

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 9/27/2021**

The meeting was called to order at 7:00 p.m. by Mayor Krueger in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance.

Councilmembers Present: Fountain, Florence, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger.

Others Present: Lania Rocha, Erik Jamison, Metro PD Chief Bade Chad & Dawn Toms, Lou Fleury.

Others Virtually Attended: Bob Plumb, Chris Stritmatter.

APPROVAL OF MINUTES

Resolution No. 210927-01

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday September 13, 2021 to be circulated and placed on file.

YES Florence, Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 210927-02

(Carried)

Motion by Councilmember Henry
Second by Councilmember Fountain

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of September 27, 2021, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain, Florence.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 210927-03

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Gilbert

I Move the Swartz Creek City Council accept the City Manager's Report of September 27, 2021, including reports and communications to be circulated and placed on file.

Discussion Ensued.

YES: Hicks, Krueger, Pinkston, Henry, Fountain, Florence, Gilbert.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Chad Toms introduced himself as the future resident of 8067 Miller Road. He spoke on his proposed lease on the agenda. He is excited about moving into Swartz Creek and hopes the lease is approved tonight.

COUNCIL BUSINESS:

CROSS CONNECTION COMPLIANCE DISCONNECTION

PUBLIC HEARING

Mr. Zettel explained the purpose of the public hearing and the cross connection testing is needed for certification to comply with EGLE requirements.

Open Public Hearing at 7:14 p.m.

No comments.

Closed Public Hearing 7:14 p.m.

RESOLUTION TO APPROVE APPRAISAL FOR MEIJER PROPERTY

Resolution No. 210927-04

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Henry

WHEREAS, the city assesses property and collects taxes per the Michigan General Property Tax Act; and

WHEREAS, the City Assessor is charged with determining values for property to be taxed under the same act and rules promulgated by the Michigan Department of Treasury, with the intent of valuing real and personal property in the city accurately, fairly, and consistently; and

WHEREAS, from time to time, the city finds it necessary to defend valuations that are appealed by owner interests in order to achieve those intentions.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council amend the budget to allocate \$25,000 of unencumbered, unreserved general fund monies to the assessing department for the purpose of contesting the tax appeals by parties referred to as 4141 Morrish Road; PID 58-36-100-014; Meijer, Inc., costs to include an appraisal, legal services, and other related expenses to be provided by the city's legal counsel and an appraisal firm, as selected by the city manager or assessor, with the authority of the city council under Section 2-402(a)(2) of the city ordinances.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council approve the proposal from Integra Realty Resources, as included in the city council packet of September 27, 2021 and further direct the Mayor to execute said proposal on behalf of the city.

Discussion Ensued.

YES: Krueger, Pinkston, Henry, Fountain, Florence, Gilbert, Hicks.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE THE WINCHESTER VILLAGE AND WINCHESTER WOODS PRELIMINARY ENGINEERING PROPOSAL

Resolution No. 210927-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Fountain

WHEREAS, the city owns, operates, and maintains a system of major and local street assets; and

WHEREAS, the city administers a street asset management plan that is funded by a local street levy, state revenue sharing road monies, and the general fund; and

WHEREAS, the city is also coordinating street reconstruction in Winchester Village with ongoing USDA water main replacement, which is on a two year schedule; and

WHEREAS, the asset management plan for street reconstruction would need to be expedited to coincide with any future USDA grant/loan awards; and

WHEREAS, rehabilitation of streets in Winchester Woods are also behind schedule; and

WHEREAS, the city needs to select a professional engineer to perform preliminary engineering design work for these projects in order to be able to bid and perform any such work; and

WHEREAS, OHM Advisors is a federally pre-qualified engineer that has been designing the city streets and water main projects, and they submitted a proposal to perform the engineering service as outlined in the attached proposal dated September 9, 2021; and

WHEREAS, the city finds OHM Advisors to be a qualified firm performing a professional service.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek approve the design engineering proposal by OHM Advisors as dated September 9, 2021 and included in the September 27, 2021 city council packet, in the amount of \$228,160 for Winchester Village and Winchester Woods roads.

BE IT FURTHER RESOLVED the City of Swartz Creek authorizes and directs the Mayor to execute this proposal on behalf of the city.

Discussion Ensued.

YES: Pinkston, Henry, Fountain, Florence, Gilbert, Hicks, Krueger.

NO: None. Motion Declared Carried.

