

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, April 9, 2018, 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 March 12, 2018 MOTION Pg. 20
5. **APPROVE AGENDA:**
 - 5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
 - 6A. City Manager's Report MOTION Pg. 3
 - 6B. Traffic Control Order 173 Pg. 27
 - 6C. Draft Well Use Restriction Ordinance Pg. 28
 - 6D. Hometown Days Festival and Related Permits Pg. 43
7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
 - 8A. Traffic Control Order 173 RESO Pg. 14
 - 8B. Hometown Days Master Resolution RESO Pg. 15
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION

Next Month Calendar

Downtown Development Authority:	Thursday, April 12, 2018, 6:00 p.m., PDBMB
Fire Board:	Monday, April 16, 2018, 6:00 p.m., Public Safety Bldg
ZBA:	Wednesday, April 18, 2018, 6:00 p.m., PDBMB
City Council:	Monday, April 23, 2018, 7:00 p.m., PDBMB
Metro Police:	Wednesday, April 25, 2018, 10:00 a.m., Metro PD
Planning Commission:	Tuesday, May 1, 2018, 7:00 p.m., PDBMB
Park Board:	Wednesday, May 2, 2018, 5:30 p.m., PDBMB
City Council:	Monday, May 14, 2018, 7:00 p.m., PDBMB

City of Swartz Creek Mission Statement

The City shall provide a full range of public services in a professional and competent manner, assuring that the needs of our constituents are met in an effective and fiscally responsible manner, thus promoting a high standard of community life.

City of Swartz Creek Values

The City of Swartz Creek's Mission Statement is guided by a set of values which serve as a common operating basis for all City employees. These values provide a common understanding of responsibilities and expectations that enable the City to achieve its overall mission. The City's values are as follows:

Honesty, Integrity and Fairness

The City expects and values trust, openness, honesty and integrity in the words and actions of its employees. All employees, officials, and elected officials are expected to interact with each other openly and honestly and display ethical behavior while performing his/her job responsibilities. Administrators and department heads shall develop and cultivate a work environment in which employees feel valued and recognize that each individual is an integral component in accomplishing the mission of the City.

Fiscal Responsibility

Budget awareness is to be exercised on a continual basis. All employees are expected to be conscientious of and adhere to mandated budgets and spending plans.

Public Service

The goal of the City is to serve the public. This responsibility includes providing a wide range of services to the community in a timely and cost-effective manner.

Embrace Employee Diversity and Employee Contribution, Development and Safety

The City is an equal opportunity employer and encourages diversity in its work force, recognizing that each employee has unlimited potential to become a productive member of the City's team. Each employee will be treated with the level of respect that will allow that individual to achieve his/her full potential as a contributing member of the City staff. The City also strives to provide a safe and secure work environment that enables employees to function at his/her peak performance level. Professional growth opportunities, as well as teamwork, are promoted through the sharing of ideas and resources. Employees are recognized for his/her dedication and commitment to excellence.

Expect Excellence

The City values and expects excellence from all employees. Just "doing the job" is not enough; rather, it is expected that employees will consistently search for more effective ways of meeting the City's goals.

Respect the Dignity of Others

Employees shall be professional and show respect to each other and to the public.

Promote Protective Thinking and Innovative Suggestions

Employees shall take the responsibility to look for and advocate new ways of continuously improving the services offered by the City. It is expected that employees will perform to the best of his/her abilities and shall be responsible for his/her behavior and for fulfilling the professional commitments they make. Administrators and department heads shall encourage proactive thinking and embrace innovative suggestions from employees.

City of Swartz Creek
CITY MANAGER'S REPORT

Regular Council Meeting of Monday, April 9, 2018 - 7:00 P.M.

TO: **Honorable Mayor, Mayor Pro-Tem & Council Members**

FROM: Adam Zettel, City Manager

DATE: March 29, 2018

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

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

The 2016 Huizinga appeal has been settled without much change. Since the petitioner is not happy with this value, they will not settle the 2017 appeal. Heather recommends that we do an appraisal for the 2017 appeal since our values are still very far apart.

The golf appraisal is underway. They do not appear to be cooperating. 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)*

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

We are moving forward with our project that was approved in this three year federal funding cycle. The next step completion of preliminary engineering and design, with the intention of bidding Fairchild Street this coming winter for 2019 construction.

In speaking with the engineer, the city still has the ability to add sidewalk to the east side. We were informed that the sidewalk would not be an eligible expense so could not get federal funds. However, if it was done at the same time, the city would need to pay 'prevailing wages', which would increase the cost substantially. As such, it was recommended that, should the city decide to add sidewalks, we do so at a later time with another project that is ongoing in the Village.

After this three year cycle is complete, 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.

✓ **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.

Water main work is nearly complete now as well. This project is ahead of schedule. We distributed letters to the public, updated the city webpage, and notified the public using social media. The city intends to expand the use of door hangers for communication purposes throughout the project.

So far, this year's projects are limited to Daval only. Mr. Svrcek and I have been working with the engineers to develop a short list of preventative maintenance projects, as well as rehabilitation projects for later this year and 2019. I hope to have some pricing back in April. There is a chance that Helmsley could be added to this summer's scope of reconstruction projects as well. Water main for this segment is newer, and the existing drainage configuration has been found to be adequate by the engineer. As such, the contractor could remove and replace the road without detailed engineering.

Also, fluted street signs are expected soon for Fairchild and Ingalls, Fairchild and Cappy, Jennie and Bristol, Bristol and Elms, and Chesterfield/Winston/Worchester.

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

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

Lining work is complete for Chelmsford and Valleyview Drives. Inspection of Winshall has also been completed. There were no unexpected abnormalities, work items, or damages reported. Mr. Svrcek will be debriefing with Liqui-Force and Rowe PSC about this project and future work soon.

This multi-year 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** *(No Change of Status)*

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.

We are working with the engineer on this submission. There is a lot of paperwork that is relatively unpleasant. We do not have a timeline for submission, but are hopeful that it is worth it.

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.

As observed with the break that was experienced on December 18th, additional feeds from other directions is essential for the west end of the county.

The city is also 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. We have this on file.
2. The city must have a valve maintenance program that includes a general schedule for exercising valves. *With the ability to utilize staff in expanded roles within the DPW, I expect the city to have this before the end of April.*
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. We have this on file.
5. The city must provide an updated Emergency Response Plan. We have this on file.

✓ **POLICE SERVICE** *(Update)*

The Metro PD met on March 28th. The process to hire a chief is moving along. It appears that internal applicants will be interviewed by a professional committee on May 4th. There is another Metro PD meeting on April 10th at 7:00 pm to go over some specific interview questions/topics.

In other news, it appears discussions with Thetford Township have stopped, the Police Protection Unit cost continues to be investigated. Staff is advocating a tiered system of service with three costs broken down (police, overhead, & administrative support). Radar signs have been received and should be in operation soon. Lastly, the school resource officer positions have been reassigned. Officer Pizzala is reported to be taking the Swartz Creek Community Schools and summer programming.

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

Sale instruments are ready for execution. Sale proceeds will be paid to the Heritage Village of Swartz Creek Home Owners Association unless otherwise encumbered or owed to the Genesee County Treasurer (Land Bank).

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

A meeting was held on August 22nd 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** *(No Change of Status)*

Based upon the rapid increase in information that the city finds necessary to disseminate, we are moving towards quarterly newsletters. The first installment under the new system should have been delivered by now, with subsequent newsletters going out in June, September, and December.

✓ **HOLLAND SQUARE** *(Update)*

The steering committee met on March 13th and had their organizational meeting. They met again with OHM on March 26th. The group numbers about ten, with representatives of adjacent businesses, DDA members, and community group activists. They conducted some additional visioning and will be revisiting the potential for uses at their next meeting on April 23rd, prior to the city council meeting. I believe the time is 5:30pm.

