any reason or no reason.

It is important that all employees know and understand what is expected of them in order to meet the standards of quality and efficiency required to represent the City.

Thank you for being honest, respectful, dependable, safe, loyal, punctual and flexible. These are a few of the qualities and expectations the City needs and relies on from its employees.

~~Whenever a provision in this Employee Handbook is in conflict with a provision of any effective labor agreement, the labor agreement shall be followed for the respective bargaining unit.~~

Section 1.1 **Applicability**

-This Handbook and the policies, procedures and benefits described or referred to are applicable to all persons employed by the City. It is not intended to create any third-party rights. If the terms of a policy, procedure or benefit vary according to an employee's classification, the terms that apply to that classification will be specifically described.

Section 1.2 **Proprietary Information/Confidentiality**

All employees are responsible for protecting the City's confidential and sensitive information; ~~which includes anything that could potentially be used to place the City or its employees, customers or Council members at a disadvantage.~~

Specific examples of confidential information include:

- Plans, strategies, tactics or organizational structure not announced to the public.
- Financial data or operations results not announced to the public.
- Employees' personal information, including addresses, phone numbers, performance evaluations, Social Security numbers, personal health information and disciplinary records.
- Customer records such as billing information, credit status and other personal information available to employees.

An employee should presume information is confidential unless demonstrated otherwise and hold that information in confidence. Examples of some exceptions: if the communication of information is consistent with your normal job duties or you are authorized to disclose it by your supervisor, the City Manager or member of the Council. If you are uncertain about whether something is confidential, check with the City Manager before disclosing it.

Section 1.3 **Outside Employment**

No employee may work at other employment ~~which that~~ would lead to a conflict of interest or impair performance as an employee of the City. Written permission from the City Manager or his/her designate must be obtained before any outside work or employment is undertaken. No employee may utilize City facilities to conduct ~~supplemental~~ outside employment. If the City Manager determines that the outside employment would violate this policy, or if after outside employment has been approved, the City Manager determines the outside employment violated this policy, the employee must resign either the outside employment or their position with the City. Additionally, if the requirements and/or conditions of the ~~supplemental~~ outside employment change, the employee must promptly advise his/her supervisor and re-apply for approval with the new requirements and/or conditions.

Section 1.4 **Dress Code**

Work attire should complement an environment that reflects an efficient, orderly and professionally operated organization. The City's appropriate causal business attire program also requires the use of common sense and good judgment.

Where uniforms are required, employees may not deviate except under the express approval of the department head. Uniform replacements resulting from negligent loss or misuse may be at the employee's expense and subject to disciplinary action.

If you question the appropriateness of the attire, it probably isn't appropriate.

Supervisors are responsible for monitoring and enforcing this policy. It will be administered according to the following steps:

1. If questionable attire is worn in the office, the supervisor will hold a private meeting with the employee to discuss and counsel the employee regarding the possible inappropriateness of the attire.
2. If an obvious policy violation occurs, the supervisor will hold a private discussion with the employee and ask the employee to go home and change his/her attire immediately. The first time the employee is sent home will be compensated.
3. Repeated policy violations may result in disciplinary action, up to and including discharge/termination.

Section 1.5 Personnel Files

Employee personnel files are maintained in a locked file cabinet. Access is limited to City employees with a legitimate need for such information in the performance of their job. You are required to advise your supervisor of any changes of name, current address, phone number, marital status, dependents and emergency contact information; signed and dated in writing in writing, signed and dated. Employee ~~individual-personnel~~ personal information will not be released to outside parties without a signed authorization provided by the employee to his/her supervisor or the City Manager unless required by law. You may review the contents of your personnel file upon request to the City Manager up to two (2) times within twelve (12) months. Your review must be accompanied by your supervisor or the City Manager. No contents may be removed or copied without the consent and knowledge of the City Manager.

Employee personnel files will only contain information pertaining to the employee's relationship with his/ her employer.

Section 1.6 Social Security Number Privacy Policy

The City's goal is to ensure, to the largest extent possible, that employees' social security numbers are maintained confidentially. Employees' social security numbers will not be released to anyone, except as required by law. Employees' social security numbers will be made available internally only on a "need-to-know" basis.

~~More than four sequential digits of a social security number will not be included~~ In no case shall anything other than the last four digits of an employee social security number appear on any external correspondence, except as required by law, nor will it be publicly displayed in any manner. Social security numbers are not to be used as passwords or identifiers for any City computer system. The social security number will not be used in the ordinary course of business except as the City may determine that it is necessary to verify an individual's identity or to administer employee benefits, such as health insurance. Any documents that include social security numbers that are discarded are to be shredded.

Any violation of this policy will result in discipline up to and including termination of employment.

Policy 2

Employment Laws and Policies

Section 2.0 Drug Free Workplace/Fitness for Duty

~~In accordance with state and federal laws and regulations, including the Drug-Free Workplace Act of 1988, it~~ is the City's intent and obligation to provide a drug-free, healthful, safe and secure work environment. Employees must, as a condition of employment, abide by the terms of these policies and report any conviction under criminal drug statutes for violations occurring on City premises or while conducting City business. The City recognizes drug and alcohol dependency as an illness and a major health problem. It also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use available community resources and City health insurance plans as appropriate before violating this policy.

1. No employee will possess, distribute, use or be impaired by illegal prohibited drugs on City property; while on City business; in City vehicles; or during working hours, including rest and meal periods. The use, impairment by, or possession of ~~medical~~ marijuana is prohibited in the workplace.

2. No employee will possess, distribute, use or be impaired by alcohol while on City property, while on City business or while in City vehicles, or during working hours, including rest and meal periods.

3. No employee shall be impaired by legal prohibited drugs or substances, nor shall any employee have in their bodily system illegal prohibited drugs or substances while on City property; while on City business; while on job sites or in City vehicles; or during working hours, including rest and meal periods.

3.

"Illegal prohibited drugs" are substances that are illegal to sell or possess or that are used contrary to direction or prescription. Consistent with state law, the City does not consider marijuana (recreational or medical) to be an "illegal prohibited drug" when used off-duty except as to those employees who are prohibited from performed essential functions of their job if they use marijuana (e.g., police officers and employees subject to federal Department of Transportation regulation); "legal prohibited drugs or substances" are any prescription or non-prescription drugs or substances that may adversely affect working ability. An employee who is taking a legal prohibited drug or substance must notify his or her supervisor if its use is expected to adversely affect the employee's performance of the essential functions of the employee's job. Employees have a duty to know if any of the legal prescription or non-prescription drugs or substances they are taking may adversely affect working ability. At the option of the department head, an employee may be reassigned to less hazardous duty or be placed on sick leave if impaired work

performance might pose a threat to the public confidence or to the safety of the employee or others.

Employees convicted under a criminal drug statute for violations occurring on the City's premises or while conducting City business or in City vehicles shall report it in writing to their supervisor within five (5) days of the conviction. Supervisors receiving a report of conviction from an employee shall notify the City Manager at once.

The City reserves the right to require any employee to submit to blood and/or urinalysis or other appropriate examination for the purpose of detecting the employee's use of ~~unauthorized prescription drugs, illegal drugs, illegal prohibited drugs or legal prohibited drugs~~, controlled substances, marijuana and/or alcohol.

If, based on reasonable suspicion, any employee is believed to pose an immediate safety risk to anyone, including themselves, the supervisor is to remove the employee of all work responsibilities. The supervisor will escort the employee to an approved facility to perform the test and make arrangements to take the employee home. If the test results are not immediately available the employee will be relieved of all work duties and provided with the option of using vacation time or unpaid absence until the test results are received.

The City Manager will notify the supervisor and/or the department head when the test results are received. Negative test results will allow the employee to return to regular duty at the beginning of the next work day. Any loss of pay or vacation time shall be restored with regular straight-time pay. Positive test results require a determination by the City Manager regarding the action to be taken which may result in immediate termination of employment. If the employee refuses to cooperate with a testing request, the employee will be suspended immediately, without pay, pending a review of the incident.

Immediate suspension means the employee must leave the workplace (office or job site); however, the employee must not be allowed to drive, including his/her own personal vehicle. Necessary arrangements for transportation home will be made by the supervisor.

Searches: The City reserves the right to search an employee, an employee's work area and an employee's vehicle on City property if the City has a reasonable suspicion that ~~the "no alcohol or prohibited drugs or prohibited substances" rule~~ this policy may have been violated.

A violation of this policy or a failure to cooperate in enforcement of this policy will result in disciplinary action up to and including ~~discharge~~ termination from employment and could also be referred for prosecution, as appropriate.

Section 2.1 Equal Employment Opportunity

The City does not, and will not, discriminate for or against any employee or applicant for employment or promotion because of age, sex, race, religion, creed, color, national origin, ancestry, height, weight, marital status, sexual orientation, gender identity, disability or covered veteran status or other basis protected by applicable law. This policy applies to all aspects of employment on the job, and applies to benefits to the extent required by law.

No employee or applicant will be coerced, intimidated, interfered with or discriminated against for filing a complaint or assisting in an investigation for the corresponding federal and state laws.

Section 2.2 Immigration Law Compliance

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

Section 2.3 Americans with Disabilities Act (ADA)

The City will not discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or ~~discharge-termination~~ of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. Any employee who needs an accommodation to perform essential job duties must notify a supervisor or the City Manager in writing as promptly as possible, but in no case later than one hundred eight-two (182) days after the employee knows or reasonably should have known that an accommodation was needed.

Section 2.4 Anti-Harassment Policy Statement

Under no circumstances will the City condone or tolerate harassment or discrimination based on age, sex, race, religion, creed, color, national origin, ancestry, height, weight, marital status, sexual orientation, gender identity, disability or covered veteran status or other basis protected by applicable law~~race, color, religion, national origin, sex, pregnancy, age, disability, height, weight, veteran status, marital status or any other characteristic protected by applicable law.~~

Harassment is any unwelcome or unsolicited verbal or physical conduct that unreasonably interferes with an employee's job performance or creates a hostile, offensive, or abusive working environment. Examples of harassment include, but are not limited to, disparaging remarks; unwelcome or unsolicited touching; threats of physical harm; and the use of degrading words, nicknames, pictures, cartoons, stories or jokes.

Harassment and discrimination prohibited by this policy must be distinguished from conduct or communication that, even though unpleasant or disconcerting, is not inappropriate in the context of carrying out instructional, advisory, counseling or supervisory responsibilities.

Definition. Harassment prohibited by this policy is defined as unwelcome verbal or physical conduct or communication based on a characteristic protected by applicable law when:

1. Submission to the conduct or communication is made either an explicit or implicit term or condition of employment;
2. Submission to or rejection of the conduct or communication by an employee is used as a basis for an employment decision affecting that individual; or
3. The conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive work environment.