RESOLUTION TO AMEND AND RESTATE CITY-WIDE RATES, FEES, AND CHARGES

Resolution No. 210927-06

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Fountain

WHEREAS, the City sets rates and collects fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services (rates, fees, & charges), and;

WHEREAS, such rates, fees, & charges are a necessary and essential part of the funding for the services that the City provides, and:

WHEREAS, the City's Code of Ordinances defines and provides for certain rates, fees, & charges, and;

WHEREAS, other such rates, fees, & charges are provided for by resolution of the City Council, statutory provision, past practice, policy and other such actions, and

WHEREAS, the City has amended the City's Code of Ordinances to provide for various rates, fees, & charges to be set by resolution of the City Council, and;

WHEREAS, the City has need to implement additional rates, fees, & charges to be set by resolution of the City Council, and;

WHEREAS, the City desires to have all such rates, fees, & charges organized into a single resolution that can be visited periodically and adjusted accordingly.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby sets its rates, fees, & charges in accordance with the following schedule, effective immediately or as soon as practical thereafter, table as follows:

CITY OF SWARTZ CREEK RATES, FEES PERMITS & CHARGES FOR SERVICES

1. Chapter 1: Municipal Ordinance Violations Bureau (Parking Fines)

The following parking violations shall be punishable by the fines indicated:

<u>Offense</u>	<u>Fine</u>
(a) Parking too far from curb	\$ 40.00
(b) Angle parking violations	\$ 40.00
(c) Obstructing traffic	\$ 40.00

Prohibited parking (signs un-necessary)

(d) On sidewalk	\$ 40.00
(e) In front of drive	\$ 40.00
(f) Within intersection	\$ 40.00
(g) Within 15 feet of hydrant	\$ 40.00
(h) On crosswalk	\$ 40.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 40.00
(j) Within 30 feet of street side traffic sign or signal	\$ 40.00
(k) Within 50 feet of railroad crossing	\$ 40.00
(l) Within 20 feet of fire station entrance	\$ 40.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 40.00
(n) Beside street excavation when traffic obstructed	\$ 40.00
(o) Double parking	\$ 40.00
(p) On bridge of viaduct or within tunnel	\$ 40.00
(q) Within 200 feet of accident where police in attendance	\$ 40.00
(r) In front of theater	\$ 40.00
(s) Blocking emergency exit	\$ 40.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 40.00

(w) In alley (signs required) \$ 40.00

Parking for prohibited purpose

(x) Displaying vehicle for sale \$ 40.00
(y) Working or repairing vehicle \$ 40.00
(z) Displaying advertising \$ 40.00
(aa) Selling merchandise \$ 40.00
(bb) Storage over 48 hours \$ 40.00

(cc) Wrong side boulevard roadway \$ 40.00
(dd) Loading zone violation \$ 40.00
(ee) Bus, parking other than bus stop \$ 40.00
(ff) Taxicab, parking other than cab stand \$ 40.00
(gg) Bus, taxicab stand violations \$ 40.00
(hh) Failure to set brakes \$ 40.00
(ii) Parked on grade wheels not turned to curb \$ 40.00
(jj) Parked on lawn extension within right of way \$ 40.00
(kk) Parked on front lawn \$ 40.00

All \$40.00 violations not paid within 20 days will be assessed a \$20.00 late fee.

2. Chapter 2: Liability for Expense of an Emergency Operation (Hazardous Materials Cleanup Cost Recovery)

Cost shall be actual expenses inclusive of all Police & Fire Department wages, equipment and motor-pool and / or any sub-contracted actual expenses associated with hazardous materials clean-up.

3. Chapter 2: Liability for Expense of an Emergency Response (Alcohol Related Arrests, Accidents)

- A.** A cost of \$150 shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court.
- B.** Actual costs shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. in which a motor vehicle accident occurred. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court. In the event the court declines collection, they shall be billed direct to the defendant.
- C.** For the purpose of determining costs for extensive investigation and cleanup recovery for emergency response for alcohol related arrests and accidents, the following table shall be used:

Fire

Pumper \$250.00/hour
Tanker \$350.00/hour
Squad/Utility \$150.00/hour
Grass \$200.00/hour
Command \$150.00/hour

Officers
 \$18.00/hour
 Firefighters
 \$15.00/hour

Police

Officers
 \$47.30/hour
 Officer Overtime
 \$60.85/hour
 Police Car
 \$15.00/hour

4. Chapter 5: Cemetery Lots - Purchase

The cost for purchase of cemetery lots will be \$100.00 per lot.

5. Chapter 5: Cemetery, Charges for Grave Openings, etc.

Grave openings shall be actual costs, either as sub-contracted or performed by City Employees, plus a 15% administrative fee.

6. Chapter 11: Park Reservation Fees

Elms Park

Pavilion #1 \$ 70.00
 Pavilion #2 \$ 120.00
 Pavilion #3 \$ 70.00
 Pavilion #4 \$ 120.00

Abrams Park

Pavilion #1 \$ 70.00
 Pavilion #2 \$ 70.00
 Pavilion #3 \$ 70.00

Deposit \$100.00

7. Chapter 12: Peddlers and Solicitors License and Background Check

\$50.00

8. Chapter 15: Permit, Sidewalk Installation

\$25.00

9. Chapter 15: Permit for Excavation, Right of Way or Other City Property

\$100.00

10. Chapter 19: Water System Use, Rates and Charges

(A) Charges for water supply services to premises within the city connected with the water supply system shall be as follows:

Rates for Quarterly Billings

Readiness to serve charge

5/8", 3/4", 1"	\$56.88
1.5"	\$227.39

2"	\$363.83
3"	\$682.18
4"	\$1,136.97
6"	\$2,273.93

Commodity charge (per 100 cubic feet of water): \$7.35

Additional meters, connected for the exclusive purpose of registering water consumed and NOT returned to the sewer system shall be charged the commodity charge only (example: lawn sprinkler system).

