

**City of Swartz Creek  
AGENDA**

**Regular Council Meeting, Monday, October 23, 2017, 7:00 P.M.  
Paul D. Bueche Municipal Building, 8083 Civic Drive Swartz Creek, Michigan 48473**

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
  - 4A. Council Meeting of October 9, 2017 MOTION Pg. 30
5. **APPROVE AGENDA:**
  - 5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
  - 6A. City Manager's Report MOTION Pg. 2
  - 6B. Draft Fire Budget Pg. 37
  - 6C. City Charter Notification Pg. 45
  - 6D. Animal Ordinance Information Pg. 49
  - 6E. Newsletter Pg. 50
  - 6F. Ground Water Ordinance Draft Pg. 54
  - 6G. Current Rate and Fee Schedule Pg. 69
  - 6H. September Budget Report Pg. 78
  - 6I. OHM Trail Engineering Proposal Pg. 80
7. **MEETING OPENED TO THE PUBLIC:**
  - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
  - 8A. Fire Department Budget RESO Pg. 17
  - 8B. Fire Department Agreement DISCUSSION
  - 8C. Charter Annotation Requirement RESO Pg. 18
  - 8D. Appointment RESO Pg. 19
  - 8E. Amend City Rates and Fees for Certain Services RESO Pg. 19
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION

**Next Month Calendar**

Police Authority:	Wednesday, October 25, 2017, 10:00 a.m., Mundy Township
Park Board:	Wednesday, November 1, 2017, 5:30 p.m., PDBMB
Planning Commission:	Tuesday, November 7, 2017, 7:00 p.m., PDBMB
City Council:	Monday, November 13, 2017, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, November 9, 2017, 6:00 p.m., PDBMB
ZBA:	Wednesday, November 15, 2017, 6:00 p.m., PDBMB
Police Authority:	Wednesday, November 22, 2017, 10:00 a.m., PDBMB
City Council:	Monday, November 27, 2017, 7:00 p.m., PDBMB

**City of Swartz Creek**  
**CITY MANAGER'S REPORT**  
Regular Council Meeting of Monday, October 23, 2017 - 7:00 P.M.

**TO:** *Honorable Mayor, Mayor Pro-Tem & Council Members*  
**FROM:** Adam Zettel, City Manager  
**DATE:** October 19, 2017

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## **ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS**

✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change in Status)*

The Huizinga petitioner is working with Heather to negotiate a possible settlement. We do not have any further information at this time. If we do not come to terms, all we can do is await the findings of the MTT based upon information already submitted.

The golf appraisal is underway. The allocation of value between the city and Flint Township is as much an issue as the establishment of a total true cash value for the entire course. While all the road frontage, structures, and much acreage is in the city, there is more land area for the course in the township. This circumstance is problematic for us.

✓ **STREETS** *(See Individual Category)*

✓ **MORRISH SIGNALS** *(No Change of Status)*

Mr. Svrcek is checking on the long term replacement schedule for the signal at Miller and Morrish. We still have not heard from the Genesee County Road Commission.

This is an older signal that will require modernization at some point, though this may be rather expensive. For the time being, the signal functions well and is providing an acceptable level of service and safety per the city's engineers. We will set up a plan for timely replacement and optimization.

The previous report follows:

There has been more concerns about the signal at Morrish and Miller Road. We had studied this intersection using the traffic engineers at OHM. Their report indicated that the level of service, overall, would not likely be improved with the addition of a dedicated left turn signal. However, I have followed up with them regarding this matter. A note from Mr. Harris with OHM is attached. From a practical standpoint, it appears cost may be a bigger barrier at this point. Please let me know if there are comments or if there is a collective desire to move forward with changes at this intersection.

In addition to Miller Road, there has been a desire by some in the community to re-engage the signal at Morrish Road at the raceway. Anecdotally, it appears this will help with vehicles exiting the interstate and turning left onto the interstate. We have

made an inquiry to MDOT regarding this process. They have acknowledged our inquiry but they have not provided an answer. Please let me know if there is any objection to moving forward.

✓ **2017-2020 TRAFFIC IMPROVEMENT PROGRAM (TIP) (No Change of Status)**

The county is beginning to align the 2019 projects for 2018 preliminary engineering. We are being informed that, since the engineering is to be less than \$25,000, the city shall not need to engage the qualified bidding selection process (QBS). This is good news because the QBS process is long and arduous, requiring an absurd amount of staff hours and paper filings in order to have an engineering expense that is reimbursable with federal funds. This has been affirmed by MDOT as of September 18, 2017.

The city has only one project slated for federal funding through the regional planning commission Traffic Improvement Program (TIP). Fairchild is to be designed in 2018 and constructed in 2019, which is the last year of the three year TIP cycle. After that, we hope that Miller, west of Morrish will be in the 2020-2022 cycle. Seymour is not on the radar at this point, though we may try to put it on the next cycle as well.

Listed below is the breakdown for Fairchild, including federal funding:

<u>Road</u>	<u>Point of Beginning</u>	<u>Point of End</u>	<u>Length (Miles)</u>	<u>Lanes</u>	<u>Lane Feet</u>	<u>Width (Feet)</u>	<u>ADT</u>	<u>Total Cost</u>	<u>Federal Match</u>	<u>Local Match</u>
Fairchild	Cappy	Miller	0.28	2	2956.8	44	2456	\$312,306	\$249,845	\$62,461

✓ **STREET PROJECT UPDATES (Update)**

*This is a standing section of the report on the status of streets as it relates to our dedicated levy, 20 year plan, ongoing projects, state funding, and committee work. Information from previous reports can be found in prior city council packets.*

The final ‘cape seal’ process for those streets downtown and on Jennie Lane is complete. The project was very untimely, but it does appear to be completed in an acceptable fashion. Ingalls and Abbey are substantially complete. There will be a bit of restoration and related work, but the asphalt is on and we have roads!

Sidewalk replacement and curb work is now complete for the reconstruction areas. Concrete work on drive approaches will continue in phases throughout the reconstruction area of Worchester, Winston, and Chesterfield. While no longer ahead of schedule, the contractor still anticipates completion this season.

Note that complaints are stacking up. Notice was sent to residents indicating a “terribly inconvenient” process due to last “through Thanksgiving”. However, we continue to get calls ranging from dangerous sidewalks and holes (which we attempt to address) to complaints about residents purchasing too much candy for Halloween under the circumstances that the city created (not much we can do about that).

Staff, the city engineer, and the contractor are doing everything they can to complete the job in a safe manner. To the extent practical, they are attempting to accommodate access, dust control, and other expected issues. Some residents accept this set of

circumstances and some believe we are orchestrating a circus. My professional opinion is that we are getting above average accommodations from the contractor.

We hope to have a recommendation to the city council by November 13<sup>th</sup> regarding whether to negotiate prices or bid work for the 2018 Daval project.

✓ **WATER – SEWER ISSUES PENDING** *(See Individual Category)*

✓ **SEWER REHABILITATION PROGRAM** *(No Change of Status)*

Lining work is approved for Chelmsford and Valleyview Drives. Inspection of Winshall should occur around November 13<sup>th</sup>, with pipe preparation for Chelmsford and Valleyview at the same time. Lining is expected around November 27<sup>th</sup>.

This program is on schedule and budget. Based upon current rates and existing fund balance, staff may recommend expending more in the next year or two on the sewer rehabilitation plan in order to get some higher risk assets completed more quickly. This could include Winshall Drive and Miller Road sections.

✓ **WATER MAIN REPLACEMENT – PLAN COMPLIANCE** *(Update)*

Rowe Professional Services Company has finished mapping the valves in the city. We installed the map and database and are making some final adjustments before using this to create the documents/plans noted below. This will be a ‘fun’ winter project for me.

The result will be a complete map and database for all valves, which will be instrumental in our valve turning program (see below). By mapping the valves, the engineer is also able to extrapolate more precise information regarding the location and length of all water main in the city. This information will be used by staff to complete the water master plan and reliability study that the Michigan Department of Environmental Quality expects to have by January (see below).

The council approved the proposal from the engineer to seek grant funds for the next water main replacement that is integrated with our 20 year street plan. 2018 will be Daval, followed by Chelmsford and Oakview in subsequent years. Obviously, Miller and Morrish Roads are mid-term priorities for replacement and may be looked at separately for such grant/loan funding.

Previous report details follow:

Genesee County Drain Commission - Water and Waste Services still intends to update its 2003 Water Master Plan this year. During this process, they are going to analyze the Swartz Creek area to ascertain what current and future needs are. This information will then be used by their consultant to make determinations concerning additional water feeds into the area and the sizing of the water main, including Miller Road.

Their plan is to rely less on Miller Road and more on secondary feeds that could approach the city from the north, south, and west. This would be good for us in the long run and negates the concern that Miller Road would need to be increased in size and/or used as an intercommunity transmission line.

The city is working with the county to abandon the Dye Road water main in the vicinity of the rail line. This line is prone to breaks, which can be very costly and dangerous near the rail spur. The intention would be to connect our customers to the other side of the street, onto the county line. It appears the transition cost would be about \$25,000. We will work with the county on this matter and report back on our findings.

✓ **WATER SYSTEM STATE REVIEW** *(No Change of Status)*

Michigan Department of Environmental Quality staff have performed an annual review of our operations. They are requiring some documentation and changes:

1. We are required to have a 5 and 20 year capital improvement plan (see above).
2. The city must have a valve maintenance program that includes a general schedule for exercising valves. Staff will document our policy moving forward.
3. The city must supply our purchase contract with Genesee County for our water supply. This document is on file and shall be provided to the DEQ.
4. The city must provide a water main inventory (see above).
5. The city must provide an updated Emergency Response Plan. We have this on file and shall do so.

✓ **NPDES STATE REVIEW** *(No Change of Status)*

Michigan Department of Environmental Quality staff have performed a paper audit of our storm water management policies, ordinances, and procedures. They have a number of requests for supplemental paperwork that the city and Genesee County Drain Commissioner's office (Surface Water Management Division) must provide.

Tom and Rebecca are working to provide the required information. The state staff involved are very accommodating, and I do not expect any issues with reporting.

This request stems from the National Pollutant Discharge Elimination System, which resulted in the cooperative program operated by the county in which the city participates. They charge an annual fee to conduct monitoring, public education, and reporting. They also assisted in the draft of the city's massive storm water ordinance that was passed relatively recently.

✓ **POLICE SERVICE** *(Update)*

I included the current budget report and proposed 2018 budget of the Metro PD in the October 9 packet. So far, so good. They appear to be tracking to finish the year 5% under budget. They are proposing about a 3% increase for the next year, which is reasonable given the pre-approved labor contracts. Take a look. The proposal is in line (a bit lower) than our projections.

The board is also considering providing services to Thetford Township. This seems like quite a stretch given the distance, but we will see what happens. The board should have some provisional terms presented at their regular meeting in October.

There is more and more public comment at the board meetings. We had some folks come in about traffic concerns, as well as a local towing company looking to see if they can provide more services. I am hearing rumblings in the community that the police do

not seem as visible as they used to be. Lt. Bade appears to be addressing these concerns and providing daily reports of officers to demonstrate what is happening.

Gaines Township has been cross-sworn with the Metro PD. The authority board is very receptive of the idea. I too am optimistic and would like to see how bringing this entity into the fold may work. Gaines officials indicated they will study this over a period of about 18 months.

The city is finishing renovations on the public safety building walls and carpet. It appears there may be a new arrangement for sharing space between the fire department and police department, with the fire department taking on more space and the city also occupying space for storage. I have adjusted the billing of utilities accordingly. The fire department does not have a lease with the city and never has, as far as I can tell. I may look to create such an instrument with them, similar to the Metro PD lease, once fire board business becomes routine and a new chief is on board.

As previously noted, the standing opinion is that the police authority is entitled to retain operational savings as a fund balance. The contributions to this fund balance will be tracked according to those responsible for the operational budget. This will encourage savings instead of the 'use it or lose it' budgeting/spending culture. It will also enable savings to be used to ensure proper cash flows, plan for capital needs, and provide for emergency funds.

✓ **HERITAGE VACANT LOTS** *(No Change of Status)*

The two units approved for sale have been sold, and construction is already underway. Proceeds from those units amount to \$21,917.10, collectively, and have been approved for distribution to the Heritage Village of Swartz Creek Condominium Association. If the developer is interested in additional lots, the council will need to go through the sale process again.

✓ **WINCHESTER WOODS LOTS** *(No Change of Status)*

A meeting was held on August 22<sup>nd</sup> and was well attended. Invitations were sent to all owners in Winchester Woods as noted in the previous meeting packet. The conversation was engaging and rational. However, not much consensus resulted. What I was able to take away from the conversation is that the woods area is an asset that most folks would rather see left intact. There was not much support for investing in improvements to make the lots usable for single family construction.

There was some support for area-wide and/or focused drainage improvements in the form of piping and ditching. I will look to create a survey instrument when things calm down in the fall that might better inform us of what people would like to see happen.

The previous report follows:

The city engineer has created a set of investment options for this subdivision. If the agenda was not jam packed, this would be up for presentation/discussion. For the time being, the proposals are included for review and future discussion (albeit small in scale). One proposal costs \$2.6 million and addresses all outstanding drainage, sanitary sewer, and water service needs. This design is the text book solution to all

existing drainage issues, of which there are many. It also prepares the vacant lots for development. I suspect this is too much investment for this area to endure, no matter how the assessment is appropriated.

A second proposal costs \$750,000 and only addresses the immediate needs necessary to make the vacant land buildable. This includes sanitary sewer installation on a more limited basis, as well as targeted drainage to alleviate future impacts. Note that this is still about \$20,000 per lot (vacant lots only)

As noted previously, Paul Fortino from Gaines was also able to attend consultation with the city engineer. He has not shown interest in interjurisdictional cooperation when asked to participate in design and/or construction.

✓ **NEWSLETTER (Update)**

The newsletter is completed and a copy is included.

✓ **HOLLAND SQUARE (Update)**

The DDA was not able to hold its meeting on October 12<sup>th</sup> due to a lack of attendance. Of the nine members, only three were able to attend. Unfortunately, a lack of quorum (5 members) is becoming quite routine. In consultation with the Mayor, we will be speaking to members about their ability to make meetings. We lost a crucial month that may prevent 2018 results on this matter. I expect the issue to be taken up on November 9<sup>th</sup>. The previous report follows:

I had conversations with the owner representatives for the private property west of the Holland Drive site. They affirmed that they have no desire to integrate their site with the Holland Drive site in any formal way. However, they did express an interest in updating their surfacing in tandem with the city (at their own expense), with the idea that the sites COULD be integrated at a future point. They also noted that they do not intend to construct a fence, and that they would allow use of their lot if practical.

We now have a proposal from OHM, per the direction of the DDA, to create schematic engineering for a site that enables parking and pavilion use. It appears that the concept of using the space for parking, with a possible structure for complimentary uses is desirable. The streetscape for Miller Road, west to Paul Fortino/Hayes is also being brought back into focus.

✓ **ELMS PARK RENOVATIONS (Update)**

The final renovations (accessible parking, walkways, and exercise equipment) are underway. The tot lot build was on September 30<sup>th</sup>, and the project went well. Final grading around the edges is still expected. Once complete, the facility should be open. Plans will then be set for sign recognition of donors, the naming of the facility, the provision for fencing, and some benches.

Note that the piles of dirt by Elms Road and I-69 are awaiting grading to increase the elevation of the proposed dog park.

✓ **TRAILS (Update)**

I have been assisting in the creation of a grant to the Michigan Department of Transportation with the Genesee County Metropolitan Planning Commission. This is due to be submitted on October 27<sup>th</sup>. This places us right on schedule to move into a DNR application in the spring as listed in the timeline below.

Nothing else is required of the city at this point. However, should the DNR grant be awarded (October 2018), the city and township would be expected to move into the design phase of the project. I have attached the engineering cost proposal by OHM to do this. What this amounts to is a need to fund our share of \$79,000 in the 2019 fiscal year. We would then look to fund our share of \$118,500 in the next fiscal year for construction engineering of the project itself (assuming a summer of 2019 construction). The expectation is that all other costs will be covered by the MDOT and DNR grants. If not, the local obligation may be too much to bear. As it is projected, the city's share of \$118,500 (~\$106,650) is still very heavy for a single fiscal year of park investment.

S. Dye Rd. / Miller Rd. Non-Motorized Path				
		Grant Request		Local Funds
		MDOT TAP	MDNR Trust Fund	
Construction (35% local match)	\$790,000	\$ 513,500		
			\$ 276,500	
Final Design (10%)	\$ 79,000		\$ 23,500	\$ 55,500
Final Engineering (15%)	\$118,500			\$ 118,500
<b>Total</b>	<b>\$987,500</b>	<b>\$ 513,500</b>	<b>\$ 300,000</b>	<b>\$ 174,000</b>
Tentative Schedule				
Sep-17	Inter-community project resolution			
	Letters of support			
	Trail maintenance agreement			
Oct-17	Draft MDOT application			
Nov-17	Submit application for 2019 MDOT TAP funds			
Dec-17	MDOT TAP Review Session			
Jan-18	Draft MDNR application			
Mar-18	Submit application to MDNR Trust fund			

✓ **DISC GOLF CONCEPT** (No Change of Status)

Conceptual approval has been granted for a course in Winshall Park. There is no active interest in fundraising. I will keep the city council informed.

Since no activity is expected on this matter in the near future, and it is now proposed to be recognized in the park plan, I will remove it from future reports.

✓ **REDEVELOPMENT READY COMMUNITIES & BRANDING** *(Update)*

The city is now “formally engaged” in the RRC program. I have been working to answer additional questionnaires from the state, and they have been conducting their own interviews. Once the in-depth survey process is complete, we will have a list of things to improve in order to be recognized and eligible for program benefits. Work items MIGHT include specific zoning changes, master plan updates, processing policies for building/zoning, and marketing efforts.

The DDA branding/marketing process continues to move forward. At their meeting on September 14<sup>th</sup>, many images were provided. There was a strong desire to stick with an image that conveys the rural nature of the community as it relates to the urban portions. The creek and a tag line that resembles the former, “where town and country join hands,” was popular. Make no mistake, the new image will be quite different as described by the graphic artist in attendance. We shall see what they come up with.

The DDA, as noted above, did not discuss this in October and will look to do so on November 9th. Note that the image was vetted next to others that conveyed themes related to art, the arch at the public lot downtown, and a stronger connection to the creek. They DDA and surveys did not indicate a strong affiliation with these themes. Rather, the themes of small town and community were very evident.