Such offensive contact or harassment is prohibited whether it is conducted directly or indirectly, via telephone or other electronic communication, through the mails or other written communication, or in person.

Reporting a Violation. If an employee believes that a violation of this policy has occurred, the employee has an obligation to immediately report the alleged violation immediately, preferably within 48 hours, to the Department Director, or City Manager. While there is no requirement that the incident be reported in writing, a written report that details the nature of the harassment, dates, times and other persons present when the harassment occurred will enable the City to take effective, timely and constructive action.

The City takes all reports of a violation of this policy seriously and will investigate promptly. Therefore, employees are expected to bring violations to the City's attention in good faith. Good faith means that the employee has a sincerely held belief, even if erroneous, that the policy has been violated.

Investigation and Resolution. There will be a prompt investigation of any harassment claims. An investigation may include interviews of possible witnesses including the person claiming the harassment occurred, and the person or persons claimed to be involved in, or witnessing, the harassment. The investigation will be conducted as confidentially and objectively as possible. Employees are expected to cooperate fully with any investigation.

After the investigation has been completed, a determination will be made regarding the appropriate resolution of the matter. The determination will be reported to the employee who allegedly was subjected to the harassment. If unlawful harassment is found to have occurred, the City will take immediate remedial action, such as the imposition of discipline, up to and including discharge or termination. If misconduct or other inappropriate behavior occurred (even if it does not reach the level of unlawful harassment), responsive action will be at the City's discretion, which may include, but is not limited to, discipline or change of status, such as job transfer, reassignment, pay reduction or other action.

No Retaliation. The City forbids retaliation or reprisals against anyone who has reported harassment, or has participated in any investigation as a witness or otherwise. Retaliation is a serious violation of this policy and subject to investigation and the corrective measures described in this policy. Retaliation must be immediately reported to the Department Director or City Manager.

Section 2.5 Violence in the Workplace

The City will not tolerate threats or acts of violence committed by or against employees. For purposes of this work rule, the following definitions shall apply:

Act of violence means any intentional, reckless, or grossly negligent act that would reasonably be expected to cause physical injury or death to another person.

Threat of violence means any intentional communication or other act that threatens an act of violence and would cause a reasonable person to feel terrorized, threatened, or fear physical injury or death to oneself or another person. Any threat of violence, whether verbal, written, visual or by gesture, will be presumed to be an expression of intent to do harm to another person.

Workplace means an office or building owned or leased by the City, customer's property or service territory in which employees are assigned to work. It includes any City common grounds or parking area used by employees assigned to or working in the office or building.

Explosive means any bomb, grenade, missile, or other dangerous device designed to expand suddenly and release internal energy resulting in an explosion.

Firearm means a weapon from which a dangerous projectile may be expelled by an explosive, gas, or air.

Act or Threat of Violence

An act of violence or a threat of violence that is work-related or occurs in the workplace is strictly prohibited. ~~It is critical that a~~Any employee who is subjected to or is aware that another employee is being subjected to of an act of workplace or work-related violence or a threat of imminent violence shall immediately take prompt and appropriate measures to ensure his or her personal safety. ~~The employee shall then promptly and~~ report the incident to appropriate law enforcement personnel and his/her own supervisor. The supervisor shall immediately notify the City Manager of the incident.

Non-imminent acts or threats of violence shall be reported to the employee's supervisor or any available manager. If the employee's supervisor is the individual engaging in violence or making

a violent threat, the employee shall report the incident to another supervisor or any available manager.

All reports of an act of violence or a threat of workplace or work-related violence will be investigated and appropriately addressed.

If a supervisor or City Manager receives information regarding an alleged act of violence, receives a threat of violence, or has a reasonable suspicion that an employee may have transported a firearm or explosive on City property without authorization, the supervisor, City Manager or other appropriate authority may conduct a search of desks, lockers, and any other storage space located on City property as part of the effort to investigate and appropriately address the situation.

Reporting

Employees are obligated to report to management if any of the following circumstances occur:

- The employee is subjected to workplace or work-related violence by a supervisor, manager, co-worker, or other person.
- The employee witnesses a supervisor, manager, co-worker, or other person in the workplace engaging in workplace or work-related violence involving another person.
- The employee receives a protective or restraining order, which lists City-owned or leased premises as a protected area. (A copy of such order shall be provided to the City's management.)

A supervisor or manager who witnesses, or is made aware of by one who witnesses, a subordinate employee engaging in workplace or work-related violence, threatening behavior, or making threats of violence or has unauthorized possession of a firearm or explosive is obligated to report the behavior to the ~~appointing~~ appropriate authority and to take prompt and appropriate remedial action.

Any violation of this work rule may result in discipline, up to and including termination of employment.

Section 2.6 Weapons

Weapons, licensed or unlicensed, are prohibited on City property; even in personal vehicles. Examples include: firearms, knives, explosives, ammunition, pellet guns, paintball guns, tasers, bows, arrows and swords.

Violations may subject employees to discipline up to and including termination of employment.

Section 2.7 Use of Internet, E-Mail, Computer and Communication Systems Usage

The use of the City's Electronic Communications Systems, including computer systems, fax machines, and all forms of e-mail and Internet access, are provided for conducting City business. Limited personal use of the electronic communication system, e-mail system or the Internet is acceptable as long as it is not inappropriate and occurs during personal time (such as lunch or other breaks), and does not result in expense to the City.

Use of the City's computers, electronic communications networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate City business;
- Engaging in private or personal business activities, including excessive use of instant messaging or social media ~~and chat rooms~~ or engaging in online shopping except as allowed on personal time;
- Soliciting or selling products or services that are unrelated to the City's business; distract, intimidate or harass coworkers or third parties; or disrupt the workplace
- Misrepresenting oneself or City;
- Violating federal or state ~~the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;~~
- Engaging in unlawful or malicious activities;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designated to disrupt, disable, impair, or otherwise harm either the City's networks or systems or those of any other individual or entity;
- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing pornographic materials;
- Becoming involved in partisan politics that could be misconstrued as representing the viewpoint of City;
- Causing congestion, disruption, disablement, alteration or impairment of the City's networks or systems
- Maintaining, organizing, or participating in non-work-related ~~Web logs ("blogs")~~, Web journals, "chat rooms", or private/personal/instant messaging other than as allowed on personal time;
- Failing to log off and secure, controlled-access computer and other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Accessing any gambling web site; and/or
- Defeating or attempting to defeat security restrictions on City systems and applications.

- Using City's computer systems to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. ~~"Material" is defined as any visual, textual, or auditory entity. Such material violates the City's antiharassment policies and is subject to disciplinary action.~~

Use of City's resources ~~for illegal activity~~ in violation of City policy or applicable law may lead to disciplinary action, up to and including ~~discharge~~ termination and criminal prosecution. The City will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use.

City owns the rights to all data and files in any computer and network system used in the course of City business. The City also reserves the right to monitor electronic mail messages (including personal/private instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using the City's equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by management at all times. City employees should also be aware that messages relating to City business or created with City equipment may be subject to public disclosure under Michigan's Freedom of Information Act. The City has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or City Manager.

City has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software. Violation of this policy may lead to disciplinary action, up to and including ~~discharge~~ termination.

Electronic Mail Tampering

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

Internet Browser(s)

Employees are individually liable for any and all damages incurred as a result of violating City's security policy, copyright and licensing agreements.

Section 2.8 Social Media

This policy provides guidance for employee use of social media, which should be understood broadly for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a simultaneous manner.

Procedures:

1. The following principles apply to professional use of social media on behalf of the City of Lowell as well as personal use of social media when referencing the City.
2. Employees should be aware of the effect their actions may have on their images, as well as the City's. The information that employees post or publish may be public information for a long time.
3. Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
4. Employees are not to publish, post or release any City business information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the City Manager and/or their supervisor.
5. Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to authorized City spokespersons.
6. If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and if the situation occurs while using work-related social media, seek the advice of a supervisor.
7. Employees should get appropriate permission before ~~you~~they refer to or post images of current or former employees, Council members, vendors or suppliers taken at the workplace in non-public areas or internal meetings. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
8. Social media use shouldn't interfere with employee's responsibilities at the City. When using City computer systems, use of social media for business purposes is allowed (ex: Facebook, Twitter, City's blogs and LinkedIn), but personal use of social media networks

or personal blogging of online content is prohibited, except on a break or lunch, and personal use at a prohibited time may result in disciplinary action.

9. Subject to applicable law, after-hours online activity that violates the City's Employee Handbook or any other City policy may subject an employee to disciplinary action up to and including termination.
10. If employees publish content after-hours that involves work or subjects associated with the City, a disclaimer should be used, such as this: "The postings on this site are my own and may not represent the City's positions, strategies or opinions."
11. It is required employees keep the City's related social media accounts separate from personal accounts, if practical.
- ~~11. The City's official social media pages are viewed by the public as representing the City's official position on various issues. For that reason, when employees post on the City's social media pages on behalf of the City, employees must refrain from interjecting personal feelings, opinions, or political positions unless authorized to do so by the City Manager.~~
- 12.

Section 2.9 Removal of City Assets

No City asset, vehicle, tool or piece of equipment (collectively referred to as "belongings" for the purpose of this Section) may be removed from or used on City property for personal use with the exception of utilizing City belongings on City property that pose no financial and/or safety risk and/or liability at the discretion of management use with the prior approval of management. And on the contrary, no personal belonging(s) may be used in the process of performing work for the City during the course of completing a job assignment, except if certain conditions, described later in this Section, are met. This includes all motorized, electronic, mechanical and hand operated items.

All belongings, City issued or personal, used in the process of doing work for the City during the course of completing a job assignment must meet all City safety standards.

Should an occasion arise when a personal belonging is required for completing a job assignment, e.g.; travel to classes and off-site meetings or any job-related activity in which a City belonging is unavailable or does not exist, with the written permission of the employee, the City may choose to utilize the employee's personal belonging(s) upon determination of proper and adequate insurance coverage(s) and compliance with all City safety standards. The City will not be responsible for any damage that may occur to the employee's belonging(s) while being used

during a job assignment. The employee will be required to sign a waiver form prior to using any personal belonging acknowledging this condition. When an employee's belonging is used for a job assignment, the employee will be reimbursed at the proper IRS or State of Michigan rate in accordance with applicable rule.

Section 2.10 Cell Phone Policy

The City provides various communication devices to its employees. Personal use of a City owned cell phone by an employee is considered a taxable fringe benefit to the employee.

This policy applies to all employees using cell phones provided and funded by the City. A City owned cell phone is one that was purchased or leased by the City or authorized representative with City funds. A personal call is one not related to City business or service to the public.