(B) Any water customer may have water services temporarily shut off for any time period during which the premises, for which the water service is provided, will be unoccupied. The request for such shut off shall be made in writing on forms to be provided by the city. The written request shall specify the reason for the shut off and the date on which the water service shall be shut off.

(C) There shall be a Twenty Dollar (\$20.00) charge for shutting off the water service pursuant to such request and a Twenty Dollar (\$20.00) charge for turning the water service back on, if the shut off or turn on is performed during normal business hours. If this shut off or turn on is performed outside of normal business hours, the charge shall be One-Hundred Dollars (\$100.00). Such charges shall also apply if water is shut off or turned back on pursuant to account delinquency. The City Manager may waive shut off and turn on fees for reasonable cause.

(D) Water customers shall continue to be billed for a readiness to service charge while connected to the system.

(E) Bulk water sales shall be in accordance with the following fee schedule:

Bulk Water Purchases

1 cubic ft. = 7.4805
Gallons

Gallons	Cubic ft.	Cost
3,740	499.96658	\$104.00
5,000	668.40452	\$116.00
10,000	1336.809	\$160.00
15,000	2005.2136	\$204.00
20,000	2673.6181	\$247.00

11. Chapter 19: Water & Sewer Tap Fees

(A) There shall be paid, with respect to all premises connecting to the water and sanitary sewer system of the city, a tap-in fee pursuant to the following schedules:

- (1) Single-family residence--\$1,500 each for water & sanitary sewer
- (2) Multiple-family residence--\$1,500 per unit each for water and sanitary sewer

(B) All other uses connecting to the water and/or sanitary sewer system of the city shall be required to pay tap-in fees at the rate of one-thousand, five hundred dollars (\$1,500) per unit factor, pursuant to the unit factor table provided for by the Genesee County Division of Water and Waste. In no case shall tap-in fees be less than one-thousand, five hundred dollars (\$1,500).

(C) Furthermore, for any structure used generally for more than one (1) purpose, connection fees shall be determined by applying the appropriate unit factors as set by the Genesee County Division of Water and Waste, to the various uses on any level, grade or sub-grade plane of the structure, provided that it is intended that the fees so derived shall be cumulative. Tap fees shall also apply for any additional units that may be calculated and applied by the County WWS pursuant to change in use or otherwise.

12. Chapter 19: Sanitary Sewer Rates

Rates for Quarterly Billings

Readiness to serve charge (per Residential Equivalent Unit):	\$52.50
Readiness to serve charge (non-metered accounts):	\$124.61
Commodity charge (per 100 cubic feet of water consumed):	\$2.14

A readiness to serve charge equal to the number of calculated sewer units shall be charged to all customers connected to the city's sewer system to offset fixed costs of system operation. In addition, a commodity charge shall be applied to the sewer bill in an amount equal to the above rate multiplied by the number of ccf that the accompanying water account registers. If the sewer connection is not accompanied by a water meter to register water usage, the charge shall be considered non-metered and no commodity charge shall be applied.

For the purposes of determining sanitary sewer rates, per unit sewage disposal calculations resulting in a fraction of a whole number shall be rounded up to the next highest whole number.

13. Chapter 20: Weed Cutting Fees

\$300 per cut

14. Building & Trade Inspection Fees

A. Building Permit Fees:

\$75.00 for first \$1,000 value \$5.00 per \$1,000 thereafter and \$50.00 for a one-time Inspection fee.

The first \$75.00 of the application fee is non-refundable. The total cost of Improvement is based on the Bureau of Construction Codes Square Foot Construction Cost Table with the following exceptions:

Single Family Home	1 story.....	\$105.00 per sq. foot
	1.5 story.....	\$91.00 per sq. foot
	2.0 story.....	\$85.00 per sq. foot
Detached garage.....		\$25.00 per sq. foot
Pole Barn.....		\$16.50 per sq. foot
Open deck or porch.....		\$14.00 per sq. foot
Covered deck or porch.....		\$28.00 per sq. foot

Pre-manufactured unit fees are based upon 50% of the normal on-site construction fee.

Residential Roofing..... \$100.00 fee per project

Siding permits are based upon the project cost.

Commercial roofing is to be based upon the project cost.