✓ **MEDICAL MARIJUANA LAND USES** *(Update)*

The planning commission held a public hearing on October 3 to consider an amendment of the zoning code to enable four of the five state licensed facilities (provisioning centers are not included):

1. Growing
2. Processing
3. Testing
4. Transportation

Though not an objective measure, it appears more of the public and commission do NOT support the ordinance at this time. No action was taken so it may be reviewed again in November.

The four permitted uses are proposed to be limited to special land uses within industrial districts. Note that the city can entirely opt out of regulating and permitting any of the state regulated uses.

✓ **DOG PARK** *(No Change of Status)*

The Eagle Scout candidates are back on the case. There is now a fundraising platform set up to make this happen (GoFundMe). If you are interested in contributing or know of another person or entity that might be, feel free to contact me.

✓ **FIVE YEAR PARK PLAN (Update)**

A draft is attached, and the park board intends to hold a meeting to finalize the document at their regular meeting on November 1<sup>st</sup>. Rowe Professional Services Company drafted the revised plan. They collected information from the park board at their July meeting regarding goals and the action plan.

A public hearing is expected for December 6<sup>th</sup>.

✓ **RADAR FEEDBACK SIGNS (Update)**

The police authority continues to explore options. They reported findings that point to a more efficient system at their September meeting. Lt. Bade may be planning a road trip to see a number of the signs in action around the area. Hopefully, they will have purchase options soon.

If the authority does not proceed, the city can still engage in its own program.

✓ **CONSUMERS CONSERVATION PILOT PROGRAM (Update)**

The webpage for this program is now up and running. I am awaiting their press release and digital information so that we may begin promoting the program. It appears that the competition for participation includes two city projects of Consumers' choosing. These projects include the future "Holland Square" and the trail system that is proposed. The primary vote winning is to get \$15,000. Obviously, these resources would be put to good use!

CE going to do a kickoff event in the community on Saturday, October 28<sup>th</sup>, from 11:00 a.m. – 1:00 p.m. This will be located at 5012 Holland Drive.

The previous report follows (this section shall be removed from future reports):

The purpose of the pilot is to engage other stakeholders in the area for participation in a new pilot program that will explore how best to reduce energy load on a specific substation in the city.

CE is specifically seeking to learn how much energy a community-wide energy reduction program can save. They indicated that our sub-station is at 70%+ capacity. Their goal is to reduce energy usage in the 48473 zip code to avoid an upgrade. I indicated that there are growth pressures in the residential and commercial sectors that may conflict with the need to reduce energy consumption. They indicate that the pilot's secondary goal is to assess the impact of energy conservation on existing customers as well, making this a learning experience of value, whether or not an upgrade is ultimately needed.

To conduct the program, the city's approval and involvement is not required, however, I indicated that myself or another staff member could serve on their task force if needed. What they are proposing is a targeted marketing campaign to get residents and businesses to reduce energy by: 1. Learning best practices, 2. Competing for prizes for reductions, 3. Gaining access to technology and rebates that can improve efficiency.

One component that does involve the city and broader community is the competition component. The CE representatives indicated that there will be individual and collective competitions. Winners of these savings competitions would be eligible for individual prizes, and there would also be one or more community prizes. The community prize was described as a contribution of about \$10,000 to a community endeavor that participants could vote for. I indicated that there were some items available for donations and/or had pre-existing line items in our budget, such as the Dog Park, Disc Golf, Holland Drive Property, and trails. They will likely pick a candidate from among these options, as well as some school or other community options.

✓ **DURAND AREA INDUSTRIAL INVESTMENT** *(No Change of Status)*

This matter is starting to gain the attention of the world. Unfortunately, I have no new information regarding the rumored industrial investment that is planned for the Durand area. The best information that I have found was included in the June 26 city council packet. What appears to be affirmed is that some sort of steel or raw material producer is interested in constructing a large facility north of Durand. This facility is alleged to be valued at close to \$5 Billion and would employ hundreds of employees. It is also being promoted as an engine for numerous spin off businesses.

The scale of this investment and its impact would be unprecedented and would dramatically impact the housing, retail, and service market for Swartz Creek, as well as potential industrial demand. However, no information has been substantiated to ameliorate concerns over air quality impacts. Since our community is 4-5 miles east by north east, we are in the immediate crosshairs of any such impacts. I have heard that the facility could be a potential polluter, and I have heard that it could have no measurable or observable impacts on air quality.

At this point, we find ourselves as a stakeholder in this project without much information to respond. I will do my best to learn more and report to the city council. This is something that, if it proceeds, will have a tremendously positive impact on our town, or a mixed impact (economic/environmental). Since various state and federal agencies are involved, we should be prepared to inform ourselves and use our formal and collective voice to promote the best interest to the Swartz Creek community.

✓ **TAX REVERTED PROPERTY LIST** *(No Change of Status)*

For the time being, the accepted course of action is to hold the Heritage property, pending use in accordance with the current development and sale process that the neighborhood association is coordinating with J.W. Morgan Inc.

I have received a call from an alleged property interest of the Second Street vacant land. They indicated that they missed the tax payments for various reasons and would like the property back. The contact indicated that the house adjacent to the site was owned by the same owner, but had the taxes paid by an escrow company. I indicated that the city is likely to take ownership of this property due to circumstances, but a letter to the city council requesting sale back to them would be the best way to proceed with any attempt to reacquire it.

✓ **5157 MORRISH ROAD DEMOLITION (Update)**

The demolition should be complete this month. However, this could be delayed because we are having last minutes delays with Consumers Energy. Thoughts on reuse? Standard practice for single lot properties is to sell them to an adjacent land owner. There has been interest by local builders in placing new housing, similar to the bungalow homes that were built about a decade ago on First and Wade.

✓ **FIRE DEPARTMENT (Update)**

I have been working with the interim chief, Mr. Dave Plumb, and the township supervisor, Mr. Chris Gehringer. We have been forward with business such as the budget, space allocation, and communication regarding the Urban Cooperation Act agreement.

For the time being, it appears the fire board is functioning with a degree of normalcy and civility. They have met to discuss equipment repair and are convening committees to discuss Mr. Cole's potential severance and the process to hire a replacement chief.

Initial conversations with Mr. Gehringer indicate a willingness to discuss the members and voting provisions of the interlocal agreement. To that end, I have drafted changes that include membership qualifications, provisions for a neutral seventh member, and supermajority voting provisions.

✓ **FIRE DEPARTMENT BUDGET (Update)**

Included in the packet is a budget and accompanying narrative regarding the 2018 Fire Department Budget. The operating budget is generally in line with last year's budget, with a 2.29% proposed increase. Much of this increase comes in the form of equipment and additional wages to cover previously donated mechanical services. Note that there is a \$50,000 municipal match listed as an additional outlay for SCBA compressor equipment that is the subject of a FEMA grant application.

While there may be ongoing discussion about how or even IF the department functions moving forward, I believe routine business should be conducted as such unless explicitly directed to do otherwise. I recommend we approve the budget as presented by the fire board.

✓ **DON SHENK HOME REHABILITATION (Update)**

Emergency restoration services are being executed as of writing this report. All communications indicate that the process is going well with good results. It has been reported that the floors are indeed hardwood and in outstanding condition. The project is ahead of scheduled, on budget, and without any unforeseen problems.

The architect has been directed to do a final walk through with the home partially restored and create appropriate bid specifications for refurbishment. The previous report follows:

The temporary Housing Improvement Committee met for the first time, with the assistance of a professional architect, on September 7<sup>th</sup>.

A future meeting has not been scheduled at this time. The action plan moving forward is to immediately conduct cleanup services within the home. Circumstances have not been kind. After keying the locks to gain access (again), we discovered deteriorating conditions. We made the decision to immediately engage a service company to clean up bad conditions, including carpet removal throughout as well as basement wall demolition and removal.

The tentative rehabilitation budget is \$80,000, with the understanding that acquisition, carrying, and realty costs will amount to about \$35,000. The committee came up with a tentative list of repairs and improvements (see the minutes). Once these are priced and the home is in a better condition to have a secondary evaluation, bid specs are expected to be delivered. The city can then engage in sealed bids for such services. Since profit is not an option, it can be assumed that no amount of investment will help or hurt the city financially unless we invest more than a sale can reasonably generate.

Reminder: the city CANNOT profit from this endeavor. Tax rules require that proceeds to be returned to the county. So, the city could recover any investments in owning, operating, improving, and maintaining the house, but the city cannot sell it for more than those investment inputs and keep the proceeds.

✓ **OTHER COMMUNICATIONS & HAPPENINGS** *(Update)*

✓ **MONTHLY BUDGET REPORT** *(Update)*

The regular monthly budget report is included for reference.

✓ **BOARDS & COMMISSIONS** *(See Individual Category)*

✓ **PLANNING COMMISSION** *(No Change of Status)*

The planning commission held a regular meeting on October 3<sup>rd</sup>. The Medical Marihuana ordinance and hearing proceedings are discussed above.

A second public hearing and review process was held for the KFC restaurant and drive through for the northwest corner of Miller and Elms. The plan was well received and is much more compatible with the site constraints than previous site plan applications for this site. The primary concern of the city staff, planning commission, and attending public was traffic. KFC made modifications per the September meeting, and the city requested a review of the site and function by the city's traffic engineer. Site plan materials and review letters are attached. Scale plans are forthcoming. The planning commission voted unanimously to approve the site plan with certain waivers and conditions. Note that a sign variance is expected for a proposed pole sign.

The planning commission also recommends approval for another phase in Springbrook East. This site plan consists of a small infrastructure addition of seventeen (17) units. Site plan materials and plans are included with the packet. The requisite trees have been added, making approval a very straight forward matter.

The next meeting is scheduled for November 7.

- ✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**  
A DDA meeting for October 12 was cancelled due to a lack of quorum. The next regular meeting is scheduled for November 9. Ongoing business includes the Sunoco (Holland Square) and branding. With the loss of the October meeting, I suspect there will NOT be a public project occurring on the Sunoco site in the spring.
- ✓ **ZONING BOARD OF APPEALS (Update)**  
A variance application for a pole sign HAS been received by KFC. This will be heard and reviewed on November 15, 2017.
- ✓ **PARKS AND RECREATION COMMISSION (No Change of Status)**  
Their meeting was held on October 4th. Primary matters are reported elsewhere in the packet (park plan & trails). The minutes of the meeting describe deliberations and findings related to the tot lot community build and other Elms Park updates. Moving forward, it appears Park Board meetings shall be scheduled for 5:30 p.m.!
- ✓ **BOARD OF REVIEW (No Change of Status)**  
The March Board of Review met on July 18, 2017. I believe they meet again for specific appeals in December.

## NEW BUSINESS / PROJECTED ISSUES & PROJECTS

- ✓ **CHARTER ANNOTATION REQUIREMENT (Business Item)**  
We received notice from the Michigan Municipal League that a recent state law supersedes our charter provision regarding nominating petition deadlines. In short, the new law requires fifteen weeks instead of the previous twelve weeks (seven per the city charter). As such, we are to direct the Municode Corporation, which is the entity responsible for codifying the city charter and ordinances, to annotate this provision with our code. The MML is requesting that this change be recognized by resolution and sent to them. I have crafted such a resolution. The notice from the MML is attached. Because our regular elections are held in November of even years, MCL 168.646a(1) applies, per the MML schedule attached.
- ✓ **COMPENSATION COMMISSION APPOINTMENT (Business Item)**  
The compensation commission is due to meet this year. Per the city ordinance, this group has five members and meets every odd year. All city council members should have had this packet emailed to them for the meeting that is scheduled for October 26<sup>th</sup> at 5pm.  
  
Per the ordinance, no member can serve in any executive, legislative or judicial function at any level of government. This makes Mr. Barclay's appointment invalid due to his position on the Zoning Board of Appeals, an adjudicatory body of the city. As such, the Mayor is recommending affirmation of Boots Abrams for this vacancy.
- ✓ **RATES AND FEE SCHEDULE UPDATE (Business Item)**

As in years past, we have completed our fall review of city rates and fees. Changes are recommend for the building department. The impetus for doing so is a change in building inspector fees and associated municipal fees by Mundy Township. For the last several years, we have maintained a fee schedule with Mundy Township for consistency among the building/trade sector expectations and the shared employees that are engaged in the interlocal service. Most fees have NOT changed. However, the inspection fees paid out have increased, necessitating an increase in most inspections from \$50 to \$65 dollars. Some of the line item fees changed by small amounts both downward and upward.

Staff has reviewed this rate schedule in its entirety. No other changes are recommended at this time with the exception or removing police service fees that are no longer relevant. A resolution is included to update the schedule. Note that the resolution does not include 'tracked changes' in this edition due to the large changes in form. I have attached the current fee schedule in the packet for comparison.

✓ **GROUND WATER ORDINANCE DRAFT (Update)**

I have attached an email and draft ordinance from Exxon. Per the agreement we executed with them, the city is expected to adopt an ordinance in a form similar to that which is proposed. The purpose of the ordinance is to satisfy the State of Michigan Department of Environmental Quality that ground water is safe or otherwise unusable for drinking purposes. As such, we have not moved on adopting an ordinance (nor has Exxon been pushing the matter) until such time that the DEQ finds the ordinance adequate.

So, please take a look at their comments and the ordinance. At some point, we are expected to approve something along these lines in order to remain within the terms of the cleanup agreement. Hopefully, the state will provide comments soon so we can move beyond this.

✓ **ANIMAL ORDINANCE INFORMATION (Update)**

The resident with concerns about stray and feral animals has been doing more research on the topic. I have included some information that she has compiled. We also spent some time discussing the matter. After hearing her concerns and the model for addressing them, I am comfortable stating that there is more enforceability and potential upside than I initially thought. There are obvious concerns regarding owner rights, the resource demand, and the measurable outcomes. However, she makes a compelling case and may work to find some model ordinances that similar communities have used.

I would be more than happy to receive comment on the matter. If directed by the city council, I can assist in bringing a draft ordinance before the planning commission or city council. If there is still no interest, please let me know that so I can notify the resident. If there is no comment, I will not act until I have more to pass along from the public.

✓ **AUDIT (Update)**

Initial findings are good as it relates to our processes, accuracy, checks/balances, and financial performance. In fact, city savings in the general fund and sewer fund

are more pronounced than expected. This is a good result, but we must still address the discrepancy between our budget forecasts and our actual end-of-year positions.

The auditors will be in to provide their formal presentation and audit distribution in November. Depending on the circumstances, we may engage them further to detail where we are underspending or underestimating revenues so we have a more accurate budget picture. In years past, this was not a problem, given the nature of projected budget deficits and the ability to finish balanced. However, at this point, there are many competing capital expenses and higher revenues than before. As such, accuracy is crucial in creating multi-year budgets for infrastructure outlays and/or revenue cuts.

### **Council Questions, Inquiries, Requests, Comments, and Notes**

*Halloween:* Past practice in the city has been to have official trick or treating be on Halloween day, regardless of which day of the week, between 6pm and 8pm. Some communities prefer to move trick or treat days to better coincide with the weekend, with the times shifting an hour or so either way based upon local preference. Unless there are other thoughts or objections, we will set trick or treat for 6PM – 8PM on Tuesday, October 31, 2017. Notice has gone out to notify residents that there will NOT be trick or treat activities in the reconstruction zone. Tom has been instructed to barricade and sign sidewalks.

*Park Seasonal Closing:* Winshall Park restrooms and drinking fountains have been closed for the winter. Elms Park will close on October 27<sup>th</sup>.

*Assessing Service:* Legacy Assessing, the city's contract provider for this service, has staff doing routine checks on real property in the city. They are going door to door to do so. Their staff hold valid identification and an authorization letter from my office.

**City of Swartz Creek  
RESOLUTIONS  
Regular Council Meeting, Monday, October 23, 2017, 7:00 P.M.**

**Resolution No. 171023-4A            MINUTES – OCTOBER 9, 2017**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, October 9, 2017, to be circulated and placed on file.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 171023-5A            AGENDA APPROVAL**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of October 23, 2017, to be circulated and placed on file.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 171023-6A            CITY MANAGER’S REPORT**

Motion by Councilmember: \_\_\_\_\_

**I Move** the Swartz Creek City Council accept the City Manager’s Report of October 23, 2017, including reports and communications, to be circulated and placed on file.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 171023-8A            RESOLUTION TO APPROVE THE FISCAL YEAR 2018  
BUDGET FOR THE FIRE DEPARTMENT**

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the agreement for fire service between Clayton Township and Swartz Creek City indicates a specific process for budgetary review and approval by the municipalities; and,

**WHEREAS**, the staff of Clayton Township and the Swartz Creek City have found the proposed budget to be acceptable by both parties; and,

**WHEREAS**, the Swartz Creek Fire Board anticipates affirming the proposed budget at their regular meeting on October 16, 2017 budget.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City of Swartz Creek approve the Fiscal Year 2018 Swartz Creek Area Fire Board Budget, a copy of which is attached hereto, gross maximum total not to exceed \$346,739.17, and further, appropriate an amount not to exceed \$173,170 from the City General Fund, to be paid commiserate of the agreement between the City of Swartz Creek and the Township of Clayton, payment being the City's obligation of one-half of the proposed total budget of \$346,739.17, with \$50,000 of this contingent upon a FEMA grant award.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 171023-8C**

**RESOLUTION TO APPROVE ANNOTATION OF THE CITY CHARTER TO REFLECT CHANGES IN STATE OF MICHIGAN ELECTION LAW**

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the Swartz Creek City Charter, Section 12.6, provides for nominating petitions for regular city council elections in even years, and;

**WHEREAS**, State of Michigan Election Law contains incompatible provisions that supersede the city's charter requirements, and;

**WHEREAS**, the Michigan Municipal League has identified these incompatibilities, recommended solutions, and liaised with the city's codification provider, Municode, and;

**WHEREAS**, the City Council finds the state statute to be valid and not inconsistent with the intent of the charter or the conduct of regular city primaries and elections.

**NOW, BE IT RESOLVED** that the Swartz Creek City Council hereby recognizes provisions of MCL 168.646a(1) as superseding the city charter and affirms appropriate election nominating petition due time of 4:00 p.m. on the 15<sup>th</sup> Tuesday before the August primary.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby directs the city clerk to forward this resolution to the Michigan Municipal League and the Municode codification service provider, with instructions on the appropriate November of even year election petition annotation information.