The primary responsibility for complying with this policy lies with the City Manager. The City Manager or designated representative will identify each departmental cell phone needs, determine the best combination of cell phone and service plan for the department and implement an interdepartmental review procedure to ensure that phones are used for their intended purpose and that the billings are accurate. The City Manager or designated representative will ensure that all City owned equipment is recovered in the event that an employee is terminated, leaves the employ of the City or a service plan is terminated.

Policy Outline

- a. City owned cell phones are intended for conducting the business of the City.
- b. The City will require employees to reimburse the City for extra billing charges.
- c. Employees will reimburse the City for personal calls that result in long distance, roaming or other charges over and above the plan rate.
- d. The City Manager or a designated representative will review cell phone bills to ensure compliance with this policy.

Discretion in personal use must still be used during work hours and excessive personal use by employees during work hours may be subject to termination of City cell phone use and/or disciplinary action. Employees should remain mindful that written records stored on a cell phone (e.g., text messages, e-mails) pertaining to City business may be subject to public disclosure under Michigan's Freedom of Information Act.

Section 2.11 Employment of Relatives

Employment of relatives of the City Manager or Council members will require approval of the

City Council. All other employment of relatives of employees shall be at the discretion of the City Manager, with this information being shared with the Council. Any cases which the City Manager deems appropriate may be submitted to the Council for approval.

Section 2.12 No Smoking Policy

No smoking will be allowed on the premises or property of the City. This prohibition includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, employee lounges, stairs, restrooms, ~~employer~~City-owned or leased vehicles, and all other enclosed facilities. Michigan's no smoking law includes civil fines that may be imposed for violation of the law. Employees who smoke in violation of the law will be subject to discipline up to and including ~~discharge~~termination.

Policy 3

Employment Standards

Section 3.0 Employment Classifications and At Will Status

Employees at City of Lowell fall into one of three categories:

1. Regular Full-Time: An employee who is scheduled regularly to work not less than 33 hours and not more than 40 hours per week in a position classified by the City. A full-time employee receives full benefits including, but not limited to: sick leave, vacation, insurances and Holiday pay.
2. Regular Part-Time: An employee who is normally scheduled to work no more than an average of 25 hours per week or 1300 hours annually in a position classified by the City.
3. Temporary: Any employee who does not fall within the definitions of regular full-time or regular part-time when the employee; works irregular schedules; or was hired for a specific task or assignment which has a termination point. This includes contract, season and per diem employees.

Non-Exempt:

An employee who is paid an hourly rate which is at least the greater of the state or federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 in a work week. ~~Non-management employees in production, maintenance, construction and similar occupations are not exempt no matter how highly paid they might be.~~

Exempt:

An employee who is compensated on a salary basis at a rate not less than ~~\$455 per week (\$684 as of January 1, 2020)~~ the salary threshold promulgated by the United States Department of Labor for exempt employees. The employee's primary duty must be managing a department or operation. They must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent and have the authority to hire or fire other employee, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees.

~~All employment not covered by a working agreement is “at-will”. This means the employee may resign at any time for any reason or no reason, and the City may terminate the employee for any reason or no reason.~~

Section 3.1 **New Employee Orientation**

An employee should consider his/her “orientation period” as the first six (6) months from the employment date with the City. During the orientation period, the employee will receive training and mentoring by a supervisor, peer and/or outside educational source to meet the necessary requirements to perform his/her job duties. This time period will be used to determine whether the employee has the ability, skills and knowledge to meet the requirements to successfully perform all aspects within the job description. The City Manager may extend an employee’s orientation period. Written notice will be given to the employee stating the reason for the extension and the date the new orientation period ends.

Section 3.2 **Filling Vacancies**

When a vacancy occurs within the City for a permanent full-time or part-time position, the vacancy shall be posted, as deemed appropriate, by the City Manager. Employees interested in filling the vacancy may file a written “Request for Consideration” by the deadline established in the posted announcement. The City Manager will consider all applicants expressing interest in the position based on their qualifications. The position will be awarded to the most qualified applicant. Should no applicants within the City be deemed qualified or if after consideration decline the position, the City Manager may seek external candidates to fill the position.

Section 3.3 **Job Transfers**

Any employee who fills a vacancy within the City shall be required to serve a new orientation period of six (6) months. During the orientation period, the employee will receive training and mentoring by a supervisor, peer and/or outside educational source to meet the necessary requirements to perform his/her job duties in the new position. In the event the employee desires to return to his/her former position within the orientation period, the employee may request to do so by making the request, in writing, to his/her supervisor or the City Manager. The request may be approved or denied. Additionally, in the event the supervisor or the City Manager/department head determines the employee is not meeting the expectations, within the orientation period, of performing the new position successfully, the employee will be given written notice to return to his/her former job or given an extension of the orientation period. The written notice will state the reason for the extension and the date the new orientation period ends.

Section 3.4 On-the-Job Travel Reimbursement

City-sponsored training classes and conferences are considered a daily work assignment with regards to pay, meals and hours of work. No employee will be ~~paid~~ permitted over-time for travel without the advance approval of their supervisor. Additionally, an employee will not be paid for a full workday if they return from ~~school~~ a training or conference prior to their normal quitting time and they do not remain at work and on-the-job.

An Employee may be provided a City vehicle to travel to and from the reporting site when available. The City vehicle is only to be driven to and from his/her normal City of Lowell work location and designated location during the assignment period. Under no circumstances should the City vehicle be taken home, driven after hours, driven for any reason, if alcoholic beverages have been consumed, or used for any purpose other than directed by the employee's supervisor/City Manager. When a personal vehicle is used, the employees will be reimbursed for mileage from the employee's work location to the site of the off-site business address based on information from an Internet map service such as Mapquest or Google.

An employee may be assigned City equipment while attending training. This includes City laptop computers. All devices and tools are to be used specifically for the purpose of completing work assignments. All tools and equipment are the responsibility of the employee. Should negligent damage or loss occur to the assigned lap-top computers or other City equipment, the employee may be required to reimburse the City for repair or replacement.

Section 3.5 Termination of Employment

~~When the termination is the decision of the employee~~ an employee voluntarily terminates his/her own employment, the City requests the employee to provide a written notice of resignation to the City Manager at least ~~two (2) weeks~~ twenty-one (21) days in advance of the intended final day of employment. The employee will be provided the appropriate information regarding any continuing benefits/resources they may be eligible to receive.

When termination is the result of a decision made by the City; the employee will be provided the appropriate information regarding any continuing benefits/resources they may be eligible to receive.

The following are examples of behavior or actions that may result in immediate termination by the City:

1. Theft, abuse, misuse, removal or deliberate destruction of City property, or the property of its employees, customers or the City public.
2. Possession, sale, use of or being under the influence of intoxicating beverages, marijuana, narcotics or any controlled or prohibited substance while on duty or on City property.

3. Failing to notify your supervisor you are using a prescribed medication or over-the-counter medication that could interfere with your ability to perform your assigned duties in a safe and efficient manner.
4. Possession of weapons, licensed or unlicensed. Examples include: firearms, knives, explosives, ammunition, pellet guns, paintball guns, tasers, bows, arrows and swords.
5. Engaging in sexual or other unlawful harassment.
6. Use of abusive language, threatening, intimidating, coercing and/or fighting with coworkers, management, customers or the city public.
7. Obscene or indecent conduct.
8. Sleeping on duty or otherwise not being alert to perform assigned job duties.
9. Horseplay, creating a distraction, interfering with an employee or causing unsafe or unsanitary working conditions.
10. Falsifying records, reports, documents, or knowingly misrepresenting any information presented to management of the City. This includes, but is not limited to, time sheets, accident reports, customer billings, customer records, identification documents and educational certificates.
11. Failure to report errors/mistakes made during the course of daily job duties that could be considered falsifying City records, reports, billings and documents. Covering up or hiding errors regardless of intent by the employee or co-worker.
12. Conducting personal business or performing duties of outside supplemental employment during City work hours or on City property.
13. Failing to report to work without proper notice or failure to provide requested proof of illness for an absence when requested.
14. Use of your position of employment with the City to directly or indirectly gain benefits, favors, money, advantages, privileges or anything of value other than regular compensation from the City.
15. Disregard of or refusal to obey a direct order, either written or verbal, from a supervisor or the City Manager.
16. Destroying, altering or removing any materials or information posted by City management.
17. Supporting a restriction of output, slowdown or any unauthorized interruption of assigned duties.
18. Soliciting or receiving any gift, service, gratuity, loan, fee, or anything else of value which is offered or may be offered as a consequence of City employment.
19. Taking any other actions which interfere with the proper performance of an employee's assigned work or which would reflect negatively on the City.
20. Failing to comply with any provision in this Personnel Handbook or other applicable rules and regulations.

~~When termination is the result of a decision made by the City, the employee will be provided the appropriate information regarding any continuing benefits/resources they may be eligible to receive.~~

~~Section 3.6 — Termination Disputes~~

~~It is a condition of non-bargaining unit employment by the City that no employee will commence any action or suit relating to his or her employment with the City more than six (6) months after the date of termination of such employment and that the employee will waive any statute of limitation to the contrary. The existence of this condition does not imply any contract of employment other than a contract for at-will employment.~~

Policy 4

Employee Compensation

Section 4.0 Pay Days

Employees will be paid every other Friday. Paychecks will cover a two (2) week period which starts Sunday and ends on the Saturday proceeding the pay day.

Section 4.1 Direct Deposit

Employees are to receive their pay checks via direct deposit in an account(s) at a financial institution(s) of their choice or through payroll debit card. A "pay stub" will be given to each employee to provide all accounting of time worked, earnings and deductions for both for the current pay period and year-to-date.

Section 4.2 Payroll Deductions

Employees may elect to have a portion of his/her net pay directed to more than one financial institution or account, e.g.; Christmas club, savings, checking, loans, etc.

Improper deductions from wages of employees are not to be made. If you believe that an improper deduction has been made, immediately report this information to the city payroll representative. Preferably, the report will be made in writing and immediately after the deduction has been made. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction that was made.

Section 4.3 **Overtime Pay**

All City employees are expected to work overtime upon request. Overtime must be authorized in advance in writing, by a supervisor. Non-exempt employees will receive one and one-half (1 ½) times their regular straight-time pay rate for all hours worked in a workweek over 40, including weeks when using vacation, personal days or a holiday. Any full-time employee required to work on a holiday will receive one and on-half (1 ½) times their regular straight-time pay for that day.

Section 4.4 **Stand-By Pay**

The City Manager/department head may require an employee to "stand-by" for possible emergencies outside of their regular eight (8) hour work day. An employee on stand-by must, at all times, be reachable by telephone within fifteen (15) minutes and must report to the required location within thirty (30) minutes of the call. If an employee on stand-by fails to respond and report within the required time periods, he/she shall forfeit their stand-by pay for that stand-by period and may receive disciplinary action. Employees on stand-by shall receive two (2) hours pay per day at their regular straight-time rate, In addition to the stand-by pay of two (2) hours as described above, employees on stand-by who are called to work shall receive pay at one and one-half (1 ½) times their regular straight-time rate for all *time* worked during the stand-by period. Time worked begins when an employee punches "in" and concludes when an employee punches "out". Travel time is NOT included as time worked.