Up to \$1,000 (includes one (1) inspection only).....	\$75.00
\$1,000.00 to \$10,000.00.....	\$75.00 plus \$10.00 per \$1,000.00 over \$1,000.00
\$10,000.00 to \$100,000.00.....	\$165.00 plus \$3.00 per \$1,000.00 over \$10,000.00
\$100,001.00 to \$500,000.00.....	\$435.00 plus \$2.00 per \$1,000.00 over \$100,000.00
\$500,000 plus.....	\$1,235.00 plus \$3.00 per \$1,000.00 over \$500,000.00

All work not involving a sq. foot computation:	
Plan review and administration base fee (plus \$50.00 for each inspection)	\$75
Additional inspections	\$75
Certificate of Occupancy	\$50
Work Commencing Before Permit Issuance	\$75

B. Electrical Inspection Fees

Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75

New Residential Electrical System

Up to 1,500.00 sq. foot	\$80.00
1,501 to 3,500 sq. foot	\$130.00
Over 3,500 sq. foot	\$180.00

Service

Through 200 Amp.	\$10
Over 200 Amp. thru 600 Amp.	\$15
Over 600 Amp. thru 800 Amp.	\$20
Over 800 Amp. thru 1200 Amp.	\$50
Over 1200 Amp. (GFI only)	\$75
Circuits	\$5
Lighting Fixtures-per 25	\$5
Dishwasher	\$5
Furnace-Unit Heater	\$5
Electrical-Heating Units (baseboard)	\$4
Power Outlets (ranges, dryers, etc.)	\$7

Signs

Unit	\$6
Letter	\$10
Neon-each 25 feet	\$20

Feeders-Bus Ducts, etc.-per 50'	\$6
---------------------------------	-----

Mobile Home Park Site	\$5
-----------------------	-----

Recreational Vehicle Park Site	\$5
--------------------------------	-----

K.V.A. & H.P.

Units up to 20	\$4
Units 21 to 50 K.V.A. or H.P.	\$6
Units 51 K.V.A. or H.P. & over	\$10

Fire Alarm Systems (excl. smoke detectors)

Up to 10 devices	\$50
11 to 20 devices	\$100
Over 20 devices	\$5 each

Low voltage - Per opening (devices) \$5 each

Energy Retrofit-Temp. Control \$45

Conduit only or grounding only \$45

Inspections

Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

C. Mechanical Inspection Fees

Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75

Residential Heating System

(Includes duct & pipe)	
Up to 1,500 sq. feet	\$80
1,501 to 3,500 sq. feet	\$130
Over 3,500 sq. feet	\$180
Gas/Oil Burning Equipment Under 400,000 In	\$30
Gas/Oil Burning Equipment Under 400,000 In	\$40
Boiler	\$30
Water Heater	\$5
Damper/Flue	\$5
Solid Fuel Equip. (includes chimney)	\$30
Gas Burning Fireplace	\$30
Chimney, factory built (installed separately)	\$25
Solar; set of 3 panels-fluid transfer	
(includes piping)	\$20
Gas piping; each opening-new installation	
(residential)	\$5
Air Conditioning (includes split systems)	
1.5hp to 15 hp	\$30
Over 15 hp	\$50
Heat Pumps (complete residential)	\$30
Dryer, Bath & Kitchen Exhaust	\$5

Tanks

Aboveground	\$20
Aboveground Connection	\$20
Underground	\$20
Underground Connection	\$20
Humidifiers/Air Cleaners	\$5

Piping

Piping-minimum fee \$25	\$.05/ft
Process piping	\$.05/ft
Duct-minimum fee \$25	\$.10/ft
Heat Pumps; Commercial (pipe not included)	\$20

<u>Air Handlers/Heat Wheels</u>	\$25
Conversion Burners (oil)	\$30
Commercial Hoods/Exhausters	\$15
Heat Recovery Units	\$10
V.A.V. Boxes	\$10
Unit Ventilators	\$10
Unit Heaters (terminal units)	\$15

<u>Fire Suppression/Protection/Other</u>	
(includes piping) –minimum fee \$20	\$.75/head
Limited Area Suppression (per head)	\$2
Fire Suppression Hood (per head)	\$4
Evaporator Coils	\$30
Refrigeration (split system)	\$30
Chiller	\$30
Cooling Towers	\$30
Compressor/Condenser	\$30
Manufactured Chimney	\$25
Exhaust Fans	\$20
Multi Zone Self Contained Units	\$25
Through Wall Units	\$25
Ranges (gas)	\$20

<u>Inspections</u>	
Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

D. Plumbing Inspection Fees

Application Fee (non-refundable)	\$65
Work Commencing Before Permit Issuance	\$75

New Residential Plumbing System

Up to 1,500 sf	\$80
1,501 to 3,500 sf	\$130
Over 3,500 sf	\$180

Mobile Home Park Site	\$5 each
Fixtures, floor drains, special drains,	\$4 each
Water connected appliances	\$4 each
Stacks (soil, waste, vent and conductor)	\$2 each
Sewage ejectors, sumps	\$5 each
Sub-soil drains	\$5 each