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 171023-8D**

**RESOLUTION TO APPOINT A MEMBER TO THE LOCAL OFFICERS COMPENSATION COMMISSION**

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the laws of the State of Michigan, the Charter and Ordinances of the City of Swartz Creek, interlocal agreements in which the City of Swartz Creek is a member, and previous resolutions of the city council require and set terms of offices for various appointments to city boards and commissions, as well as appointments to non-city boards and commissions seeking representation by city officials; and

**WHEREAS**, there exists a vacancy in the local officers compensation commission due to recognized service of Mr. Barclay as a member of the city adjudicatory body, the Zoning Board of Appeals; and

**WHEREAS**, said appointment is a Mayoral appointments, subject to affirmation of the city council.

**NOW, THEREFORE, BE IT RESOLVED**, the Swartz Creek City Council concur with the Mayor and City Council appointment as follows:

#171023-8D1 **MAYORAL APPOINTMENT:** Mrs. "Boots" Abrams  
Local Officers Compensation Commission, Citizen  
Remainder of three year term, expiring September 30, 2018

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 171023-8E**

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

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the City collects rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services, and;

**WHEREAS**, such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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, fees for permits, charges for services, cost recovery's and cost recovery for consulting services, and;

**WHEREAS**, other such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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, fees for permits, charges for services, cost recovery's and cost recovery for consulting services to be set by resolution of the City Council, and;

**WHEREAS**, the City has need to implement additional rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services to be set by resolution of the City Council, and;

**WHEREAS**, the City desires to have all such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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	\$ 20.00
(b) Angle parking violations	\$ 20.00
(c) Obstructing traffic	\$ 20.00
 <u>Prohibited parking (signs un-necessary)</u>	
(d) On sidewalk	\$ 20.00
(e) In front of drive	\$ 20.00
(f) Within intersection	\$ 20.00
(g) Within 15 feet of hydrant	\$ 20.00
(h) On crosswalk	\$ 20.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 20.00
(j) Within 30 feet of street side traffic sign or signal	\$ 20.00
(k) Within 50 feet of railroad crossing	\$ 20.00
(l) Within 20 feet of fire station entrance	\$ 20.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 20.00
(n) Beside street excavation when traffic obstructed	\$ 20.00
(o) Double parking	\$ 20.00
(p) On bridge of viaduct or within tunnel	\$ 20.00
(q) Within 200 feet of accident where police in attendance	\$ 20.00
(r) In front of theater	\$ 20.00
(s) Blocking emergency exit	\$ 20.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 20.00
(w) In alley (signs required)	\$ 20.00

Parking for prohibited purpose

(x) Displaying vehicle for sale	\$ 20.00
(y) Working or repairing vehicle	\$ 20.00
(z) Displaying advertising	\$ 20.00
(aa) Selling merchandise	\$ 20.00
(bb) Storage over 48 hours	\$ 20.00
(cc) Wrong side boulevard roadway	\$ 20.00
(dd) Loading zone violation	\$ 20.00
(ee) Bus, parking other than bus stop	\$ 20.00
(ff) Taxicab, parking other than cab stand	\$ 20.00
(gg) Bus, taxicab stand violations	\$ 20.00
(hh) Failure to set brakes	\$ 20.00
(ii) Parked on grade wheels not turned to curb	\$ 20.00
(jj) Parked on lawn extension within right of way	\$ 20.00
(kk) Parked on front lawn	\$ 20.00

All \$20.00 violations not paid within 20 days will be assessed a \$10.00 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 67<sup>th</sup> 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 67<sup>th</sup> 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:

Police Personnel	\$40	Per Hour
Police Clerical	30	Per Hour
Police Car	15	Per Hour
Fire Personnel	20	Per Hour
Fire Pumper	250	Per Hour
Fire Support Vehicles	100	Per 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**

<u>Elms Park</u>	
Pavilion #1	\$ 70.00
Pavilion #2	\$ 120.00

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

Winshall 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"	\$51.22
1.5"	\$220.77
2"	\$353.23
3"	\$662.31
4"	\$1,103.85
6"	\$2,207.70

**Commodity charge (per 100 cubic feet of water): \$7.07**

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 metered account):	\$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	\$75
(plus \$50.00 for each inspection)	
Additional inspections	\$75
Certificate of Occupancy	\$50

**B. Electrical Inspection Fees**

Application Fee (non-refundable) \$65

**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
<b><u>K.V.A. &amp; H.P.</u></b>	
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
<b><u>Fire Alarm Systems (excl. smoke detectors)</u></b>	
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
<b><u>Inspections</u></b>	
Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25
<b>C. Mechanical Inspection Fees</b>	
Application Fee (non-refundable)	\$65
<b><u>Residential Heating System</u></b>	
(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
<b><u>Tanks</u></b>	
Aboveground	\$20
Aboveground Connection	\$20
Underground	\$20
Underground Connection	\$20

Humidifiers/Air Cleaners	\$5
<b><u>Piping</u></b>	
Piping-minimum fee \$25	\$.05/ft
Process piping	\$.05/ft
Duct-minimum fee \$25	\$.10/ft
Heat Pumps; Commercial (pipe not included)	\$20
<b><u>Air Handlers/Heat Wheels</u></b>	
Conversion Burners (oil)	\$25
Commercial Hoods/Exhausters	\$30
Heat Recovery Units	\$15
V.A.V. Boxes	\$10
Unit Ventilators	\$10
Unit Heaters (terminal units)	\$15
<b><u>Fire Suppression/Protection/Other</u></b>	
(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
<b><u>Inspections</u></b>	
Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25
<b>D. Plumbing Inspection Fees</b>	
Application Fee (non-refundable)	\$65
<b><u>New Residential Plumbing System</u></b>	
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
<b><u>Water Service</u></b>	
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)**

¾" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10
1 ¼" Water Distribution Pipe	\$15
1 ½" 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. Appendix B: Franchises**

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

**16. 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.

**17. 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	\$100
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

**18. 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

**19. 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	Dated August 8, 2016 (Solicitation)
<b>Resolution No. 161023-8E</b>	<b>Dated October 23, 2017 (Building; Police Removal)</b>

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**CITY OF SWARTZ CREEK  
SWARTZ CREEK, MICHIGAN  
MINUTES OF THE REGULAR COUNCIL MEETING  
DATE 10/09/2017**

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: Cramer, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Eskew, City Attorney Mike Gildner.

Others Present: Lania Rocha, Steve Shumaker, Bob Plumb, Tommy Butler, Steve Long, Lou Fleury, Kim Carlson.

**APPROVAL OF MINUTES**

**Resolution No. 171003-01**

**(Carried)**

Motion by Councilmember Porath  
Second by Mayor Pro Tem Pinkston

**I Move** the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday September 25, 2017, to be circulated and placed on file.

YES: Florence, Gilbert, Hicks, Krueger, Pinkston, Porath, Cramer.  
NO: None. Motion Declared Carried.

**APPROVAL OF AGENDA**

**Resolution No. 171003-02**

**(Carried)**

Motion by Councilmember Cramer  
Second by Councilmember Florence

**I Move** the Swartz Creek City Council approve the Agenda as, amended for the Regular Council Meeting of October 3, 2017, to be circulated and placed on file.

YES: Gilbert, Hicks, Krueger, Pinkston, Porath, Cramer, Florence.  
NO: None. Motion Declared Carried.

## **CITY MANAGER'S REPORT**

### **Resolution No. 171003-03**

**(Carried)**

Motion by Councilmember Florence  
Second by Councilmember Gilbert

**I Move** the Swartz Creek City Council accept the City Manager's Report of October 3, 2017, including reports and communications, to be circulated and placed on file.

YES: Hicks, Krueger, Pinkston, Porath, Cramer, Florence, Gilbert.  
NO: None. Motion Declared Carried.

### **MEETING OPENED TO THE PUBLIC:**

Lou Fleury, Rowe, gave update on the street paving project. November deadline should be met based on where they are at now and assuming weather cooperates. Elms Park updates the trail is ready for paving, asphalt for handicap parking still needs to be done and some sidewalk work still needs done.

Michael Berry, Cougar Electric, wanted to let the council know about his concerns with improper installation of generators and proper permits not being pulled on the installations. He asked the council to do some research and see if permits have been pulled and if they were installed properly. He has seen many installed improperly and is concerned with the safety of homeowners.

Steve Long 5356 Worchester, asked the council to close streets under construction and not allow trick or treating for safety reasons on Halloween. He also voiced his concerns over notices received for street construction work to be done and then it not being done in the time frame notice indicated. He expressed the inconvenience this causes the residents.

### **COUNCIL BUSINESS:**

#### **RESOLUTION TO APPROVE THE SITE PLAN AND SPECIAL LAND USE FOR KFC RESTAURANT AND DRIVE THROUGH AT 7026 MILLER ROAD**

### **Resolution No. 171009-04**

**(Carried)**

Motion by Councilmember Hicks  
Second by Councilmember Cramer

**WHEREAS**, the city received a proposal to construct a restaurant with drive through on 0.55 acres of vacant land on Miller Road, identified as parcel 58-36-576-001, said land zoned General Business District (GBD) with a Planned Unit Development overlay zoning classification, and;

**WHEREAS**, the project is a special land use within the GBD and requires a full site plan review, with an additional approval for the special land use, and;

**WHEREAS**, the planning commission found that the project, as a redevelopment of a former gas station with three curb cuts, is being developed in accordance with the intent and concept plan on file for the Planned Unit Development District, and;

**WHEREAS**, the planning commission, in reviewing the application materials and review criteria in Zoning Ordinance Sections 8, 20, & 26-30, among other sections, found the proposed site plan for a restaurant, inclusive of the special land use for drive through, meets the intent of the zoning ordinance, and;

**WHEREAS**, the planning commission found that the site plan in conjunction with the special land use, meets all other general standards applicable for the site plan and special land use, with the following exceptions:

1. Landscaping requirement for seven canopy trees (four provided, plus nine ornamental)
2. Drive through stacking of ten spaces (eight provided), and;

**WHEREAS**, the planning commission, in reviewing the same sections, found that the plan, while not in strict compliance with the specific ordinance requirements for a special land use, finds such special land use requirements to be unnecessary or irrelevant in accordance with Zoning Section 30.09, including:

1. SLU Requirement for a 75' rear yard setback (20' provided)
2. Three drive through delivery spaces (two provided)
3. Two RV/Truck parking spaces (zero provided), and;

**WHEREAS**, the planning commission found that the landscape plan, as submitted, is a more optimized plan in accordance with Zoning Section 28.07 and that the drive through stacking provided is sufficient per the requirements of the applicant per Zoning Section 26.03, and

**WHEREAS**, the engineering reviews are not yet available as it relates to utilities, storm water, and related features, and;

**WHEREAS**, the planning commission recommended approval of the site plan, dated 10/03/2017 (general), 09/19/2017 (landscape) & 09/05/2017 (elevations), to the city council, subject to the following alternate plans, as well as any recommendations of the city engineers:

1. Landscaping provision as illustrated
2. Drive through stacking of eight spaces, and;

**WHEREAS**, the Swartz Creek Planning Commission recommended approval of the special land use to the city council, subject to the following waivers and the recommendations of the city engineers:

1. Waiver of provision a 75' rear yard setback (20' provided)
2. Waiver of provision of one of three drive through delivery spaces
3. Waiver of provision for two RV/Truck parking spaces, and;

**WHEREAS**, the city council concurs with the findings and recommendation of the planning commission.

**NOW, BE IT RESOLVED** that the Swartz Creek City Council hereby recommends approval of the site plan, dated 10/03/2017 (general), 09/19/2017 (landscape) & 09/05/2017 (elevations), subject to the following alternate plans, as well as any recommendations of the city engineers:

1. Landscaping provision as illustrated
2. Drive through stacking of eight spaces.

**BE IT FURTHER RESOLVED** that the Swartz Creek City Council hereby approves the special land use, subject to the following waivers and the recommendations of the city engineers:

1. Waiver of provision a 75' rear yard setback (20' provided)
2. Waiver of provision of one of three drive through delivery spaces
3. Waiver of provision for two RV/Truck parking spaces.

Discussion Ensued.

YES: Krueger, Pinkston, Porath, Cramer, Florence, Gilbert, Hicks.

NO: None. Motion Declared Carried.

## **RESOLUTION TO APPROVE THE SITE PLAN FOR THE SPRINGBROOK EAST PHASE II CONDOMINIUM DEVELOPMENT**

**Resolution No. 171009-05**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Cramer

**WHEREAS**, the city received a proposal to continue development of two family housing within an approved Planned Unit Development on property identified as parcel 58-36-400-011, said land zoned Two Family Residential (R-4) with a Planned Unit Development overlay zoning classification, and;

**WHEREAS**, the project is a use permitted as of right that requires a full site plan review, and;

**WHEREAS**, the planning commission found that the project is proposed in accordance with the intent and concept plan on file for the Planned Unit Development District, and;

**WHEREAS**, the planning commission, in reviewing the application materials and review criteria in Zoning Ordinance Sections 8, 20, & 26-30, among other sections, found the proposed site plan for two family housing to meet the intent of the zoning ordinance, and;

**WHEREAS**, the planning commission found that the site plan, meets all other general standards applicable for the site plan, and;

**WHEREAS**, the engineering reviews are not yet available as it relates to utilities, storm water, and related features, and;

**WHEREAS**, the planning commission recommended approval of the site plan with various contingencies as required and/or enabled by the zoning ordinance, and;

**WHEREAS**, the city council concurs with the findings and recommendation of the planning commission.

**NOW, BE IT RESOLVED** that the Swartz Creek City Council hereby approves the site plan, dated March 24, 2017, and subsequently revised, subject to the following:

1. Submission of amended condominium documents, including a master deed
2. Use of street signs that match those currently used in Springbrook East
3. Approval of street, water, sewer, and storm utilities by the city engineer
4. Issuance of a bond or escrow by the developer sufficient to ensure completion of public utilities noted above, including lighting
5. Compliance of home plans with the residential design standards and any applicable condominium by laws

Discussion Ensued.

YES: Pinkston, Porath, Cramer, Florence, Gilbert, Hicks, Krueger.

NO: None. Motion Declared Carried.

**RESOLUTION TO APPROVE SERVICES TO PROVIDE IMMEDIATE CLEAN UP AND PARTIAL RESTORATION SERVICES AT 5256 DON SHENK**

**Resolution No. 171009-06**

**(Carried)**

Motion by Mayor Pro Tem Pinkston  
Second by Councilmember Cramer

**WHEREAS**, the city has acquired a residential structure in the community that is in need of repairs and improvement; and

**WHEREAS**, a temporary committee and staff are working to create bid specifications for the home; and

**WHEREAS**, existing conditions of the home, including carpeting, wall coverings, and the existence of debris, make observation of existing conditions difficult and also have the potential to create a hazard; and

**WHEREAS**, the council finds that professional services are needed to mitigate such conditions; and

**WHEREAS**, time is of the essence.

**NOW, THEREFORE, BE IT RESOLVED**, the City of Swartz Creek City Council hereby authorizes the city manager to perform mitigation of the structure at 5256 Don Shenk Drive, per Ordinance Section 2-402, using the services of 1-800-Water Damage per the estimate dated September 30, 2017, costs not to exceed \$7,500.

Discussion Ensued.

YES: Porath, Cramer, Florence, Hicks, Krueger, Pinkston.  
NO: Gilbert. Motion Declared Carried.

**RESOLUTION TO APPROVE PROFESSIONAL SERVICES TO CREATE AND SUBMIT APPLICATION TO THE USDA FOR GRANT AND LOAN ASSISTANCE RELATED TO WATER MAIN REPLACEMENT**

**Resolution No. 171009-07**

**(Carried)**

Motion by Councilmember Porath  
Second by Councilmember Cramer

**WHEREAS**, the City of Swartz Creek owns, operates, and maintains a water distribution system, and

**WHEREAS**, the city is replacing streets, water main, and other public improvements as part of an ongoing investment strategy, and

**WHEREAS**, the city provides local and transmission water main that serves city residents and area residents alike, and

**WHEREAS**, the city may qualify for USDA grant funds and/or low interest loans that would defray some of the expense of providing for this local and regional water main infrastructure, and

**WHEREAS**, application for such grants and loans is an involved process, requiring the technical input of a professional engineer, and

**WHEREAS**, Rowe Professional Services Company, functioning as the city's engineer, delivered a proposal, dated September 28, 2017 to provide such services.

**NOW, THEREFORE BE IT RESOLVED** that the City of Swartz Creek City Council accepts the proposal from Rowe in the amount of \$12,812 for the noted services.

**BE IT FURTHER RESOLVED** that the City of Swartz Creek directs the Treasurer to apportion expenses from the water fund.

**BE IT FURTHER RESOLVED**, that the City Council directs the City Manager to execute said proposal on behalf of the city.

Discussion Ensued.

YES: Cramer, Florence, Gilbert, Hicks, Krueger, Pinkston, Porath.  
NO: None. Motion Declared Carried.

**MEETING OPENED TO THE PUBLIC:**

Tommy Butler 40 Somerset, feels that it would be a disgrace to have Mary Crapo tore down.

**REMARKS BY COUNCILMEMBERS:**

Councilmember Porath glad to see Mr. Gildner at meeting tonight. He informed council the fire department will not be getting a FEMA grant this year. He requested the speed limit on Morrish Road heading south past 69 be increased. He suggested councilmembers pay get reevaluated. He feels they should get a salary instead of per meeting pay.

Councilmember Cramer glad to hear about KFC putting up a Swartz Creek city sign. He informed everyone there was about 20 people who attended the Bomb Threat Awareness presentation.

Councilmember Florence concerned in regards to the generators installed and possible violations of installation.

Councilmember Hicks thanked the audience tonight for their input, she learned a lot tonight.

Councilmember Gilbert commented on the continuous garage sale at the property on Gateway.

Mayor Pro Tem Pinkston commented it's good to be green.

Mayor Krueger thanked everyone for coming out tonight and he is glad to be back.

**ADJOURNMENT**

**Resolution No. 1710-08**

**(Carried)**

Motion by Councilmember Gilbert  
Second by Councilmember Cramer

**I Move** the Swartz Creek City Council adjourn the regular meeting at 8:44 p.m.

Unanimous Voice Vote.

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**Dennis Pinkston, Mayor Pro Tem**

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**Connie Eskew, City Clerk**



# Swartz Creek Area Fire Department

Serving Clayton Twp. and Swartz Creek Since 1925  
8100 B Civic Dr., Swartz Creek MI 48473-1376 • phone: 810-635-2300 • fax: 810-635-7461

October 18, 2017

Charter Township of Clayton Board  
City of Swartz Creek Council

Attached you will find the 2018 Proposed Budget for the Swartz Creek Area Fire Department (SCAFD). At their October 16<sup>th</sup>, 2017 meeting the Fireboard, by resolution, recommended to forward this document to you for consideration.

I look forward to being present at your next regularly scheduled meeting, if this topic is placed on the agenda, in order to answer any questions you may have.