Policy 5

Employee Benefits

Section 5.0 Employee Eligibility and Responsibility

The City's various Insurance plans provide optional coverage for regular full-time employees and their eligible dependents. It is your responsibility to notify the City, in writing, within **30 days** of any life event as it may affect the eligibility, cost and coverage to the employee and/or their eligible dependents. These events include:

- Birth or death
- Marriage or divorce
- Legal adoption or guardianship

Open enrollment date deadline is July 1. Employees may make changes to their coverage for any reason or opt-out by completing a waiver form for healthcare by this date.

Section 5.1 Group Health Care Insurance

Regular full-time employees become eligible to participate in the City's group health care plan following their completion of thirty (30) calendar days of employment, (e.g.; hire date is May 10, benefits become effective June 10). Group health care insurance, covering certain hospitalization, surgical and medical expenses, is offered on a voluntary basis with 100% of the premium paid by the employer. The specific terms and conditions governing group insurance plans are set forth in detail in the master policy or policies as issued by the carrier or carriers. Summary descriptions of the plans are available from the insurance carrier via mail or online. The City will determine the method of providing group health care, including the selection of insurance carriers, while maintaining the current level of benefits.

Section 5.2 Waiver of Group Health Care Insurance

Employees who are provided health care insurance from another source, (e.g.; spouse or independent source) may receive an opt-out payment in lieu of receiving coverage from the City. The payment may be received as additional gross pay or as pre-tax by contributing to the ICMA Deferred Compensation Plan. A Waiver of Coverage form must be signed every year at open enrollment when an employee elects to waive group health care insurance from the City. The City contributes a \$325 per month in lieu for a double policy and \$400 per month in lieu for a family policy.

Section 5.3 Supplemental Medical Insurance

Employees may elect to secure supplemental medical insurance at their own expense through American Family Life Assurance Company of Columbus (AFLAC). Payments are pre-tax and will be made through payroll deduction, providing an additional cost benefit to the employee.

Section 5.4 Group Dental Insurance

Regular full-time employees become eligible to participate in group dental benefits after thirty (30) calendar days from their date of hire. Coverage will begin on the first day of the month following, (e.g. hire date is May 10, benefits become effective July 1). Group dental insurance, covering certain dental expenses, is offered on a voluntary basis in addition to the group health care plan with 100% of the premium paid by the employer. Summary descriptions of the plans are available from the insurance carrier via mail or online.

Section 5.5 Vision Insurance

Regular full-time employees are offered family vision care benefits provided by Vision Service Plan (VSP). Details of the plan are available from the carrier via mail or online.

Section 5.6 Term Life Insurance

Regular full-time employees become entitled to receive the City's term life insurance plan after six (6) months of active employment. The premium is fully paid by the City for the employee up to the amount of \$50,000 through Standard Life and Accident Insurance Company.

Section 5.7 Continuation of Insurance Premiums

In the event a covered employee is on unpaid leave of absence, ~~(except for leaves taken under the qualifying as Family Medical Care-Leave Act (FMLA) if eligible)~~ or otherwise as required by applicable law, the City will not pay any insurance premium for the employee or their eligible dependents beyond the month in which the leave of absence, resignation or termination occurs.

In the case of a layoff, the City will continue its portion of the premium payment of health and dental care coverage for a period of up to one (1) month; subject to the approval of the insurance carrier.

Employees on an approved unpaid leave of absence may continue insurance benefits on a month to-month basis, after the first month the leave commences, by paying the total applicable insurance premiums in advance monthly; subject to the approval of the insurance carrier. The City will resume its portion of the payment of insurance premiums for eligible employees who return to work from an approved unpaid leave of absence as of the first of day of the premium month following the date of the employee's return to work.

When applicable, employees and/or their covered dependents will be provided with the option to continue health insurance coverage through COBRA (Consolidated Omnibus Budget Reconciliation Act) at the time the City premiums are discontinued.

Section 5.8 Short-Term Disability

All active, regular full-time employees, after thirty (30) calendar days of active employment, are eligible to receive Short-Term Disability (STD) benefits. The City pays the premium. Summary descriptions of the plans are available in the City Manager's office.

Section 5.9 Long-Term Disability

All active, regular full-time employees, after thirty (30) calendar days of active employment, are eligible to receive Long-Term Disability (LTD) benefits. The City pays the premium. Summary descriptions of the plans are available in the City Manager's office.

Section 5.10 Accidental Death and Dismemberment

All active, regular full-time employees, after 30 days of active employment, are eligible to receive Accidental Death and Dismemberment insurance. The City pays the premium. Summary descriptions of the plans are available in the City Manager's office.

Section 5.11 Health Savings Account (HSA)

Regular Full-Time employees are eligible for the Priority Health HSA 1400/2800 plan. Employees will be able to establish Health Savings Accounts and use these funds to contribute to the deduction amount prior to activating insurance benefits.

Section 5.12 Retirement

Employees hired prior to June 30, 2020 shall be enrolled in the Municipal Employees' Retirement System (MERS). Under Benefit Program B-4, 2.5% of the employee's final average compensation (last 3 years) is multiplied by years and months of credited service. An employee gains vested status (eligible for retirement benefits) with ten (10) years of credited service. Effective January 1, 2021, or as soon thereafter as the defined contribution plan is established for new hires, the benefit multiplier shall be bridged down to 2.0% with termination FAC. With the F55 rider, an employee reaching 55 years of age may retire at full benefit with 25 years of credited service. Employees hired prior to June 30, 2020 will contribute seven percent (7%) to their defined benefit pension plan through payroll deduction. When the benefit multiplier is reduced to 2.0%, the employees shall contribute five percent (5%) of gross wages through payroll deduction.

~~Regular full-time employees participate in Plan B-4 of the Michigan Municipal Employees Retirement System (MERS), with the F55 (25) and FAC-3 riders. All employees may be provided with this plan document at the time of hire or at any time by requesting it from their supervisor.~~

All employees hired after July 1, 2020 will be enrolled in a deferred compensation plan from MERS. The City will contribute 10% of the employee's base wage and the employee will contribute 6% of their base wage.

All employees may be provided with applicable plan documents at any time by requesting it from their supervisor.

Section 5.13 Deferred Compensation

Employees have the opportunity to set aside monies by payroll deduction into a deferred compensation program established through the International City Management Association Retirement Corporation (ICMA-RC). These pre-tax dollars give an additional source of pension benefit while reducing the employee's taxable income.

The ICMA program is strictly voluntary and involves only employee contributions.

The City also has MERS 457 plans which are strictly voluntary and involves only employee contributions.

Section 5.14 Educational Assistance

The City offers employees the opportunity to participate in the Employee Educational Reimbursement Program. Tuition costs are reimbursable to full-time employees enrolled in up to six (6) adult education or university credits a term, but no more than twelve (12) such credits per year.

The tuition reimbursement provided no more than the maximum of the average cost per credit hour for upper division courses at GRCC, GVSU, Ferris State University, CMU, WMU and MSU provided:

1. The course is job related and is taken from an accredited institution of higher education as approved by the Department Director or City Manager at his or her sole discretion.

2. An application for reimbursement is submitted and approved by the department head or City Manager prior to enrollment.
3. A grade of "C" (2.0) is attained on adult education or undergraduate work and "B" (3.0) on graduate work. If grades are not given, a passing grade is required.
4. Employees may be reimbursed for the cost of required textbooks if they are not paid for by another source and tuition is paid for by another source.
5. An employee receiving any such reimbursement must agree to remain employed by any City Department for a period of five (5) years after the last date of any reimbursement payment for any course. If the employee leaves the City's employment prior to that time he or she shall repay the City 20% of the amount of all reimbursement received at any time for each year the employee leaves the City's employment before the end of the five-year period. The employee shall execute a promissory note for repayment.

When evaluating employee applications for tuition reimbursement for approval or disapproval, the City shall apply the following criteria and guidelines in determining whether the application satisfies the requirement of being "job related".

1. Each course must stand by itself. Degree program courses or courses taken to fill requirements toward a degree may or may not relate directly to the employee's job.
2. The course must provide a direct and obvious benefit to the employee for the performance of the employee's required duties with the City.
3. Any employee submitting an application for tuition reimbursement must provide a copy of the course description together with a statement setting forth the manner in which the course is directly related to the employee's job with the City.
4. Any employee submitting an application for tuition reimbursement must provide a copy of the course description together with a statement setting forth the manner in which the course is directly related to the employee's job with the City.

Section 5.15 Retiree Health Care

A regular full-time employee who retires directly from the City and at the time of retirement has worked at least ten (10) years of continuous service and has met one of the defined requirements by MERS to be eligible to draw their retirement benefit is eligible to receive group health care

insurance including coverage for the employee's spouse in accordance with the policy terms. The retiree may cover additional eligible dependents at a group rate as allowed by the Affordable Care Act (ACA) entirely at the retiree's expense.

For the purposes of this section, an individual is retired when they are eligible for and are receiving benefits under the City's Retirement Plan. The specific terms and conditions governing the group insurance plan is set forth in detail in the master policy or policies as issued by the carrier or carriers. The City reserves the right to amend, modify or delete this medical continuation policy at any time. Additionally, termination of this continuation policy, amendment or other change may apply to both current participants and potential future participants as determined by the City within its sole discretion and judgment.

All new non-union employees and department heads hired after September 6, 2016 will no longer be eligible for retiree health care.

Section 5.16 Longevity Pay

Every employee who has been employed for a continuous period of three (3) full years shall be entitled to a longevity payment of \$65.00 for each year over three (3) years of continuous service. Longevity payments shall be issued at the end of the month for all employee's whose anniversary date fall within that month following his/her fourth (4th) year of employment. Maximum longevity payment shall be \$650.00. (7/1/2010)

Section 5.17 Miscellaneous Benefits

During the month of December, all employees will be eligible to receive \$25 in Lowell Bucks at no expense to the employees. They will be distributed in the form of a voucher that can be redeemed at any participating business unless otherwise instructed.

Policy 6

Hours of Work

Section 6.0 Hours of Work

The City's regular operating period is Monday through Friday from 8:00 A.M. to 5:00 P.M. Work schedules are assigned by an employee's supervisor as determined by the needs of service.

Section 6.1 Time Reporting

Each employees must record his/her hours worked and paid or unpaid time off, for the corresponding pay period on timesheets to be submitted to his/her supervisor on the last day worked during the pay period. The supervisor reviews and approves the time sheet and submits it to the employee responsible for entering the data from the time sheet into the payroll system.