Water Service

Less than 2"	\$5
2" to 6"	\$25
Over 6"	\$50
Connection (bldg. drain-bldg. sewers)	\$5

Sewers (sanitary, storm or combined)

Less than 6"	\$5
6" and Over	\$25
Manholes, Catch Basins	\$5 each

Water Distributing Pipe (system)

3/4" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10
1 1/4" Water Distribution Pipe	\$15
1 1/2" Water Distribution Pipe	\$20
2" Water Distribution Pipe	\$25
Over 2" Water Distribution Pipe	\$30
Reduced pressure zone back-flow preventer	\$5 each
Domestic water treatment and filtering equipment only	\$5
Medical Gas System	\$45

Inspections

Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

15. Chapter 22: General Emergency Response Fees

Fire

Pumper	\$250.00/hour
Tanker	\$350.00/hour
Squad/Utility	\$150.00/hour
Grass	\$200.00/hour
Command	\$150.00/hour
Officers	\$18.00/hour
Firefighters	\$15.00/hour

Police

Officers	\$50.56/hour
Officer Overtime	\$61.87/hour
Police Car	\$15.00/hour

16. Appendix B: Franchises

\$250 application fee plus actual expenses related to preparation by City Attorney.

17. Miscellaneous Fees

A. *Copies:*

Black & White: 10¢ for page.

Color or Mixed Color and Black & White: 25¢ per page

B. *Freedom of Information Act Requests:*

See the City of Swartz Creek Freedom of Information Act Procedures & Guidelines: adopted June 22, 2015 for details. Standard requests shall be charged 10¢ for 8.5 x 11 page (25¢ for color or mixed color) plus all actual costs for outside re-production (i.e. photo re-prints, blueprint copies, digital media storage, etc.). Extensive search requests shall have an additional per hour fee equal to wages only of the lowest paid clerical position employed with the City (\$8.15/hour with a 1.1 fringe multiplier, totaling \$8.97/hour).

C. *Weddings:*

\$50 per ceremony

D. *Fax Services:*

50¢ per page for the first 10 pages, then \$0.25 per page thereafter

E. *Notary Services:*

\$10.00 per item

F. *Insufficient Funds:*

\$25 each for any check returned unpaid for account insufficient, closed or stopped

G. *Penalties on Outstanding Invoices/Miscellaneous Receivables:*

\$10 penalty for unpaid miscellaneous receivables, including but not limited to: utility bills, mowing invoices, sidewalk repair, project reimbursements, charges for services, and retiree coverage contributions. This penalty shall be applied once to "past due" invoices.

H. *Interest on Outstanding Invoices/Miscellaneous Receivables:*

1.5% interest per month on outstanding invoices that are 30 days "past due".

*Payments made toward outstanding balances shall be applied in the following order: interest, penalties, principle.

18. Chapter 13 & 16: Development Plans, Administrative Fees, Subdivision Site Plan & Review Fees

A. Site Plan Review:

Property Re-Zoning	\$250
Single & Multiple-Family (non-plat)	\$300 plus \$5.00 per lot
Cluster Housing Development	\$300 plus \$5.00 per unit
Mobile Home Park	\$400 plus \$5.00 per unit
Commercial Development	\$450 plus \$50.00 per acre/fraction
Industrial Development	\$400 plus \$50.00 per acre/fraction
Office Development	\$350 plus \$50.00 per acre/fraction
Institutional	\$300 plus \$50.00 per acre/fraction
Public/semi-public uses	\$300 plus \$50.00 per acre/fraction
Special Approval or Conditional Use	\$250 plus \$5.00 per acre/fraction
PUD/Mixed Use Review	\$500 plus \$50.00 per acre/fraction
Consulting Fees (All Reviews)	Actual consultant costs
Revisions	½ of original review fee

B. Building and Zoning:

Swimming Pool Permit	\$25
Misc. Zoning Permit	\$25
Sidewalk Permit	\$25
Sign Permit	See Building Permits
Structure Movement Permit	\$95
Demolition Permit (Including ROW Permit)	\$150
Right of Way Permit (Residential)	\$100
Right of Way Permit (Commercial and/or Road Break)	\$250+review/inspection escrow
Home Occupation Permit	\$95
Variance Review	\$250 per variance
Zoning Board of Appeals: Petitioned Interpretation Review	\$150
Zoning Board of Appeals: Appeal Review	\$250
Lot Split/Combination: City Ordinance Section 16.2	\$150 plus \$5.00 per lot
Public or Private Road Plan Reviews	\$400 per mile/fraction

Consulting Fees		Actual consultant costs
Zoning Code		\$10 CD, \$25 Paper
	Copy	
Engineering Standards Manual		\$10 CD, \$25 Paper
	Copy	
Medical Marijuana Dispensary/Facility Review		\$500
C. Subdivision Review		
Preliminary Subdivision Review-Tentative		\$300 plus \$5.35 per lot
Preliminary Subdivision Review- Final		\$160 plus \$2.70 per lot
Final Plat Review		\$160 plus \$1.00 per lot