Respectfully Submitted,

Dave Plumb  
Interim Fire Chief



2018 BUDGET-DRAFT

2018 BUDGET BREAKDOWN :

Account			2017	2018	Change
<b>4703 Social Security</b>			<b>11,822.58</b>	<b>12,251.17</b>	<b>428.59</b>
	2014 Actual	\$11,060.92			
	2015 Actual	\$9,476.27			
	2016 Budget	\$11,300.47			
Chief Salary			33,670.00	33,670.00	-
Acct & Clerical Wage			12,480.00	14,700.00	2,220.00
Officers			18,072.00	18,072.00	-
Main/Train			13,621.00	21,704.00	8,083.00
Firefighters			76,700.00	72,000.00	(4,700.00)
	TOTA	\$160,146.00 0.0765	11,822.54	12,251.17	428.63
<b>4704.1 Chief Salary</b>			<b>33,670.00</b>	<b>33,670.00</b>	<b>-</b>
	2014 Actual	\$30,082.00			
	2015 Actual	\$30,979.00			
	2016 Budget	\$30,979.00			
Chief's Salary			33,670.00	33,670.00	-
<b>4704.2 Accounting Specialist &amp; Clerical Wages</b>			<b>12,480.00</b>	<b>14,700.00</b>	<b>2,220.00</b>
	2014 Actual	\$12,590.50			
	2015 Actual	\$7,035.13			
	2016 Budget	\$6,695.00			
Accting Specialist Wage	\$14.00/HR APPROX 20 HOURS PER WEEK		7,280.00	14,700.00	7,420.00
Clerical Wage			5,200.00	-	(5,200.00)
	TOTAL		12,480.00	14,700.00	2,220.00
<b>4705 Maint. &amp; Train. Wages</b>			<b>13,621.00</b>	<b>21,704.00</b>	<b>8,083.00</b>
	2014 Actual	11957.5			
	2015 Actual	12501.39			
	2016 Budget	11372			
Truck Maintenance Duties	\$267/mth		3,204.00	3,204.00	-
Mechanic Maintenance Duties			0	\$4,500.00	4,500.00
Quarter Master Duties	\$157/mth to \$188/mth		1,884.00	2,256.00	372.00
Training Duties	\$212/mth		2,544.00	2,544.00	-
Fire Prevention Duties	\$100/mth		1,200.00	1,200.00	-
Firefighter Labor:					
Hose Testing	Normal Firefighter hourly rate		1,144.00	Apart of Training	
Hall/Apparatus Duties	Normal Firefighter hourly rate		3,645.00	7,000.00	3,355.00
Flow Testing/SCBA Tech Maint	Normal Firefighter hourly rate		-	1,000.00	1,000.00
	TOTAL		13,621.00	21,704.00	8,083.00
<b>4706 Officer Salary</b>			<b>18,072.00</b>	<b>18,072.00</b>	<b>-</b>
	2014 Actual	\$15,222.50			
	2015 Actual	\$15,672.00			
	2016 Budget	\$15,672.00			
Asst. Chief (1)	217/mth		2,604.00	2,604.00	-
Batt. Chief (1)	187/mth		2,244.00	2,244.00	-
Captain (2)	334/mth		4,008.00	4,008.00	-
Lieutenant (4)	568/mth		6,816.00	6,816.00	-
Sergeant (2)	\$200/mth		2,400.00	2,400.00	-
	TOTAL		18,072.00	18,072.00	-

2018 BUDGET-DRAFT

<b>4707 Firefighter Wages</b>		<i>last raise 10% 2016</i>	<b>76,700.00</b>	<b>72,000.00</b>	<b>(4,700.00)</b>
	2014 Actual	\$74,514.48			
	2015 Actual	\$57,555.86			
	2016 Budget	\$83,000.00			
<b>FIREFIGHTER</b>					
	Probation I	\$11.73	\$11.73	\$11.73	-
	Probation II	\$12.52	\$12.52	\$12.52	-
	FFI	\$13.23	\$13.23	\$13.23	-
	FFII	\$14.45	\$14.45	\$14.45	-
	Officer I	\$15.59	\$15.59	\$15.59	-
	Officer II	\$16.50	\$16.50	\$16.50	-
	Officer III	\$16.96	\$16.96	\$16.96	-
	Tenure	+.30 for 3yrs; 5yrs & 5 year increments			
	Pump Operator		\$0.27	0.27	-
<b>4708 Deferred Compensation</b>			<b>2,468.00</b>	<b>2,468.00</b>	-
	2014 Actual	\$3,003.00			
	2015 Actual	\$2,225.50			
	2016 Budget	\$2,692.50			
	Firefighters: flat rate, \$52 per yr X15 FF		780.00	780.00	-
	Firefighters: \$1.50 per run x 15 FF X 75 runs (includes alarms & training)		1,688.00	1,688.00	-
	TOTAL		<u>2,468.00</u>	<u>2,468.00</u>	-
<b>4709 Medical Expense</b>			<b>3,605.00</b>	<b>5,165.00</b>	1,560.00
	2014 Actual	\$4,009.00			
	2015 Actual	\$3,461.00			
	2016 Budget	\$3,665.00			
	Physical 30 FF		3,440.00	5,000.00	1,560.00
	Hept B injections 3 shots @ \$55		165.00	165.00	-
	TOTAL		<u>3,605.00</u>	<u>5,165.00</u>	1,560.00
<b>4710 Unemployment Payments</b>			<b>750.00</b>	<b>750.00</b>	-
	2014 Actual	\$3,500.00			
	2015 Actual	\$0.00			
	2016 Budget	\$1,500.00			
	Unemployment Payments		750.00	750.00	-
	TOTAL		<u>750.00</u>	<u>750.00</u>	-

2018 BUDGET-DRAFT

<b>4727 Office Supplies</b>			<b>2,000.00</b>	<b>2,000.00</b>	-
	2014 Actual	\$1,626.82			
	2015 Actual	\$1,902.60			
	2016 Budget	\$2,000.00			
	Supplies (forms, envelopes, pens, etc...)		700.00	700.00	-
	Postage (stamps, special mailings)		300.00	300.00	-
	Shipping		955.00	955.00	-
	Sam's Club Membership		45.00	45.00	-
	<b>TOTAL</b>		<b>2,000.00</b>	<b>2,000.00</b>	-
<b>4728 Building Supplies</b>			<b>1,150.00</b>	<b>1,150.00</b>	-
	2014 Actual	\$847.54			
	2015 Actual	\$1,330.93			
	2016 Budget	\$1,000.00			
	Paper Products		300.00	300.00	-
	Cleaning Products		230.00	230.00	-
	Light Bulbs		40.00	40.00	-
	Keys		100.00	100.00	-
	Repairs/Updates		230.00	230.00	-
	Rehab Supplies		200.00	200.00	-
	First Aid Kit (restock)	Moved from 978	\$50.00	50.00	-
	<b>TOTAL</b>		<b>1,150.00</b>	<b>1,150.00</b>	-
<b>4741 Equipment Supplies</b>			<b>5,650.00</b>	<b>5,650.00</b>	-
	2014 Actual	\$7,993.45			
	2015 Actual	\$3,879.20			
	2016 Budget	\$7,000.00			
	Fuel		3,000.00	3,000.00	-
	Filters		300.00	300.00	-
	Oil		250.00	250.00	-
	Small Tools		400.00	400.00	-
	Misc. Supplies		1,700.00	1,700.00	-
	<b>TOTAL</b>		<b>5,650.00</b>	<b>5,650.00</b>	-
<b>4801 Contract Services</b>			<b>11,200.00</b>	<b>13,850.00</b>	2,650.00
	2014 Actual	\$6,581.70			
	2015 Actual	\$6,220.37			
	2016 Budget	\$7,085.00			
	Emergency Excavating/Towing		600.00	600.00	-
	Auditing Service		5,000.00	5,000.00	-
	Maintenance Agreement-Copier		600.00	600.00	-
	Legal Service		2,000.00	2,000.00	-
	Snow/Lawn Maint.		3,000.00	5,650.00	2,650.00
	<b>TOTAL</b>		<b>11,200.00</b>	<b>13,850.00</b>	<b>2,650.00</b>

2018 BUDGET-DRAFT

<b>4850 Communications</b>			<b>4,400.00</b>	<b>4,650.00</b>	250.00
	2014 Actual	\$3,654.55			
	2015 Actual	\$3,905.02			
	2016 Budget	\$4,550.00			
	Web Site Domain Name (renew in 2020 GoDaddy)		-	-	-
	Web Site Domain Hosting (1and1 renew 2020)		100.00	-	(100.00)
	IAR (I Am Responding) Smart Phone Program		650.00	650.00	-
	Phones/Internet Access		3,650.00	4,000.00	350.00
	<b>TOTAL</b>		<b>4,400.00</b>	<b>4,650.00</b>	250.00
<b>4910 Insurance</b>			<b>19,069.00</b>	<b>19,069.00</b>	-
	2014 Actual	\$17,135.50			
	2015 Actual	\$18,236.78			
	2016 Budget	\$17,330.00			
	Michigan Par Plan		13,337.00	13,337.00	-
	Worker's Compensation		5,557.00	5,557.00	-
	MML Membership		175.00	175.00	-
	<b>TOTAL</b>		<b>19,069.00</b>	<b>19,069.00</b>	-
<b>4920 Utilities</b>			<b>14,000.00</b>	<b>17,400.00</b>	3,400.00
	2014 Actual	\$15,038.87			
	2015 Actual	\$13,013.56			
	2016 Budget	\$14,000.00			
	Water/Sewer		1,000.00	3,200.00	2,200.00
	Gas/Electric		13,000.00	14,200.00	1,200.00
	<b>TOTAL</b>		<b>14,000.00</b>	<b>17,400.00</b>	3,400.00
<b>4960 Education &amp; Training</b>			<b>7,490.00</b>	<b>8,790.00</b>	1,300.00
	2014 Actual	\$3,706.40			
	2015 Actual	\$5,703.22			
	2016 Budget	\$5,910.00			
	FIREFIGHTER TRAINING				
	Misc. FF Classes		3,200.00	3,200.00	-
	ADVANCED TRAINING				
	Officer Classes		2,000.00	2,000.00	-
	CERTIFICATIONS				
	CPR		60.00	60.00	-
	MEMBERSHIPS				
	Michigan Fire Chiefs		85.00	85.00	-
	Genesee Co. Fire Chiefs \$60 ea x 3 + \$125 dept		305.00	305.00	-
	Shiawassee Co. Firefighters		75.00	75.00	-
	Mi State Fireman's Assoc \$30 ea x37 + \$75 dept		1,065.00	1,065.00	-
	TRAINING SUPPLIES		200.00	500.00	300.00
	FIRE PREVENTION				
	Misc. Materials/handouts/audio visual aides		500.00	500.00	-
	Fire Safety Trailer		-	\$1,000	-
	<b>TOTAL</b>		<b>7,490.00</b>	<b>8,790.00</b>	1,300.00

2018 BUDGET-DRAFT

<b>4970 Office Equipment</b>			<b>5,173.00</b>	<b>240.00</b>	(4,933.00)
2014 Actual	\$124.30				
2015 Actual	\$574.35				
2016 Budget	\$390.00				
Copier			4,933.00	-	(4,933.00)
File Cabinets, Office Furniture			0	-	-
Upgrades/Repairs			240.00	240.00	-
TOTAL			<u>5,173.00</u>	<u>240.00</u>	(4,933.00)
<b>4976 Fire Equipment</b>			<b>9,770.00</b>	<b>25,080.00</b>	15,310.00
2014 Actual	\$7,679.75				
2015 Actual	\$18,832.50				
2016 Budget	\$9,900.00				
Securitex Turn Out Gear (7)			7,920.00	15,400.00	7,480.00
Personal Protection Items			1,000.00	1,000.00	-
Uniforms			500.00	2,500.00	2,000.00
10 yr Anniversary Helmet (2)			350.00	750.00	400.00
Farm Extrication Equip	Moved from 978		\$0.00	450.00	450.00
7 Replacement Helmets	Moved from 978			1,330.00	1,680.00
Leather Fire Boots (10)	Moved from 978		\$3,500.00	3,650.00	150.00
TOTAL			<u>9,770.00</u>	<u>25,080.00</u>	15,310.00
<b>4978 Fire Equipment-Maint/Repair</b>			<b>21,655.00</b>	<b>14,180.00</b>	(7,475.00)
2014 Actual	\$25,816.41				
2015 Actual	\$43,665.42				
2016 Budget	\$31,687.00				
Truck Repair			\$4,500.00	4,500.00	-
Jaws Pump Maint - Bi-Annually 2019			\$1,300.00	-	(1,300.00)
Turn-Out Gear Repair/Cleaning			\$400.00	400.00	-
Ladder Certification			\$400.00	400.00	-
Annual Pump Test/Maint			\$1,900.00	1,900.00	-
Pager/Radio Repair			\$600.00	600.00	-
SCBA Repair			\$1,500.00	1,500.00	-
Fire Extinguishers Maint			\$500.00	500.00	-
Misc. Equipment Repair	**potential split 50/50 with GTFD		\$1,000.00	1,000.00	-
Posi Check Calibration	**potential split 3 ways with GTFD, MTFD		\$670.00	700.00	30.00
OHD Facemask Fit Equipment			\$775.00	820	45.00
Air Compressor M/A (2)			\$1,860.00	1,860.00	-
50-50' 1 3/4" Hose			\$6,250.00	0.00	(6,250.00)
			<u>\$21,655.00</u>	<u>14,180.00</u>	(7,475.00)
<b>4981 Apparatus</b>					
2014 Actual	\$470,176.00				
2015 Actual	\$0.00				
2016 Budget	\$0.00				

2018 BUDGET-DRAFT

	TOTAL		-	-	-
			-	-	-
<b>4983 FEMA Grant Matching</b>			<b>50,000.00</b>	<b>50,000.00</b>	-
	2014 Actual	\$0.00			
	2015 Actual	\$0.00			
	2016 Budget	\$0.00			
SCBA Air Compressor (pending results of FEMA Grant)			50,000.00	50,000.00	-
	TOTAL		<u>50,000.00</u>	<u>50,000.00</u>	-
<b>4984 Computer Hardware/Repairs</b>			<b>4,737.00</b>	<b>2,300.00</b>	(2,437.00)
	2014 Actual	\$767.91			
	2015 Actual	\$610.49			
	2016 Budget	\$972.03			
Computer/Monitor Upgrades			900.00	2,000.00	1,100.00
Phone System Upgrade			3,500.00	-	(3,500.00)
Repairs			337.00	300.00	(37.00)
	TOTAL		<u>4,737.00</u>	<u>2,300.00</u>	(2,437.00)
<b>4988 Computer Software/Upgrades</b>			<b>1,400.00</b>	<b>1,600.00</b>	200.00
	2014 Actual	\$1,113.99			
	2015 Actual	\$1,249.00			
	2016 Budget	\$1,300.00			
Fire Tools Upgrade			400.00	400.00	-
Peachtree Upgrade			1,000.00	1,200.00	200.00
	TOTAL		<u>1,400.00</u>	<u>1,600.00</u>	200.00

## Adam Zettel

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**From:** Connie Eskew  
**Sent:** Wednesday, October 11, 2017 3:19 PM  
**To:** Adam Zettel  
**Subject:** FW: State Election Law supersedes city charter nominating petition deadline  
**Attachments:** City Election Filing Dates from Bureau of Elections.pdf; CH Northville - state law notation.pdf

---

**From:** Kim Cekola [mailto:kcekola@mml.org]  
**Sent:** Tuesday, October 10, 2017 1:48 PM  
**Cc:** Chris Hackbarth <chackbarth@mml.org>  
**Subject:** State Election Law supersedes city charter nominating petition deadline

### Election Law

Due to recent Legislative changes on nominating petition deadlines, the League conducted a search of city charters and yours contains a nominating petition due date other than current state law. The state amended the Election law in 2012 (PA 276) to reflect a due date for nominating petitions [15 weeks prior to an election](#). Before this, the deadline was 12 weeks. The 15-week deadline supersedes charter provisions.

### Home Rule City Act

However, according to the Home Rule City Act, MCL 117.3(b)(3) a city can pass a Resolution to fix this:  
Notwithstanding any charter provision, the city may provide by resolution for any election provision that is consistent with the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

### Charter Annotation

In addition, you can annotate your charter to reflect the status of state law. For example:

#### **November odd year election, no primary**

The charter language pertaining to filing nominating petitions for the regular city election is superseded by Michigan election law MCL 168.644e as amended under PA 276 of 2012. The candidate nomination petition filing deadline is 4:00 p.m., 15th Tuesday prior to odd-year November election.

For cities with elections other than November odd year (no primary), please see the attached chart for the citation to the election law to use in your annotation.

The League has been in touch with the Municipal Code Corporation (Municode) regarding annotations to charters. To insert this annotation into your charter, Municode requests that you send an email to Municode instructing it to insert the editor's note at a specific location in your charter.

Lastly, if you haven't done so, you should pass a Resolution declaring the change in your city's nominating petition deadline. If you have made this change already, please email a copy of your Resolution to Kim Cekola at [kcekola@mml.org](mailto:kcekola@mml.org) so the League can keep its charter database up to date.