Unfortunately, the process is moving very slowly, and I no longer see any reasonable chance of construction in 2018. The lead option at this point appears to be a multi-purpose site that generally functions as versatile open space for public use. Previous public engagements have demonstrated strong support for a farm market and a plaza space that could host a multitude of events. Options for onsite storage, concessions, and restroom facilities have been mentioned numerous times. In addition, neighboring businesses are strongly advocating that the open area can host parking.

✓ **TRAILS** *(Update)*

The MDOT Enhancement application is submitted! We hope this covers 65% of the investment. Work with Consumers Energy and CN Rail is positive for those project

components that require their engagement. We are still working with the MTA and GM on some easements and permissions.

By the time this packet reaches you, the DNR match portion for the remainder of the project will probably also be submitted. This entails an application for the Department of Natural Resources Trust Fund Grant for construction. This grant can fund up to 50% of a project, up to \$300,000. We will be seeking an amount close to that to offset the 35% that the city must cover to match the Enhancement grant.

Note that that the city will still be heavily invested in this, even if both grants are awarded. Count on a general fund outlay of \$200,000 for all engineering, construction, and inspection services. This outlay will be required because the DNR requires that the city match 25% of the 'ask' from the DNR. So, the actual 'ask' will be 75% of what MDOT does not fund, leaving us with 25% of the DNR match of 35%.

Since this will get us close to the \$300,000 cap, we can expect to self-fund any overages, add-ons, and engineering that exceeds the limit. Again, the city WILL be using general fund dollars to make this connection happen.

The project timeline is as follows:

September 2017: Intercommunity Project Resolutions (Complete)
October 2017: Draft MDOT Application (Complete)
November 2017: Submit Application for MDOT Funds (Complete)
December 2017: Review and Revise MDOT Application (Complete)
March 2018: Submit Final MDOT Application (Complete)
March 2018: Draft DNR Application: Pending
April 2018: Submit DNR Application: Pending
October 2018: Final Trail Design
December 2018: Bid Trail Project
April 2019: Commence Trail Construction

✓ **REDEVELOPMENT READY COMMUNITIES BRANDING** *(No Change of Status)*

I met with some of the MEDC staff on March 14th to go over our progress and plans for the next year. This process illustrated areas in which progress was made and where we need to move forward. Areas of new success are in the branding process, the development of a training tracking system, and a community development feedback survey for zoning petitioners.

The area in which we will make new progress in the next quarter is in the zoning ordinance. There are a number of provisions that are not consistent with our master plan and/or RRC best practice. The state is offering a technical assistance grant to fund half of a professional service to align our code with RRC expectations. This will keep the planning commission busy for a little while, but it will be worth it. As of writing, there appears to be no local cost! As such, I will have the planning commission engage in the audit as soon as possible.

Moving forward, we will be working on the following as well:

- Development review flowchart and checklist

- Integrated community development webpage for city/DDA processes and programs
- Economic Development Strategy for the city and its partners (chamber of commerce, schools, etc.)
- Public participation plan and tracking methods
- Consolidated capital improvement plan (compiled list of street, water, sewer, park and other investment for the next six years)

✓ **BRANDING** *(Update)*

Our new logo is below! The DDA will continue working with their consultant on generating a comprehensive marketing plan. Give us some time to make the transition on our official materials. Once the graphic artist creates various digital copies of the image in the proper formats, we should be able to convert our digital presence quickly. This will include social media, the webpage, & SeeClickFix. We will make new orders for letter head, business cards, and other forms of media as needed. I don't expect there is a need to waste existing paper.

The DDA is expected to discuss the marketing strategy at their meeting on April 12th.



✓ **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.

✓ **CONSUMERS CONSERVATION PILOT PROGRAM** *(No Change of Status)*

The webpage for this program is now up and running. By all accounts, their kickoff was very successful, and the community is getting engaged. I have noticed some radio ads, as well as a billboard on I-69. Please check this program out and register if you have not already!

Part of the program includes a \$15,000 donation to one of two local projects. These projects include the future "Holland Square" and the trail system that is proposed. Obviously, these resources would be put to good use!

✓ **DURAND AREA INDUSTRY - PROJECT TIM** *(No Change of Status)*

It's a steel mill. The announcement was distributed at the December 4th meeting. I don't have any additional details at this point. As noted, this has the potential to be one of the most monumental influences on our community since the initial investments by GM and Winchester Village.

To be clear, the project has not been affirmed in terms of the federal loan application, local approvals, and developer commitment. However, the massive scale of the investment and its impact as "clean coal" appears to be reliable information. If the project is affirmed for development, I recommend the city reengage its master plan, establish a compatible vision, and heavily invest in making that vision a reality. The next decade could be very transformational, and I am certain the community will want to be in the driver's seat for this change, whatever that change may be.

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 USE** *(Update)*

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

The planning commission will be looking at options for vacant land on Wade and Second Street, and 5157 Morrish Road (also vacant). These could have use by the adjacent residential as side yards, as infill housing, or some public purpose. The public purpose for 5157 would be very marginal, however, the property on Second Street might have a future as a pocket park or trail feature since the non-motorized path is planned for the vicinity and a potential kayak launch was previously discussed.

I have received a call from an alleged former property interest in 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 now owns 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. I have not heard from them since this conversation last summer. There has also been some reputable interest in in-fill housing similar to those properties nearby on First Street and Wade.

An adjacent land owner has shown heavy interest in 5157 Morrish Road as a side yard. Like the Second Street land, there has also been some reputable interest in in-fill housing similar to that observed on First Street and Wade.

The planning commission is to have their recommendation back to the council by their first June meeting.

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

I walked through the home on March 20th. It is looking really good. We will still need to have some landscaping done this spring. The owners will also have some touch ups to do on their own, such as the garage interior, sidewalks, and a bit of yard work. However, every major feature of the home has been replaced or rehabilitated, including but not limited to all floors, the basement, HVAC, water heater, appliances, roof, interior doors, three season room, kitchen, both bathrooms, select windows, and safety features/code updates throughout.

It really is an outstanding remodel, and I am confident it will be a high value and fast seller. As noted elsewhere in the packet, the only remaining question is whether to list it with an agent or sell it by owner. I will look to see what interest we can generate as the project moves forward. If it appears strong, we can probably hold a one day open house and secure a buyer.

✓ **MILLER ROAD DRAIN (No Change of Status)**

We have a proposal to complete repairs from a local contractor. The amount is \$13,100. Rowe is working to create proper easement instruments to give the city access to the site. Once this is complete, I will have the city council take a look at the quotes or competitive bids, depending upon the circumstances.

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

✓ **MONTHLY REPORTS (Update)**

We have nothing to report at this time due to the early release of the packet.

✓ **GROUNDWATER WITHDRAWAL ORDINANCE (Update)**

The groundwater withdrawal ordinance for the Holland Square project is moving forward. Notices will be mailed out prior to our meeting. The notice was included in the February 12 packet for reference. This ordinance is something the city agreed to implement as part of the cleanup and 'closure' process for the underground contaminants at 5012 Holland Drive. As noted previously, the practical impact of this is small, since wells are no longer permitted in the city and there are no known 'grandfathered' wells in the impacted area.

The next step will be a public hearing that is expected to be held on April 23rd. It sounds like ExxonMobil, DEQ, and other representatives will be attending. Based upon this meeting, I expect to propose a final draft of the ordinance (attached) in May.

✓ **CGI PROMOTIONAL VIDEO (Update)**

This effort is moving forward quickly. An introduction video has been filmed that will be used to engaged potential partners prior to scripting and filming of the community videos. This is will be on the city's website as soon as possible.

The mayor and I had a conference call with producers to proceed with the next steps, including the timeline, engagement of stakeholders, and possible topics for film. Everyone should have received an email with information regarding the participation options.

We are working to get a lot of positive press and involvement of community groups and businesses. It looks like they will plan to be in town the week of May 28th (probably Wednesday through Saturday).