19. Chapter 1: Municipal Civil Infraction Fines

Civic Infraction Citation Fines:

First Offense	\$100
Second Offense	\$200
Third Offense	\$300

Civic Infraction Notice Fines:

First Offense	\$75
Second Offense	\$150
Third Offense	\$250

20. Rental Inspection Program Fees

Registration	\$75 for the first unit, plus \$20 for each additional unit on a shared premises, with common ownership and management, or within recognized apartment complexes
Follow up inspections	The initial and one follow-up inspection will be performed without additional fees. Subsequent inspections shall be charged at the rate of \$25/unit
Registration Updates/Amendments Coverage	No charge The initial fee covers the registration and first inspection and is valid until the resulting certificate of compliance expires
Pro-ration	There shall be no pro-ration of fees

ADOPTION & REVISION HISTORY:

Resolution No. 050711-07	Dated July 11, 2005
Resolution No. 100208-06	Dated February 8, 2010
Resolution No. 101206-04	Dated December 6, 2010 (Water-Sewer-RTS)
Resolution No. 111114-05	Dated November 14, 2011 (Park Fees)
Resolution No. 110613-07	Dated June 13, 2011 (Water Fees)
Resolution No. 120611-05	Dated June 11, 2012 (Water Fees)
Resolution No. 120709-05	Dated July 9, 2012 (Bulk Water Fees)
Resolution No. 130610-09	Dated June 10, 2013 (Water Fees)
Resolution No. 130826-06	Dated August 26, 2013 (K.W.A. Water Fees)
Resolution No. 140922-07	Dated September 22, 2014 (Utility and MMD Fees)
Resolution No. 150824-05	Dated August 24, 2015 (FOIA, Rentals, Utility Fees)
Resolution No. 151214-05	Dated December 14, 2015 (Parking)
Resolution No. 160523-05	Dated May 23, 2016 (Water and Sewer)

Resolution No. 160808-04
Resolution No. 171023-07

Dated August 8, 2016 (Solicitation)
Dated October 23, 2017 (Building; Police
Removal)

Resolution No. 180312-06
Resolution No. 181126-07
Resolution No. 190325-09
Resolution No. 201109-06

Dated March 12, 2018 (Building Penalty)
Dated November 26, 2018 (Parking)
Dated March 25, 2019 (Water)
Dated November 9, 2020 (Water Increase-
CCCP)

Resolution No. 210927-

Dated November 9, 2020 (ROW & Officer
Wages)

Discussion Ensued.

YES: Henry, Fountain, Florence, Gilbert, Hicks, Krueger, Pinkston.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE A 5K FOOT RACE

Resolution No. 210927-07

(Carried)

Motion by Councilmember Florence
Second by Councilmember Gilbert

WHEREAS, a community member is planning a charity race on city streets and sidewalks that will occur at 8:30am on October 23, 2021; and

WHEREAS, the race has been reviewed by the Chief of Police and the DPW Director, and it has been determined that no streets require closing, with runners having available sidewalk and park space to utilize.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves the 5K foot race event, contingent upon the participation of private land owners noted on the map, and finds that the application for a street usage permit is not necessary.

Discussion Ensued.

YES: Fountain, Florence, Gilbert, Hicks, Krueger, Pinkston, Henry.
NO: None. Motion Declared Carried.

*******MasterResolution*******

**RESOLUTION TO APPROVE A FESTIVAL PERMIT FOR THE SWARTZ CREEK
CHAMBER OF COMMERCE, JEEPERS CREEKERS, EVENTS IN OCTOBER OF
2021**

Resolution No. 210927-08

(Carried)

Motion by Councilmember Henry
Second by Councilmember Fountain

WHEREAS, Swartz Creek Chamber of Commerce organization is a recognized charitable entity that operates in Swartz Creek; and

WHEREAS, the SCCC is seeking permits and approvals to operate an annual festival on private and public grounds within the city, including a parade, live music, foot race, market, food service, a movie, and numerous other activities; and

WHEREAS, the City Council finds the SCCC organization and the event to be beneficial to the public and in good standing; and

WHEREAS, Section 20.01.G of Appendix A of the City Code of Ordinances provides for conditions of approval for a festival within the city, provided that the duration is less than 10 days, the operator is a charitable entity, and city council approval is required.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves Resolutions/Motions 210927-8F1 through 210927-8F3, allowing for the various permits related to the annual Swartz Creek Jeepers Creekers festival, to be held on Saturday, October 9, 2021, inclusive of all stipulations and conditions as specified and listed within, including the provision of valid insurance that lists the City of Swartz Creek as an additionally insured party for all events.