Kim Cekola  
Research Specialist/Editor  
Legal Affairs Department

Ph: 734-669-6321 | Fax: 734-663-4496  
1675 Green Road, Ann Arbor MI 48105  
[www.mml.org](http://www.mml.org)



**The information contained in this email is provided solely for general informational purposes and should not be interpreted as legal advice. The League encourages municipal officials to consult with their legal counsel on questions of law.**

City Election Schedule	Partisan/Non partisan Candidate Filing Deadline	Governing State Statute	Candidate without Party Affiliation Deadline	Governing State Statute
February primary/ May election	4pm on the 15 <sup>th</sup> Tuesday before the February primary	MCL 168.322 If a charter provides for nomination by caucus or by filing a petition or affidavit directly for the May election, the candidate filing deadline or certification deadline is 4 p.m. on the fifteenth Tuesday before the May election.	5pm 90 days prior to May election	MCL 168.590c(2) A qualifying petition for an office elected at the general November election shall be filed not later than 4 p.m. of the one hundred-tenth day before the general election. A qualifying petition for an official elected at an election other than the general November election shall be filed not later than the deadline established by statute or charter for filing a partisan petition or certificate of nomination for the office or at least 90 days before that election, whichever is later.
May election (no primary)	4pm on the 15 <sup>th</sup> Tuesday before May election	MCL 168.322 (see above)	5pm 90 days prior to May election	MCL 168.590c(2) (see above)
Odd-year August primary/ Odd-year November election	4pm on the 15 <sup>th</sup> Tuesday before the August primary	MCL 168.644f(1) Except as provided in this section and section 644e, nominating petitions for offices to be filled at the odd year general election must be filed by 4 p.m. on the fifteenth Tuesday before the odd year primary election. The place of filing and the number of signatures must be the same as is now required by law for those offices.	5pm 90 days prior to November election	MCL 168.590c(2) (see above)
Odd-year November (no primary)	4pm on the 15 <sup>th</sup> Tuesday before the November election	MCL 168.644e Except as provided in section 642, an officer required to be elected at the odd year general election shall be nominated at the odd year primary election. Until December 31, 2013, if a charter provides for nomination by caucus or by filing a petition or affidavit directly for the general election, the candidate filing deadline or certification deadline shall be 4 p.m. on the twelfth Tuesday before the odd year general election. Beginning January 1, 2014, if a charter provides for nomination by caucus or by filing a petition or affidavit directly for the general election, the candidate filing deadline or certification deadline shall be 4 p.m. on the fifteenth Tuesday before the odd year general election. Until December 31, 2013, if a charter provides for the election at the primary of a candidate who receives more than 50% of the votes cast for that office, the candidate filing deadline or certification deadline shall be 4 p.m. on the twelfth Tuesday before the primary. Beginning January 1, 2014, if a charter provides for the election at the primary of a candidate who receives more than 50% of the votes cast for that office, the candidate filing deadline or certification deadline shall be 4 p.m. on the fifteenth Tuesday before the primary.	5pm 90 days prior to November election	MCL 168.590c(2) (see above)

Even-year August primary/ Even-year November election	4pm on the 15 <sup>th</sup> Tuesday before the August primary	MCL 168.646a(1) If a local officer is to be elected at a general November election, candidates for the local office shall be nominated in the manner provided by law or charter, subject to sections 641 and 642. If candidates for the local office are to be nominated at caucuses, the caucuses shall be held on a date before the date set for the primary election or on the Saturday before the day of the primary election as determined by the local legislative body at least 20 days before the date of the caucus. If candidates are nominated by filing petitions or affidavits, they shall be filed at a time provided by charter, but not later than the date of the primary. Except as provided in section 642, the local primary election shall be held on the same day as a state or county primary election. If a state or county primary is being held on the same day, the last day for local candidates to file nominating petitions is the same as the last date to file petitions for state and county offices. The names of all local candidates and titles of office shall be certified to the county clerk by the local clerk within 5 days after the last day for filing petitions, and certification of nominees shall be made to that clerk within 5 days after the date on which the primary or caucus was held.	4pm on the 110 <sup>th</sup> day before the November election	MCL 168.590c(2) (see above)
Even-year November election (no primary)	At time provided by the charter, but not later than the date of the August primary*	MCL 168.646a(1) (see above)	4pm on the 110 <sup>th</sup> day before the November election	MCL 168.590c(2) (see above)

\*The deadline for straight to November in even years' elections is the date set by charter, but no later than the August primary. This poses a problem in cities with NO filing deadline in the charter. The filing deadline for those SHOULD be the primary day, but many cities default to the school board deadline, which is not correct.

I am recommending the implementation of an ordinance requiring spay/neuter of pets in Swartz Creek. I'd submitted a document in July, but at that time I had provided no details, as I had only hoped to begin a discussion regarding the viability of such an ordinance. I was unaware that the topic would be addressed at a meeting of the Council until nearly a month after the meeting. I am respectfully requesting reconsideration of this topic by the Council, taking into consideration the recommendations below.

**Suggested provisions for the ordinance:**

- All cats and dogs over the age of 6 months will be spay/neutered
  - There can be exceptions in cases where an animal is too old or ill to undergo surgery.
- Unaltered cats and dogs must be registered with the City.
- If an owner intends to maintain an unaltered animal it will be assumed that the animal will be used for breeding purposes. The owner must purchase a breeding license annually until proof of alter is provided. The animal must still be registered.
- Owners found with unaltered, unregistered pets will be fined.

**Benefits of Spay/Neuter Ordinance:**

- Keeps our neighborhoods free of feral or unkempt animals by reducing or eliminating uncontrolled breeding.
- Reduces the possibility of the spread of disease and fighting among pets
- Administration effort will be fairly minimal
- Revenue neutral (or possibly a small net profit from fees and fines)

**Financial Considerations:**

Revenue will be acquired by levying a fee to register unaltered pets as well as for the issuance of breeding licenses. Suggested fees and fines:

- \$5 per animal for registration
  - Fee can be waived if owner agrees to cooperate with rescue organizations to spay/neuter pets.
- \$100 for each unaltered pet per year for breeding license.
- Fines for having an unaltered, unregistered pet:
  - 1<sup>st</sup> offence: \$50 fine per pet
  - 2<sup>nd</sup> offence: \$100 fine per pet
  - 3<sup>rd</sup> offence: removal of pet from the premises

**Conclusion:**

The process I've outlined provides both a structure to ensure the health and safety of pets in our neighborhoods as well as a process for identifying and managing exception situations where spay/neuter is not a viable alternative. It gives the city a means to manage the growing problem of unaltered pets without causing an unreasonable burden on citizens. Problems with uncontrolled breeding of pets escalate quickly and become far more difficult to manage. I urge you to support this measure to help ensure the health of our pets and the quality of our neighborhoods.

# CITY OF SWARTZ CREEK

<http://www.cityofswartzcreek.org> Phone: (810) 635-4464 Fax: (810) 635-2887

## Newsletter



Autumn

2017

### A Message from the Mayor

#### Mayor David Krueger

Relentless, positive improvement of our city for our citizens is the goal of your Swartz Creek city government. We are working on that in many different avenues. Our biggest improvement this year has been street repairs. Worcester, Chesterfield and Winston streets in the Winchester Village area are being completely rebuilt, including new gas mains, new water mains, new storm sewers, new sidewalks, new street lights, new street signs, and of course, new street base and paving. In the downtown area of the city we have added a durable preventative maintenance surface throughout most of the area.

Our city parks are being improved with refurbishing of the Playscape in Elms Park, new paths from parking areas to pavilions, exercise paths, and a new kiddie Playscape in Elms Park. Plans are being laid for many improvements in Winshall Park as well, most to be put in once the major street work in the Village is completed. Ideas include a bicycle/walking path from this park all the way to the Genesee Valley Trail at Dye Road, west of the Genesee Valley Shopping Center. We are also contemplating putting a canoe/kayak launch in Winshall Park to enable our citizens to use the creek for water recreation.

We are working on repurposing the old Sunoco property on Miller Road at Holland Drive into a "Holland Square" multi-use area. Plans for this site are still being developed. Meanwhile, branding of our city is underway, in preparation for making Swartz Creek a "redevelopment ready community" which can channel assistance and funds from the State of Michigan for development projects.

Springvale Assisted Living has opened next to the Kroger store. Springvale brings over 70 jobs to Swartz Creek and will enable our citizens to age in place near their families and services they are used to. Dort Federal Credit Union will be building a new office in front of the Meijer store, and Kentucky Fried Chicken will be putting in a restaurant next to Burger King at the corner of Miller Road and Elms Road.

These are a few of the improvements in Swartz Creek! I can hardly wait to see the improvements which will take place next year!

#### **After Hours Emergencies**

***Including water main breaks or sewer backups, should be reported to 911. (City voice messages are not checked on the weekends or after 5pm on weekdays.)***

City Council Packet

50

### The Road So Far...

#### Adam Zettel, City Manager

Infrastructure Replacement and Maintenance. Much work has been done in the city this year, and much is on the way. Water main has been replaced on three streets in Winchester Village, and maintenance/rehabilitation is wrapping up downtown and on Jennie Lane.

However, we understand that the ongoing reconstruction is still giving residents fits. Crews are doing their best to minimize impacts, but there is no easy way to demolish driveways, sidewalk, curb, and the street without limiting access and disrupting lives. Please work with crews and the city's engineer as they work with dynamic weather and various subcontractors to get this done by mid-November.

Digital Services: The city has finally entered the 21st century. We know it took awhile, but a suite of digital services is now available. The city's webpage offers online services related to property, tax, and utility billing information, as well as the ability to make payments online! Note that the standard credit/debit fees apply. The best way to save \$\$ on this in most cases is to use the flat fee "e-check" option. The webpage is [www.cityofswartzcreek.org](http://www.cityofswartzcreek.org).

The community is still posting information and news on Facebook, but is also looking to build membership in the SeeClickFix service. This web and application based service allows users to post issues/concerns and track progress of those issues, as well as issues posted by other users in the community. The city will also be using the service to send direct updates of community information out to registered users. The website to explore this is [www.seeclickfix.com](http://www.seeclickfix.com).

October 23, 2017

# Autumn Greetings from the Metro Police Authority

Lt. Matthew Bade

The Metro Police Authority has now been operating for a very successful eight months. As we continue to build our foundation we also are pleased to say that we are meeting, or exceeding, our expectations as we serve both Swartz Creek and Mundy Township. The new headquarters, located at 5420 Hill-23 drive, is nearing the end of rehabilitation and a move in date is anticipated for late October. The Swartz Creek District Office, formerly the Swartz Creek Police Department, will continue to be open 8am-3pm on Mondays, Wednesdays and Fridays. As you may have noticed, our cruisers are now dressed in the new agency graphics and the Officers have new uniforms. But more importantly, the culture of the Metro Police Authority is one of striving for excellence and providing the most effective and efficient service to those we serve. This is our mission and our promise. If you have any comments or concerns please do not hesitate to contact any of the Metro command staff. Contacts, meeting times, and department information is on the new website: <http://metropolicegc.org>

As always, if you see something or have a concern, say something! We are here to serve. Call 911 for emergencies or call 810.635.4401 between the hours of 8am-12pm, 1pm-3pm, Monday, Wednesday & Friday.

## **GET READY!**

Hurricanes and earthquakes aren't our thing, but floods, storms, or a train derailment could upset our lives in Creek. By taking time to create an emergency supplies kit, your family will be prepared in the event of a disaster. The supplies can be kept in a plastic tub, small suitcase, trash can, back pack or other container.

### **Emergency Supplies Kit**

- Water—one gallon per person per day for drinking and sanitation—store 3-day supply
- Ready-to-eat food, canned juices, comfort stress foods—at least a 3 day supply
- Can opener for food
- Aluminum foil
- Eating utensils
- Battery powered radio, and a NOAA weather radio, and extra batteries
- Flashlights and extra batteries
- First aid kit
- Non-prescription and prescription drugs
- Whistle to signal for help
- Items for personal sanitation (moist towelettes, garbage bags, plastic ties)
- Extra clothing in a water proof container (coat, hat, gloves, complete change of warm clothes, rain gear)
- Sleeping bag or blankets for each person
- Paper and pencils
- Disinfectant and household chlorine bleach
- Matchers in a waterproof container
- Cash or travelers checks and change
- Personal hygiene items including soap
- Tent
- Supplies for infants (formula and diapers)
- Supplies for pets (water and pet food)

For a more detailed list and information visit [www.nfpa.org/disaster](http://www.nfpa.org/disaster) or [www.ready.gov](http://www.ready.gov)

# Utility Rates

**Water and sewer rates will not be changing due to the most recent county rate increase** (Genesee County provides Great Lakes Water Authority Water to the city, and our water cost increased by about 9% in September). Though the city can now absorb this increase, we were hoping to report even better news.

The city has been engaged in an aggressive effort to reduce growing water loss. The EPA national average for lost water in a distribution system is 16%. We set a goal to get water loss in the city below 10%, and we believe we have finally been successful! Sources of loss include hydrant flows for emergencies and annual flushing, leaks, meter errors, and theft.

After auditing the billing system, checking large meters, and performing acoustic leak detection (including discovery of a substantial leak near Elms and Miller that emptied into a storm drain), the water loss in the city is estimated to be at 8%.

So, when rate reductions or accelerated main replacement were expected to be announced, we instead find ourselves only able to offset this increase. Moving forward, the future rate structure of the Karenondi Water Authority is uncertain. While we anticipated decreases, from KWA, only time will tell. Stay tuned.

## Sidewalk Maintenance Reminder!

Winter is upon us! Please be mindful of students, mail carriers, and other pedestrians. Plan to clear your sidewalk this winter.

Residents and other property owners should have a winter maintenance plan in place for sidewalks. This is true whether you head south for the winter or not!

Sidewalks must be cleared of ice and snow within 48 hours after a snow event. Failure to do so will result in a \$50 fine plus the costs to have the city clear the sidewalk. **This will be enforced.**

# Reminders

- ⇒ City office regular hours have changed. We now offer one late day each week and are open for lunch! Hours are 8am to 6pm on Monday, 8am to 4:30 pm Tuesday—Thursday, and 8am to 12pm Friday.
- ⇒ Police department hours are 8am to 12pm and 1pm to 3pm; Monday, Wed., and Friday.
- ⇒ **DO NOT rake or blow leaves or yard waste into the street.** That causes flooding, and the city provides a yard waste curbside pickup service. Please be mindful of students, mail carriers, and other pedestrians this winter.
- ⇒ Please remove waste bins from the curb as soon as possible to avoid plow damage.
- ⇒ Please advise the city office if you will be out of town for an extended period of time. This allows us to mail your bills to the correct location and keep an eye out for problems at your residence. We don't use drones.
- ⇒ **Visit our website at [www.cityofswartzcreek.org](http://www.cityofswartzcreek.org) for updates and to view information regarding the Municipal Performance Dashboard. Like us on Facebook as well!**
- ⇒ Winter tax bills will be mailed on or about December 7, 2017 and are due without penalty by February 14, 2018.
- ⇒ There is no parking on any City street from 2am-6am. Please be mindful to only park on city streets where it is not prohibited. Keeping vehicles off the street lowers the risk of theft and permits winter maintenance. Violations will be issued to vehicles parking illegally.
- ⇒ The Swartz Creek community has a new service to report issues and to receive notices!

# Fire Department Message

## Interim Chief Plumb

In light of recent events, there have been some concerns about the service the Fire Department will be providing in the future. I assure all the citizens we serve, that your firefighter's commitment to community is unwavering. When our citizens call 911, it is usually the worst day of their lives. Rest assured that we will be there!

Have a safe Halloween by ensuring that:

- Costumes and decorations are made of flame-retardant materials
- Each mask, wig, and costume must be easily seen at night
- Use battery-powered lights for jack-o-lanterns, not candles
- Keep decorations away from sources of heat, such as bulbs and flames
- Drivers, use care to avoid the little ones as they dart across the street for candy

Before you fire up that furnace, fireplace, and/or portable heater this year:

- Inspect unit, vent, and chimney for defects by a qualified specialist
- Make sure all controls are in working order
- Have your heat exchanger inspected for cracks
- Do not use any type of flammable liquid to start a fireplace fire or burn charcoal indoors
- Never use a portable heating unit as a permanent substitute for central heating
- Keep that portable heater at least 3' away from combustible materials
- Use an extension cord that can handle the amp load for the heater.

**Be sure to mark your calendar for the Annual Christmas Parade: Saturday, December 2, 2017 , 6:00 P.M.**

Interim Fire Chief Dave Plumb  
810.635.2300



**City of Swartz Creek**  
8083 Civic Dr.  
Swartz Creek, MI 48473

PLACE  
STAMP  
HERE

## Adam Zettel

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**From:** Ogren, Joseph J <joseph.j.ogren@exxonmobil.com>  
**Sent:** Tuesday, October 17, 2017 5:22 PM  
**To:** Adam Zettel  
**Subject:** FW: For Your Review and Comment: Groundwater Ordinance 03-COT  
**Attachments:** Groundwater Ordinance DRAFT 3-6-17.docx

Hi Adam,

Hope all is well with you. Bridget notified me that you reached out for an update regarding the groundwater ordinance.

FYI Consultant responsibilities to progress the site forward have been transferred to Kleinfelder. They are up to speed on current status of the project and have been very proactive since assuming responsibility at about the beginning of this month.

We met with MDEQ in their Lansing office last Friday, October 13<sup>th</sup> on several project details, one of which was the groundwater ordinance. Vicki Katko, who is responsible for approving the language of the ordinance from the DEQ's perspective of granting regulatory closure in due time, has agreed to review the attached draft and provide comments/suggestions. The goal is to have this document back to us within the next week or two for us to make the updates and finalize.

I will keep you updated in the near future. If you have any other questions, please let me know. Happy to discuss at any time.

Thanks,  
Joe

**Joseph J. Ogren**  
Project Manager  
US North Execution

### ExxonMobil Environmental Services Company

38 Varick Street  
Brooklyn, NY 11222  
(832) 625-5587 Office  
(347) 585-5028 Mobile

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**From:** Karen Bourque [mailto:KBourque@kleinfelder.com]  
**Sent:** Monday, October 16, 2017 3:04 PM  
**To:** KATKOV@michigan.gov  
**Cc:** Bruce Ross <BRoss@kleinfelder.com>; Ogren, Joseph J <joseph.j.ogren@exxonmobil.com>  
**Subject:** For Your Review and Comment: Groundwater Ordinance 03-COT

Vicki,

Thank you again for taking the time last week to meet with us regarding the Swartz Creek project. We appreciate you spending the time to discuss the project and your willingness to discuss our questions in detail. As discussed during our

meeting, I am forwarding to you a word version of the Groundwater Ordinance so that you may provide comments directly onto the document.

Please feel free to contact us with any questions you may have. We look forward to your response.

Thank you again,  
Karen

**Karen Bourque**  
Project Manager II  
300 Westage Business Center Drive, Suite 407  
Fishkill, NY 12524  
o | 845.231.2535  
f | 845.897.2636  
c | 203.731.9329



**Exhibit E  
City Ordinance**

**CITY COUNCIL  
CITY OF SWARTZ CREEK**

**Genesee County, Michigan**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK BY ADDING SECTIONS \_\_\_\_ THROUGH \_\_\_\_ TO CHAPTER \_\_, ARTICLE \_\_ OF THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK TO REGULATE AND RESTRICT THE USE OF GROUNDWATER IN CERTAIN AREAS OF THE CITY OF SWARTZ CREEK DUE TO THE PRESENCE OF GROUNDWATER CONTAMINATION RESULTING FROM A RELEASE PURSUANT TO PART 213, LEAKING UNDERGROUND STORAGE TANKS, OF THE NATURAL RESOURCE AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451 AS AMENDED.**

**THE CITY OF SWARTZ CREEK ORDAINS:**

SECTION 1. AMENDMENT. The Code of Ordinances of the City of Swartz Creek (City), Michigan is amended by adding Sections \_\_\_\_ through \_\_\_\_ in Chapter \_\_, Article \_\_, to read as follows:

SECTION 2. FINDINGS. The City Council finds that the use of certain groundwater wells and water supplies from such wells for human consumption or other purposes may constitute a public health risk and endanger the safety of the residents of the City. The identified public health risk affects premises that are located on or in the vicinity of sites that are the source or location of contaminated groundwater, or where there is a known and identified threat of contaminated groundwater from a release. The City Council has determined that it is in the best interests of the public health, safety and welfare to prohibit certain uses of groundwater from wells at properties located in the vicinity of such contaminated sites in order to minimize the public health and welfare risk and protect the City's residents.

SECTION 3. DEFINITIONS. For the purposes of this Ordinance, the words and phrases listed below shall have the following meanings:

- A. *Affected Premises* means a parcel of property any part of which is located within a restricted zone.
- B. *Applicant* means a person who applies for the establishment of a restricted zone and accompanying regulations pursuant to this Chapter.
- C. *Contaminated Groundwater* means groundwater in which there is present concentrations of materials that exceed the residential drinking water criteria established by the MDEQ in operational memoranda or rules promulgated pursuant to Part 213, Leaking Underground Storage Tanks (MCL 324.21301a, *et seq.*), of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended, MCL 324.101, *et seq.*
- D. *Groundwater* means underground water within the zone of saturation.
- E. *MDEQ* means the Michigan Department of Environmental Quality or its successor agency.
- F. *Person* means any individual, co-partnership, corporation, association, club, joint venture, estate, trust, and any other group or combination acting as a unit, and the individuals constituting such group or unit.
- G. *Release* means a “release” as defined in Part 213, Leaking Underground Storage Tanks (MCL 324.21301a, *et seq.*) of the Natural Resources and Environmental Protection Act, as amended (MCL 324.101, *et seq.*) involving an underground storage tank system.
- H. *Water Well Restricted Zone or Restricted Zone* means an area or areas described within this chapter within which the prohibition of groundwater wells and the use of groundwater applies. A map of each Water Well Restricted Zone shall be included in the section of this Ordinance adopted for that Water Well Restricted Zone pursuant to Sections 4 and 5, below.
- I. *Well* means an opening in the surface of the earth for the purpose of removing fresh water through non-mechanical or mechanical means for any purpose other than a public emergency or conducting response actions that are consistent with the Michigan Natural Resources and Environmental Protection Act, the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act, or any other applicable statute.

SECTION 4. WATER WELL RESTRICTED ZONES.

- A. The following described areas in the City shall be Water Well Restricted Zones as defined under this Ordinance. The Water Well Restricted Zones may be referred to by reference to the names provided in the caption preceding their descriptions:
1. General Name and Description  

An area described as commencing from the southeast corner of the Miller Road and Hayes Street intersection, then south along the east right of way line for Hayes Street to Ingalls Street, then easterly along the north right of way line for Ingalls Street to Morrish Road, then northerly along the west right of way line for Morrish Road until Miller Road; and then west along the south right of way line for Miller Road to the point of commencement at Hayes Street.
  2. A scaled map illustrating the restricted zone is attached as “Exhibit 1A.” The legal description of the water well restricted zone is contained within the attached “Exhibit 1B.” For sites regulated under Part 213, the exhibit must include the property tax identification number and legal description for each Affected Premises within the Water Well Restricted Zone.
  3. The application and all supporting documentation shall be maintained by the City Clerk.
- B. Except as provided in Section 8 of this Ordinance and after the effective date of this Ordinance, no person or legal entity shall install or allow or permit or provide for the installation or utilization of a well on any Affected Premises on which the person or legal entity has an ownership interest, or lessee or tenant interest, or control within the Water Well Restricted Zone. Affected Premises within the water well restricted zone shall be serviced only by public water supply as described in Chapter 19, Article II of the Code of Ordinances.

SECTION 5. ADDING NEW RESTRICTIVE ZONES. The City Council may amend this ordinance to add new Restricted Zones in accordance with the following procedure.

- A. An Applicant shall first file a request with the City Manager advising the City of the Applicant's interest in establishing a Restricted Zone pursuant to this Ordinance. The notice shall describe the proposed boundaries of the proposed Restricted Zone, the reason for the proposed Restricted Zone, a preliminary map of the proposed Restricted Zone, the proposed time schedule for implementing the proposed Restricted Zone, and the proposed groundwater use restrictions to be applicable within the Restricted Zone. The City Manager will, after notifying

the City Council of the notice of intent, respond to the Applicant with a preliminary and non-binding indication of the City's willingness to consider the proposed Restricted Zone. The City Manager or other designated City officer may also be an Applicant for purposes of initiating this procedure.

- B. The Applicant shall seek and obtain the MDEQ's approval of the proposed Restricted Zone and proposed groundwater use restrictions to be applicable therein prior to filing an application with the City. In order to be considered by the City, the Restricted Zone must minimize or eliminate the need for restrictive covenants on property that is not owned or operated by and is not subject to remediation by a party responsible for the contaminated groundwater. The creation of a Restricted Zone should have the effect of eliminating the need for non-responsible parties to impose environmental restrictive covenants on their properties or otherwise be beneficial to the owners or occupants of property that was not the site of a release.
- C. If any Affected Premises which will be subject to the new Restricted Zone is not already served by City water service, the Applicant shall ensure such service is, if it is possible from an engineering perspective to do so, served with City water service at no cost to the property owners or occupant. The Applicant shall also provide for the abandonment and plugging of conforming, nonconforming or irrigation wells on any Affected Premises without cost to the owners or occupants of the premises and in compliance with Section 7. In the event an existing irrigation well is abandoned and plugged, at the owner's request, the Applicant shall also bear the cost of connecting the irrigation system to the City water utility and installing a separate meter and all associated plumbing. Proof of the provision of such service and plugging/abandonment of such wells shall be required or an escrow account shall be established therefor in an amount and form acceptable to the City Council.
- D. After the MDEQ approves the proposed Restricted Zone as an alternative to restrictive covenants on property on which no release has occurred, an Applicant shall file with the City Manager a formal request to the City including, at a minimum, the following information. The information can be in the form of a proposed remedial action plan, response activity plan, or corrective action plan or other similar document if appropriate cross-references are made for ease of reference.
  - 1. The name, address, telephone number, and e-mail address (Applicant only) of the Applicant, as well as each person having an interest as owner, tenant, easement holder or mortgagee in the real property which is the source or site of the contaminated groundwater, if known.
  - 2. The street address and legal description of the real property which is a

source or site of the contaminated groundwater, if known, and the nature of the Applicant's relationship to that property and involvement concerning the contaminated groundwater.

3. The nature and extent of the contaminated groundwater and the contamination causing it, both in summary form in plain English and in detail in technical terms, stating that the release is regulated under Part 213; the types and concentrations of contaminants; a map or survey showing their current location; a statement of their likely or anticipated impact on groundwater and the nature of the risks presented by the use of the groundwater, as well as the likely or anticipated path of migration if not remediated or corrected and a detailed statement of any plan to remediate, correct, and/or contain the contamination.
4. A detailed map and legal description of the proposed Restricted Zone.
5. The street addresses and general description of all Affected Premises.
6. The names, addresses (mailing and street), and telephone numbers (if already available) of the Owners of all Affected Premises.
7. The location, status, and usage characteristics of all existing Groundwater Wells within the proposed Restricted Zone.
8. A detailed statement or description of the proposed regulation or prohibition of the use of existing and future Wells within the Restricted Zone needed to adequately protect the public from the potential health hazards associated with the contaminated Groundwater, including a description of permissible uses of such Wells, together with the written consent of the MDEQ to such uses of Groundwater.
9. A description and time schedule for any actions the Applicant will take to implement any remediation plan, mitigate the adverse impact of the Restricted Zone (e.g., providing substitute water service), and to properly close and abandon any existing Wells subject to the use prohibition within the proposed Restricted Zone.
10. A copy of the information submitted to the MDEQ concerning the proposed Restricted Zone, along with a written statement from an MDEQ representative with approval authority stating that the proposed Restricted Zone and use regulations have received MDEQ approval as part of the response actions for the Groundwater contamination. The MDEQ's approval may be contingent upon the City's establishment of the proposed Restricted Zone pursuant to this section.

11. Copies of the notice provided to the County Health Department concerning the Restricted Zone and accompanying regulations, and the County Health Department's written acknowledgment that it will not issue permits for prohibited Wells within the Restricted Zone.
  12. The Applicant also agrees to pay any additional costs beyond the established application fee necessary to properly evaluate the application. These may include, but are not limited to: the fees of environmental consultants and legal counsel, and any per diem or other amounts paid to public officials for attending any special meetings, etc. The Applicant shall also consent to the placement of a lien on the Applicant's premises if the amounts due under this section are not paid within 30 days of the issuance of an invoice by the City.
- E. Along with the application, the Applicant shall pay an application fee and any related costs per the City's fee schedule as adopted by the City Council. Any failure by the Applicant to pay fees and costs as required by this provision may result in the City's discontinuance of its processing of the request to establish a Restricted Zone and can result in the filing of a lien against the premises of the Applicant.
  - F. Once the City Manager or his or her designee is satisfied that the application is complete, the City Manager shall place the matter on the City Council agenda to set a time, date, and place for a public hearing on the application.
  - G. Along with the application, the Applicant shall submit to the City Manager a list of the Affected Premises including the Parcel ID, site address, and the mailing address for the owner, tenant, easement holder, or mortgagee of any Affected Premises, if known. The City shall cause a written notice of the hearing to be sent by first class mail to all persons having an interest as owner, tenant, easement holder, or mortgagee in any of the Affected Premises. The notice shall include a brief statement regarding the application fairly designed to inform the recipients of its main features and potential impact on the recipients in general. The notice shall be mailed at least fifteen (15) days prior to the hearing. The notice of hearing shall also be published in a newspaper of general circulation in the City at least fifteen (15) days before the hearing. Affidavit of Publication shall be obtained by the City. The notice shall also be mailed to the MDEQ representative who gave the approval of the proposed restricted zone and use regulations and the MDEQ District Supervisor for the MDEQ regulatory program with jurisdiction over the contaminated site.
  - H. Upon the establishment of a new Restricted Zone (i.e., after the second reading and approval of the ordinance amendment), the City Clerk shall publish notice

of the amendment to this Chapter in the manner required by law for ordinance amendments. The Applicant shall give notice to the owners and occupants of all property on which wells are known to be located of the need to close and abandon Wells under this Chapter as amended.

#### SECTION 6. WELLS AFFECTING CONTAMINATED GROUNDWATER.

No Well may be used or installed at any place in the City if the use of the Well will have the effect of causing the migration of contaminated Groundwater or a contaminated Groundwater plume to previously unimpacted Groundwater or adversely impacting any Groundwater treatment system, unless the Well is part of a MDEQ or United States Environmental Protection Agency approved Groundwater monitoring or remediation system.

#### SECTION 7. NON-CONFORMING WELLS.

Any existing Well, the use of which is prohibited by this Ordinance, shall be plugged or abandoned in conformance with all applicable laws, rules, regulations, permit and license requirements, orders and directives of any governmental entity or agency of competent jurisdiction, or in the absence of an applicable law, rule, regulation, requirement, order, or directive, in conformance with the protocol developed consistent with the American Standards for Testing and Materials Standard No. D5299-92.

#### SECTION 8. EXCEPTIONS.

- A. *Water service unavailable.* If the City of Swartz Creek water service is unavailable to an Affected Premises in the Restricted Zone, any Well on that Affected Premises shall be annually tested by a laboratory that is acceptable to and for chemical parameters specified by the MDEQ. The results of that test shall be submitted to the MDEQ or the County Health Department for review. If the MDEQ or the County Health Department determines that the Well is safe and suitable for use, and proof of that determination is delivered annually to the City of Swartz Creek, that the Well may be used. No split or conveyance of Affected Premises shall be effective to render the City of Swartz Creek water services unavailable.
- B. *Construction of de-watering wells.* Wells in the Restricted Zone used for construction de-watering are not prohibited by this Ordinance, provided that the water generated by that activity is properly handled and disposed in compliance with all applicable laws and regulations. Any exacerbation caused by the use of Wells under this exception shall be the responsibility of the Person operating the de-watering Well, as provided in Part 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

- C. *Groundwater monitoring and remediation Wells.* Wells used for Groundwater monitoring and/or remediation as part of response activity or corrective action approved by the MDEQ are not prohibited by this Ordinance.
- D. *Processing activities.* If the MDEQ determines that the use of a Well for non-contact heating, cooling or processing activities will not cause the future migration of contaminated Groundwater, and proof of that determination is delivered to the City, the City Manager may execute a waiver allowing the use of the Well for the permitted purposes upon such terms and conditions that the MDEQ identifies.
- E. *Public emergencies.* A Well may be used in the event of a public emergency.
- F. *Surface Irrigation.* Upon review and approval by the MDEQ, existing Wells may be used for surface irrigation.
- G. *Heat Exchange (Geothermal).* Upon review and approval by the MDEQ, geothermal Wells may be used if no impact by plume or influence on plume will occur with use of Well; or an unauthorized discharge may occur.
- H. *Cathodic Protection.* Wells used to house devices that alleviate electrolytic corrosion of pipelines, underground tanks and other installations situated in a corrosive environment may be used upon review and approval by the MDEQ, if no impact by plume or influence on plume will occur with use of Well.

## SECTION 9. PENALTY

- A. Any Person or legal entity who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor offense punishable by imprisonment for not more than 90 days or by fine of not more than \$500 or both such fine and imprisonment.
- B. Each act of violation and each day upon which such violation occurs or continues shall constitute a separate offense.
- C. In addition, the City may seek an order from a court of appropriate jurisdiction to restrain any person from violating this Ordinance, including the collection of costs and attorney fees associated with such enforcement action. Any Well in violation of this Ordinance shall also be declared and deemed a nuisance, subject to abatement, and shall be immediately taken out of service and lawfully abandoned consistent with all applicable state and local regulations. Any person found to be in violation is subject to being ordered by a court of appropriate jurisdiction to properly and lawfully remove or abandon the Well.

SECTION 10. BUILDING OR IMPROVEMENT PERMIT.

No permit for building, alteration or other required permit for a premises or improvement thereon shall be issued by the City for any Affected Premises found in violation of this Ordinance or where it is proposed to install or use a Well in violation of this Ordinance.

SECTION 11. NOTIFICATION OF INTENT TO AMEND OR REPEAL.

At least thirty (30) days prior to any amendment or repeal in whole or in part of this Ordinance, the City of Swartz Creek shall notify the Michigan Department of Environmental Quality, or its successor agency, of its intent to so act.

SECTION 12. PUBLISHING AND RECORDING.

This Ordinance or an amendment to this Ordinance shall be published or recorded as follows:

- A. Pursuant to Part 213, this Ordinance or an amendment to this Ordinance adding a Restricted Zone shall be filed with the Swartz Creek County Register of Deeds as an Ordinance affecting multiple properties.

SECTION 13. SEVERABILITY.

If any article, section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the Ordinance, it being the intent of the City of Swartz Creek that this Ordinance shall be fully severable. The City of Swartz Creek shall promptly notify the Michigan Department of Environmental Quality upon the occurrence of any event described in this section.

SECTION 14. CONFLICT WITH OTHER ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 15. EFFECTIVE DATE.

This Ordinance shall be in full force and effect ten (10) days after its publication as provided by law.

Adopted and signed this \_\_\_\_ day of \_\_\_\_\_, 2017.

**Exhibit 1A - Figure Indicating Water Well Restriction Zone**



Google Earth



**Exhibit 1B - List of Properties Included in the Well Restricted Zone**

**Exhibit 1B**

**List of Properties Included in the Groundwater Ordinance**

Steven Moore  
8067 Miller Road  
Swartz Creek, MI 48473  
Parcel Number 58-02-529-021  
W 55 FT of LOT 2 BLK 1 AND W 55 FT OF LOT 4 BLK 1 VILLAGE OF SWARTZ CREEK  
SEC 2 T6N R5E

Marie Lovegrove Revocable Trust / (Goin' Postal and H&R Block)  
8057 Miller Road  
Swartz Creek, MI 48473  
Parcel Number 58-02-529-020  
LOT 2 BLK 1 EXCEPT W 55 FT ALSO EXCEPT E 35 FT & LOT 4 BLK 1 EXCEPT W 55 FT  
ALSO EXCEPT E 35 FT VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Marie Lovegrove Revocable Trust / (Lovegrove's Cake & Candy Center)  
8055 Miller Road  
Swartz Creek, MI 48473  
same Parcel number as above 58-02-529-020  
LOT 2 BLK 1 EXCEPT W 55 FT ALSO EXCEPT E 35 FT & LOT 4 BLK 1 EXCEPT W 55 FT  
ALSO EXCEPT E 35 FT VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Marie Lovegrove Revocable Trust / (Assenmachers Cycling Center)  
8053 Miller Road  
Swartz Creek, MI 48473  
Parcel Number 58-02-529-019  
E 35 FT OF LOT 2 BLK 1 & E 35 FT OF LOT 4 BLK 1 VILLAGE OF SWARTZ CREEK SEC  
2 T6N R5E

Marie Lovegrove Revocable Trust  
8047 Miller Road  
Swartz Creek, MI 48473  
Parcel number 58-02-529-018  
W 65 FT OF LOT 1 BLK 1 & W 65 FT OF LOT 3 BLK 1 VILLAGE OF SWARTZ CREEK SEC  
2 T6N R5E

Luea's Properties Plus, LLC / Luea's Pharmacy

8021 Miller Road

Swartz Creek, MI 48473

Parcel Number 58-01-100-047

A PARCEL OF LAND BEG AT NW COR OF SEC TH E 150 FT TH S 130 FT TH S 130 FT TH W 20.88 FT TH N 10 FT TH W to SEC LINE TH N TO PL OF BEG SEC 1 T6N R5E (08) .42A FR 58-01-100-036/037/038/039

Peitro Montini, Sr. / Dave's Pizzeria & Family

8013 Miller Road

Swartz Creek, MI 48473

Parcel Number 58-01-100-040

A PARCEL OF LAND BEG 150 FT E OF NW COR OF SEC TH S 125 FT TH E 50 FT TH N 125 FT TH W 50 FT TO PLACE OF BEG SEC 01 T6N R5E .14 A

Nemecek and Sweeney, LLC / Stallings Stained Glass

8011 Miller Road

Swartz Creek, MI 48473

Parcel Number 58-01-100-041

A PARCEL OF LAND BEG 200 FT E OF NW COR OF SEC TH S 120 FT TH E 16 FT TH N 120 FT TH W 16 FT TO PL OF BEG SEC 01 T6N R5E .04 A

City of Swartz Creek

5012 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-02-529-017

E 17.5 FT OF LOT 1 BLK 1 & E 100 FT OF LOT 3 BLK 1 & SCHOOL LOT VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Margaret Trecha et al / Zenith TV

5015 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-01-100-035

A PARCEL OF LAND BEG S 0\* 44 MIN W 140.92 FROM NW COR OF SEC TH S 88\* 38 MIN E 219 FT TH S 0\* 44 MIN W 23.78 FT TH N 89\* 17 MIN 20 SEC W 218.98 FT TH N 0\* 44 MIN E 26.29 FT TO PLACE OF BEG SEC 1 T6N R5E (76)

Curtis May & Terry Lancaster-May

5017 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-01-100-034

A PARCEL OF LAND BEG S 0\* 44 MIN W 167.21 FT FROM NW COR OF SEC TH S 89\* 17 MIN 20 SEC E 218.98 FT TH S 38\* 25 MIN 37 SEC W 73.58 FT TH S 88\* 38 MIN E 90 FT TH S 14.50 FT TH W 16 RDS TH N 0\* 44 MIN E 56.21 FT TO PLACE OF BEG SEC 1 T6N R5E (76)

5023 Holland House LLC / Hull Stephens & Associates Architects  
5023 Holland Drive  
Swartz Creek, MI 48473

Parcel Number 58-01-100-032

A PARCEL OF LAND BEG S 0 DEG 44 MIN W 223.42 FT FROM NW COR OF SEC TH S 0 DEG 44 MIN W 58 FT TH S 88 DEG 38 MIN E 129.55 FT TH N 38 DEG 25 MIN 57 SEC E 72.68 FT TH N 88 DEG 38 MIN W 174 FT TO PL OF BEG SEC 1 T6N R5E (85) FR 5800003212

Marla & Carla Martin

5018 Holland Drive  
Swartz Creek, MI 48473

Parcel Number 58-02-529-005

LOT 5 BLK 1 VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Jason Keene

5026 Holland Drive  
Swartz Creek, MI 48473

Parcel Number 58-02-529-007

LOT 7 BLK 1 VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Maureen Andrakowicz / Maureen Hunt

5032 Holland Drive  
Swartz Creek, MI 48473

Parcel Number 58-02-529-009

LOT 9 BLK 1 VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Terry Coy

5019 Hayes  
Swartz Creek, MI 48473

Parcel Number 58-02-529-006

LOT 6 BLK 1 VILLAGE OF SWARTZ CREEK SECT 2 T6N R5E

Thomas & Kassandra Doty

8032 Ingalls Street  
Swartz Creek, MI 48473

Parcel Number 58-02-529-008

LOTS 8 & 10 BLK 1 VILLAGE OF SWARTZ CREEK (77)

Motion by Councilmember: \_\_\_\_\_

**WHEREAS**, the City collects rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services, and;

**WHEREAS**, such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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, fees for permits, charges for services, cost recovery's and cost recovery for consulting services, and;

**WHEREAS**, other such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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, fees for permits, charges for services, cost recovery's and cost recovery for consulting services to be set by resolution of the City Council, and;

**WHEREAS**, the City has need to implement additional rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services to be set by resolution of the City Council, and;

**WHEREAS**, the City desires to have all such rates, fees, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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, fees for permits, charges for services, cost recovery's and cost recovery for consulting services 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	\$ 20.00
(b) Angle parking violations	\$ 20.00
(c) Obstructing traffic	\$ 20.00

Prohibited parking (signs un-necessary)

(d) On sidewalk	\$ 20.00
(e) In front of drive	\$ 20.00
(f) Within intersection	\$ 20.00
(g) Within 15 feet of hydrant	\$ 20.00
(h) On crosswalk	\$ 20.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 20.00
(j) Within 30 feet of street side traffic sign or signal	\$ 20.00
(k) Within 50 feet of railroad crossing	\$ 20.00

(l) Within 20 feet of fire station entrance	\$ 20.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 20.00
(n) Beside street excavation when traffic obstructed	\$ 20.00
(o) Double parking	\$ 20.00
(p) On bridge of viaduct or within tunnel	\$ 20.00
(q) Within 200 feet of accident where police in attendance	\$ 20.00
(r) In front of theater	\$ 20.00
(s) Blocking emergency exit	\$ 20.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 20.00
(w) In alley (signs required)	\$ 20.00

Parking for prohibited purpose

(x) Displaying vehicle for sale	\$ 20.00
(y) Working or repairing vehicle	\$ 20.00
(z) Displaying advertising	\$ 20.00
(aa) Selling merchandise	\$ 20.00
(bb) Storage over 48 hours	\$ 20.00
(cc) Wrong side boulevard roadway	\$ 20.00
(dd) Loading zone violation	\$ 20.00
(ee) Bus, parking other than bus stop	\$ 20.00
(ff) Taxicab, parking other than cab stand	\$ 20.00
(gg) Bus, taxicab stand violations	\$ 20.00
(hh) Failure to set brakes	\$ 20.00
(ii) Parked on grade wheels not turned to curb	\$ 20.00
(jj) Parked on lawn extension within right of way	\$ 20.00
(kk) Parked on front lawn	\$ 20.00

All \$20.00 violations not paid within 20 days will be assessed a \$10.00 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 67<sup>th</sup> 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 67<sup>th</sup> 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:

Police Personnel	\$40	Per Hour
Police Clerical	30	Per Hour
Police Car	15	Per Hour
Fire Personnel	20	Per Hour
Fire Pumper	250	Per Hour
Fire Support Vehicles	100	Per 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

Winshall 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"	\$51.22
1.5"	\$220.77
2"	\$353.23
3"	\$662.31
4"	\$1,103.85
6"	\$2,207.70

**Commodity charge (per 100 cubic feet of water): \$7.07**

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 metered account):	\$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: Appendix A 21.06**

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

**B. Electrical Inspection Fees**

Application Fee (non-refundable) \$50

**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.	\$25
Over 1200 Amp. (GFI only)	\$50
Circuits	\$5
Lighting Fixtures-per 25	\$6
Dishwasher	\$5
Furnace-Unit Heater	\$5
Electrical-Heating Units (baseboard)	\$4
Power Outlets (ranges, dryers, etc.)	\$7

**Signs**

Unit	\$10
Letter	\$15
Neon-each 25 feet	\$20
Feeders-Bus Ducts, etc.-per 50'	\$6
Mobile Home Park Site	\$6
Recreational Vehicle Park Site	\$4

**K.V.A. & H.P.**

Units up to 20	\$6
Units 21 to 50 K.V.A. or H.P.	\$10
Units 51 K.V.A. or H.P. & over	\$12

**Fire Alarm Systems (excl. smoke detectors)**

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

**Data/Telecommunication Outlets**

1-19 devices	\$5 each
20-300 devices	\$100
Over 300 devices	\$300
Energy Retrofit-Temp. Control	\$45
Conduit only or grounding only	\$45

**Inspections**

Special/Safety Insp. (includes cert. fee)	\$50
Additional Inspection	\$50
Final Inspection	\$50
Certification Fee	\$20

**C. Mechanical Inspection Fees**

Application Fee (non-refundable)	\$50
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**Residential Heating System** (includes duct & pipe, new building only)

Gas/Oil Burning Equipment (furnace, roof top units, generators)	\$30
Boiler	\$30
Water Heater	\$5
Damper	\$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)	
RTU-Cooling only	\$30
Heat Pumps (complete residential)	\$30
Dryer, Bath & Kitchen Exhaust	\$5

**Tanks**

Aboveground	\$20
Aboveground Connection	\$20
Underground	\$25
Underground Connection	\$25
Humidifiers/Air Cleaners	\$10

**Piping-minimum fee \$25**

Piping	\$.05/ft
Process piping	\$.05/ft

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

**Air Handlers/Heat Wheels**

Under 10,000 CFM	\$20
Over 10,000 CFM	\$60
Commercial Hoods/Exhausters	\$15
Heat Recovery Units	\$10
V.A.V. Boxes	\$10
Unit Ventilators	\$10
Unit Heaters (terminal units)	\$15

**Fire Suppression/Protection**

(includes piping) –minimum fee \$20	\$.75/head
Evaporator Coils	\$30
Refrigeration (split system)	\$30
Chiller	\$30
Cooling Towers	\$30
Compressor/Condenser	\$30

**Inspections**

Special/Safety Insp. (includes cert. fee)	\$50
Additional Inspection	\$50
Final Inspection	\$50
Certification Fee	\$20

**D. Plumbing Inspection Fees**

Application Fee (non-refundable)	\$50
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**Mobile Home Park Site**

Fixtures, floor drains, special drains,	\$5 each
Water connected appliances	\$5 each
Stacks (soil, waste, vent and conductor)	\$3 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)**

¾" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10

1 ¼" Water Distribution Pipe	\$15
1 ½" 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)	\$50
Additional Inspection	\$50
Final Inspection	\$50
Certification Fee	\$20

**15. Appendix B: Franchises**

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

**16. 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. *Police Reports:*

\$5 for copies under 6 pages, 10¢ for each page thereafter. Extensive research, reproduction costs, etc. shall be charged in accordance with F.O.I.A. requests.

D. *Gun Registrations, Permits & Safety Inspections:*

No Charge

E. *Towing & Impound Fees:*

\$100 for each vehicle towed as incidental to arrest or other civil custody. \$100 for each vehicle towed as abandoned. The Chief of Police may, at his/her discretion, waive any towing fee when in his/her opinion, special circumstance exists. A report shall be filed when any such action is taken.

F. *Weddings:*

\$50 per ceremony

G. *Fax Services:*

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

H. *Notary Services:*

\$10.00 per item

I. *Insufficient Funds:*

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

J. *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.

K. *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.

**17. 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	\$100
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

**18. 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

**19. 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
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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. 160808-8A	Dated August 8, 2016 (Solicitation)

Second by Councilmember: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK  
PERIOD ENDING 09/30/2017

GL NUMBER	2017-18 AMENDED BUDGET	YTD BALANCE 09/30/2017	AVAILABLE BALANCE	% BDGT USED
<b>Fund 101 - General Fund:</b>				
TOTAL REVENUES	2,449,038.77	1,548,749.65	900,289.12	63.24
TOTAL EXPENDITURES	3,090,749.87	606,692.16	2,484,057.71	19.63
NET OF REVENUES & EXPENDITURES	(641,711.10)	942,057.49	(1,583,768.59)	
<b>Fund 202 - Major Street Fund:</b>				
TOTAL REVENUES	410,200.00	81,803.82	328,396.18	19.94
TOTAL EXPENDITURES	660,525.56	244,161.05	416,364.51	36.96
NET OF REVENUES & EXPENDITURES	(250,325.56)	(162,357.23)	(87,968.33)	
<b>Fund 203 - Local Street Fund:</b>				
TOTAL REVENUES	537,070.00	23,987.97	513,082.03	4.47
TOTAL EXPENDITURES	2,223,136.01	258,065.35	1,965,070.66	11.61
NET OF REVENUES & EXPENDITURES	(1,686,066.01)	(234,077.38)	(1,451,988.63)	
<b>Fund 204 - MUNICIPAL STREET FUND:</b>				
TOTAL REVENUES	610,535.00	579,909.77	30,625.23	94.98
TOTAL EXPENDITURES	560,516.66	320.84	560,195.82	0.06
NET OF REVENUES & EXPENDITURES	50,018.34	579,588.93	(529,570.59)	
<b>Fund 226 - Garbage Fund:</b>				
TOTAL REVENUES	374,771.00	354,865.26	19,905.74	94.69
TOTAL EXPENDITURES	393,570.10	76,161.18	317,408.92	19.35
NET OF REVENUES & EXPENDITURES	(18,799.10)	278,704.08	(297,503.18)	
<b>Fund 248 - Downtown Development Fund:</b>				
TOTAL REVENUES	62,050.00	41,890.21	20,159.79	67.51
TOTAL EXPENDITURES	122,570.00	7,979.83	114,590.17	6.51
NET OF REVENUES & EXPENDITURES	(60,520.00)	33,910.38	(94,430.38)	
<b>Fund 350 - City Hall Debt Fund:</b>				
TOTAL REVENUES	93,620.00	0.27	93,619.73	0.00
TOTAL EXPENDITURES	93,605.00	0.00	93,605.00	0.00
NET OF REVENUES & EXPENDITURES	15.00	0.27	14.73	
<b>Fund 402 - Fire Equip Replacement Fund:</b>				
TOTAL REVENUES	30,070.00	5.78	30,064.22	0.02
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES	30,070.00	5.78	30,064.22	

Fund 590 - Water Supply Fund:

TOTAL REVENUES	2,150,690.00	638,673.40	1,512,016.60	29.70
TOTAL EXPENDITURES	2,668,974.98	681,849.97	1,987,125.01	25.55
NET OF REVENUES & EXPENDITURES	(518,284.98)	(43,176.57)	(475,108.41)	

Fund 591 - Sanitary Sewer Fund:

TOTAL REVENUES	1,291,120.00	297,747.62	993,372.38	23.06
TOTAL EXPENDITURES	1,422,277.32	59,567.86	1,362,709.46	4.19
NET OF REVENUES & EXPENDITURES	(131,157.32)	238,179.76	(369,337.08)	

Fund 661 - Motor Pool Fund:

TOTAL REVENUES	160,270.00	31,349.40	128,920.60	19.56
TOTAL EXPENDITURES	220,876.70	37,943.81	182,932.89	17.18
NET OF REVENUES & EXPENDITURES	(60,606.70)	(6,594.41)	(54,012.29)	

Fund 865 - Sidewalks:

TOTAL REVENUES	1,820.00	0.00	1,820.00	0.00
TOTAL EXPENDITURES	3,200.00	0.00	3,200.00	0.00
NET OF REVENUES & EXPENDITURES	(1,380.00)	0.00	(1,380.00)	

Fund 866 - Weed Fund:

TOTAL REVENUES	7,800.00	1,350.00	6,450.00	17.31
TOTAL EXPENDITURES	1,840.00	220.00	1,620.00	11.96
NET OF REVENUES & EXPENDITURES	5,960.00	1,130.00	4,830.00	



Friday, October 13, 2017

City of Swartz Creek  
Adam Zettel, *Supervisor*  
8083 Civic Drive  
Swartz Creek, Michigan 48473

**Re: Trail Design & Construction Engineering Services**

Dear Mr. Zettel,

OHM Advisors (OHM) is pleased to present our proposal for the preparation of Trail Design and Construction Engineering Services. The project opportunities presented by this non-motorized trail are numerous. Our proposed Project Manager, Vanessa Warren, ASLA, has over seventeen years of Project Management and trail experience, and will be supported by a team with the ability to provide you with the best trail experience available in the region. In addition to this expertise, we have arranged for all field work to be mobilized from our Flint Office. This team offers great insight into the project as it worked with the City, Flint Township, and the Genesee County Metropolitan Planning Commission to develop a schematic design for this trail segment.

**Besides performing the schematic design for this trail segment, the project would benefit from our experience with:**

- Engineering design and construction of local projects
- Trail Master Planning for the Iron Belle Trail, Grand Blanc Township, and Genesee County Parks
- Engineering design and construction of federally and state funded projects
- Coordination of multiple municipalities
- Seamless integration of multiple phase projects
- Trail safety, including vehicular and pedestrian traffic
- Safety studies for intersections, county roads, and by-passes
- Proper trail drainage design
- Overall Michigan agency experience (MDOT, MDNRE, etc.)

We offer you the best in trail design and cost estimating, local agency coordination, and enthusiastic personnel who will be dedicated to this project. We look forward to this opportunity.

Sincerely,  
OHM Advisors

A handwritten signature in black ink, appearing to read "Vanessa Warren".

Vanessa Warren, ASLA  
*Project Manager*



## Table of Contents

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### **01 Our Company**

At OHM Advisors, we allow the needs of those who live in our communities to drive us to create and innovate for them. Our multidisciplinary experts collaborate to provide a broader, more holistic perspective. We take care of those who take care of the people they serve. And we do it by believing that better ideas make measurable impacts that improve everyday life.

Who We Are ..... 05

Our People ..... 06

### **02 What We Do**

As a community advancement firm designing award-winning work across the architecture, engineering and planning spheres, we believe in the power of multidisciplinary teamwork. And that redefining client challenges is the key to finding ideas that aren't just different—they're better

Our Services ..... 08

Our Work ..... 09

### **03 Our Approach**

Our approach is simple: we focus on enhancing your community through high-quality design and construct. We incorporate innovation initiatives that build on the character and positive qualities inherent to each place we design.

Our Understanding ..... 16

Our Plan ..... 16

Proposal Fee ..... 18



**01 Our Company**

Rooted in experience —and always looking forward. Our heritage is strong, but our passion to help communities is what drives us every day.

### Who We Are

OHM Advisors was founded in Detroit, Michigan in 1962, with the simple idea to move communities forward by creating extraordinary relationships with our clients. More than 50 years later—with a staff of more than 400 associates—we’re still living our mission of Advancing Communities.

The OHM Advisors team thinks differently. From the way we talk about ourselves and to the way we approach projects to the culture that lives within our office walls, it’s clear that our mindset is unique and passion drives our solutions. Advancing Communities is a mission-driven position that means people come first—those we serve and the people they serve. Our growth in recent years has been strategic. We add services and open new offices to serve our clients’ needs and help our associates grow in their careers.

### Firm Location

We currently have offices in Michigan, Ohio and Tennessee, with our permanent headquarters in our Livonia office. The local office directly servicing the project is listed below.

#### Contract Office

G3101 W. Bristol Road, Flint, Michigan 48507

### Firm Ownership

OHM Advisors is a privately held corporation, governed by a seven member Board of Directors and has thirty-three employee shareholders.

### Funding Expertise

We partner with our clients to navigate the nuances of project funding – we’re knowledgeable, proactive, and have a high success rate. We routinely secure 10-15% of all funding for our clients in our core markets.

### In-House Capacity

- 26 Architects
- 26 CADD Technicians
- 66 Civil Engineers
- 90 Construction Inspect. & Managers
- 11 Mechanical & Electrical Engineers
- 05 GIS Specialists
- 09 Planners
- 19 Surveyors

- 21 Landscape Architects
- 43 Project Managers
- 05 Technicians/Analysts
- 38 Transportation Engineers
- 07 Structural Engineers
- 31 Water Resources Engineers
- 50 Administrative Professionals

### Our People & Your Team

OHM Advisors attests to the fact that the key personnel provided within this proposal have adequate availability to provide the services as outlined in this document. In addition to the key staff that will support the project directly, we have over *400 professionals firm-wide* to provide as-needed support to the City of Swartz Creek.



**01 Vanessa Warren, ASLA, Project Manager**

Vanessa Warren is responsible for landscape design services including project planning, design, contract administration and quality systems oversight. Her experience is environmentally based in both planning and design. She has experience with all engineering disciplines, geologists, chemists, biologists, ecologists and architects. Vanessa has sixteen years of experience in managing and performing parks and recreation master planning, streetscape improvements, site restoration, site development, illustrative master planning, grant writing and urban design. She also has experience providing research and design services to multiple agencies and municipalities.

**02 Steven Warren, PE, Project Engineer**

Steve Warren manages the Flint and Saginaw offices, and has been working with and advising municipalities throughout Michigan for over twenty years. He has worked all aspects of park and recreation projects, including non-motorized transportation improvements, for over seventeen years and has been involved in over twenty park developments or other improvements that promote quality of life. He has an in-depth understanding of constructability issues that can be unique to non-motorized transportation and park creation/improvement projects.

**03 Lucas Porath, PE, QA/QC & Project Engineer**

Recently joining OHM Advisors, Lucas is a motivated and driven professional engineer bringing over twenty years of valuable experience in the civil engineering field. He has served at every level in the industry, acting as an engineer, manager, and president. He has experience with geometric design and roadside safety design, ROW plans, pavement marking and signing plans. Lucas has also served as Top of Michigan Trails Council Board Member for the past five years.

**04 Andrew Harris, PE, Project Engineer**

Andrew's experience includes designing roads, utilities, streetscapes, trailways, parking lots, site plans and park projects for municipal and governmental agencies and for private entities. He has extensive experience in the planning, design and construction engineering of road projects.

**05 Andrew Schripsema, PE, PS, Project Surveyor**

Andrew's field experience includes crew supervision, data collection, boundary surveys, establishment of horizontal and vertical control using conventional and GPS methods, construction stakeout for buildings and roads, and underground utility studies.



## 02 What We Do



### Our Services

As a community advancement firm designing award-winning work across the architecture, engineering and planning spheres, we believe in the power of multidisciplinary teamwork. And that redefining client challenges is the key to finding ideas that aren't just different—they're better.

### Urban Design

*Enhancing Communities with Quality Design*  
Our approach is simple: we focus on enhancing your community through high-quality urban design. We incorporate innovation initiatives that build on the character and positive qualities inherent to each place we design.

It is with a broad perspective – strengthened by the daily collaboration amongst our expert team of urban designers, landscape architects, engineers and architects – that we create solutions that aren't just better. They're better because they're the result of a multidisciplinary team with holistic expertise across both the public and private development sectors. A savvy team who knows how to get the project through development review and permit processes, while building a groundswell of community support through interactive meetings and Online engagement.

### Planning

#### *Creating Better Places for People*

Our multi-disciplinary Planning team provides a full range of services across the public and private sectors. As community development experts who have worked extensively on behalf of public and private sector clients, we know that lasting solutions are never one-dimensional.

### Architecture

#### *Designing Your Solution*

Our projects are as diverse as our clients – site and facility plans for institutions, programming for corporate office, renovations and systems upgrades to public buildings, engaging designs for community spaces, or innovative plans for today's schools that meet the needs of the future.

### Engineering

#### *Laying the Groundwork for Impactful Infrastructure*

An award-winning team of advisors who provide integrated solutions to wide-ranging challenges, including water resources, municipal engineering, MEP – and much more.

- Municipal Engineering
- Transportation Engineering
- Mechanical, Electrical, & Plumbing Engineering
- Water Resources Engineering (Stormwater Management, Drinking Water Systems, & Wastewater Systems)

### Construction Engineering

#### *Constructing Project Excellence*

We're an expert team of engineers and technologists who combine talent, know-how and experience to manage, inspect and document your project to completion

### Surveying

#### *Leaders in Precise, Reliable Data Collection*

In a world where precision matters, we're laser-sharp boundary markers who are experienced in every type of land surveying, GIS and geospatial services.

### Geographic Information System

#### *Innovative Technology for the Modern Community*

GIS is more than just mapping — it's location intelligence. We develop geospatial solutions that empower citizens and improve communities.

Our Work



**Iron Belle Trail; Gale Road Section**  
Atlas Township, Genesee County, Michigan

OHM Advisors was awarded the design and construction engineering for the Iron Belle Trail: Gale Road Section in Atlas Township for the Genesee County Parks and Recreation Commission, in cooperation with the Genesee County Metropolitan Planning Commission and the Genesee County Road Commission.

This work included building upon the schematic design process performed in 2015 (also by OHM Advisors) and topographical survey, vertical and horizontal trail alignment, boardwalk design, ditch relocations, quantities, engineer’s construction estimate, project bid phase, and construction engineering.

**Cost**

CE + Design \$86,000  
Construction \$658,250

**Completion**

08/2017

**Client Information**

Genesee County Parks & Recreation Commission  
Barry June, *Deputy Director*  
5045 Stanley Drive, Flint, Michigan 48506  
t 810.736.7100 ext. 817 e geneseecountyparks.org



**Blue Bell Beach Accessibility Project**  
Genesee Township, Genesee County, Michigan

OHM Advisors is currently working on providing landscape and engineering plans that provide accessible pathways from the park’s parking lots to the beach including beach accessible mats, making the water available to all guests.

This park is the county’s flagship for recreational accessibility, and offers universal access to many of its components including playgrounds, splash pad, and buildings. This pathway project will complete the accessibility throughout the park and is partially funded through a grant with the Michigan Department of Natural Resources.

**Cost**

Design \$20,000  
Construction \$200,000 (Estimated)

**Completion**

Ongoing (Expected: 2018)

**Client Information**

Genesee County Parks & Recreation Commission  
Barry June, *Deputy Director*  
5045 Stanley Drive, Flint, Michigan 48506  
t 810.736.7100 ext. 817 e geneseecountyparks.org

**Resort Bluff's Trail**  
Petoskey, Michigan



*Awarded the 2009 Asphalt Pavement Association of Michigan Award of Excellence. The Resort Bluff Trail project also received the Architectural and Renovation Award in the beautification category of the Petoskey Regional Chamber of Commerce's 2009 annual awards ceremony.*

Lucas Porath served as Project Engineer for this \$1.1 Million project connecting the City of Petoskey's Magnus Park to Resort Township's East Park. Work included full design and construction engineering. This scenic section of trail traverses the 100-foot high steep coastal bluffs, following 1.6 miles of the abandoned Pere Marquette Railroad grade. It was one of the last remaining sections of trail to complete the 23-mile Little Traverse Wheelway from Charlevoix to Harbor Springs.

*Stayed on schedule and within budget, with unexpected Wetland challenges*

The project included use of a state-of-the-art flexible growth medium and native seed mix applied to the steep, erosion-prone slopes, landscaping to enhance and delineate the pathway, 4,960 square feet of retaining walls along over 700 feet of the trail and up to 18 feet in height, and an overlook deck cantilevered over the beach 30 feet below providing awesome views of Little Traverse Bay. Engineering tasks included performing geotechnical slope stability analyses, designing storm drainage and timber bridge resurfacing, and specifying root barrier in critical sections of the trail to prevent root damage to the new pavement.

*\*Project completed by Lucas Porath prior to OHM Advisors*



**Cost**

\$1,100,000

**Completion**

2009

**Client Information**

City of Petoskey  
Mike Robbins, *DPW Director*  
101 East Lake Street, Petoskey, Michigan 49770  
t 231-347-2500 e mrobbins@ci.petoskey.mi.us

Children’s Play Area Development; Bigelow Park  
Bay City, Michigan



Concept Character Images



OHM Advisors worked with Bay City to create an inclusive playground at Bigelow Park. The Imagination Station playground capitalizes on the site’s unique setting at the tip of the peninsula in the Saginaw River and incorporates shipwreck themed design elements.

OHM Advisors led a public engagement process that encouraged children in the community to help design the playground by completing workbooks. In addition to the workbooks, a steering committee was formed to help inform the project. The resulting design reflects the views and aspirations of the community and complements existing recreational development initiatives underway in Bay City. OHM Advisors involvement included civil engineering, utility design, and landscape architecture for the playground and parking enhancements on the site.

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**Cost**

Design \$56,480

Construction \$990,500

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**Completion**

Design 10/2017

Construction Ongoing (Expected: 2018)

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**Client Information**

City of Bay City  
Darwin Baranski, *Director of Parks Department*  
301 Washington Avenue, Bay City, Michigan 48708  
t 989.894.8313 e dbaranski@baycitymi.org

## Shiawassee Park Redevelopment

Farmington, Michigan



OHM Advisors worked with the City of Farmington to prepare a Downtown Area Plan for a collection of public and private properties in Downtown Farmington. The Plan defines a vision for future public improvements that will elevate the economic competitiveness of the area and enhance the overall quality of life for the citizens.

The Plan included redevelopment concepts for Shiawassee Park. Built around the history of the area, existing natural features, and the desired programming as identified by the City and community through the planning process, the design intent is to create new opportunities for social gathering, recreation and entertainment through the following programming elements:



- Formal water feature (splash pad, fountains, water wall, etc.)
- Natural water feature
- Playground
- Multi-purpose
- Amphitheater / Water wall and climbing wall / Lawn seating area
- Entry plaza / drop-off zone
- Picnic shelter
- Frisbee golf
- Nature trail
- Multi-use trail
- Enhance connections (neighborhoods, downtown, Shiawassee Road, etc.)

### Cost

\$30,000

### Completion

2014

### Client Information

City of Farmington  
 Vince Pastue, *Former City Manager*  
 23600 Liberty Street, Farmington, Michigan 48335  
 t 248.474.5500

**Tattan Park**  
Westland, Michigan



OHM Advisors was contracted by the City of Westland to redevelop Tattan Park, the northern anchor of Westland’s Central City Park. Using \$3.5M worth of funding obtained for improvements to the once contaminated site, extensive enhancements to Tattan Park were made that complement existing site components while introducing new features including a Farmers Market Pavilion, seven shelters, concessions, restrooms, and a modified county drain.

Enhancements made to the Morgan Drain to improve drainage include placing intermediate drain basins throughout the park. A portion of the drain was enclosed to promote access between the Farmers Market and Tattan Park, while the remaining portion was enhanced functionally and aesthetically through cleaning and installing new rock features and plantings. Vents to safely alleviate methane gas build-up were placed throughout the site located just south of the Morgan Drain which sits atop landfill material with an impermeable cap.

The existing stormwater detention area was transformed into a wet pond with a fountain bound by pond walls on the east and south sides. This feature detains the park’s excess stormwater during large rain events and releases it to the Morgan Drain at a manageable rate.

Additionally, the quality of water entering the drain is greatly improved resulting from the addition of three bio-retention features and a manufactured water quality unit implemented into the site design.

The plan retains the splash pad as a major program element while expanding its size to accommodate a higher volume of users. Defined entry points and drop off locations were added to simplify circulation and increase safety while walking circuits were added to connect program elements throughout the park. A central seating space connects the playground to the splash pad allowing adult supervision and clear visibility to park features. Additional seating located throughout the park incorporates shade providing respite in hot summer months. Picnic shelters of varying sizes border the east side of the park, creating a boundary between the road and park space.



Expansion and aesthetic enhancements were also made to the existing park including redirecting a portion of the existing waterway, framing the west side of the park, into a culvert. This allows the plaza space to connect to the concession stand and the hardscape area provides the City the opportunity to host community events within Tattan Park.

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**Cost**

Design \$350,000

Construction \$3,500,000

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**Completion**

08/2014

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**Client Information**

City of Westland  
William Wild, Mayor  
36601 Ford Road, Westland, Michigan 48185  
t 734.467.3200 e mayorwild@cityofwestland.com

## General Funding Experience

Various Communities



*OHM Advisors has a wealth of experience with grants, in fact we've secured or administered funding totalling nearly \$268 Million in the past three years for our clients. Below is a sample of our Grant Acquisitions:*

### Sample of Grant Acquisitions

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- City of Grand Ledge, Boat Launch (MDNR Trust Fund)
- Village of Luther, Luther Mill Pond Park (MDNR Trust Fund)
- City of Harrisville, Main Street Improvements (Transportation Enhancement)
- Lincoln Township (Alcona County), Streetscape Corridor Improvements (Transportation Enhancement)
- City of Flint, Kearsley Park, Phase I (MDNR Trust Fund)
- City of Flint, Kearsley Park, Phase II (MDNR Trust Fund)
- City of Flint, Riverside Park Trail (Transportation Enhancement)
- City of Flint, Dayton/Kearsley Park Connection Trail (Transportation Enhancement)
- City of Flint, Mott Community College/Kearsley Park Connection Trail (Transportation Enhancement)
- City of Linden, River District Trails (MDNR Trust Fund)
- City of Davison, Jack Abernathy Park Trail (MDNR Trust Fund)
- University of Michigan Flint, Flint River Trail (Transportation Enhancement)
- Genesee County Parks and Recreation, Fenton Township Trailway System (Transportation Enhancement)
- Flushing Township, Flushing Township Park (MDNR Trust Fund)
- City of Durand, Optimist Park Improvements (MDNR Trust Fund)
- City of Auburn Hills, Streetscape Improvements (Transportation Enhance)
- City of Auburn Hills, Riverwoods Park (MDNR)
- City of Auburn Hills, Riverside Park (MDNR)
- City of Grand Ledge, Riverfront Park Trailway (MDNR Trust Fund)
- City of Fenton, Streetscape Improvements (Transportation Enhance)
- City of Flint, Kearsley Park, Phase I (MDNR Trust Fund)



# 03 Our Approach



## Our Understanding

### Introduction

OHM Advisors understands that this project requires services and labor necessary to conduct and complete the Design/Construction Engineering Services for a Non-Motorized Pathway from Miller Road East to Dye Road and then North on Dye Road to the existing Genesee Valley Trailway in Flint Township. OHM Advisors has assembled an experienced team of qualified professionals who have many years of trail design and construction with state funded projects and Local Agency experience for County governments, Road Commissions, and Municipalities performing these services. OHM Advisors has the capacity to perform this project exceeding the level of quality that City of Swartz Creek, Flint Township, and the Genesee County Metropolitan Planning Commission expect.

The OHM Advisors' staff is very familiar with this project, and expectations pertaining to design standards, schedules, approval process, and inspection and testing associated with trail projects in the City, Township, County (OHM Advisors is on the Road Commission's Preferred Vendor List for Design and Construction

Engineering), Michigan Department of Natural Resources (MDNR), and Michigan Department of Transportation (MDOT). Our staff has recently performed the schematic design and engineering evaluation phase for this project, and is confident in the conclusions of this preliminary fact finding and feels it is a strong foundation to a quality project for the City, Township and the County.

### Project Description

OHM Advisors is prepared to provide experienced personnel for the design, bidding, inspection and testing services for the Non-Motorized Pathway from Miller Road East to Dye Road and then North on Dye Road to the existing Genesee Valley Trailway in Flint Township. These services will include trail design with specifications for trail construction, drainage improvements and restoration. Construction Engineering services will include performance as the Project Engineer, Daily Inspection, Quality Assurance Testing and Reporting, Construction Staking, Measurement, Computation and Documentation of Project Files for grant administration.

### Our Plan

The following is a brief outline of our approach to this project. These elements are grouped together to correlate with the proposed schedule and listing of proposed hours by billing category, to show anticipated effort in each phase.

#### Design Phase

- Verify the road right-of-way.
- Perform topographical survey along the trail route.
- Reach out to utility companies for exact locations of utilities and any preliminarily discuss the potential for guy wire relocation.
- Perform 8 soil borings to 5' in depth spaced throughout the length of the trail and in areas where soil is suspect.
- We will complete preliminary design plans showing the locations of existing site condition and proposed site improvements including trail section, grading, proposed drainage and restoration.
- Review grant papers to ensure all the granting scope items are accurately depicted within the plans.
- The preliminary design package with detailed cost estimates will be presented to the City of Swartz Creek, Flint Township and the Genesee County Road Commission for input and approval at 50% and 90% completion, and modifications made.
- Submit to the MDOT and utility companies for a Grade Inspection with the plans at 90% complete.
- Attend Grade Inspection.
- Modify plans based on comment from the Grade Inspection.
- Submit permit application for SESC permit.
- Finalize the details and specifications needed.
- Finalize design details and quantities.
- Complete and submit the final plan documents for County review and approval.

- Address any questions or clarifications needed during the bidding phase, including preparation of any addendums, if needed.
- Assist with the bid process.
- Attend the Pre-Construction meeting.

#### Construction Phase

OHM Advisors will provide construction observation for all major items of work, including, but not limited to, earth excavation, grading, compaction, mainline paving, storm sewer construction, undercutting, drive paving, boardwalk construction and restoration. An inspector shall be on site at all times for the major items of work as identified. Field Book will be used to track quantities daily. Spot inspection will be provided as needed for other items of work, such as restoration, or as requested by the City of Swartz Creek.

Our team will track quantities of work completed by the contractor on a daily basis, and maintain a running project estimate. Field quantities will be measured daily, and reviewed with the contractor's project foreman. The project status will be communicated to the Owner on a weekly basis, or more frequently if needed. Projections will be provided bi-weekly showing the completed items of work, and projected work remaining. OHM Advisors will manage the project to ensure the construction costs are within budget and eligible for payment with the federal funding. Our team will track the completed work, and any necessary contract modifications, as described above. We will work directly with the contractor and the Owner to resolve claims in a timely manner.

*Urban bike lanes. Multi-use trails. Transit corridors. Converted alleyways. They all work together to enhance transportation within communities. And we're pros at creating them all – and more.*

*We put our know-how to use to create a more synergistic transportation network with easier flow that seamlessly integrates existing roadways. The result? Creative solutions from our award-winning planners and engineers for facilities that are safe and efficient for all users.*

In summary, OHM Advisors will perform the following within this tasks:

- Provide construction staking as requested by the awarded contractor.
- Oversee site construction during major construction activities that require quantity tracking.
- Provide materials testing of aggregate base, HMA paving and compaction. Materials testing will be completed in accordance with the MDOT requirements, included HMA testing at both the batch plant, and behind the paver. Testing logs will be on file and available to the Owner and MDOT for review.
- Track project quantities.
- Review and approved contractor pay applications. OHM Advisors will utilize Field Book and Field Manager to track and report progress. All project data will be collected and stored as required by MDOT. Pay estimates will be prepared in accordance with MDOT standards, and submitted to the Owner for review prior to processing.

**Responsibilities of the City of Swartz Creek and Flint Township Include:**

- Provide timely and thorough reviews of all submittals and attend all project related meetings.
- Pay all required permit and review fees.



**Proposal Fee**

Phase	Cost
Design Phase	\$79,000.00
Construction Phase	\$118,500.00
<b>Total</b>	<b>\$197,500.00</b>