✓ **SOLAR PANEL OPTION** *(No Change of Status)*

Cenergy is considering the Raubinger Road site as more favorable. This site certainly has less potential public use, so we will welcome the discussion. More details are not available at this time.

✓ **SCHOOL FACILITY STUDY** *(No Change of Status)*

The school board commissioned a comprehensive study of all buildings and grounds. The study makes many recommendations based on various priority levels for maintenance, security upgrades, educational facility investments, and other improvements. There is a figure of \$48 million floating around that is tied to an apparent preferred investment need.

I still do not have details about the study or related implementation plan as of writing. However, members of council, planning commission, park board, DDA, and other boards should make an effort to review the study and related news as it is released. I will continue reporting to the various boards and committees what changes might be expected and how the city might partner.

The future of our community is very much tied to the real and perceived condition and function of the school's various buildings and related educational amenities. The city is a vested stakeholder in ways too numerous to list.

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

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

The commission met on February 13th. The March meeting was cancelled due to a lack of business items. Due to RRC requirements (see above), I expect the commission to engage in a zoning audit this year. The next meeting is scheduled for April 10th, one week later than usual.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY** *(No Change of Status)*

The DDA met on March 8th. In addition to the branding (logo) discussion above, the DDA is moving forward with purchasing a small utility vehicle for servicing downtown flowers, waste, and events. The thought is that the cost of about \$8,000 - \$10,000 can be split 50/50 with the city so the vehicle can be used in parks and other areas (construction zones) as well. Tom and I believe this is a good idea and will price vehicles to the DDA first.

The DDA also opted to release another round of façade program applications and to sponsor a concert with the Swartz Creek Fine Arts Association. Family Movie Night was given its blessing for the 2018 season as well. Movie title ideas? The next meeting is scheduled for April 14th.

✓ **ZONING BOARD OF APPEALS** (*No Change of Status*)

They held their annual meeting on March 21, 2018. This was their organizational meeting in which they selected officer. Mr. Packer remains Chair, Mr. Plumb remains Vice-Chair, and Mr. Smith remains the Secretary.

✓ **PARKS AND RECREATION COMMISSION** (*Update*)

The next meeting is scheduled for April 4th.

✓ **BOARD OF REVIEW** (*Update*)

The March Board of Review heard appeals on 2018 assessed and taxable valuations, as well as classification challenges on the following dates:

Monday, March 19, 9am-12pm; 6pm-9pm

Tuesday, March 20, 9am-12pm

Wednesday, March 21, 9am-12pm

They reviewed 27 petitions, including:

Nine petitioners for thirteen parcel valuations

Nine petitions disabled veterans exemptions

Five personal property statement/exemptions

The BoR is scheduled to meet in July. An alternate position to this board is vacant and candidates are being sought to fill it.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **TRAFFIC CONTROL ORDER 173** (*Business Item*)

Interim Chief Bade and Mr. Svrcek have been considering the parking situation on Winston Drive since the completion of reconstruction. At this point, no parking signs remain on the opposite side of the water main. This is contrary to the general traffic control order #172 that was approved last fall. However, due to the turn and grade changes near the south intersection, Mr. Bade believes that the no parking provision should remain as it is currently posted. This is in accordance with the previous practice. In order to back the posting, a change order reversing a portion of Traffic Control Order 172 is required. A resolution is included.

✓ **PUBLIC SAFETY BUILDING METRO POLICE AUTHORITY LEASE** (*Update*)

There has been some changes to the space allocation within the city's public safety building at 8100 Civic Drive. Due to changing needs and preferences, by the Swartz Creek Area Fire Department, the city, and the Metro Police Authority of Genesee County, some of the leasable area that was occupied by the MPA is now used by the city and SCAFD.

I updated the existing lease that the city executed with the MPA to reflect the new leased premises. The maintenance fee rate is the same, but now includes an annual escalator to accommodate inflation. The MPA board reviewed this instrument at their regular meeting on March 28, 2017. The lease was not acted upon because of the usage of the term 'rent' which conflicts with language allowances in the interlocal agreement. While there has always been an intent to allocate resources for building maintenance, the instrument implies a rent or debt service. I will adjust the language accordingly and resubmit it.

✓ **HOMETOWN DAYS PERMITS (*Business Item*)**

Included with the packet are the resolutions related to the Hometown Days events for 2018, with the exception of the 5K footrace. I have also included the applications for street use for the general grounds and parade. Insurance documents, property permission slips, and related documents will be collected and verified by staff as a condition of the approval.

An additional resolution is included for the traffic control barricade rental cost. The city has always absorbed the cost of the contracted cost for barricade rental, and has formalized this contribution formally for the last three years via resolution. Prior to this, it was unclear if the cost was billable to Hometown Days or if it was a city cost. This practice resulted in the generation of invoices that were eventually written off as uncollectable. The solution is to have the city council affirm or deny the appropriation. I wrote a resolution in the affirmative to start since this conforms to prior year expectations. The cost is not expected to exceed approximately \$1,750.

✓ **ABRAMS PARK RENAMING AND DEDICATION (*Update*)**

The name of the park, formally known as Winshall Park, has officially been changed to "Abrams Park". The park board will be discussing the details of sign changes at their meeting on April 4th. Once city council minutes are official, staff should be able to notify the online mapping companies, like Google, of the change.

Many dates have been proposed for a formal dedication. As of writing, July 23rd appears to be a good candidate for a regular city council meeting in Abrams Park. Let me know what you think of hosting a meeting in one of the pavilions. This was once a relatively common practice.

Council Questions, Inquiries, Requests, Comments, and Notes

April Schedule: I will have limited availability the first week of April. The planning commission meeting has been moved accordingly to April 10th, and packets are going out early in some cases.

**City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday, April 9, 2018, 7:00 P.M.**

Resolution No. 180409-4A MINUTES – MARCH 26, 2018

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, March 26, 2018, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 180409-5A 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 April 9, 2018, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 180409-6A CITY MANAGER’S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of April 9, 2018, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**Resolution No. 180409-8A RESOLUTION TO APPROVE TRAFFIC CONTROL
ORDER NUMBER 173, TO PROHIBIT ONSTREET
PARKING ON THE WEST SIDE OF WINSTON STREET**

Motion by Councilmember: _____

WHEREAS, the city owns and operates a system of major and local streets, including traffic control devices; and

WHEREAS, Chapter 18, Article II of the Swartz Creek City Charter adopts the provisions of the Michigan Manual on Uniform Traffic Control Devices, 2009 Edition; and

WHEREAS, Section 1A.08 of the Michigan Manual on Uniform Traffic Control Devices, 2009 Edition grants local control of the regulation of traffic devices; and

WHEREAS, the street administrator and staff from the Metro Police Department of Genesee County recommend that stopping, standing, and parking be prohibited on the west side and permitted on the east side of Winston.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approve Traffic Control Order #173 as a permanent order and direct the staff to place and/or remove signs in accordance with the MUTCD

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

*******Master Resolution*******

Resolution No. 180409-8B MASTER RESOLUTION TO APPROVE VARIOUS PERMITS RELATED TO THE 2018 HOMETOWN DAYS EVENTS

Motion by Councilmember: _____

WHEREAS, Swartz Creek Hometown Days organization is a recognized charitable entity that operates in Swartz Creek; and

WHEREAS, Hometown Days is seeking permits and approvals to operate an annual festival on private and public grounds within the city, including a parade, carnival, petting zoo, fireworks display, 'beer tent', food/drink vendors, a car show, and numerous other activities; and

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

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

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves Resolutions/Motions 180409-8B1 through 180409-8B9, allowing for the various permits related to the annual Swartz Creek Hometown Days festival, to be held beginning Tuesday, May 29, 2018 and concluding on Monday, June 4, 2018, inclusive of all stipulations and conditions as specified and listed within, including the provision of valid insurance that lists the City of Swartz Creek as an additionally insured party for all events.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 180409-8B1 HOMETOWN DAYS, STREET CARNIVAL, GENERAL STREET & PROPERTY USE PERMITS

I Move the City of Swartz Creek approve and authorize the Swartz Creek Hometown Days Committees' application for street closing and City property use permits for the following locations:

1. Morrish between Miller and Ingalls-Wade, Carnival.
2. Holland between Miller and Ingalls, Vendor – Carnival.
3. City Lot located at the southwest corner of Miller and Morrish, Carnival.
4. Ingalls at Holland and Park Land located to the North and Northwest of the intersection of Morrish and Ingalls, Carnival.
5. City owned property located along the North side of Fortino, West of Morrish Road, Car Show, Vendors, and Radio D.J., general parking.
6. City owned property, 4438 South Morrish Road.
7. City owned property, 4505 Fortino.
8. City owned property, Fortino (Branoff)
9. City owned property, 5012 Holland Drive
10. Fire Hall out lot properties.
11. Use of DPW Yard and Generator (access subject to department).