JEEPERS CREEKERS, STREET FESTIVAL, GENERAL STREET & PROPERTY USE PERMITS

Resolution No. 210927-08F1

I Move the City of Swartz Creek approve and authorize the Swartz Creek Chamber of Commerce's application for street closing and City property use permits for the following locations:

1. 5012 Holland Drive
2. Miller Road (Morrish to Hayes)
3. Holland between Miller and Ingalls

Street and City property use subject to the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Sufficient number of portable bathrooms placed and located, and litter control program in accordance and under the approval of Director of Community Services.

3. Approval by the Chief of Police. Traffic control and pedestrian safety plan in accordance with and under the approval of office of Chief of Police.

JEEPERS CREEKERS, STREET USAGE PERMIT

Resolution No. 210927-08F2

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Chamber of Commerce's application for street closing / usage permit for Saturday, October 9, 2019 from 8:00 a.m. until 9:00 p.m. for purposes of conducting a festival, including market vendors and an outdoor movie, on Holland Drive and in Holland Square under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. General approval, and under the direction and control of the Office of the Chief of Police.

JEEPERS CREEKERS, STREET USAGE PERMIT

Resolution No. 210927-08F3

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Chamber of Commerce's application for street closing / usage permit for Saturday, October 9, 2021 from 3:00 p.m. until 9:00 p.m. for purposes of conducting a festival on Miller Road (Morrish to Hayes), Holland Drive, and in Holland Square under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. General approval, and under the direction and control of the Office of the Chief of Police.

Discussion Ensued.

YES: Florence, Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE THE DISPOSAL OF FIXED ASSETS

Resolution No. 210927-09

(Carried)

Motion by Councilmember Fountain
Second by Mayor Pro Tem Hicks

WHEREAS, the city owns, operates, and maintains vehicles and equipment related to the services it provides; and,

WHEREAS, the city maintains an asset disposal policy and fixed asset schedule by which it tracks depreciation, value, and ownership of durable assets; and,

WHEREAS, the city is replacing certain vehicles with new equipment and desires to sell the existing equipment.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Swartz Creek approves the sale of the following assets:

1999 GMC Dump Truck #11; VIN 1GDKC34J9XF022179
1989 Ford Truck with Bucket; VIN 1F3767ECA1923H0300

BE IT FURTHER RESOLVED THAT the City of Swartz Creek authorizes the DPW Director to sell said equipment via auction, sealed bids, or direct advertising as he best sees fit and for the Treasurer to account for the disposal of the asset and accounting of related revenues.

YES: Gilbert, Hicks, Krueger, Pinkston, Henry, Fountain, Florence.
NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE A PURCHASE AGREEMENT ADDENDUM AND LEASE FOR THE SALE OF REAL PROPERTY OWNED BY THE CITY

Resolution No. 210927-10

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Henry

WHEREAS, the city owns a single family home located at 8067 Miller Road, PID 58-02-529-021; and

WHEREAS, after acquiring an easement for public use from the site, the community has been engaged in finding a preferred option for the permanent use of this parcel; and

WHEREAS, the city's various boards and commissions have found that the rehabilitation of the home for use as a single family residence or live-work space is the preferred option; and

WHEREAS, the city has rehabilitated the home and listed it for sale; and

WHEREAS, a buyer has made an offer to purchase the home for the price of \$192,500, with a closing date of September 15, 2021; and

WHEREAS, the city council approved the offer at its meeting on July 26, 2021 and affirmed the offer on September 13, 2021; and

WHEREAS, the property appraised below the agreed purchase price with two separate appraisals; and

WHEREAS, the buyer wishes to amend the purchase price to \$185,000 and lease the property for \$2,000 a month until closing, at or around October 28, 2021; and

WHEREAS, the city finds this to be the most prudent course of action given the existing appraisals and the cost to carry the home as a vacant structure.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council authorizes the City Manager, in consultation with the city attorney, to complete and execute the purchase agreement addendum as included in the September 27, 2021 city council packet.

BE IT FURTHER RESOLVED, the sale instrument shall be made available to the general public, for a period of not less than 30 days, in accordance with the City's Land Sale Policy of April 28, 2014.

BE IT FURTHER RESOLVED, the purchase agreement shall be reviewed by the city council subsequent to the review period.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council designates, authorizes, and directs the Mayor to act as signatory and to execute any and all sale and transfer instruments required to transfer the property at closing.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council designates, authorizes, and directs the City Manager to lease the home to the buyers with the following general provisions:

1. Immediate occupancy
2. \$2,000 per month rent
3. Tenant paid utilities and maintenance
4. One month renewable term

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council designates, authorizes, and directs the City Manager to act as signatory and to execute any and all instruments required for the lease, per the city's land sale policy of April 28, 2014.

YES: Hicks, Krueger, Pinkston, Henry, Fountain, Florence, Gilbert.

NO: None. Motion Declared Carried.