Section 6.2 Work Breaks and Meal Periods

An employee may take one 15-minute break period for each four (4) hours of time on the job whenever practicable. Work breaks are intended to provide an employee relief from the job and do not include compensated travel time to and from the work place for the purpose of a work break. Office employees are to remain on City property during work breaks and field employees should remain at the jobsite they are on at the time they take a work break. Such work breaks will be compensable and scheduled, as deemed necessary, by an employee's supervisor or designated representative.

An employee will be provided time for meals when working a regular full-time day. Meal periods will be for 30 minutes or more and will not be compensated. Therefore, employees may leave their work area during this period. Length and time of meal periods are scheduled, as deemed necessary, by an employee's supervisor or designated representative.

Policy 7

Absence Time

Section 7.0 Personal Days

Regular full-time employees shall receive three (3) personal paid leave days per fiscal year, on July 1, at the rate of the employee's regular straight-time pay. Personal leave time must be scheduled in advance with his/her supervisor or designated representative. Any unused personal leave days will be paid at the end of the fiscal year.

New employees will be credited with personal days on a pro-rated basis beginning from the date of hire at the rate of two (2) hours per month after 30 days of employment.

Section 7.1 Vacation

All full-time employees of the City will receive vacation time as follows. All employees will receive their vacation days at the beginning of the fiscal year (July 1):

<u>Years of Service</u>	<u>Vacation Days</u>	<u>Hours</u>
1	5	40
5	10	80
7	15	120
12	20	160
20	21	168
21	22	176
22	23	184
23	24	192

Vacation leave may not be accumulated beyond four (4) weeks without prior approval from the Department Head or City Manager. Vacation may not be paid directly in lieu of time off. Earned vacation time will be paid to an employee at the time of termination of employment when advance notice requirements are met and/or at the discretion of the City Manager or his/her designate.

All Vacation must be **scheduled and approved at least 1 week in advance**, except in cases of emergency.

Section 7.2 Sick Time

All full-time employees shall be entitled to sick leave which is to be accumulated at the rate of one (1) day per month with a maximum amount of sick leave not to exceed 24 days. Vacation time may not be substituted for sick leave except in the case of an employee exhausting sick leave while on an extended leave due to illness or injury upon the approval of the City Manager or his/her designate.

Any employee who has been absent from work for more than three (3) consecutive calendar days shall be required to provide authorizations to return to work from a physician or other licensed healthcare professional.

Section 7.3 Attendance Expectations

Reliability is one of the most important expectations the City requests from its employees. Efficiency and productivity are essential to the success of City of Lowell. Being there for our business partners, co-workers, customers and the City public is the reason we exist. Employees are expected to be at their workplace and ready to work at the beginning of their start time and remain on duty until the end of their shift. The only exceptions are work breaks, meal periods, personal time, vacation or any other approved absence. Excessive tardiness and absences will have a direct impact on your eligibility for promotion and ~~continued employment~~ may subject you to discipline up to and including termination.

Section 7.4 Funeral Leave

Upon request, an employee will be granted a paid leave of absence for three (3) normally scheduled work days following the date of death of a member of the employee's immediate family. Immediate family shall be defined as spouse, child, parent, sister, brother, grandparents and grandchildren, father-in-law and mother-in-law. A one (1) day paid leave will be granted to attend the funeral of a sister-in-law and brother-in-law. The amount of pay will be at the regular straight time rate for the approved work days the employee is absent.

Section 7.5 Jury Duty

An employee that is summoned by a court to serve as a juror will be not suffer loss of straight-time pay for the period of his/her jury duty. For each day of service as a juror the employee would have worked, he/she will receive the difference between his/her regular rate of pay for the number of hours he/she was scheduled to work on that day and the amount he/she received from the court, excluding mileage reimbursements. To be eligible for jury duty pay from the City, you must:

- a) Be a regular full-time or regular part-time employee.
- b) Give your supervisor reasonable advanced notice of the date you are required to report for jury duty.
- c) Give satisfactory evidence that you served as a juror in court on the day you were absent from work.
- d) Return to work promptly after being excused from jury duty service.

Section 7.6 Holidays

Regular full-time employees are eligible for holiday pay when they satisfy all the following conditions and qualifications:

- a) An employee must work all his/her scheduled hours on his/her last regularly scheduled workday before the holiday and on the first regularly scheduled work day after the holiday or be on approved, paid absence.
- b) An employee must be on the active payroll as of the date of the holiday. For purposes of this section a person is not on the active payroll during unpaid leaves of absences, Short Term Disability, Long-Term Disability, while receiving Workers' Compensation or on a disciplinary suspension.
- c) An otherwise eligible employee who is required to work on a recognized holiday but fails to report and perform all required work shall not receive any holiday pay for such holiday.

All eligible exempt and non-exempt employees shall receive holiday pay for each recognized holiday in an amount equal to the number of hours normally worked on that day or the amount to equal the total average of hours worked in a normal work week. All holiday pay shall be at the employee's regular straight-time rate.

The following are days recognized as holidays by the City:

New Year's Day	Labor Day
President's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Christmas Eve
Fourth of July	Christmas Day
Floating Holiday	

When a holiday falls on a Saturday, it will generally be observed on the preceding Friday. When a holiday falls on a Sunday, it will generally be observed on the following Monday. The City reserves the discretion, however, to close on another day or grant alternate time off.

Section 7.7 Separation

Employees are required to provide a minimum of 21 days' notice of intent to terminate employment. Failure to provide a minimum notice will result in loss of payment for any accrued paid time off unless waived by the City Manager.

Section 7.8 Family and Medical Leave Act (FMLA)

The City recognizes that employees may have a need to take time off from work for family and medical reasons. The City is a covered employer under the Family and Medical Leave Act (FMLA) and will fulfill any obligations it may have pursuant to that Act.

Employees who have been employed by the City for twelve months; have worked at least 1,250 hours during the previous twelve months; and work at a location with fifty or more employees or within seventy-five miles of locations that together have a total of fifty or more employees, may be eligible for up to twelve weeks of unpaid, job-protected leave per twelve-month period for certain family and medical reasons, and up to twenty-six weeks of unpaid, job-protected leave per twelve-month period for certain military-related reasons. Eligible employees who request and are granted such leave, must use all of their available accrued and unused paid leave as part of FMLA leave.

An eligible employee must provide the City 30 days' advance notice of the need to take FMLA leave when that need is foreseeable. Where 30 days' notice is not possible, an employee must provide notice as soon as practicable and, in doing so, comply with the City's normal call-in procedures. When giving notice of an intent or need to take FMLA leave, the employee must provide the City with enough information to know that FMLA leave is needed, as well as the anticipated time and duration of the leave.

When requesting FMLA leave, an employee must provide medical certification from an appropriate health care provider. The City may require periodic recertification during an employee's FMLA leave. If there is a reasonable basis to doubt any certification provided, we may require that an employee obtain, at the City's expense, the opinion of a second health care provider, in regard to any information required to be certified. If the second opinion differs from the original certification provided, the employee may obtain the opinion of a third health care provider mutually agreed upon between the employee and the City, in regard to any information required to be certified. The City will pay the cost of the opinion of the third health care provider, whose opinion will be final and binding to the employee and the City.

If an employee participated in the medical health insurance plan until taking FMLA, the City will continue to maintain his/her health insurance coverage and, where applicable, the coverage of his/her dependents during the FMLA leave, up to the maximum allowable leave. However, the employee must arrange to pay the premium contributions that have previously been deducted in order to continue such insurance during the FMLA leave. If an employee fails to return to work at the end of the FMLA leave, the City may require the employee to reimburse the City for the amount paid for his/her health insurance premiums during the leave.

If an employee fails to return to work upon the expiration of FMLA leave or use more than twelve weeks of leave within the applicable twelve-month period, that employee is not guaranteed a position or the same position upon return and may be treated as having voluntarily resigned from employment with the City, in the City's sole discretion. The City may choose to exempt certain highly compensated, "key" employees from this job restoration requirement and not return them to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status when they request leave. If the City Commission deems it necessary to deny job restoration for a key employee on FMLA leave, the City will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Section 7.9 Military Family and Medical Leave Act (FMLA)

The City abides by all state and federal statutes and regulations regarding the rights of employees to leaves of absence and return for military active duty or training. Employees who require a leave should inform the *City Manager*, as soon as they receive their orders, of the date that the employee must leave for service.

The Veterans Benefits Improvement Act of 2004 extends the maximum coverage period of employer-sponsored health care for employees covered by the Uniformed Services Employment and Reemployment Rights Act [USERRA] from 18 to 24 months. USERRA gives employees who are absent from work because of duties in the uniformed services the right to continue employer provided health care coverage at a charge of up to 102% of the full premium under the plan, unless the employee is absent from work for less than 31 days, in which case the employee will not be charged more than the employee's share of the cost of the coverage. Employees who want to be reinstated after Military Duty must contact the City within the time limits prescribed by USERRA in order to be eligible.

Section 7.10 Workers' Compensation Leave

Leaves of absence for a work-related injury or illness are granted to employees eligible to receive benefits under the State of Michigan's Workers' Compensation Law. Any injury on the job must be reported to your supervisor immediately, even though you may not feel medical attention is required. Failure to report an incident where future medical attention is required may result in denial of benefits under the State of Michigan's Workers' Compensation Law.

An employee returning to work after a leave due to a work-related injury or illness must submit adequate documentation from the treating medical provider stating the employee's ability to perform the essential functions of the job. All efforts will be made by the City to provide an employee with limited duty work should there be restrictions placed on the employee prohibiting them from returning to full duty.

Policy 8

Disciplinary Action

Section 8.0 Discipline Policy

All employees are expected to conduct themselves in a manner which reflects positively upon the City. Employees should be courteous in their dealings with customers, co-workers and the City public. It is expected that employees follow the guidelines the City sets forth to maintain productive and harmonious working relationships. In the event a need arises to address misconduct or inappropriate actions by any employee, disciplinary action may be taken based on the severity of the situation as determined by the immediate supervisor. The goal of progressive discipline is to impose corrective action while facilitating performance improvement with the employee.

Policy 9

Workplace Safety

Section 9.0 Accident Reporting Procedure

Employees must promptly report unsafe behavior and working conditions, safety hazards, property damage, personal injuries and illnesses which arise out of and in the course of employment,; even though you may not feel medical attention is required. ~~Failure to report an incident where future medical attention is required may result in denial of benefits under the State of Michigan's Workers' Compensation Law.~~

In the event an accident involves another vehicle or equipment not owned by the City, the employee(s) involved should obtain as much information as possible regarding the other party

and/or property. If a police report is prepared, obtain information from the reporting officer; e.g.; the report number, name of the police agency responding to the call, the officer's name.

Section 9.1 Motorized Equipment

All operators of motorized vehicles and equipment, while performing work activity for the City, shall be responsible for the proper operation of such vehicle and equipment and obey all traffic and safety regulations ~~prescribed by the authority of such.~~

It shall be the duty and responsibility of all operators of motorized vehicles and equipment to report any defect to their supervisor and use every precaution to prevent additional property loss and ensure the safety of all employees and bystanders while in operation.

Policy 10

Open Door Policy

Section 10.0

Open Door Policy

The City of Lowell strives to provide good working conditions and to maintain harmonious working relationships among employees, as well as between employees and management. To correct any work-related problems, City Administration must be fully informed about them. Therefore, City Administration has an "open door" problem-solving policy. Employees are encouraged to discuss concerns or suggestions with their immediate supervisor/Department Director. Employees who believe that the supervisor has not or cannot adequately address the situation are encouraged to discuss the problem with the City Manager.

Policy 11

Employee Reference

Section 11.0 Employee References Policy

Any request for a reference by anyone or any entity received regarding a former employee must be forwarded to the City Manager's Office. No other person may provide an employment reference. A "reference request" is defined to include any request for information about a former employee, whether the request is made in writing, verbally, or through any electronic or media platform, and includes any request for information regarding the employee's performance or for a recommendation.

It is our policy to provide only an employee's dates of service and the title of the employee's last position in response to requests for references. If an employee would like to have other information disclosed, a written request authorized and signed by the employee, which specifically identifies the information to be disclosed, must be provided in advance to the City Manager's Office.

Policy 12

Miscellaneous

Section 12.0 Travel & Business Expense Reimbursement

This policy contains guidance and limits for all travel while conducting business and fulfilling work assignments. ~~While City of Lowell (City) hopes that the experiences regarding these occurrences are pleasurable and gratifying, we also must be reasonable.~~ This policy will reflect our collective responsibility to conduct business in a financially responsible manner.

City Guidelines

These policies and procedures are designed to act as a guideline for business travel and miscellaneous expense reimbursements. They are based on practices employed by most organizations of our size and take into consideration what is considered reasonable and customary. While this policy does not contain suggested expense limits, ~~we challenge all employees/ Council members~~ are expected to use their best professional judgment when incurring expenses on behalf of the City. This policy recognizes that, in some isolated cases, business related expenses might need to be reviewed on a case-by-case basis; however, this primarily applies if the expense in question was not discussed in this policy.

This policy is designed to accomplish the following key points:

- Ensure all employees/ Council members have a clear and consistent understanding of policies and procedures for business and travel expenses.
- Ensure employees/ Council members are reimbursed for legitimate business travel and other approved expenses.
- Provide employees/ Council members who must travel with a reasonable level of service and comfort at the lowest possible cost.
- Maximize the City's ability to negotiate discounted rates with preferred suppliers and reduce travel expenses.
- Provide the appropriate level of accounting and business controls for the City to ensure that expenses are reviewed and approved by the appropriate person.

Responsibility

The traveler is responsible for complying with the City of Lowell Travel Policies. The supervisor who approves and signs expense reports is responsible for accurately reviewing expense reports for compliance. The City assumes no obligation to reimburse employees/ Council members for expenses that are not in compliance with this policy. Any changes to this policy must be presented to the Council for approval and noted as a policy change.

Enforcement

Employees who do not comply with this policy may be subject to delay or withholding of reimbursement and/or disciplinary action.

Alcoholic Beverages

The City's policy is to abstain from consuming alcoholic beverages during business hours or performing a service required by the City during its normal course of duty. Therefore, alcoholic beverages are not a reimbursable business expense. Additionally, an employee who is arrested and convicted for *Driving under the Influence* while in the performance of City of Lowell business, or when returning from a business function, is subject to disciplinary action up to and including termination.

Documentation Requirements

Employees/Council members must provide the following information and attach to a completed Expense Report, signed and approved by your Supervisor:

- Purpose of travel
- Name, location and date of Conference, Meeting or Seminar
- Meals – Original itemized receipts showing the charges, name and location of restaurant (this includes room service charges)
- Receipts are to be provided for any individual expenditures in excess of \$25; including; tolls, taxi fares, shuttle busses, parking fees
- Air/Rail – original passenger receipt
- Hotel – hotel itemized receipt
- Car Rental – credit card receipt or rental agency invoice

Cash Advance/Per Diem

Employees/Council members may receive a cash advance for business travel based on the regular federal per diem allowance for meals and incidental expenses while traveling away from home when overnight lodging is provided by the City. The rates are different for different locations. A copy of the appropriate IRS rate schedule should be attached to your Cash Advance request. These rates are determined in IRS publication 1542, which gives the rates in the continental United States for the current year. It is available on the Internet at www.irs.gov. To avoid taxability, the employee/Council member needs to comply with the same documentation requirements as reimbursement of expenses. Any amount advanced that is not accountable with proper documentation of expense must be returned to the City or considered taxable income. For partial days of travel when overnight lodging is not required, a partial per diem allowance

rate will be advanced by prorating the regular federal per diem allowance appropriate to the period of time the travel takes place.

Incorrect or Incomplete Expense Reports

Expense reports that are incorrect, incomplete or include disorganized receipts:

- Will be returned to the employee/Council member for completion
- May result in delay or non-reimbursement

Disregard for City of Lowell Travel Policy or altering of receipts may result in disciplinary action up to and including termination.

Business Use of Personal Vehicle

Employees/Council members may be required to use their personal vehicle for City of Lowell travel, at the discretion of the employee's supervisor, when a City vehicle is unavailable for use. It is the personal responsibility of the vehicle owner to carry adequate insurance coverage for their protection and for the protection of any passengers. ~~The Employee Travel Policy requires that employees who may only use their personal vehicle for City business if they maintain~~ minimum of \$100,000/\$300,000 bodily injury coverage and \$50,000 property damage coverage on their vehicles.

Mileage is reimbursed at the rate established by the IRS. This mileage allowance is in lieu of actual expenses for gasoline, oil, repairs, tags, insurance and depreciation. Therefore, actual expenses for those items will not be reimbursed when your personal vehicle is used for business travel.

For the purpose of consistency, the start location of any business travel will commence at the main building located at 301 E. Main St. The ending location will be the address of the designated business location or airport where the employee/Council member is required to report. In the event it is necessary for the employee/Council member to travel to more than one location during the day's events (e.g.; restaurant, hotel, meeting facility) incidental mileage will be reimbursed for actual miles driven not to exceed 10 miles during one business day, unless there is a documented reason for excess mileage. To be reimbursed for the use of your personal vehicle for business travel, employees/Council members must list on the expense report:

- Date and purpose of the trip
- Locations traveled to and from
- Mileage is determined by MapQuest or comparable mileage data source if necessary and a copy attached to your Expense Report.

Lodging/Hotel

Hotel reservations should be made in such a manner as to secure the best available rate.

Employees /Council members are required, whenever possible, to use properties in the "moderate" category.

Meals

Personal meals are defined as meal expenses incurred only by the employee/Council member when dining on an out-of-town business trip.

Business Meals Taken with Other Employees

~~Employees/Council members will be reimbursed for business-related meals taken with other employees only in the following circumstances:~~

- ~~• When a client is present~~
- ~~• When at least one City employee/Council member is from out of town~~
- ~~• When, for discretionary reasons, business must be conducted off the City premises.~~

~~The following documentation is required by the IRS, and must be recorded on the expense report and/or supporting receipts:~~

- ~~• Names of individuals present, their titles and company name~~
- ~~• Name and location of where the meal or event took place~~
- ~~• Exact amount and date of the expense.~~

Miscellaneous Expenses

The Miscellaneous column is designated for expenses that do not fit into the previous categories, yet are directly business related and therefore, reimbursable. The following items can be considered as reimbursable business expenses:

- Office services (e.g.; faxes, copies, overnight delivery/postage)
- Toll fees, taxi fares, shuttle busses and parking fees
- Laundry/Dry Cleaning/Suit Pressing for trips exceeding 3 days
- Seminar fees/training classes with prior management approval

The following items are NOT reimbursable under this policy:

- Airline Club/Country Club membership dues
- Parking tickets or other fines

- Delinquency fees/Finance charges for personal credit cards
- Excess baggage charges
- All direct travel expenses for companions/family members accompanying an employee
- Expenses related to vacation or personal days while on a business trip
- Loss/Theft of personal funds or property/lost luggage
- Non-compulsory insurance coverage
- Rental car upgrades
- Repairs due to accidents
- Excessive mini-bar charges (including any alcohol)
- Hotel in room movies, games or other like entertainment

Never assume that an item will be covered under the “Miscellaneous” category. Be sure to check with your supervisor or the City Manager if an item you need is not outlined specifically in this policy.

Approval/Authorization Process

The employee’s supervisor must approve all expense reports. No employee is authorized to approve his/her own, a peer’s, or a supervisor’s expense report. Council member’s expense reports are approved by the City Manager. The supervisor/City Manager is responsible for verifying:

- Business purpose
- Correct totals
- Supporting documentation and receipts
- Policy compliance

Once approval has been obtained, be sure to make a copy of the signed report along with copies of your receipts for your own records.

Section 12.1 Expense Reports

Expense reports are to be submitted to your supervisor no later than thirty (30) days after a reimbursable expense occurs.

The supervisor must approve all expense reports. No employee is authorized to approve his/her own, a peer’s, or a supervisor’s expense report. Council member’s expense reports are approved by the City Manager. The supervisor/City Manager is responsible for verifying:

- Business purpose
- Correct totals

- Supporting documentation and receipts
- Policy compliance

Once approval has been obtained, be sure to make a copy of the signed report along with copies of your receipts for your own records.

Memorandum



DATE: June 28, 2022

TO: Michael Burns, City Manager

FROM: Daniel Czarnecki, Public Works Director

RE: Tree Removals

PUBLIC WORKS

We have been contacted by residents about several trees in the City that are in distress. All the residents are concerned the trees are posing a hazard to their homes with falling limbs and possibly the tree falling. Upon review we have determined the need to remove these three trees.

Locations are: 805 N. Jefferson St., dead spruce; 704 Mercer St., dying maple with deadwood falling on house/garage; 203 S. Jefferson St. (on Kent St.) dying maple with hanging and falling branches. All trees are within the street right-of-way. FYI, there are several trees in the Jefferson St./Kent St./Front St. area that are near or at the end of their life and will need removing in the next few years.

We had been working with Lowell Light & Power to help remove the trees. Unfortunately, they have become very busy and at this time they informed us they do not have time to remove these trees. We contacted two other tree removal companies. One contractor said they were not available. We received a response from Inbody Tree Service. They reviewed each location and gave us quotes for removal of the trees and grinding of the stumps at the tree locations.

It is my recommendation: **That the Lowell City Council approve the tree removal quotes from Inbody Tree Service, Lowell, dated June 2022, for the tree removal and stump grinding at three locations in the City, for a total cost of \$8,300.00.**

Name: City of Lowell

Phone:

Address (and directions):

805 N. Jefferson
Lowell



616.734.6863
Hotchkiss Rd.
Lowell, MI 49331

Bid Date: June 2022

Start Date:

ITEM	SPECIES	DESCRIPTION OF WORK	COST
	<u>Spruce</u>	<u>dead - Remove</u>	<u>1,050-</u>
		<u>grind stump 3'-6" below</u>	
		<u>grade</u>	

1,050- Total
Payment Due Upon Completion

PAID

** Add-ons are additional charge. Add-ons may have to be scheduled for the next available opening. Thank you!

** Payment due upon completion.

Customer Approval

Arborist



ISA Certified Arborists - Fully insured

Name: City of Lowell

Phone:

Address (and directions):

704 Mercer / Lincoln Lake
Lowell



616.734.6863
Hotchkiss Rd.
Lowell, MI 49331

Bid Date: JUNE 2022

Start Date:

ITEM	SPECIES	DESCRIPTION OF WORK	COST
	Maple	Remove marked maple	
		grind stump 3"-6" below	
		grade	4400-

4400- Total
Payment Due Upon Completion

PAID

** Add-ons are additional charge. Add-ons may have to be scheduled for the next available opening. Thank you!

** Payment due upon completion.

Customer Approval

Arborist

Danil [Signature]

ISA Certified Arborists - Fully insured

Name: City of Lowell

Phone:

Address (and directions):

203 S. Jefferson
Lowell



616.734.6863
Hotchkiss Rd.
Lowell, MI 49331

Bid Date: June 2022

Start Date:

ITEM	SPECIES	DESCRIPTION OF WORK	COST
	Maple	- marked maple - remove	
		grind stump 3"-6" below	
		grade	2,600-
	maple	- not marked, east of	
		marked maple - deadwood	
		prune - clean up	250-

2,850 Total
Payment Due Upon Completion

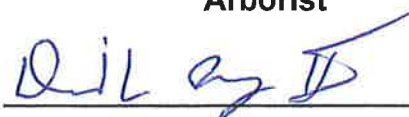
PAID

** Add-ons are additional charge. Add-ons may have to be scheduled for the next available opening. Thank you!

** Payment due upon completion.

Customer Approval

Arborist



ISA Certified Arborists - Fully insured



LOWELL CITY COUNCIL

MEMORANDUM

DATE: June 30, 2022

TO: Mayor DeVore and Lowell City Council

FROM: Michael T. Burns, City Manager

RE: Fire Pit Ordinance

Over the past year, Fire Chief Witherell and I have held discussions about the city's burning ordinance. Currently our ordinance doesn't allow for fire pits or outdoor fire places inside the city unless they are used for cooking. Also, the current ordinance states recreational fires in "an approved container" with very little to go off from.

We are looking at revisiting the ordinance pertaining to this as it was last updated in 1986. We have discussed two options to clarify the ordinance. The first option would be to ban all fire pits/outdoor fire places inside the city, effectively making all burning inside the city prohibited. The second option would be to establish an ordinance requiring an annual permit and inspection for recreational fires in the City.

After discussing this through, we both recognize the first option may be overly restrictive and I would not recommend this option. The second option would be to allow for fire pits to be done in a safe manner and I believe the second option may be better.

Chief Witherell provided me with an ordinance pertaining to this and he suggested some changes to the proposed ordinance, which he will address. He also created a permit application, very similar to the open burning permit used in the neighboring townships.

After reviewing the ordinances pertaining to fire prevention, we also found a couple other instances where ordinances need to be repealed or modified to follow what we currently practice.

No action is needed. However, we would like direction on making changes to the ordinances we propose.

**CITY OF MUSKEGON HEIGHTS
COUNTY OF MUSKEGON
STATE OF MICHIGAN**

**AN ORDINANCE TO REGULATE FIRE PROTECTION AND PREVENTION
IN THE CITY OF MUSKEGON HEIGHTS.**

Ordinance #19-632

THE CITY OF MUSKEGON HEIGHTS ORDAINS:

Section 1. **Purpose**

This ordinance is to regulate the standards of practice which the City of Muskegon Heights uses to in its fire protection and prevention.

Section 2. That Chapter 42 of "Fire Prevention and Protection" of the Muskegon Heights Code of Ordinances hereby amended as follows:

Article VII Bonfires, Recreational Fires, Receptacles

Sec. 42-68. – Bonfires and Recreational Fires.

No person shall kindle or maintain any bonfire or recreational fire in the city without first obtaining a permit therefor. Such permit may be issued by the fire chief only after an inspection of the site by the fire chief or his authorized representative. Bonfires and recreational fires are subject to the following conditions, in addition to other provisions of this article and the International Fire Code, as adopted in sec 42-26

- (1) **Authority of fire chief.** The fire chief may prohibit any and all open burning when atmospheric conditions or circumstances make such fire hazardous or when, in the opinion of the fire chief, such burning would constitute a fire hazard or will endanger the life or property of any person.
- (2) **Administrative regulations.** The fire department may promulgate reasonable rules and regulations for the standards and requirements for the issuance of all permits under this section.

Sec. 42-69. - General safety regulations.

- (1) No person shall deposit hot ashes, cinders or smoldering coals, or greasy or oily substances liable to spontaneous ignition, into any combustible receptacle, or place such substances within ten feet of any combustible materials, except in a metal or other noncombustible

covered receptacle. Such receptacle, unless resting on a noncombustible floor or on the ground outside a building, shall be placed on a noncombustible stand, and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening.

- (2) No person shall throw down or drop any lighted match, cigar, cigarette, or other burning substance on combustible material or in close proximity thereto.
- (3) All fires, of whatever nature, permitted under this article shall take place only during hours approved by the fire chief. (d) All open fires and outdoor fireplaces shall be constantly attended by a competent person of 18 years or older and shall be completely extinguished before being left alone.

Sec. 42-70. - Penalties; correction of violations.

- (1) Whoever violates or fails to comply with any of the provisions of this article, or any rule or regulation adopted or issued pursuant to this article, shall be punished as provided in section 1-13(b), or shall reimburse the city for the reasonable costs of control, investigation and/or suppression of illegal fires, or shall be subject to all the penalties mentioned in this subsection.
- (2) The imposition of one penalty for a violation of or noncompliance with any of the provisions of this article shall not excuse the violation or noncompliance or permit it to continue, and whoever so violates or fails to comply is required to correct or remedy the violation or noncompliance within a reasonable time. When not otherwise specified, a separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 3. Severability

Should any section, clause or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity if the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. Conflicting Provisions.

All ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed upon the effective date of this Ordinance.

Section 5. Effective Date.

This Ordinance shall be effective ten (10) days after publication.

A handwritten signature in dark ink, appearing to read "Sharon Gibbs", is written over a horizontal line.

Sharon Gibbs
City of Muskegon Heights Clerk

Introduced: February 4, 2019
Adopted: February 11, 2019
Published: February 22, 2019
Effective: March 2, 2019

Recreational Permit Application

Bonfire and Recreational Fires only



Submit Application to:

Lowell Area Fire Department
315 S. Hudson
Lowell, MI 49331
(616)897-7354

Make checks payable to: Lowell Area Fire Department

Permit fees are non-refundable.

One Year Permit Application

**Complete sections A - D. It is mandatory that all applicable information be completed.
Inaccurate information may result in suspension or revocation of permit.**

Application is available online at www.lowellfire.org

SECTION A: Address of Requested Permit

Street Address: _____
City, State, ZIP: _____
Owner's name: _____

SECTION C: Permit Holder Information

Name: _____
Mailing Address: _____
City, State, ZIP: _____
Contact Person: _____
Contact E-mail: _____

SECTION D: Attestation and Signature

By signing this application, you acknowledge and agree to comply with the City of Lowell Ordinances _____, the NFPA Fire Code and the laws of the State of Michigan.

☐ The statements made in this application are true to the best of my knowledge.

Signature _____ Date _____

Continued on page 2

Necessity for burning: _____

Nature of material to be burned: _____

Address / location of burning: _____

Owner of property on which burning will be done: _____

General Requirements

- Permit fee (s) of \$40.00 per permit payable to the Lowell Area Fire Department.
- All permit applications shall be submitted at least **Five (5) days** prior to commencing the prescribed activities.
- A permit is not transferable, and any changes in equipment, ownership, use or occupancy of premises shall require a new permit.
- An inspection may be required before the issuance of a permit.
- Permits shall be valid for no more than 1 year. The term of each annual permit shall be from May 1 to June April 30 of the next succeeding year. Permits cost will not be prorated.
- Permits at all times shall be available on the premises, a digital copy may also be maintained.

Application Specific Requirements

- A permit is required for any outdoor burning to include (but not limited to) bonfires and ceremonial fires.
- Exceptions:
 - Fires that are used exclusively for cooking and in a fully enclosed container (must adhere to safety requirements below).
 - Fires in a UL listed outdoor gas fireplaces
- **No permit will be issued for (prohibited by Fire Code and State law)**
 - Leaves, brush, rubbish and trash
 - Salvage operations
 - Building construction waste
 - Any material on the ice of any body of water such as a lake or stream
- If the permit holder is not the property owner permission shall be of the property owner, with the assumption of liability. Written permission must be attached to this application.
- Fires in City parks require additional approval by the Public Works Department. Written permission must be attached to this application.
- The Lowell Area Fire Department reserves the right to revoke a permit due to unfavorable weather conditions or noncompliance with the requirements.

Fire Safety Requirements

- Fires shall be limited to an area no greater than 3 feet by 3feet.
- Fuel for fires shall consist of clean, dry wood **only**.
- Flammable or combustible liquids shall **not** be used to ignite or intensify a fire.
- Material for fires **shall not include** rubbish, trash, garbage or material made of or coated with rubber, plastic, leather or petroleum-based materials.
- High winds, wind direction, and/or other adverse weather conditions must be considered to ensure fire safety.
- Fires shall not be closer than 20 feet from any structure, combustible materials or lot lines.
- Fires shall be so located to ensure smoke, odors, and other products of combustion do not annoy or discomfort neighbors or the traveling public. **If a complaint is received, LAFD may respond and extinguish the fire.**
- The perimeter of the fire shall be free of combustibles (including leaves).

Burning Permit Holder

- Responsible person(s) shall be in attendance until the fire is completely extinguished. A connected garden hose or other fire extinguishing equipment shall be readily available.
- Burning can only take place when the weather is favorable to assist in its control and to prevent a smoke nuisance. The permit holder is responsible for observing weather conditions and taking appropriate actions such as postponements and extinguishment.

ARTICLE II. - FIRE DEPARTMENT

Sec. 10-21. - Fire chief generally.

- (a) *Duty on alarm of fire.* It shall be the duty of the fire chief on an alarm of fire to immediately go to the scene of the fire, and direct such action and measures as he deems most advisable for the effectual extinguishment of the same, and to discharge his duties fully as set forth herein.
- (b) *Control over fires, members of fire department.* The chief shall have full control, at all fires, over the members of the fire department and shall have police power at all fires.
- (c) *Responsibility for fire apparatus.* It shall be the duty of the chief to be in full charge of all fire apparatus and such other property as may belong to the fire department, and he shall make and keep an inventory thereof.

(Code 1971, § 10-2)

Sec. 10-22. - Assistant fire chief.

It shall be the duty of the assistant fire chief to assist the chief in all duties at fires and in the absence of the fire chief to assume command and he shall have all powers as fire chief.

(Code 1971, § 10-3)

Sec. 10-23. - Compensation of fire department members.

Members of the fire department shall be appointed and the officers, firefighters and employees of the department shall receive such compensation as the city manager may prescribe from time to time.

(Code 1971, § 10-4)

Sec. 10-24. - Use of fire apparatus.

It shall be unlawful for any person to use, injure or disturb in any manner any fire truck, fire hose, fire hydrant or any firefighting apparatus.

(Code 1971, § 10-5)

Secs. 10-25—10-40. - Reserved.

ARTICLE III. - OPEN BURNING

Sec. 10-41. - Open fires on public grounds.

No person shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained on or in any public street, alley, road, or other public ground.

(Ord. No. 88-11, § 1a, 5-16-88)

Sec. 10-42. - Open fires on private land.

No person shall kindle or maintain any open fire or authorize any such open fire to be kindled or maintained on any private land, nor shall any open fire be kindled or maintained in any outdoor container unless such container:

- (1) Has been manufactured according to nationally accepted standards for refuse-burning equipment and bears the label of approval of any nationally recognized testing agency such as, but not limited to, Underwriter's Laboratory or the American Gas Association; or
- (2) By its design and construction can be reasonably expected to operate without causing a smoke or odor nuisance or health hazard.

(Ord. No. 88-11, § 1b, 5-16-88)

Sec. 10-43. - Exceptions.

The provisions of this article shall not prevent:

- (1) The burning of wood, charcoal, coke or other accepted fuel for the preparing of food in any form in an approved container or utensil while being used in a safe and sanitary manner.
- (2) The use of approved gaseous or liquid fired salamanders commonly employed in conjunction with building and construction operations when being used in accordance with accepted safety standards.
- (3) Roofers, tanners, plumbers or other mechanics pursuing a business requiring the use of fire or for the purpose of boiling tar, pitch or oil used in the regular course of an appropriate business or trade, and while being used in a safe manner.
- (4) Open burning specifically permitted in writing by the fire chief for fire department purposes after determination by the fire chief that such open burning will occur under the following circumstances:
 - a. The area is adequately protected by firemen or fire department trainees;
 - b. The fire will be of short duration;
 - c. The atmosphere is relatively free of pollutants.

(Ord. No. 88-11, § 1c, 5-16-88)

Secs. 10-44—10-49. - Reserved.



LOWELL CITY COUNCIL

MEMORANDUM

DATE: July 1, 2022

TO: Mayor DeVore and Lowell City Council

FROM: Michael T. Burns, City Manager

RE: Renaissance Zone

As part of the possible development at I-96 and Alden Nash, the Michigan Economic Development Corporation has reached out to the City of Lowell and Lowell Charter Township on if we would support the concept of a renaissance zone for the proposed development. This project has been submitted as a potential property for an MEDC Attraction Project RFP. The application to MEDC mentions the potential of \$2 Billion in new development along with 2,000 jobs.

The MEDC would like to consider the project to be deemed a Renaissance Zone under the Michigan Strategic Fund. Under the zone no state or local taxes would be collected at the project. However, while no local taxes would be captured their could be a payment in lieu of taxes in the amount of what would be owed to the municipality for services.

If the City were involved in this project a 425 agreement would be needed. However, both the City and Township were asked if we would consider this.

Jessica Wood will explain in greater detail what this entails. I attached material regarding the types of zones available.

AGRICULTURAL PROCESSING RENAISSANCE ZONES

OVERVIEW

Michigan has a vibrant food and agricultural industry and is second in our nation in the variety of commodities grown for market. Agricultural Processing Renaissance Zones (APRZ) were created to promote agricultural processing operations in the state of Michigan and to enhance the industry overall. These APRZ differ from Michigan's original renaissance zones because they are required to contain an agricultural processing facility and can be located anywhere in Michigan. In addition, the benefits of an APRZ apply only to the operations of the designated company within the geographic boundaries of the Zone.

Definition: "Agricultural Processing Facility" means one or more facilities or operations that transform, package, sort, or grade livestock or livestock products, agricultural commodities, or plants or plant products, excluding forest products, into goods that are used for intermediate or final consumption including goods for nonfood use and surrounding property.

The application process begins with community and company officials meeting with a Michigan Economic Development Corporation (MEDC) business development manager and Michigan Department of Agriculture, Agriculture Development Division staff, to discuss a project in detail. APRZ applications are submitted by the county or distressed community (Section 11 of PA 346 of 1966) to the MEDC. The city, village or township in which an APRZ is proposed must approve a resolution for abatement of taxes. To receive recommendation from the Michigan Strategic Fund, applicants must demonstrate the positive economic impact the project will have on the local unit of government and on the state, as well as the ways in which the project will strengthen Michigan's agricultural community.

The taxes that facilities located in a renaissance zone do not pay are state education tax, personal and real property taxes and local income tax where applicable. Taxes still due are those mandated by the federal government, local bond obligations, the Corporate Income Tax, school sinking fund or special assessments. Companies are also not exempt from paying Michigan sales and use tax. Companies with agricultural processing facilities located in an APRZ must be current with all state and local taxes in order to be eligible for benefits under the program.

Then the Michigan State Administrative Board (SAB), upon recommendations from the Michigan Strategic Fund Board (MSF) and the Michigan Agriculture Commission, approves APRZ designations. Once approved, the company enters into a agreement with the MSF outlining private investment and job creation numbers approved by the SAB. Taxes can be abated up to 15 years. In all cases, the tax relief is phased out in 25 percent increments over the last three years of the zone designation.

CONTACT INFORMATION

For more information, contact the Michigan Department of Agriculture at 517.241.2178.



RENEWABLE ENERGY RENAISSANCE ZONES

To assist in the development of a strong renewable energy industry in Michigan, Renewable Energy Renaissance Zones (RERZ) were created to promote renewable energy operations in the state. These RERZs differ from Michigan's original renaissance zones because they must contain a renewable energy facility and can be located anywhere in Michigan. In addition, the benefits of an RERZ apply only to the operations of the designated company within the geographic boundaries of the zone.

DEFINITION

"Renewable energy facility" means:

- A facility that creates energy, fuels, or chemicals directly from the wind, the sun, trees, grasses, biosolids, algae, agricultural commodities, processed products from agricultural commodities, or residues from agricultural processes, wood or forest processes, food production and processing, or the paper products industry;
- A facility that creates energy, fuels, or chemicals from solid biomass, animal wastes, or landfill gases;
- A facility that focuses on research, development, or manufacturing of systems or components of systems used to create energy, fuel, or chemicals from the items described in this subdivision; and
- A facility that focuses on research, development, or manufacturing of systems or components of systems that involve the conversion of chemical energy for advanced battery technology.

The application process begins with community and company officials meeting with a Michigan Economic Development Corporation (MEDC) business development manager to discuss a project in detail. RERZ applications are submitted by the county or distressed

community (Section 11 of PA 346 of 1966) to the MEDC. The city, village or township in which a RERZ is proposed must approve a resolution for abatement of taxes. To receive recommendation from the Michigan Strategic Fund Board (MSF), applicants must demonstrate the positive economic impact the project will have on the local unit of government and on the state.

The taxes facilities located in a renaissance zone do not pay are state education tax, personal and real property taxes, and local income tax where applicable. Taxes still due are those mandated by the federal government, local bond obligations, school sinking fund or special assessments. Companies are not exempt from paying Michigan sales and use tax. Companies located in RERZs must be current with all state and local taxes in order to be eligible for benefits under the program.

The Michigan State Administrative Board (SAB), upon recommendations from the MSF, approves RERZ designations. If the renewable energy facility uses agricultural crops or residues, or processed products from agricultural crops as its primary raw material source, a Michigan Agriculture Commission recommendation is also required prior to approval by the SAB. Once approved, the company enters into an agreement with the MSF outlining private investment and job creation numbers approved by the SAB. Taxes can be abated up to 15 years. In all cases, the tax relief is phased out in 25 percent increments over the last three years of the zone designation.

CONTACT INFORMATION

For more information, contact the MEDC customer contact center at 888.522.0103.



GEOGRAPHIC RENAISSANCE ZONES

Geographic Renaissance Zones are regions of the state designated as virtually tax free for any business or resident presently in or moving to a zone. The zones were designed to provide selected communities with a market-based incentive of reduced state or local taxes to encourage new jobs and investment. A Geographic Renaissance Zone can consist of up to 10 different geographically defined subzones not including the Military Geographic Renaissance Zones. This program was established in 1996 and originally consisted of 11 zones. It was later expanded to 21 zones, which now include over 150 geographic areas. The zones are located in urban and rural areas across the state and also include three former military bases.

Since the program's inception, the local units of government have indicated over 640 projects, which will result in the creation of over 10,100 jobs and over \$3 billion in private investment. **As of December 31, 2011, new Geographic Renaissance Zones, time extensions and new subzones are no longer allowed.**

The taxes that companies and residents located in a zone do not pay include:

- Michigan personal income tax (if a resident of the zone)
- Michigan's 6-mill state education tax
- Local personal property tax
- Local real property tax
- Local income tax (if applicable)
- Utility users tax (Detroit only)

Taxes still due are those mandated by the federal government, local bond obligations, the school sinking fund, or special assessments. Companies/residents are not exempt from paying Michigan sales and use tax and must be current with all state and local taxes in order to be eligible for benefits under the program.

In all cases, tax benefits will be phased out in 25 percent increments during the last three years of the zone designation.

There are additional specialized Renaissance Zones still available for designation. These types of zones are industry-specific. Specialized zones are potentially available for firms doing business in the agricultural processing, renewable energy, forest products processing, and tool and die industries.

For more information, contact the Michigan Economic Development Corporation customer contact center at 888.522.0103.