Street and City property use, unless otherwise indicated, begins Tuesday, May 29, 2018 at 9:00 a.m. until Monday June 4, 2018 at 9:00 A.M., for the purpose of, and authorization to conduct a carnival, vendor/display areas, car show and or other similar events under the following stipulations:

1. Insurance certificate naming the City as insured in the amount not less than \$1,000,000.00 (One-Million Dollars)
2. Written permission from deed holders of any private properties to be used and appropriate insurance certificates naming such parties as additional insured: City of Swartz Creek, Cooks Diesel 5248 Morrish Road; William Kincaid & Kincaid Properties 5086 South Morrish: St. Mary's Catholic Church 4413 Morrish Road; John Alexander; Pentecostal Church of God / Family Worship Center 4494 Morrish Road; Mark O'Brien 5099 South Morrish; Kallas Heating and Cooling 8077 Miller; Swartz Creek Schools 8354 Cappy (High School Middle School); Scott Hoover 8280 Crapo; Swartz Creek Area Fire Department; Meijer Great Lakes Limited.
3. Sufficient number of portable bathrooms placed and located, and liter control program in accordance and under the approval of Director of Community Services.

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

Resolution No. 180409-8B2 HOMETOWN DAYS, STREET USAGE PERMIT, MOTOR AND PEDESTRIAN PARADE

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committees' application for street closing / usage permit for Saturday, June 2, 2018 from 9:00 a.m. until 12:30 p.m. for purposes of conducting a parade, streets to be used include the high school performing arts center entrance, Miller Rd, and Frederick St under the following stipulations:

1. Insurance certificate naming the City as an additional insured party in the amount not less than \$1,000,000.00 (One Million Dollars).
2. No candy or other objects be thrown or handed from, to or at any vehicle, trailer, float, or similar, and further, that the Hometown Days Committee establish and maintain a list of all participants and/or entries in the parade that identifies a contact person, such contact to be informed by the Hometown Days Committee of the stipulation and motor vehicle code enforcement actions for violations thereof.
3. General approval, and under the direction and control of the Office of the Chief of Police.

Resolution No. 180409-8B3 HOMETOWN DAYS PERMIT, AERIAL FIREWORKS DISPLAY

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee's application for one fireworks aerial display to be held on Friday, June 1, 2018, at or shortly after dusk, with a cancellation date of Saturday, June 2, 2018, at or shortly after dusk, to be launched from properties directly west of the Swartz Creek Middle School Building, said properties owned by the Swartz Creek School District and Mr. Scott Hoover, under the following stipulations and conditions:

1. Insurance certificate naming the City as insured in an amount to be determined adequate by the City Manager.
2. Written permission from the aforementioned parcel owners along with acceptable insurance certificates naming said parcel owners as additional insured parties, in an amount to be determined adequate by the City Manager.
3. Traffic Control Plan and administration by the Offices of Chief of Police and Director of Community Services.
4. Detailed Plan submitted to and approved by the Fire Chief.
5. All decisions concerning the event and cancellation thereof, if needed, under the direction and control of the Fire Chief.

Resolution No. 180409-8B4 HOMETOWN DAYS PERMIT, OPERATE ENTERTAINMENT TENT

I Move the Swartz Creek City Council approve and authorize the Swartz Creek Hometown Days Committee application to operate an entertainment tent with the sale of beer and wine for consumption on the premises, along with live entertainment, to be held on Parcel No. 58-02-200-014, owned by William Kincaid and located 5086 Morrish Road, south of Wade Street, beginning Thursday, May 31, 2018 12:00 PM through Sunday, June 3, 2018, 9:30 PM, under the following stipulations:

1. Michigan Liquor Control Commission Approved Application with appropriate insurance in accordance with the rules of the L.C.C. and naming the City and all other property owners as additional insured parties, in an amount not less than \$1,000,000 (One Million Dollars).
2. Portable bathrooms appropriately located and litter control program in accordance and under the approval of Director of Community Services.
3. Traffic control and pedestrian safety plan in accordance with and under the approval of Office of Chief of Police.
4. Adherence to all L.C.C. stipulations and regulations, state and local laws.
5. No music after 11:00 p.m. Thursday, May 31, 2017 and after 1:30 a.m. on Friday, June 1, 2018 (Saturday Morning), and Saturday, June 2, 2018 (Sunday Morning), and Sunday, June 3, 2018, 9:30 PM.
6. Adequate security as approved by the Chief of Police.
7. Adherence to and under the direction and control of the Office of the Chief of Police.

**Resolution No. 180409-8B5 HOMETOWN DAYS PERMIT, CEREMONIAL
DISCHARGE OF A FIREARM**

I Move the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons as a part of a military concert and ceremonial military honor guard, to be held at the Swartz Creek High School's outdoor football stadium, on Friday, June 1, 2018, at approximately 9:00 p.m., in conjunction with a concert and aerial fireworks display, with a backup rain date of Saturday, June 2, 2018 at approximately 9:00 p.m. under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

**Resolution No. 180409-8B6 HOMETOWN DAYS PERMIT, CEREMONIAL
DISCHARGE OF A FIREARM**

I Move the Swartz Creek City Council, pursuant to section 10-212(3) of the Code of Ordinances, approve and authorize the Swartz Creek Hometown Days Committee to discharge weapons in conjunction with a Parade and as a ceremonial military honor guard, to be held along Miller Road on Saturday, June 2, 2018, at approximately 10:00 A.M., under the following stipulations and conditions:

1. Insurance certificate naming the City as an additional insured party in an amount not less than \$1,000,000.00 (One Million Dollars).
2. The party(ies) discharging the weapon(s) must be a practicing military honor guard trained and capable in the handling of firearms.

Resolution No. 180409-8B7 WAIVER OF INSPECTION FEE, HOMETOWN DAYS COMMITTEE

I Move the City of Swartz Creek waive the permit fees for the temporary structure (trailer) and electrical permit inspection fees for the Swartz Creek Hometown Days Committee.

Resolution No. 180409-8B8 TRAFFIC CONTROL APPROPRIATION

I Move the City of Swartz Creek provide traffic control devices to ensure the safety of the public during the duration of the Swartz Creek Hometown Days event and hereby direct the Director of Public Works to order or supply barricades sufficient to do so at a cost not to exceed \$1,750, appropriated to the community promotions department of the general fund.

Resolution No. 180409-8B9 RESOLUTION TO APPROVE THE POSSESSION OF ANIMALS OTHERWISE PROHIBITED BY ORDINANCE

WHEREAS, the festival activities include various animal events and attractions that include animals that are prohibited without approval as outlined in Ordinance Section 3-1.; and

WHEREAS, the Hometown Days Chairperson requested the city council to affirm approval of certain animal events and activities as outlined in a letter dated March 26th, 2018; and

WHEREAS, the City Council finds these activities to be in line with prior events and approvals as part of the routine functions of the festival.

NOW, THEREFORE, BE IT RESOLVED the Swartz Creek City Council hereby authorizes the Welde Family Bear Show, the Whispering Pines Mobile Farm/Petting Zoo, and the Agricultural tent, and related features and animals to operate and be present within the city and for such operation to hereby be incorporated into the festival permit for Hometown Days.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 03/26/2018**

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, Krueger, Pinkston, Porath.

Councilmembers Absent: Hicks.

Staff Present: City Manager Adam Zettel, Clerk Connie Eskew, Director of Public Services Tom Svrcek.

Others Present: Lania Rocha, Boots Abrams, Bob Plumb, Fay Porath, Steve Shumaker, Ken & Sandi Brill, James Barclay, Tommy Butler, Ron Schultz, Richard Abrams, Penny Messer, Elaine Tucker, Ann Lindsay, Terry O'Brien, John Cherry, Joni Ward, Mary & Jim Packer, Shirley Presley, Steve Shumaker, Jim Barclay, Jack Wheatley.

EXCUSE COUNCILMEMBER HICKS

Resolution No. 180326-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Florence

I Move the Swartz Creek City council excuse councilmember Hicks.

Unanimous Voice Vote.

APPROVAL OF MINUTES

Resolution No. 180326-02

(Carried)

Motion by Councilmember Porath
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday March 12, 2018, to be circulated and placed on file.

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

NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

(Carried)

Resolution No. 180326-03

Motion by Councilmember Cramer
Second by Councilmember Florence

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of March 26, 2018, to be circulated and placed on file.

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

CITY MANAGER'S REPORT

Resolution No. 180326-04

(Carried)

Motion by Councilmember Florence
Second by Councilmember Cramer

I Move the Swartz Creek City Council accept the City Manager's Report of March 26, 2018, including reports and communications to be circulated and placed on file.

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

MEETING OPENED TO THE PUBLIC:

Steve Shumaker, 7446 Country Meadow, commented on a previously suggestion made about setting a policy for honoring individuals appropriately.

COUNCIL BUSINESS:

MILLER SETTLEMENT CITIZEN OF THE YEAR

Mayor Krueger presented Sandi Brill with the 2017 award. Sandi was nominated for this award by her peers on the Parks and Recreation Advisory board as well as the GFWC Women's Club. Specifically, they have found her tenacity and engagement of the last year to be most impressive and impactful.

RESOLUTION TO APPROVE DEDICATION AND A NEW NAME FOR WINSHALL PARK

Resolution No. 180326-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Mayor Pro Tem Pinkston

WHEREAS, Richard B. “Dick” and “Boots” Abrams moved into Winchester Village in 1959; and

WHEREAS, the Abrams family, who reside at the same address today, have raised their two girls, Penny and Sandi, in Winchester Village; and

WHEREAS, Dick, Boots, Penny, and Sandi have invested their lives into Swartz Creek in ways too numerous to account for, but including decades of service to the Swartz Creek City Council, Swartz Creek Area Fire Board, Kiwanis Club, Women’s Club, Girl Scouts, the United Methodist Church, and numerous school engagements; and

WHEREAS, during these years of service, the family grew together, with the neighborhood around them, and often enjoyed, explored, and improved the nearby Winshall Park; and

WHEREAS, the Abrams family has been so instrumental and influential to those around them in personal, professional, and spiritual ways; and

WHEREAS, the Swartz Creek Park and Recreation Committee, upon petition by members of the public at their regular meeting on March 7, 2018, found that the namesake of Winshall Park does not reflect the authenticity of the community, having no connection to the neighborhood; and

WHEREAS, the committee recommends that Winshall Park therefore be dedicated as Abrams Park in honor of the collective lives of the Abrams family; and

WHEREAS, the Swartz Creek City Council recognizes that the Abrams family embodies what is best about Swartz Creek and further concurs with the findings of the park board.

NOW, THEREFORE BE IT RESOLVED, the Swartz Creek City Council hereby memorializes the contributions and impact of the Abrams family through the dedication and renaming of Winshall Park as Abrams Park. May the name grace the park as the presence of the Abrams family has graced our community, and may it stand to further inspire those entering upon those grounds to recall and aspire to their quality.

Discussion Ensued.

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

NO: Florence. Motion Declared Carried.

Trust Fund Public Hearing

Open 7:34 p.m.

Ken Brill wanted to know if the trail comes along Miller Road by the Holland Square. Mr. Zettel responded the trail plan is along the creek.

Brad Lindsay questioned who will maintain the trail within the city limits.

Mayor Krueger responded it will be part of the park systems budget.

John Cherry commented MDOT funds can be used as a match in the program.

Steve Shumaker northside of the park looks like it will lose some parking area.

Vanessa Warren commented this can be improved and shifted.

Closed 7:41 p.m.

A RESOLUTION TO APPROVE THE SUBMITTAL OF A MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND GRANT FOR A MATCH TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION GRANT FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP)

Resolution No. 180326-06

(Carried)

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Cramer

WHEREAS, The City of Swartz Creek, through its Parks and Recreation Committee, recognizes a strong need to expand its trailway system; and

WHEREAS, the City is currently seeking grant funding from the Michigan Department of Transportation's Transportation Alternative Program, and the City must provide a 35% match for a \$833,959.75 trail project (\$291,900); and

WHEREAS, the City is requesting a portion of this \$291,900 match, plus engineering and related expenses, to come from the Michigan Department of Natural Resources Trust Fund Grant, a total request of \$358,100; and

WHEREAS, the City is providing 25% match to the Michigan Department of Natural Resources Trust Fund Grant for a total of \$89,600 city cost and \$268,500 DNR grant.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the Submittal of the Michigan Department of Natural Resources Trust Fund Grant and its match.

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

RESOLUTION TO APPROVE THE LOGO IMAGE RECOMMENDED BY THE DOWNTOWN DEVELOPMENT AUTHORITY

Resolution No. 180326-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Florence

WHEREAS, the City Council, in the pursuit of standard Redevelopment Ready Communities guidelines and to further the proactive stance of the city as it relates to economic development, directed the Swartz Creek Downtown Development Authority to lead a community branding and imaging initiative; and

WHEREAS, the DDA has been working with the community for many months, in consultation with a professional branding and design company, to develop and refine images and taglines that represent the community; and

WHEREAS, at its regular meeting on March 8, 2018, the DDA deliberated on numerous graphic designs and formally recommends a specific image, without a tagline, as included in the March 26, 2018 city council packet.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby approves the new logo, without tagline, as part of a larger branding and marketing campaign.

BE IT FURTHER RESOLVED, the City of Swartz Creek City Council authorizes the departments of the City of Swartz Creek, including the Swartz Creek DDA, use of the logo and its variants for professional purposes.

Discussion Ensued.

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

RESOLUTION TO DIRECT THE PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS FOR THE USE OF VACANT LAND ON SECOND STREET AND MORRISH ROAD

Resolution No. 180326-08

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Florence

WHEREAS, the city acquired a residential structure located at 5157 Morrish Road, parcel PID 58-01-100-013, for the purpose of securing the demolition of the blighted house.

WHEREAS, the house at 5157 Morrish Road been demolished and the site is now vacant; and

WHEREAS, the city acquired vacant residential land on Second Street, at Wade Street, PID 58-01-502-036, for the purpose of preventing blight and for the potential of public uses related to recreation or the potential for infill housing; and

WHEREAS, the City of Swartz Creek City Council finds no other direct public benefit or purpose to ownership of either parcel; and

WHEREAS, there is interest in these parcels from multiple parties, including neighbors and residential home builders; and

WHEREAS, the city council finds that the timing is right to use or market these sites for sale; and

NOW THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby directs the planning commission to review the parcels in the context of the neighborhood setting and the city master plan to determine what future use will be in the best public interest, such findings to be reported back to the city council by June 11, 2018.

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

NO: None. Motion Declared Carried.

DON SHENK HOUSE

Discussion

Adam Zettel, City Manager commented the property should be ready to sale by May. He asked for thoughts on how to sell the property, either by broker or by owner.

Councilmember Porath suggested open house during hometown days.

Mr. Zettel responded even during the garage sale weekend in the village would be a good time for an open house.

Mayor Krueger suggested a walkthrough of property by council before list price is decided.

MEETING OPENED TO THE PUBLIC:

Boots Abrams is very humbled and proud, thanked everyone for the name of the park.

Dick Abrams appreciates the honor of the park naming and thanked everyone.

Sandi Brill thanked everyone for the honor tonight.

Penny Messer thanked all for honoring of the family.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath feels honored to know the Abrams and congratulated them. He reminded everyone that its election time for four positions on city council. He encouraged fresh community involvement.

Councilmember Cramer congratulated Abrams family. He wants to keep our community moving forward.

Councilmember Florence commented the Abrams were one of the first families they met when they moved here.

Councilmember Gilbert congratulated the Abrams.

Mayor Pro Tem Pinkston also congratulated the Abrams.

Mayor Krueger congratulated the Abrams and thanked them for all they have done over the many years.

ADJOURNMENT

Resolution No. 180312-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Mayor Pro Tem Pinkston

I Move the Swartz Creek City Council adjourn the regular meeting at 8:15 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Eskew, City Clerk

TRAFFIC CONTROL ORDER

In accordance with Chapter 18, Article II of the Code of Ordinances, and pursuant to the Michigan Manual on Uniform Traffic Control Devices adopted by the City of Swartz Creek, an investigation has been conducted by the traffic control engineer, relative to conditions at:

Winston Drive between Miller and Chesterfield

And as a result of said investigation, do hereby direct that: **Stopping, Standing, and Parking be prohibited on the west side permitted on the east side of Winston.**

This Traffic Control Order shall become effective on the **10th** day of **April, 2018**, at **8:00AM AND upon sign installation.**

The following Traffic Control Order(s) is/are hereby rescinded:

Applicable sections of TCO 172 are rescinded.

This order shall expire ninety (90) days from the date of filing, except that upon approval by the Council for the City of Swartz Creek, it shall remain in effect indefinitely until such time as rescinded temporarily by executive TCO, or permanently by action of the Council.

Chief of Police / Traffic Engineer

Filed with the Office of the City Clerk on _____ of _____, _____

City Clerk / Deputy City Clerk

Approved by the City Council, at a meeting held the 9th day of April, 2018, Resolution Number: 180409-__.

City Clerk / Deputy City Clerk

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. *Influential Well* means a well outside the restricted zone that impacts the contaminated groundwater plume, whether by drawing contaminated water into the well or by merely changing the direction of groundwater flow.
- F. *MDEQ* means the Michigan Department of Environmental Quality or its successor agency.
- G. *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.
- H. *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.
- I. *Restricted Zone* means an area or areas described within (Section 4) of this Ordinance for which the prohibition of Wells and the restriction on the use of groundwater applies. The Restricted Zone includes parcels of land that are legally described in this Ordinance, either through passage or amendment to this Ordinance, if provided for. The Restricted Zone includes not only the area of known groundwater contamination but also a surrounding buffer zone where contamination may be or migrate to.
- J. *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.

K. *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. ADDITION, REPEAL OR AMENDMENT OF RESTRICTED ZONES.

An Applicant, Owner, or an entity involved in performing corrective actions in order to seek approval of a Final Assessment Report or Closure Report under Part 213, or other interested party may request in writing to the City Manager to add affected parcels to or delete affected parcels from a Restricted Zone, establish an additional Restricted Zone or to otherwise amend or repeal a Restricted Zone. The request must describe the justification for the addition, repeal or amendment of the Restricted Zone and include the MDEQ's written and specific concurrence with the requested action.

SECTION 6. 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 of the NREPA; 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 7. 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 8. 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. Any non-conforming well shall be plugged within 30 days following establishment of the restricted zone.

SECTION 9. 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:
 - 1. the use of the dewatering Well will not result in unacceptable exposure to Contaminated Groundwater, possible cross-contamination between saturated zones, or exacerbation of Contaminated Groundwater, as defined in Part 213 of the NREPA; and
 - 2. 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 213 of the (NREPA).

- 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. Notice of such use shall be provided to the MDEQ within a reasonable time thereafter.

- 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.
- I. *Proof of No Influence/Impact.* If the MDEQ determines based on information provided to it by the person seeking this exception that the use of a Well in a Restricted Zone will not exacerbate existing groundwater contamination, and that water from the Well is not and will not be affected by Contaminated Groundwater, and proof of those determinations is delivered to the City and the local health department, the Well may be used.

SECTION 10. 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 Manager or his/her designee shall have the authority to enforce this Ordinance and may seek an order from a court of appropriate jurisdiction to restrain any person from violating this Ordinance, including the collection of costs, penalties 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 11. INFLUENTIAL WELLS.

No influential Well may be used or installed without approval by the MDEQ.

SECTION 12. PROHIBITION ON USING EXISTING RESTRICTED ZONES FOR FUTURE CLOSURES.

Once a restricted zone has been established by this Ordinance, future Applicants may not utilize existing restricted zones to achieve closure under Part 213 of NREPA. An Applicant must petition the City to add an additional Restricted Zone by amending the Ordinance as outlined in Section 6 in order to assure that the closures and their associated institutional controls remain separate and distinct in the event of the repeal of a portion of this Ordinance.

SECTION 13. 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 14. 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 15. PUBLISHING AND RECORDING.

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

- A. Pursuant to Part 213 of the NREPA, 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 16. 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 17. CONFLICT WITH OTHER ORDINANCES

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

SECTION 18. 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 _____, 2018.

Exhibit 1A - Figure Indicating Water Well Restriction Zone

Exhibit 1A - Figure Indicating Water Well Restriction Zone

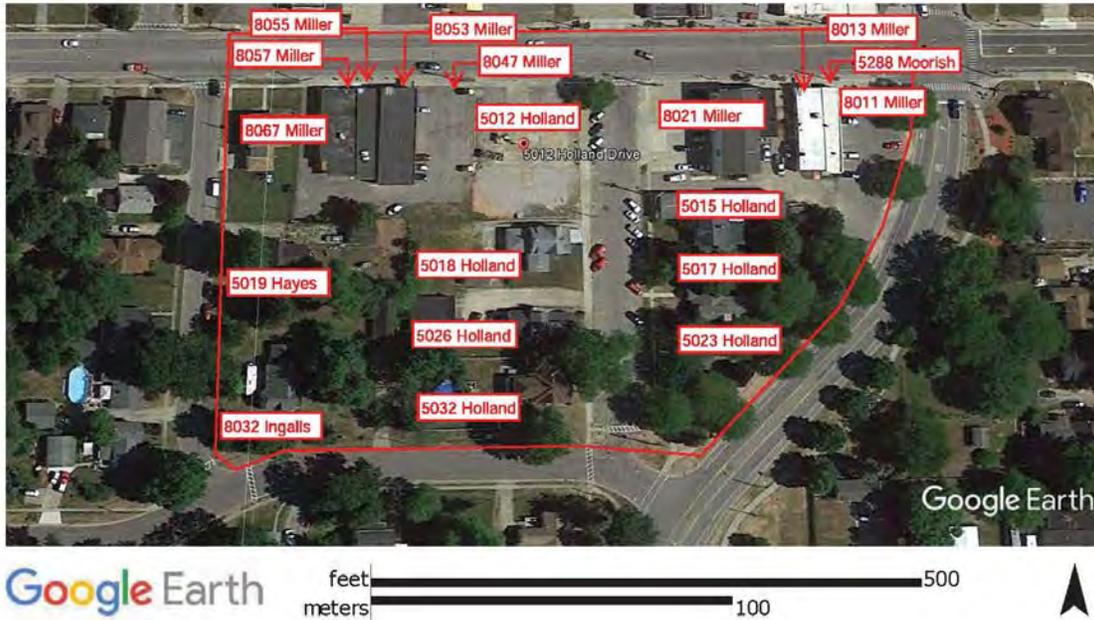


Exhibit 1B - List of Properties Included in the Well Restricted Zone

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

MLPB, LLC

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

Dawn Jamison

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)



March 10th, 2018

Swartz Creek City Council:

Hometown Days (a501C (3) organization) has been a consistent positive influence in the community for more than 30 years. No other activity impacts as many people as the annual Summer kickoff event where not only the majority of the city residents participate but we also host thousands of visitors. We have enjoyed a great working relationship with every department in the city government and we have prided ourselves in being good "citizens" by helping to raise both money and awareness of policy and fire and other nonprofits.

To ensure a safe and successful event, Swartz Creek Hometown Days request to support of the City of Swartz Creek in the form of providing appropriate traffic control structures with set up before, during, and after our festival activities May 31st through June 1-2-3, 2018.

This cost has been incurred by the city in the past, we began the formal request process for Council action the last few years and are requesting same for this year.

We hereby request a formal allocation to support such cost as an integrated feature of the Hometown Day's permit.

Sincerely,

Brenda Huyck
Chairman
Swartz Creek Hometown Days



Street
Closures
Festival

3-26-18

To the City of Swartz Creek

As it is marked on map of city closures that we would like to continue to have the extra 500ft of walk way on Morrish Rd to the Kincaid property. We also ask for both sides of Frotino Dr City property including empty lot going to Morrish Rd. for Car Show on Saturday. We would also request using the parking lot of the former gas station to be used during hometown days.

We would also request that we have access to DPW area for Golf cart storage and keys to outside gate and building to lock up golf carts in the evening. We would also like to request that if possible could the city order us 6 boxes of trash bags for the weekend.

If you have any Questions please feel free to contact me.
Thank you for your time

Brenda Huyck
Chairman
Swartz Creek Hometown days
810-922-7756

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN

STREET CLOSURE APPLICATION

DATE OF REQUEST: March 22, 2018 ~~2017~~
SPONSOR ORGANIZATION: Swartz Creek HomeTown Days
AUTHORIZED REPRESENTATIVE: Susan Nessel
WORK ADDRESS: PO Box 271 HOME ADDRESS: 5915 Duval Dr
PHONE NO: WORK () HOME: () CELL: 734 445-0505

TYPE OF EVENT: PARADE* (DRAW ROUTE ON ATTACHED MAP)
 CARNIVAL CRAFT SHOW
 STREET DANCE CONCERT
 OTHER: Amusement
Thurs 4pm - 10pm
Frida 10am - 11pm
Saturday 10am - 11pm
Sunday 12pm - 6pm

DATE OF EVENT: 5-31-18 to 6-13-18 TIME OF EVENT: FROM: _____ AM / PM
TO: _____ AM / PM

ESTIMATED NUMBER OF PARTICIPANTS: 35,000

ROADS REQUESTED TO BE CLOSED: *Morrish Rd from Miller Rd to Wade St all of Holland Dr. All city owned property in adjacent areas. Property along Fortino Dr including property next to Post Office. Ingalls west of Morrish Rd to First Dr.

The applicant agrees, as a condition of the granting of this permit, to hold the City of Swartz Creek, it's officers, employees, and agents harmless from any liability from any injuries caused to persons or property in connection with this event. To that end, the applicant shall provide the City with evidence of insurance for such liability in an amount determined adequate by the City Attorney, but in no case less than \$1,000,000/2,000,000 aggregate and the City of Swartz Creek shall be named as an insured party on said policy. The policy shall also contain a provision providing the City with ten (10) days written notice of cancellation.

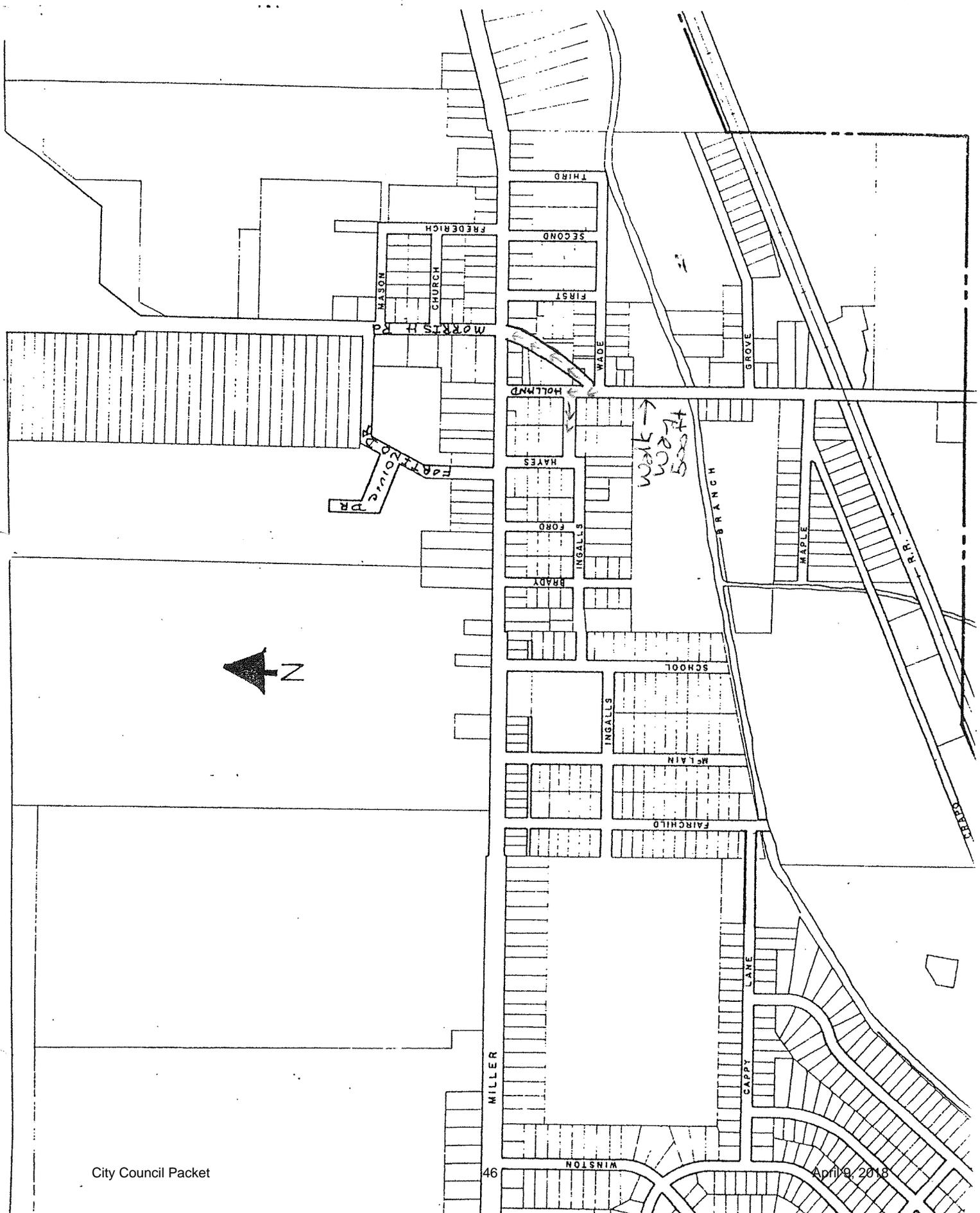
For: Swartz Creek HomeTown Days (Organization) By: [Signature] (Authorized Representative)

APPROVED BY: [Signature] (Chief of Police)

* The throwing of any item(s) from any vehicle during the course of a parade is strictly prohibited and violations may result in criminal prosecution and/or the denial of future permit applications.

**The Chief of Police reserves the right to determine the length of time that any street(s) remain(s) closed to traffic.

THIS REQUEST AND ALL REQUIRED ASSOCIATED DOCUMENTS MUST BE SUBMITTED TO THE OFFICE OF THE CHIEF OF POLICE NO LATER THAN 30 DAYS PRIOR TO EVENT DATE



CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN

STREET CLOSURE APPLICATION

DATE OF REQUEST: March 27, 2018 ~~200~~
SPONSOR ORGANIZATION: Swartz Creek Hometown Days
AUTHORIZED REPRESENTATIVE: Susan Meseck
WORK ADDRESS: PO Box 271 HOME ADDRESS: 5915 David Dr
PHONE NO: WORK () HOME: () CELL: 989 445-0505
TYPE OF EVENT: PARADE* (DRAW ROUTE ON ATTACHED MAP)
 CARNIVAL CRAFT SHOW
 STREET DANCE CONCERT
 OTHER: _____

DATE OF EVENT: 6/2/18 TIME OF EVENT: FROM: 10:00 AM / PM
TO: 2:00 AM / PM

ESTIMATED NUMBER OF PARTICIPANTS: 15,000

ROADS REQUESTED TO BE CLOSED: ** Parade Route - coming out driveway to SCHS PAC east on Miller Rd. North on Frederick St to St Mary's Church

The applicant agrees, as a condition of the granting of this permit, to hold the City of Swartz Creek, it's officers, employees, and agents harmless from any liability from any injuries caused to persons or property in connection with this event. To that end, the applicant shall provide the City with evidence of insurance for such liability in an amount determined adequate by the City Attorney, but in no case less than \$1,000,000/2,000,000 aggregate and the City of Swartz Creek shall be named as an insured party on said policy. The policy shall also contain a provision providing the City with ten (10) days written notice of cancellation.

For: Swartz Creek Hometown Days (Organization) By: [Signature] (Authorized Representative)

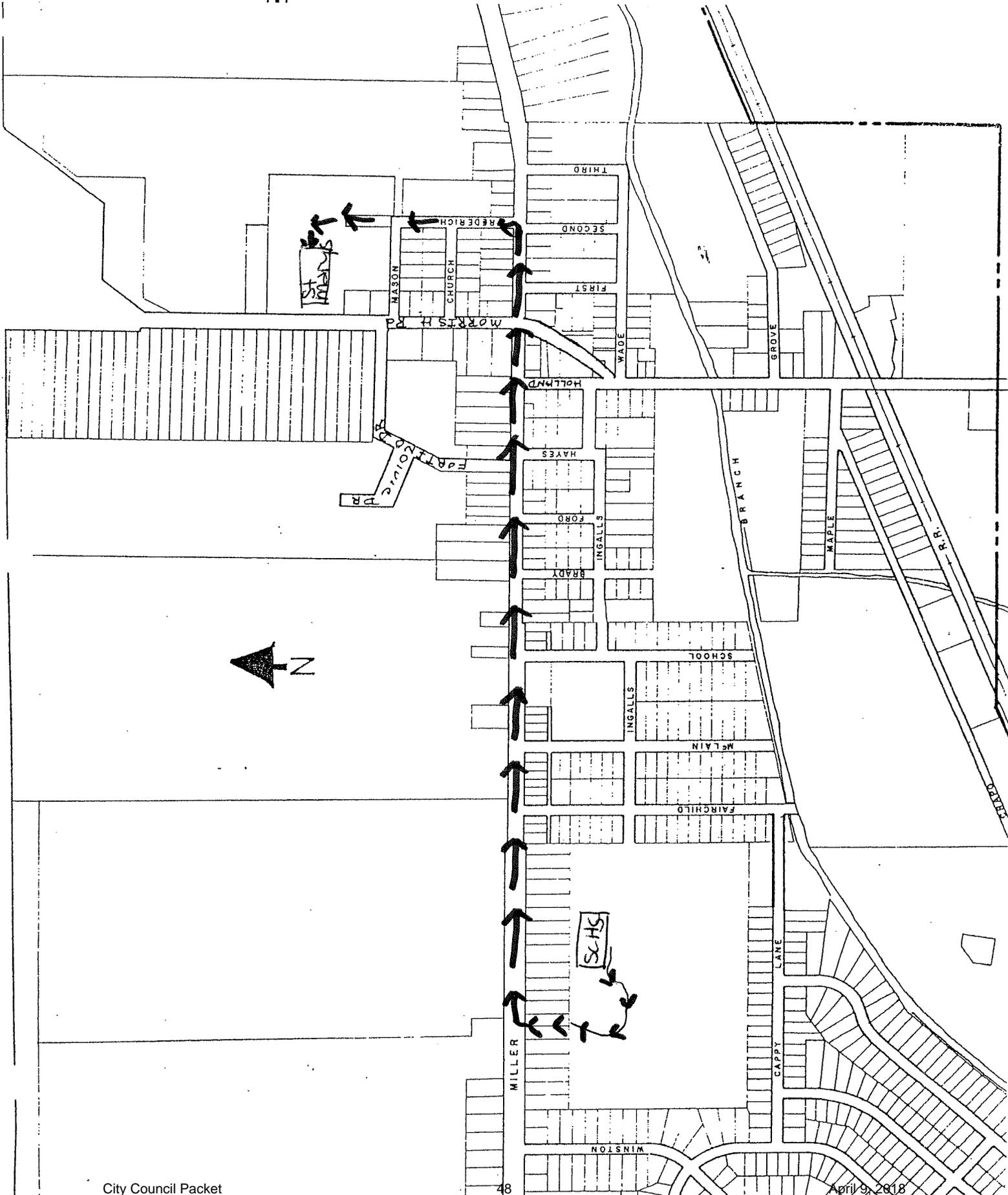
APPROVED BY: [Signature] (Chief of Police)

* The throwing of any item(s) from any vehicle during the course of a parade is strictly prohibited and violations may result in criminal prosecution and/or the denial of future permit applications.

**The Chief of Police reserves the right to determine the length of time that any street(s) remain(s) closed to traffic.

THIS REQUEST AND ALL REQUIRED ASSOCIATED DOCUMENTS MUST BE SUBMITTED TO THE OFFICE OF THE CHIEF OF POLICE NO LATER THAN 30 DAYS PRIOR TO EVENT DATE

(M-10)





3-26-18

Adam Zettel and Swartz Creek City Council:

We, the Swartz Creek Hometown Days committee and volunteers, request a temporary exception to the Swartz Creek, MI Code of Ordinances Section 3-1. This ordinance states; "Keeping of certain animals prohibited. It shall be unlawful to keep, harbor, own, or in any way possess within the corporate limits of the City of Swartz Creek unless specifically authorized by an act of federal, state, or city government:..."

We are requesting an exception to this ordinance regarding the Swartz Creek Hometown Days festival that is being held May 31st through June 3rd. We are wishing to bring back the Whispering pines Mobile Farm/Petting Zoo. Agricultural tent. These animals will be present during the entirety of the Swartz Creek Hometown day's festival. To view specific times and dates that these animals will be available for the public to enjoy will listed in the big money magazine.

The animals that will be present during this time are Camel, pigs, chickens, goats, cows, with other traditional farm animals in the Agricultural tent. These animals will be contained at all times and be under the supervision and protection of their handlers.

Our goal is and always has been, to create a fun, family friendly, educational experience for the thousands of visitors that visit this carnival each year. Thank you for your consideration in this request and we look forward to seeing you all at Swartz Creek Hometown Days!
Sincerely,

Brenda Huyck

Swartz Creek Hometown Days Chairperson