**RESOLUTION TO ADOPT AN ORDINANCE 455, AN ORDINANCE TO AMEND
THE PURCHASING ORDINANCE OF THE CITY**

Resolution No. 210927-11

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Henry

WHEREAS, the city maintains a purchasing policy to ensure efficiency in spending of public dollars, transparency in purchasing choices, accountability of staff and council, and a degree of administrative autonomy related to timely actions; and

WHEREAS, periodic review of the ordinance to review purchasing thresholds is required to ensure the impacts of inflation are accounted for.

THEREFORE, I MOVE the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK
ORDINANCE NO. 455**

An ordinance to amend the Code of Ordinances Section 2-402 to remove and replaced certain sections related to purchasing requirements

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Removal and replacement of Section 2-402 (a) of the Code of Ordinances.

The City hereby removes Section 2-402 (a) from the Code of Ordinances and replaces it with the following:

(a) It is the intent of this policy to provide for competitive pricing involved in all purchases and contracts, except as specifically provided for in this division. The purchasing agent shall prepare rules concerning purchasing for the city.

(1) Transactions less than \$7,500.00. The purchasing agent, subject to budgetary appropriations, is authorized to make purchases of materials and equipment and contract for labor or materials in an amount not to exceed \$7,500.00, without further approval of the city council.

Except for those situations requiring the need for sealed *bids*, the purchasing agent, shall consider all circumstances surrounding the purchase to be made or the service to be provided. If it is in the best interest of the city, the purchasing agent shall deal with sources within the city.

- a. Quotations. The purchasing agent shall secure or cause to be secured quotations from no less than two sources in all transactions involving expenditures of \$3,000.00 or more and less than \$7,500.00. The purchasing agent shall maintain a written record of the quotations received.
 - b. Other. Transactions involving expenditures less than \$3,000.00 may be authorized by the purchasing agent in such manner and from such source as the purchasing agent may determine.
- (2) Transactions of \$7,500.00 or more. The purchasing agent shall secure sealed *bids* in all transactions involving an expenditure of \$7,500.00 or more.
- a. Sealed *bids* shall not be required in the following instances:
 - 1. Where the subject of the purchase or contract is other than a public work or improvement and the product or material to be transacted for is not competitive in nature, provided that in no instance shall such product or material be transacted for without prior council approval.
 - 2. The city council may, at the request of the city manager, authorize the city manager to negotiate a contract for the purchase of any product, material or service with a provider of such product, material or service without regard to the requirements of this section relative to purchases where the city council finds:
 - i. Due to circumstances beyond the control of the city, the market for such product, material or service is not competitive even though such product, material or service is normally competitive in nature; and
 - ii. The economic interests of the city are best served by negotiating a contract with a provider of the product, material or service without requesting sealed *bids*.
 - 3. In the employment of professional services, provided that in no instance shall such professional service be contracted for without prior council approval.
 - 4. If the city elects to use city personnel.

Section 2. Effective date.

This Ordinance shall take effect thirty (30) days following publication.

YES: Krueger, Pinkston, Henry, Fountain, Florence, Gilbert, Hicks.

NO: None. Motion Declared Carried.

8002 Miller**Discussion**

Mr. Zettel commented there has been no recent communication from the tenant on the past due rent. He doesn't feel like this relationship is going to continue well. He feels there has been a lack of communication and effort from the tenant and the council has made a very good effort to help the tenant during Covid and even after. The original plan was that this property was to be purchased by tenant by now. Mayor Pro Tem Hicks remarked she isn't sure why the tenant hasn't come to any council meetings to explain her situation. Councilmember Florence feels that we have been more than patient with the tenant. Councilmember Fountain also commented that the tenant as failed at lack of communication with the council.

Resolution No. 210927-12**(Carried)**

Motion by Councilmember Henry
Second by Councilmember Florence

I Move the Swartz Creek City Council request the attorney to proceed with eviction process.

YES Pinkston, Henry, Florence, Hicks, Krueger, Fountain.
NO: Gilbert. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Florence feels things are getting better in Swartz Creek. Church attendance has picked up.

Councilmember Henry commented about the landscaping on the property at the corner of Miller/Raubinger. There seems to be a lot of it in the right of way.

Mayor Pro Tem Hicks welcomed the Tom's to the community. She hopes that the tenant at 8002 Miller figures out a way avoid eviction. She attended a Plante Moran webinar and it was very interesting. The Women's Club had a most admired women presentation and three women were award Katie Thompson, Boots Abrams and Charlene Howe.

Councilmember Gilbert noticed there is concrete on the property on the east side of Seymour Road north of the railroad tracks. Mr. Zettel will investigate it. Councilmember Gilbert also welcomed the Tom's family.

Councilmember Pinkston noticed Mr. Lengyel passed and is curious what will happen to the property on Elms Road south of Miller.

Mayor Krueger is happy with the hybrid meetings and how well they are going.

ADJOURNMENT

Resolution No. 210927-13

(Carried)

Motion by Councilmember Pinkston
Second by Councilmember Henry

I Move the Swartz Creek City Council adjourn the regular meeting at 8:32 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk