

City of Swartz Creek
CITY MANAGER'S REPORT & SUPPLEMENTAL INFORMATION
Presented in Lieu of the Regular Council Meeting of Monday, March 23, 2020

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

FROM: Adam Zettel, City Manager

DATE: March 19, 2019

REPORTS & COMMUNICATIONS:

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!!!THE MARCH 23, 2020 REGULAR CITY COUNCIL MEETING IS POSTPONED!!!

Due to restrictions on gatherings related to the COVID 19 virus, we will NOT be holding our regular meeting for Monday, March 23, 2020. We do not feel we can accommodate proper social distancing with minimum attendance to meet CDC objectives. We certainly do not feel that we can accommodate an engaged public in a manner that meets the rule or intent of standing executive orders. However, a very recent gubernatorial executive order, issued under the Michigan State of Emergency, enables public meetings to be held virtually and maintain compliance with the Open Meetings Act.

This announcement is welcome news, however, we will need time to ensure we have adequate technology and practices to provide practical, accessible, and compliant two-way audio communication for our council members, staff, petitioners, and the general public. Since we do not have any emergency business, we plan to resume our normal schedule, meeting on Monday, April 13, 2020. This will give us adequate time to procure and test such methods, as well as properly communicate access features to the public beforehand.

Below and attached is more information to COVID 19 and our community.

✓ **COVID 19 (Update)**

The COVID 19 virus is having a substantial impact on our world. As of writing, there are no cases in Genesee County. However, the virus is expected to spread and have a direct impact on the health of many in the community. Mitigation measures are in place to slow the virus and reduce its overall impact. These include limits on gatherings, closure of many private and public services, and rigorous social distancing/hygiene measures.

At the local level, we are not the authority on the virus or public health in general. We are also not directly involved in service provision related to this situation. However, we do provide essential services that the public relies on, and we are an employer. As such, we have engaged our own set of local mitigation measures for our staff and public protection. I am including our most updated notice in the packet. As of writing, the city has not declared a state of emergency.

Moving forward we can expect a number of direct and indirect pressures and changes that will impact our community and our city operations. Among those, I expect limits on our staff production, especially should the virus directly impact employees. We will also be utilizing remote (home) work operations, shift staggering, potential hour reductions, single occupancy vehicles (DPW), cancellation of home appointments, closure of the municipal office/parks, and related actions. The public will feel the impact of the office and park closure, as well as the ability of staff to freely and openly engage in routine business. This will make life slow down, plain and simple.

We can also expect revenue hits. The economy is taking a remarkable beating. This will result in hardships for the residents, businesses, and other service providers. We can expect reduced state revenue sharing, street monies, and property values. We can also expect late utility/tax payments, foreclosures, and building activities. We are already placing a more critical eye on our expenses.

Lastly, it is likely we will see a slowdown in federal, state, and local processes related to our projects. This could slow, postpone, or even cancel private and public works. We are working with the USDA and our local contractor regarding the water main and street projects for 2020. This is an area of uncertainty for many reasons. There is a good chance we lose the 2020 construction season. We will likely see a stall or cancellation of private projects, such as Applecreek.

I am attaching some information that pertains to COVID 19 and city operations in the packet.

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

- ✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change in Status)*
We await the filing date for 2020 appeals.
- ✓ **STREETS** *(See Individual Category)*
 - ✓ **2020-2023 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(No Change in Status)*
Morrish Road is slated for 2022 federal funding. Note that the total scope of the project is around \$1,050,000, with 20% being the city's contribution.

The city has committed the match portion to this project, which is 80-20. It is unclear what year this project will be undertaken, but we want it done subsequent to the USDA water main work. This MAY span two construction seasons. We have put the engineers on notice regarding our desire to widen Paul Fortino to the north so that a left turn lane may be added. This will occur whether or not the townhome project proceeds.

✓ **STREET PROJECT UPDATES** *(No Change in Status)*

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

The city accepted the low bid by Glaeser Dawes for 2020 and 2021 work projects, including our street reconstruction projects. This is the company that completed the first three phases of the street/water main reconstruction projects in the city since 2017.

Note that the street work is tied to the USDA projects as well. We will be meeting with the contractor to divide the work scope over two construction seasons. The scope includes a section of Oakview, Chelmsford, and Oxford (including the last small stretch of Winston).

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

✓ **SEWER REHABILITATION PROGRAM** *(Update)*

The city is moving forward with lining the sewer collectors on the west end of downtown (Fairchild, McLain, Ingalls, Brady, Hayes, and Holland). Workers are onsite. We will also be inspecting Don Shenk, which was one of the first lining projects from 2007.

Mobilization is expected to occur on March 9th for inspections. Door hangers are going out currently. We will have information distributed to homeowners by the contractor and will be informing staff as well. The entire inspection and lining process will take over a month.

We will also be inspecting and cleaning areas of high fat, oil, and grease concentration in the system, such as Elms and Miller. We will be able to ascertain if we have any restaurant grease trap maintenance issues/enforcement to contend with.

We are still working to geo-locate sewer lines, manholes, and some services so we can map them and track maintenance data on GIS. The Genesee County Drain Commission has verbally committed to reimbursing the city for some of the work related to water and sewer, since they plan to use it from time to time. I do not have a figure at this time, but I expect it to be half of what is related to sanitary sewer and water line mapping.

Note that the most recent inspection are PACP compliant (Pipeline Assessment Certification Program). These inspection provide a GIS based video, along with standard pipe and maintenance scoring for use by state agencies and our assessment management planning efforts.

✓ **SEWER CAPACITY INITIATIVE** *(Update)*

ROWE has a potential solution for the district three capacity problem. They recommend a by-pass of specific portions of the collection system that function as a choke point. They recommend a new installation of larger capacity sewer line.

This will require a sizable construction effort, approaching \$500,000. It will also require cooperation with Springbrook Home Owners Association, the United Methodist Church, and the Masonic Lodge. I am hopeful all those property owners will be agreeable.

I am including Rowe's proposal for design. As noted, we have already invested in auditing capacity and preliminary solution modeling. We are now at the point where we can survey the area and prepare engineering documents that will get us to bid.

The previous report follows:

The capacity study is complete and was included in a prior packet. As expected, we have capacity issues in one of our districts. The impacted district includes Springbrook, parts of downtown and Applecreek. Findings suggest that the capacity is a current issue and will be exacerbated by the apartment expansion.

We will need to increase the pipe diameter for part of that system and/or add a secondary discharge. We met with ROWE to find solutions. I expect this to be a large ticket item, but it needs to be done even without additional changes or additions to the system. Despite the investment needs, I do not believe the community shall need to bond or alter rates, since we have been anticipating such an occurrence.

Concerning inflow and infiltration (I&I), the county met with communities about the current status and long term solutions for the sanitary sewer systems. This is something we have been actively reducing for years through manhole water proofing and pipe lining. However, there are still issues, and the higher levels of government are pushing hard to reduce I&I.

In pursuing the 'general permit' that is issued by EGLE, the county will be mandating targets for I&I reduction. We do not know what this will look like for our community since many things come into play, including the current wet weather ratio, the ability of surface water management to effectively remove water from problem areas, and the capacity of the county interceptor. A plan is expected to be crafted by 2022. I will keep the council informed.

✓ **WATER MAIN REPLACEMENT - USDA** *(No Change in Status)*

Bids for water main work were included with the street projects for 2020 and 2021. Glaeser Dawes was the low bid. This is the company that completed the first three phases of the street/water main reconstruction projects in the city since 2017.

Bond counsel and other team members have been assembled and we can now begin to proceed with the financial aspects of the project. The public notice regarding our intention to borrow funds was in the February 6th Swartz Creek View. We will continue to fulfill USDA requirements and establish construction expectations as we move through winter.

Prior system report findings follow:

The Genesee County Drain Commission - Water and Waste Services Division Water Master Plan, indicates they are considering a northern loop to provide redundancy and stability to the system. This is good news since Gaines and Clayton Township rely on the overstressed Miller line. There is currently not any cost or participation information available. I will keep the council informed.

The city has been working with the county to abandon the Dye Road water main in the vicinity of the rail line. Note that we are holding this action pending the master plan review. 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.

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

The last of the lots acquired prior to the special assessment have been approved for sale. The city also has two more lots that were acquired through the tax reversion process. At this point the buyer, JW Morgan, has not executed the transaction. The market for Heritage Village is soft. I will allow these instruments to expire, and we can revisit this matter when circumstances change.

✓ **NEWSLETTER** (*Update*)

The spring newsletter will publish the last week in March or first week in April. COVID 19, Republic, and Mr. Harris will be featured. Let me know if you have other ideas.

✓ **CONSTRUCTION & DEVELOPMENT UPDATE** (*See Individual Category*)

This will be a standing section of the report that provides a consolidated list for a brief status on public and private construction/developmental projects in the city.

1. The city shall submit another application for **DNR Trust funds for 2021 construction of the Genesee Valley Trail**. The MDOT grant is conditionally awarded. We seek to apply again for the Trust fund grant and combine this with the Safe Routes to School initiative for 2021 construction.
2. (*Update*) The **raceway has surrendered its 2020 race days due to a lack of beneficial state statutory changes**. They intend to use the site for thoroughbred horse racing, but the clock is running out. They are open to finding additional users for the site to supplement the racing. They are also communicating well in regards to partnering with community groups such as Hometown Days. I find the new owners to be very astute and capable.
3. (*Update*) Communities First has a purchase option for **Mary Crapo**. The planning commission approved a site plan for the building that includes senior housing (40 units of mixed income). A zoning request is before the city council, along with a payment in lieu of taxes for the project. Lastly, there is a desire to see the remaining green space of about three acres leased by the city for recreational uses.
4. The **school bond** passed and many improvements are expected in 2019 throughout the district. Total investment for this effort will exceed \$50 million over two to three years. Plans have been submitted for work on Syring and Elms School.

5. **(Update) Street repair in 2020** is to include Chelmsford. We have bids to complete the remainder of Winston, some of Oakview, and Oxford Ct. We will be partitioning this between 2020 and 2021. The city also has grants and loans for about **\$5 million in water main work** to occur between 2020 and 2022.
6. The **Applecreek Station** development of 48 townhomes is seeking final review by the county. These units range in size from 1,389 to 1,630 square feet, with garages. Construction will occur on vacant land in the back of the development, by Springbrook Colony. Site engineering plans have just been submitted by the owner. Rents are expected to be about \$1.00 per square foot (~ \$1,600 a month) which matches rents in Winchester Village. If this project occurs in 2019, 2020 DDA revenues will be positively and substantially improved.
7. The **Brewer Condo Project** was given site plan approval and tentative purchase agreement approval. This includes 15 townhome condos off Morrish Road in downtown. They are approximately 1,750 square feet, with two car garages and basements. A drainage solution has just been approved by the county.
8. The next **Springbrook East** phase is under construction. Underground work is nearly complete. The developer has not been cooperative with installation requirements and inspections. Because much of the infrastructure is to be public, this is creating big problems. We are working on solutions and have been given engineering reports by a third party regarding work completed onsite.

✓ **TRAILS** *(No Change of Status)*

We will be submitting another grant application to the state DNR this month. We are on track to construct in 2021. Engineering is being completed as we speak. We are still working with the MTA and GM on some easements and permissions. Additional easements are now known to be required from owners of land on Miller Road. We will be reaching out to secure those instruments. Having extra time is now a benefit for these issues.

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

Big things may be in store for the Lovegrove Building. The state is investing a lot of resources to investigate the potential for a transformational project using this building and site. We have been working with quality consultants, owner representatives, and state staff on options. This is a perk of the RRC program. It appears that underwriting the project could also be funding, in part, by the state.

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

The housing market is not moving in any direction that we can discern. Being a presidential election year, I expect investment to be tepid as the nation awaits results. As such, if we have movement on the lot sales, we will take it. However, I do not see much value in remarketing the properties. The previous report follows.

I am seeking release from the buyers of tax reverted property on Wade Street and Heritage. I am doing so because the council granted sale approval over one year ago, but the purchase agreements remain unsigned after numerous requests. We can look to reoffer the properties or allow time to mature the prospects more.

✓ **8002 MILLER** *(No Change of Status)*

Occupancy of the entire building has been granted. The user is now going to be entering the next phase of rent payment towards the total purchase. I will be engaging them in early 2020 to begin establishing a plan and timeline for transfer of the property.

Note that the proceeds from this lease MUST go to offset the cities investment, effectively counting towards the eventual sale price by the user. This closely resembles a land contract. In fact, the city attorney may recommend we proceed directly to a land contract at this point as a means to recognize the current lease and eventually purchase terms.

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

Work is now occurring throughout the district, with mobilization occurring at Syring and the other campuses. I expect to have a school staff representative present at one of our February meetings to give an update on happenings.

The school has placed a construction trailer to oversee this massive set of projects. This is located near the administration building, but away from work efforts, on the property next to the bus garage. Though this is obviously temporary, the project could take a couple years. They are also putting up construction signs at various school sites, including Mary Crapo.

Additional bond work shall continue in 2020 and 2021. It will include all facilities, including athletic facilities at the high school. We expect cooperation and benefit in terms of establishing safer connections for walkers, better land grades (e.g. the football field), and more attractive gateways.

✓ **BREWER TOWNHOMES** *(No Change of Status)*

The site plan and sale has been approved. We await transfer of the property pending final approval of the condominium documents by the city attorney. The builder has gotten tentative drainage plans approved by Genesee County. As previously noted, this development is a candidate for water and sewer fee waiver incentives. I will have more information soon.

✓ **SPORTS CREEK RACEWAY & GAMING COMMISSION** *(Update)*

The raceway has surrendered its 2020 race days due to a lack of beneficial state statutory changes. They intend to use the site for thoroughbred horse racing, but the clock is running out. They are open to finding additional users for the site to supplement the racing. The owner is not giving up on the potential for thoroughbred or harness racing, but it is expected that the site will be redeveloped entirely at this point.

✓ **CDBG** *(No Change of Status)*

At this point, we are looking to upgrade street name/stop signs in the downtown area using these funds. Improvements should be eligible for funding in the fall of 2020.

✓ **SAFE ROUTES TO SCHOOL** *(No Change of Status)*

A conditional award has been made by the MDOT! We are hopeful that this will enable installation of paths near the middle school, Elms, and Syring for student safety. These connections will also enhance our trail network. Andy is working on easements at the moment, and we anticipate moving into engineering this summer so we can construct in 2021.

✓ **CENSUS COMPLETE COUNT COMMITTEE (Update)**

The Census begins soon. Here is a rundown of the happenings:

- March 12th Web Site and phone lines go up and are active. First mailings go out.
- Mailing goes out every two weeks afterwards. Or until recipients respond to the questionnaire. Staff recommended that the city use April 1st (Census Day) as a day that the volunteers from the High School assist our seniors.
- The Census workers will be going door to door during the census.
- The Census time frame is from spring to summer months.

The committee is creating alternate plans for their function due to COVID 19 social distancing protocols. They are seeking ways to assist seniors with filling out the forms at a neutral location. Volunteer efforts with high school students have been suspended.

✓ **GIS MAPS (Update)**

Staff is now able to edit the maps and accompanying data fields for our GIS system. This includes underground water, sewer, and storm facilities. We are also mapping basic street data. This system is going to be accessible by our staff anywhere in the city by mobile device and will enable locational support, as well as important maintenance and related data fields related to infrastructure.

We are also exploring the use of work order applications with GIS that will save some time and better integrate data analytics for our infrastructure. Some of these features may be viewable by the public as well once we are established.

✓ **SHARED SERVICES AGREEMENT-MUNDY TOWNSHIP (No Change of Status)**

Mundy's park will not be completed this year. As such, any need for services is put on hold as it relates to utilizing our labor and maintenance staff/equipment. The previous report follows:

Mundy Township is very interested in utilizing our existing labor and equipment resources to support their new park facility on Hill Road. We have come to verbal terms with each other regarding expectations. I have also ensured we have the capacity and willingness from the DPW Director and union steward that represents the crew that will be doing the work. The city Treasurer is also equipped to track, report, and invoice such services by virtue of extending a system of accounting that we use to enable our staff to maintain the park and ride.

Moving forward, I expect to deliver a short shared services agreement that will enable city labor and equipment to be used to maintain the Mundy Township park. Again, this agreement will resemble the MDOT park-and-ride service expectation, while taking the form of the shared service agreement we have with Mundy Township for building services. Conceptually, I think this is a great idea to create efficiency for the township

and more capacity for the city, while ensuring costs are fairly and appropriately covered. The working plan appears to support the concept in terms of its functionality and demand on our resources.

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

Some folks walked the newly surveyed property on Bristol Road on February 1st. They believe they can install the 18 hole course as previously drawn. Mr. Harris and Mr. Zettel will investigate next steps, including the function of the drain that flows through the site.

In the meantime, it appears that some temporary baskets might be available for a fundraiser event. This could enable a mock setup of the course with some play-through. In addition to raising funds, this would help plan the course and raise some awareness.

✓ **REPUBLIC WASTE SERVICES** *(No Change of Status)*

Mr. Hicks attended the last city council meeting, along with an area supervisor. He gave a thorough report to the city council relating to Republic's efforts to increase their service reliability. He indicated that they were addressing the following:

1. Management/leadership role changes
2. Enhanced employee retention with the goal to reduce 30% turnover to less than 10%
3. Surplus driver staffing
4. New equipment acquisitions
5. Designation of Swartz Creek as a "Priority Community"

The council did not request further action at this time. We will look to track the number of service calls moving forward so that we may have a good metric for improvements.

✓ **WELL-HEAD SITE** *(No Change of Status)*

The potential user is still considering the city property. If they proceed, they will conduct a full title search, partial survey, and environmental analysis. They agree to share all of their findings in exchange for access. If there is still interest, they will need to secure zoning approval from Vernon Township in Shiawassee County. They will look to seek a letter of agreement with the city at some point during this process.

With that said, no commitments have been made. The city council will still have ample opportunity to consider a tenant after a site design is completed and findings regarding water rights impact, zoning, and finance are considered. The previous report follows:

For some time, we have known that our well-head in Shiawassee County is of minimal value. A sale seems unlikely due to its circumstances. If Project Tim were a go, things would be different. However, that appears unlikely. In the meantime, the old pump house and fencing should probably be removed to make sure there are no risk factors left on the site.

As chance would have it, a company that provides high speed internet is interested in using this site for the purpose of installing a 25' x 28' enclosure with a satellite transmitter for area residents. They are offering to pay \$500/monthly to do so. They would also incur

other incidental costs, including real and personal taxes that may be incurred. I am including their letter and concept plans. I indicated that the council may have an interest.

This is up for discussion at the meeting [January 13, 2020]. The upside is income. The downside is that it might encumber the site with a user that could compromise a future use. Even so, we could probably mitigate this.

✓ **MARY CRAPO (Update)**

Communities First has a purchase option for Mary Crapo school and grounds. The intention is to use the building and site for senior housing (40 units of mixed income). They held a workshop on February 19th and received feedback. They modified their plans due to feedback, removing the zoning request for the south part of the parcel.

The public hearing to amend the zoning and consider the site plan was held by the Planning Commission on March 10th at 7pm. The commission recommends approval of the zoning to the city council. The commission approved the site plan, with conditions.

City council approval is still required for zoning change. Of course, the site plan cannot be valid without the zoning change. These items will be up for consideration at the next regular meeting. I am including the consultant review letters and application materials for review.

A payment in lieu of taxes (PILOT) is also being requested. A PILOT is a state sanctioned program that enables qualifying housing projects to reduce expenses on taxes while still contributing resources for local government services. In essence, they contributed resources for services based upon rents instead of property value. There is currently one other PILOT in the city, and this applies to the senior housing at Mari Dan Miller Farms. The terms are similar, paying just under 4% of eligible rents.

As of writing, I do not have a draft ordinance from the attorney. Communities First did negotiate their percentage rate up to 6% from 4% (10% being the statutory maximum). See the packet of March 9th for details on their PILOT application and state enabling legislation excerpts.

Note that the school is transferring the property with a 30 year deed restriction for use as senior housing only (55 and older).

✓ **FIRE HALL ROOF (No Change of Status)**

The fire hall roof is in worse shape than we thought. Due to a leak that presented itself in the last month, we have uncovered many issues with the prior roof installation, ventilation, and existing damage. Emergency repairs were completed. We will likely need to engage in extensive roofing and some repairs this fiscal year. The cost to do so is expected to be in excess of \$50,000.

✓ **OTHER COMMUNICATIONS & HAPPENINGS (See Individual Category)**

✓ **MONTHLY REPORTS (Update)**

There are some routine reports included for your information.

- ✓ **COMCAST (Update)**
They are reporting some offering changes.

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

- ✓ **PLANNING COMMISSION (Update)**

The Planning Commission met on March 10th. The meeting focused on Mary Crapo. There was public comment related to the zoning request for Mary Crapo. This included only the 2.2 acres of the 5 acre site that are related to the senior apartment site plan. This includes the existing school, a small expansion, and related parking areas.

The commission recommended zoning the property to RM-1. They also conditionally approved the site plan. While the question of the remaining green space was not an official business item, there was a positive reception to retaining this space in the public trust moving forward.

The next meeting is scheduled for April 7th. This is likely to be cancelled due to COVID 19 mitigation.

- ✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

The DDA met on March 12. There was not a quorum. Attendance is becoming a notable issue with this board.

Those present discussed plans for Family Movie Night and the potential for a micro-grant that could provide amenities in the downtown, such as benches, bike racks, and similar features.

- ✓ **ZONING BOARD OF APPEALS (Update)**

The ZBA did not have a March meeting due to COVID 19 mitigation. Their annual meeting will be postponed, which will be held with or without other business. This is expected to include training

- ✓ **PARKS AND RECREATION COMMISSION (No Change of Status)**

The Park Board met on March 4th. There was quorum, including two new members (Mr. Hicks and Mr. Gonyea). The board discussed routine upkeep of picnic tables and grills, the Elms trail loop, the potential for recreation at Mary Crapo, and the slip and slide (7/25 from 12pm-3pm).

Some items were noted for spring efforts, including the removal of old bollards for parking at Abrams, the removal of old pieces of exercise trail equipment at Abrams, and the potential for the filling of low spots at Elms.

The next meeting is scheduled for April 1, 2020 at 5:30pm. This is likely to be cancelled due to COVID 19 mitigation. At the next meeting, the board will be reviewing the five year plan for 2020 initiatives. We also hope to be able to move forward with disc golf.

- ✓ **BOARD OF REVIEW (Update)**

The BoR met the week of March 16th and had forty-one petitions, ten disabled veteran exemptions and a few clerical issues and late personable property exemptions.

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 03/09/2020**

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, Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry.

Councilmembers Absent: None.

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

Others Present: Lania Rocha, Bob Plumb, Charles Campbell, James Barclay, David Wolfe, Sandy Raffaelli, Mike Buza, Joe Perreault.

APPROVAL OF MINUTES

Resolution No. 200309-01

(Carried)

Motion by Councilmember Henry
Second by Councilmember Gilbert

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday February 24, 2020 to be circulated and placed on file.

YES Gilbert, Hicks, Krueger, Pinkston, Henry, Cramer, Farmer.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 200309-02

(Carried)

Motion by Councilmember Cramer
Second by Councilmember Farmer

I Move the Swartz Creek City Council approve the Agenda as, printed for the Regular Council Meeting of March 09, 2020, to be circulated and placed on file.

Discussion Ensued.

Draft Minutes

YES: Hicks, Krueger, Pinkston, Henry, Cramer, Farmer, Gilbert.
NO: None. Motion Declared Carried.

CITY MANAGER'S REPORT

Resolution No. 200309-03

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Hicks

I Move the Swartz Creek City Council accept the City Manager's Report of March 09, 2020, including reports and communications to be circulated and placed on file.

Discussion Ensued.

YES: Krueger, Pinkston, Henry, Cramer, Farmer, Gilbert, Hicks.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

David Wolfe, 5006 Ford Street, against any development of the playground area of Mary Crapo property. He would like the project be restricted just to the building.

Sandy Raffaelli, 8098 Miller Road, feels a senior housing project would enhance our community. She does feel there should be restrictions such as age and income.

COUNCIL BUSINESS:

RESOLUTION TO AFFIRM MAYORAL APPOINTMENT

Resolution No. 200309-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Farmer

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

WHEREAS, there exist vacancies in a number of said positions; and

Motion by Mayor Pro Tem Pinkston
Second by Councilmember Farmer

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

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

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

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

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

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

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

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

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

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

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

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

Prohibited parking (signs un-necessary)

(d) On sidewalk	\$ 40.00
(e) In front of drive	\$ 40.00
(f) Within intersection	\$ 40.00
(g) Within 15 feet of hydrant	\$ 40.00
(h) On crosswalk	\$ 40.00
(i) Within 20 feet of crosswalk or 15 feet of corner lot lines	\$ 40.00
(j) Within 30 feet of street side traffic sign or signal	\$ 40.00

(k) Within 50 feet of railroad crossing	\$ 40.00
(l) Within 20 feet of fire station entrance	\$ 40.00
(m) Within 75 feet of fire station entrance on opposite side of street (signs required)	\$ 40.00
(n) Beside street excavation when traffic obstructed	\$ 40.00
(o) Double parking	\$ 40.00
(p) On bridge of viaduct or within tunnel	\$ 40.00
(q) Within 200 feet of accident where police in attendance	\$ 40.00
(r) In front of theater	\$ 40.00
(s) Blocking emergency exit	\$ 40.00
(t) Blocking fire escape or fire lane	\$ 50.00
(u) In a handicapped space	\$100.00
(v) In prohibited zone (signs required)	\$ 40.00
(w) In alley (signs required)	\$ 40.00

Parking for prohibited purpose

(x) Displaying vehicle for sale	\$ 40.00
(y) Working or repairing vehicle	\$ 40.00
(z) Displaying advertising	\$ 40.00
(aa) Selling merchandise	\$ 40.00
(bb) Storage over 48 hours	\$ 40.00
(cc) Wrong side boulevard roadway	\$ 40.00
(dd) Loading zone violation	\$ 40.00
(ee) Bus, parking other than bus stop	\$ 40.00
(ff) Taxicab, parking other than cab stand	\$ 40.00
(gg) Bus, taxicab stand violations	\$ 40.00
(hh) Failure to set brakes	\$ 40.00
(ii) Parked on grade wheels not turned to curb	\$ 40.00
(jj) Parked on lawn extension within right of way	\$ 40.00
(kk) Parked on front lawn	\$ 40.00

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

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

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

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

A. A cost of \$150 shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court.

B. Actual costs shall be assessed to each defendant convicted of O.U.I.L. – O.U.I.D or O.W.I. in which a motor vehicle accident occurred. The cost recovery shall be collected as a part of the fines and costs set by the 67th District Court. In the event the court declines collection, they shall be billed direct to the defendant.

C. For the purpose of determining costs for extensive investigation and cleanup recovery for emergency response for alcohol related arrests and accidents, the following table shall be used:

Fire

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

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

Police

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

4. Chapter 5: Cemetery Lots - Purchase

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

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

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

6. Chapter 11: Park Reservation Fees

Elms Park

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

Winshall Park

Pavilion #1	\$ 70.00
Pavilion #2	\$ 70.00
Pavilion #3	\$ 70.00
Deposit	\$100.00

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

\$50.00

8. Chapter 15: Permit, Sidewalk Installation

\$25.00

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

\$100.00

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

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

Rates for Quarterly Billings

Readiness to serve charge

5/8", 3/4", 1"	\$52.76
1.5"	\$227.39

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

Commodity charge (per 100 cubic feet of water): \$7.28

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

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

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

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

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

Bulk Water Purchases

1 cubic ft. = 7.4805
Gallons

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

11. Chapter 19: Water & Sewer Tap Fees

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

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

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

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

12. Chapter 19: Sanitary Sewer Rates

Rates for Quarterly Billings

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

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

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

13. Chapter 20: Weed Cutting Fees

\$300 per cut

14. Building & Trade Inspection Fees

A. Building Permit Fees:

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

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

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

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

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

Siding permits are based upon the project cost.

Commercial roofing is to be based upon the project cost.

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

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

B. Electrical Inspection Fees

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

New Residential Electrical System

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

Service

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

Signs

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

Feeders-Bus Ducts, etc.-per 50'	\$6
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Mobile Home Park Site	\$5
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Recreational Vehicle Park Site	\$5
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K.V.A. & H.P.

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

Fire Alarm Systems (excl. smoke detectors)

Up to 10 devices	\$50
11 to 20 devices	\$100
Over 20 devices	\$5 each
Low voltage - Per opening (devices)	\$5 each
Energy Retrofit-Temp. Control	\$45
Conduit only or grounding only	\$45
<u>Inspections</u>	
Special/Safety Insp. (includes cert. fee)	\$65
Additional Inspection	\$65
Final Inspection	\$65
Certification Fee	\$25

C. Mechanical Inspection Fees

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

Residential Heating System

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

Tanks

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

Piping

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

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

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

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

D. Plumbing Inspection Fees

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

New Residential Plumbing System

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

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

Water Service

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

Sewers (sanitary, storm or combined)

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

Water Distributing Pipe (system)

¾" Water Distribution Pipe	\$5
1" Water Distribution Pipe	\$10
1 ¼" Water Distribution Pipe	\$15
1 ½" Water Distribution Pipe	\$20
2" Water Distribution Pipe	\$25
Over 2" Water Distribution Pipe	\$30
Reduced pressure zone back-flow preventer	\$5 each
Domestic water treatment and filtering equipment only	\$5
Medical Gas System	\$45

Inspections

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

15. Chapter 22: General Emergency Response Fees

Fire

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

Police

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

16. Appendix B: Franchises

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

17. Miscellaneous Fees

A. *Copies:*

Black & White: 10¢ for page.

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

B. *Freedom of Information Act Requests:*

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

C. *Weddings:*

\$50 per ceremony

- D. *Fax Services:*
50¢ per page for the first 10 pages, then \$0.25 per page thereafter
- E. *Notary Services:*
\$10.00 per item
- F. *Insufficient Funds:*
\$25 each for any check returned unpaid for account insufficient, closed or stopped
- G. *Penalties on Outstanding Invoices/Miscellaneous Receivables:*
\$10 penalty for unpaid miscellaneous receivables, including but not limited to: utility bills, mowing invoices, sidewalk repair, project reimbursements, charges for services, and retiree coverage contributions. This penalty shall be applied once to “past due” invoices.
- H. *Interest on Outstanding Invoices/Miscellaneous Receivables:*
1.5% interest per month on outstanding invoices that are 30 days “past due”.

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

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

- A. Site Plan Review:

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

- B. Building and Zoning:

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

Zoning Code		\$10	CD,	\$25	Paper
Engineering Standards Manual	Copy	\$10	CD,	\$25	Paper
Medical Marijuana Dispensary/Facility Review	Copy	\$500			

C. Subdivision Review

Preliminary Subdivision Review-Tentative	\$300 plus \$5.35 per lot
Preliminary Subdivision Review- Final	\$160 plus \$2.70 per lot
Final Plat Review	\$160 plus \$1.00 per lot

19. Chapter 1: Municipal Civil Infraction Fines

Civic Infraction Citation Fines:

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

Civic Infraction Notice Fines:

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

20. Rental Inspection Program Fees

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

ADOPTION & REVISION HISTORY:

Resolution No. 050711-07	Dated July 11, 2005
Resolution No. 100208-06	Dated February 8, 2010
Resolution No. 101206-04	Dated December 6, 2010 (Water-Sewer-RTS)
Resolution No. 111114-05	Dated November 14, 2011 (Park Fees)
Resolution No. 110613-07	Dated June 13, 2011 (Water Fees)
Resolution No. 120611-05	Dated June 11, 2012 (Water Fees)
Resolution No. 120709-05	Dated July 9, 2012 (Bulk Water Fees)
Resolution No. 130610-09	Dated June 10, 2013 (Water Fees)
Resolution No. 130826-06	Dated August 26, 2013 (K.W.A. Water Fees)
Resolution No. 140922-07	Dated September 22, 2014 (Utility and MMD Fees)
Resolution No. 150824-05	Dated August 24, 2015 (FOIA, Rentals, Utility Fees)
Resolution No. 151214-05	Dated December 14, 2015 (Parking)
Resolution No. 160523-05	Dated May 23, 2016 (Water and Sewer)
Resolution No. 160808-04	Dated August 8, 2016 (Solicitation)

Resolution No. 171023-07 Removal)	Dated October 23, 2017 (Building; Police
Resolution No. 180312-06	Dated March 12, 2018 (Building Penalty)
Resolution No. 181126-07	Dated November 26, 2018 (Parking)
Resolution No. 190325-09	Dated March 25, 2019 (Water)
Resolution No. 200309-__	Dated March 9, 2020 (Emergency Services)

YES: Cramer, Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry.
 NO: None. Motion Declared Carried.

RESOLUTION TO ENTER CLOSED SESSION TO CONSIDER PROPERTY TRANSACTION/LEASE (ROLL CALL VOTE)

Resolution No. 200309-07

(Carried)

Motion by Councilmember Henry
 Second by Councilmember Cramer

WHEREAS, the City of Swartz Creek has potential business concerning the transaction or lease of real property, and;

WHEREAS, the MCL 15.268(d) permits a governing body to enter a closed session to consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council exit the regular session of the city council and enter into a closed session for the purpose of discussion related to the consideration of the purchase or lease of real property.

YES: Farmer, Gilbert, Hicks, Krueger, Pinkston, Henry, Cramer.
 NO: None. Motion Declared Carried.

Break 8:00 pm-8:03 pm

Closed Session 8:03 pm – 8:25 pm

MEETING OPENED TO THE PUBLIC:

None.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert “Think Spring.”

Councilmember Hicks thanks to everyone who supported the chili dinner.

Councilmember Cramer meeting with SC seniors tomorrow and Thursday with the school for the volunteer committee for the census. He also spoke with John Cherry at the small cities meeting and discussion took place in regards to the raceway.

Mayor Krueger remind everyone there is an election tomorrow which includes a Mott Community College proposal.

ADJOURNMENT

Resolution No. 200309-08

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council adjourn the regular meeting at 8:31 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF PLANNING COMMISSION MEETING
March 10, 2020**

Meeting called to order at 7:01 p.m. by Commissioner Wyatt.

Pledge of Allegiance.

ROLL CALL:

Commissioners present: Farrell, Campbell, Novak, Krueger, Farmer, Zuniga, Wyatt.

Commissioners absent: Binder, Grimes.

Staff present: Adam Zettel, City Manager.

Others present: Dennis Cramer, Nate Henry, Linda Sebeka, Len & Sharon Thomas, Lloyd & Susan Swan, Bob Plumb, Lee Hubbard, Gloria Hubbard. Glenn Wilson, Michael Wright, Eric Maring, Carmine Avantini.

EXCUSE COMMISSIONERS BINDER & GRIMES

Resolution No. 200310-01

(Carried)

Motion by Planning Commission Member Krueger
Second by Planning Commission Member Farmer

I Move the Swartz Creek City Council excuse Planning Commission Members Binder & Grimes.

YES: Unanimous Voice Vote.

NO: None. Motion declared carried.

APPROVAL OF AGENDA:

Resolution No. 200310-02

(Carried)

Motion by Commissioner Zuniga support by Commissioner Farrell, the Swartz Creek Planning Commission approves the agenda for the March 10, 2020 Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

APPROVAL OF MINUTES:

Resolution No. 200310-03

(Carried)

Motion by Commissioner Krueger support by Commissioner Campbell the Swartz Creek Planning Commission approves the minutes for the February 4, 2020 Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

MEETING OPENED TO THE PUBLIC:

None.

BUSINESS:

No Conflict of Interest

Resolution No. 200310-04

(Carried)

Motion by Commissioner Farmer support by Commissioner Farrell the Swartz Creek Planning Commission that Commissioner Zuniga has no conflict of interest related to the Mary Crapo Project.

Yes: Krueger, Farmer, Wyatt, Farrell, Campbell, Novak.
No: None. Motion Carried.

Mary Crapo Project

Presentation

Michael Wright, Communities First Inc., gave a brief overview of Communities First Inc. The application before you today is for redevelopment of the Mary Crapo School Building to the secretary of interior standards for historic rehabilitation. The building will be redeveloped into 40 units. This will include an addition to the building. The site itself is 2.2 acres, the parking and the building. Asking for a rezoning for just the 2.2 acres and site plan approval for that same area. The larger parcel, the ballfield portion, is not included in this proposal. They are discussing with the city/school district for controlling and maintaining that ballfield area. They will be going before the city to request a Pilot, payment in lieu of taxes.

Eric Maring, Hooker/Dejong Architects & Engineers, reviewed the plan. He reconfirmed that the plans do not include the green space.

Carmine Avantini, CIB, reviewed the application for rezoning review.

He is recommending the board recommend approval of the rezoning request from R3 Downtown Residential to RM1 Multiple Family Residential District for the following reasons:

1. The proposed rezoning supports the desired uses within the mixed use of future land use category of the city's master plan.
2. The rezoning accomplishes the city's land use goals of providing a variety of lifestyle and housing types and mixed of dwelling types in densities.
3. There is a need to provide additional land use zoned for multiple family housing as well as for aging /senior populations.
4. Rezoning the land for multiple family residential addresses a community need, which is multiple family housing.

The site is capable of accommodating the range of uses in the RM1 district.

5. Residential use of this location is appropriate due to adjacent single multiple family housing.

He reviewed the application site plan review. They met all the dimensional standards, the statement of use was given. He wants to see all the existing curb cuts on Miller Road are removed and replaced with grass and landscaping. We need to make sure the sidewalk on the back of unit close to parking spaces will need to be a minimum of 7 feet wide. Also would like to see some additional landscaping planted to screen vehicle parking area. Also would like to see additional light specifications. The site plan is generally compliant and he is recommending approval be granted upon the condition upon the following items for administrative review and approval:

1. Submission of a revised site plan, for administrative review and approval, that addresses the outstanding items noted in the review letter of CIB Planning, dated March 5, 2020;
2. The parking spaces along the south side of the building and closest to the entrance be seven (7) feet wide to accommodate the overhang from vehicles;
3. Existing curb cuts and drive along Miller Road be removed and replaced with curbing, grass, and landscaping;
4. The submission of landscape calculations and planting a buffer of evergreens to screen the parking on the east side of the parcel; and
5. Review and approval from all applicable consultants, departments, and agencies

Public Hearing Open 7:40 p.m.

Sharon Davis, 5140 McLain Street, isn't completely clear on the front driveway. She feels that should be changed. She also would like to see some nice landscaping there, such as flowers.

Michael Wright, Communities First, replied this will only be used to drop off someone in a wheel chair, or a MTA Your Ride dropping of residents.

Everett Hubbard, 8333 Miller Road, he wants to make sure this is multiple family dwellings. He wants to make sure the park will still be available for the kids to play ball. He wanted to confirm the age.

Michael Wright, Communities First, responded this proposal is only for the school and they are working with the school/city on the green space. He also confirmed the project it is for ages 55 and up and will have 1-2 bedrooms.

Adam Zettel commented this site plan is only for the building and does not include the green space.

Everett Hubbard, commented on background checks of residents.

Glenn Wilson, Communities First, responded that there is background checks completed.

Sharon Davis wanted to know what kind of border will be around the parking space.

Glenn Wilson, Communities First, responded that currently there is a chain link fence but there

will be more screening such as landscaping.

Cheryl Bruce, 8231 Ingalls, wanted to know if the current parcel will be split.

Adam Zettel, City Manager, responded the parcel will be split.

Cheryl Bruce inquired about the one Pilot payment. She was concerned about the amount of taxes they would pay.

Adam Zettel, City Manager, explained they have a payment in lieu of taxes based on rents.

Len Thomas, 4267 Springbrook Drive, complimented Communities First for their report at the last meeting and the other projects they have done. He has been in contact with the Crapo family and wanted to make things clear that the Crapo family does not want anything to do with the project.

Linda Sebok, 8179 Miller Road, concerned about the low income housing in our community. She feels we do not need any more low income housing. She is also concerned about the traffic in the front driveway. She feels like there is other alternatives to this property. She feels we need more greenspace.

Michael Wright responded that this project will not be section 8.

Dennis Cramer, 5299 Worchester Drive, his belief is that we need something like this to take care of our community in the future.

Closed 8:07 p.m.

Carmine Avantini, regarding the site plan review we weren't aware that they wanted to continue to use the drive in front of the building. We would like to remove condition #3 from the resolution and request additional foundation landscaping across the front of the building.

Resolution to recommend approval of a zoning change to 2.2 acres of 8197 Miller Road; 58-02-526-027, to RM-1 (Multiple Family Residential) from R-3 (Downtown Residential)

Resolution No. 200204-05

(Carried)

Motion by Planning Commission Member Farmer
Second by Planning Commission Member Novak

WHEREAS, a land owner has petitioned the city to zone 2.2 acres of a parcel of land in the Downtown Residential District (R-3) to Multiple Family (RM-1), and;

WHEREAS, the petition to rezone has been reviewed by the city's planning consultant, and the planning commission as it relates to master plan objectives, future land use map, and zoning ordinance requirements; and,

WHEREAS, the planning commission, in reviewing the criteria in Zoning Ordinance Section 24.04, finds the proposed zoning ordinance map amendment for the conversion of 2.2 acres of 8197 Miller Road to RM-1 to meet the intent of the master plan and zoning amendment criteria.

BE IT RESOLVED that the City of Swartz Creek Planning Commission recommends approval of the proposed zoning map amendment to amend 8197 Miller Road to RM-1.

Yes: Krueger, Farmer, Zuniga, Wyatt, Farrell, Campbell, Novak.
No: None. Motion Carried.

Resolution to conditionally approve a site plan for a 2.2 acre portion of 8197 Miller Road; 58-02-526-027, to enable improvements and use for senior apartments

Resolution No. 200204-06

(Carried)

Motion by Planning Commission Member Farmer
Second by Planning Commission Member Novak

WHEREAS, the city received a proposal to repurpose the Mary Crapo School as senior apartments, and;

WHEREAS, the project includes building alterations, building additions, and alterations to the grounds surrounding the property (approximately 2.2 acres), and;

WHEREAS, the planning commission, in reviewing the application materials and review criteria in Zoning Ordinance, finds the proposed site plan for senior apartments meets the intent of the zoning ordinance, and;

WHEREAS, the planning commission finds that the site plan, would meet all other general and specific standards applicable if the following conditions are met:

1. Submission of a revised site plan, for administrative review and approval, that addresses the outstanding items noted in the review letter of CIB Planning, dated March 5, 2020;
2. The sidewalks along the south side of the building and closest to the entrance be seven (7) feet wide to accommodate the overhang from vehicles;
3. The submission of landscape calculations and planting a buffer of evergreens to screen the parking on the east side of the parcel; and
5. Review and approval from all applicable consultants, departments, and agencies.
6. Condition upon zoning approval from city council.

NOW, BE IT RESOLVED that the Swartz Creek Planning Commission hereby approves the site plan, dated March 3, 2020, subject to the conditions in this resolution and final approval of the zoning petition by the city council.

Yes: Farmer, Zuniga, Wyatt, Farrell, Campbell, Novak, Krueger.
No: None. Motion Carried.

Meeting Open to Public:

None.

Remarks by Planning Commission:

Commissioner Krueger commented the payment in lieu of taxes is open to negotiations at the

next council meeting.

Commissioner Novak thanked the public for coming and all the comments tonight.

Commissioner Farmer thanked everyone for coming out and he is excited about the building and looking forward to see how this will help the downtown businesses.

Adjourn

Resolution No. 200310-07

(Carried)

Motion by Planning Commission Member Farmer
Second by Planning Commission Member Novak

I Move the Swartz Creek Planning Commission adjourns the March 10, 2020 Planning Commission meeting.

Unanimous Voice Vote
Motion Declared Carried

Meeting adjourned at 8:27 p.m.

Jentery Farmer,
Secretary

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 02/29/2020

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
Fund 101 - General Fund					
000.000 - General	2,280,530.00	2,303,417.56	1,897,058.23	406,359.33	82.36
172.000 - Executive	0.00	0.00	22,500.00	(22,500.00)	100.00
215.000 - Administration and Clerk	42.00	42.00	41.80	0.20	99.52
262.000 - Elections	0.00	350.00	350.00	0.00	100.00
301.000 - Police Dept	3,800.00	4,195.95	4,195.95	0.00	100.00
336.000 - Fire Department	0.00	800.00	1,200.00	(400.00)	150.00
345.000 - PUBLIC SAFETY BUILDING	28,100.00	28,100.00	14,893.59	13,206.41	53.00
410.000 - Building & Zoning & Planning	65,830.00	74,780.00	72,810.00	1,970.00	97.37
448.000 - Lighting	9,870.00	9,870.00	5,147.68	4,722.32	52.15
448.001 - Decorative Street Lighting	8,165.39	0.00	0.00	0.00	0.00
728.005 - Holland Square Streetscape	0.00	40,000.00	40,000.00	0.00	100.00
782.000 - Facilities - Abrams Park	100.00	140.00	210.00	(70.00)	150.00
783.000 - Facilities - Elms Rd Park	6,700.00	6,700.00	3,950.00	2,750.00	58.96
790.000 - Facilities-Senior Center/Libr	7,980.00	7,980.00	3,339.51	4,640.49	41.85
790.012 - CDBG Senior Center Operations	1,440.95	1,850.00	0.00	1,850.00	0.00
794.000 - Community Promotions Program	0.00	1,000.00	1,000.00	0.00	100.00
931.000 - Transfers IN	38,000.00	38,000.00	34,000.00	4,000.00	89.47
TOTAL REVENUES	2,450,558.34	2,517,225.51	2,100,696.76	416,528.75	
000.000 - General	14,160.00	14,160.00	9,094.32	5,065.68	64.23
101.000 - Council	20,210.43	20,409.43	16,140.27	4,269.16	79.08
172.000 - Executive	109,561.45	148,531.45	100,756.27	47,775.18	67.83

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
201.000 - Finance,Budgeting,Accounting	47,008.38	47,121.38	33,660.94	13,460.44	71.43
215.000 - Administration and Clerk	28,138.95	30,114.95	21,366.68	8,748.27	70.95
228.000 - Information Technology	16,600.00	18,970.53	17,971.56	998.97	94.73
247.000 - Board of Review	2,450.65	2,450.65	783.04	1,667.61	31.95
253.000 - Treasurer	43,940.75	44,153.75	27,868.85	16,284.90	63.12
257.000 - Assessor	55,963.72	55,997.72	27,500.17	28,497.55	49.11
262.000 - Elections	58,867.77	58,944.77	12,015.21	46,929.56	20.38
266.000 - Legal Council	20,000.00	20,000.00	7,644.00	12,356.00	38.22
301.000 - Police Dept	7,855.00	7,855.00	11,900.90	(4,045.90)	151.51
301.266 - Legal Council PSFY	4,100.00	4,100.00	4,759.47	(659.47)	116.08
301.851 - Retiree Employer Health Care PSFY	21,133.00	21,133.00	13,581.65	7,551.35	64.27
334.000 - Metro Police Authority	990,000.00	990,000.00	739,174.50	250,825.50	74.66
336.000 - Fire Department	200,781.24	200,781.24	130,938.97	69,842.27	65.21
345.000 - PUBLIC SAFETY BUILDING	45,613.25	45,819.90	25,220.68	20,599.22	55.04
410.000 - Building & Zoning & Planning	117,084.00	117,279.00	72,722.60	44,556.40	62.01
410.025 - 2017 CDBG 5157 Morrish Demo	375.00	375.00	0.00	375.00	0.00
448.000 - Lighting	108,165.39	108,165.39	62,074.75	46,090.64	57.39
463.000 - Routine Maint - Streets	0.00	1,125.00	1,125.00	0.00	100.00
728.005 - Holland Square Streetscape	103,700.00	319,456.45	319,456.45	0.00	100.00
781.000 - Facilities - Pajtas Amphitheat	2,025.62	2,035.62	1,085.40	950.22	53.32
782.000 - Facilities - Abrams Park	43,259.60	43,411.60	19,790.22	23,621.38	45.59
783.000 - Facilities - Elms Rd Park	77,407.45	78,600.45	47,612.90	30,987.55	60.58
784.000 - Facilities - Bicentennial Park	1,930.75	1,934.75	1,972.28	(37.53)	101.94

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
786.000 - Non-Motorized Trailway	150,000.00	150,000.00	56,682.75	93,317.25	37.79
787.000 - Veterans Memorial Park	3,173.58	3,173.58	1,872.14	1,301.44	58.99
790.000 - Facilities-Senior Center/Libr	36,376.28	37,954.28	24,302.65	13,651.63	64.03
790.012 - CDBG Senior Center Operations	1,440.95	1,850.00	0.00	1,850.00	0.00
793.000 - Facilities - City Hall	19,505.94	20,121.94	11,767.45	8,354.49	58.48
794.000 - Community Promotions Program	40,958.41	48,027.41	40,299.93	7,727.48	83.91
796.000 - Facilities - Cemetary	2,492.94	3,285.94	2,295.89	990.05	69.87
797.000 - Facilities - City Parking Lots	7,074.46	7,116.76	4,020.54	3,096.22	56.49
851.000 - Retired Employee Health Care	25,377.00	25,377.00	8,968.68	16,408.32	35.34
965.000 - Transfers Out	164,930.00	164,930.00	160,767.50	4,162.50	97.48
TOTAL EXPENDITURES	2,591,661.96	2,864,763.94	2,037,194.61	827,569.33	
Fund 101 - General Fund:					
TOTAL REVENUES	2,450,558.34	2,517,225.51	2,100,696.76	416,528.75	83.45
TOTAL EXPENDITURES	2,591,661.96	2,864,763.94	2,037,194.61	827,569.33	71.11
NET OF REVENUES & EXPENDITURES	(141,103.62)	(347,538.43)	63,502.15	(411,040.58)	
Fund 202 - Major Street Fund					
000.000 - General	430,121.00	430,121.00	253,859.93	176,261.07	59.02
441.000 - Miller Rd Park & Ride	5,200.00	5,200.00	2,975.79	2,224.21	57.23
449.500 - Right of Way - General	1,250.00	1,250.00	0.00	1,250.00	0.00
453.105 - Fairchild-Cappy to Miller TIP	201,600.00	31,661.74	31,661.74	0.00	100.00
463.000 - Routine Maint - Streets	288.00	288.00	0.00	288.00	0.00
478.000 - Snow & Ice Removal	500.00	500.00	2,410.06	(1,910.06)	482.01
TOTAL REVENUES	638,959.00	469,020.74	290,907.52	178,113.22	
228.000 - Information Technology	800.00	948.16	964.13	(15.97)	101.68
441.000 - Miller Rd Park & Ride	5,892.21	6,638.41	4,053.46	2,584.95	61.06

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
448.000 - Lighting	90,547.00	96,187.00	96,187.00	0.00	100.00
449.500 - Right of Way - General	9,500.00	19,500.00	13,554.70	5,945.30	69.51
453.105 - Fairchild-Cappy to Miller TIP	257,000.00	75,838.12	75,688.44	149.68	99.80
463.000 - Routine Maint - Streets	53,521.36	58,814.36	38,893.85	19,920.51	66.13
463.308 - Winston - Oakview to Chesterfield	0.00	1,400.00	1,312.00	88.00	93.71
473.000 - Routine Maint - Bridges	0.00	0.00	425.00	(425.00)	100.00
474.000 - Traffic Services	31,334.12	34,861.07	28,762.62	6,098.45	82.51
478.000 - Snow & Ice Removal	39,449.85	39,555.85	25,469.98	14,085.87	64.39
482.000 - Administrative	11,292.50	11,292.50	7,494.08	3,798.42	66.36
538.500 - Intercommunity storm drains	3,700.00	7,900.00	7,411.45	488.55	93.82
965.000 - Transfers Out	100,000.00	100,000.00	100,000.00	0.00	100.00
TOTAL EXPENDITURES	603,037.04	452,935.47	400,216.71	52,718.76	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	638,959.00	469,020.74	290,907.52	178,113.22	62.02
TOTAL EXPENDITURES	603,037.04	452,935.47	400,216.71	52,718.76	88.36
NET OF REVENUES & EXPENDITURES	35,921.96	16,085.27	(109,309.19)	125,394.46	
Fund 203 - Local Street Fund					
000.000 - General	150,691.00	151,949.68	86,417.64	65,532.04	56.87
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00
449.500 - Right of Way - General	1,250.00	1,250.00	0.00	1,250.00	0.00
463.000 - Routine Maint - Streets	288.00	288.00	0.00	288.00	0.00
478.000 - Snow & Ice Removal	300.00	300.00	1,606.70	(1,306.70)	535.57
931.000 - Transfers IN	540,000.00	540,000.00	100,000.00	440,000.00	18.52
TOTAL REVENUES	707,529.00	708,787.68	188,024.34	520,763.34	
228.000 - Information Technology	800.00	948.16	964.13	(15.97)	101.68

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
448.000 - Lighting	9,021.00	9,021.00	9,021.00	0.00	100.00
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00
449.500 - Right of Way - General	15,000.00	16,435.25	16,198.70	236.55	98.56
463.000 - Routine Maint - Streets	197,393.54	197,779.54	45,583.38	152,196.16	23.05
463.106 - Hemsley Reconstruction	85,792.42	440,397.70	440,397.70	0.00	100.00
463.108 - Oxford Court	0.00	1,400.00	1,389.00	11.00	99.21
474.000 - Traffic Services	19,955.58	20,085.58	3,785.53	16,300.05	18.85
478.000 - Snow & Ice Removal	47,564.75	47,793.75	21,396.58	26,397.17	44.77
482.000 - Administrative	16,231.44	16,232.44	10,475.22	5,757.22	64.53
538.500 - Intercommunity storm drains	4,825.00	7,575.00	6,933.26	641.74	91.53
TOTAL EXPENDITURES	411,583.73	772,668.42	556,144.50	216,523.92	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	707,529.00	708,787.68	188,024.34	520,763.34	26.53
TOTAL EXPENDITURES	411,583.73	772,668.42	556,144.50	216,523.92	71.98
NET OF REVENUES & EXPENDITURES	295,945.27	(63,880.74)	(368,120.16)	304,239.42	576.26
Fund 204 - MUNICIPAL STREET FUND					
000.000 - General	631,220.00	631,255.00	615,123.42	16,131.58	97.44
TOTAL REVENUES	631,220.00	631,255.00	615,123.42	16,131.58	
905.000 - Debt Service	165,475.28	165,475.28	13,933.47	151,541.81	8.42
965.000 - Transfers Out	440,000.00	440,000.00	0.00	440,000.00	0.00
TOTAL EXPENDITURES	605,475.28	605,475.28	13,933.47	591,541.81	
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	631,220.00	631,255.00	615,123.42	16,131.58	97.44
TOTAL EXPENDITURES	605,475.28	605,475.28	13,933.47	591,541.81	2.30
NET OF REVENUES & EXPENDITURES	25,744.72	25,779.72	601,189.95	(575,410.23)	
Fund 226 - Garbage Fund					
000.000 - General	395,423.00	397,656.70	387,149.75	10,506.95	97.36

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
TOTAL REVENUES	395,423.00	397,656.70	387,149.75	10,506.95	
000.000 - General	8,873.00	8,873.00	8,456.74	416.26	95.31
101.000 - Council	4,390.35	4,441.94	3,116.59	1,325.35	70.16
172.000 - Executive	8,768.92	8,794.92	5,290.24	3,504.68	60.15
201.000 - Finance,Budgeting,Accounting	7,300.77	7,358.77	5,514.41	1,844.36	74.94
215.000 - Administration and Clerk	4,228.93	4,778.93	3,325.18	1,453.75	69.58
228.000 - Information Technology	2,150.00	2,446.32	1,838.14	608.18	75.14
253.000 - Treasurer	8,282.59	8,301.59	5,199.57	3,102.02	62.63
257.000 - Assessor	800.00	800.00	0.00	800.00	0.00
528.000 - Sanitation Collection	290,477.59	290,478.59	176,627.78	113,850.81	60.81
530.000 - Wood Chipping	42,355.00	43,247.00	33,980.53	9,266.47	78.57
782.000 - Facilities - Abrams Park	4,457.22	5,209.22	5,625.51	(416.29)	107.99
783.000 - Facilities - Elms Rd Park	5,203.95	6,278.95	7,286.16	(1,007.21)	116.04
793.000 - Facilities - City Hall	3,905.04	4,145.18	2,695.71	1,449.47	65.03
TOTAL EXPENDITURES	391,193.36	395,154.41	258,956.56	136,197.85	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	395,423.00	397,656.70	387,149.75	10,506.95	97.36
TOTAL EXPENDITURES	391,193.36	395,154.41	258,956.56	136,197.85	65.53
NET OF REVENUES & EXPENDITURES	4,229.64	2,502.29	128,193.19	(125,690.90)	
Fund 248 - Downtown Development Fund					
000.000 - General	45,310.00	45,310.00	46,523.88	(1,213.88)	102.68
728.004 - Family Movie Night	2,500.00	2,500.00	0.00	2,500.00	0.00
TOTAL REVENUES	47,810.00	47,810.00	46,523.88	1,286.12	97.31
173.000 - DDA Administration	2,510.00	2,510.00	2,508.90	1.10	99.96
728.002 - Streetscape	475.00	40,475.00	40,000.00	475.00	98.83

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
728.003 - Facade Program	0.00	10,000.00	10,000.00	0.00	100.00
728.004 - Family Movie Night	3,950.00	14,237.63	12,961.29	1,276.34	91.04
TOTAL EXPENDITURES	6,935.00	67,222.63	65,470.19	1,752.44	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	47,810.00	47,810.00	46,523.88	1,286.12	97.31
TOTAL EXPENDITURES	6,935.00	67,222.63	65,470.19	1,752.44	97.39
NET OF REVENUES & EXPENDITURES	40,875.00	(19,412.63)	(18,946.31)	(466.32)	
Fund 350 - City Hall Debt Fund					
000.000 - General	12.75	12.75	11.06	1.69	86.75
931.000 - Transfers IN	88,730.00	88,730.00	84,567.50	4,162.50	95.31
TOTAL REVENUES	88,742.75	88,742.75	84,578.56	4,164.19	
905.000 - Debt Service	89,480.00	89,480.00	5,158.75	84,321.25	5.77
TOTAL EXPENDITURES	89,480.00	89,480.00	5,158.75	84,321.25	
Fund 350 - City Hall Debt Fund:					
TOTAL REVENUES	88,742.75	88,742.75	84,578.56	4,164.19	95.31
TOTAL EXPENDITURES	89,480.00	89,480.00	5,158.75	84,321.25	5.77
NET OF REVENUES & EXPENDITURES	(737.25)	(737.25)	79,419.81	(80,157.06)	
Fund 402 - Fire Equip Replacement Fund					
000.000 - General	10.00	10.00	11.26	(1.26)	112.60
931.000 - Transfers IN	75,000.00	75,000.00	75,000.00	0.00	100.00
TOTAL REVENUES	75,010.00	75,010.00	75,011.26	(1.26)	
336.000 - Fire Department	0.00	5,838.79	5,838.79	0.00	100.00
TOTAL EXPENDITURES	0.00	5,838.79	5,838.79	0.00	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	75,010.00	75,010.00	75,011.26	(1.26)	100.00
TOTAL EXPENDITURES	0.00	5,838.79	5,838.79	0.00	100.00
NET OF REVENUES & EXPENDITURES	75,010.00	69,171.21	69,172.47	(1.26)	
Fund 590 - Water Supply Fund					
000.000 - General	2,100.00	9,100.00	7,082.45	2,017.55	77.83

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
540.000 - Water System	2,225,695.00	2,225,695.00	1,025,141.22	1,200,553.78	46.06
TOTAL REVENUES	2,227,795.00	2,234,795.00	1,032,223.67	1,202,571.33	
000.000 - General	22,382.50	22,382.50	21,141.88	1,240.62	94.46
101.000 - Council	11,606.88	11,730.84	7,791.74	3,939.10	66.42
172.000 - Executive	30,681.16	31,961.16	19,597.95	12,363.21	61.32
201.000 - Finance,Budgeting,Accounting	22,649.21	22,781.21	16,798.88	5,982.33	73.74
215.000 - Administration and Clerk	15,872.96	19,272.96	11,895.33	7,377.63	61.72
228.000 - Information Technology	6,000.00	7,333.43	5,506.55	1,826.88	75.09
253.000 - Treasurer	31,271.84	31,394.84	19,963.98	11,430.86	63.59
540.000 - Water System	2,076,741.20	2,099,224.70	1,054,939.17	1,044,285.53	50.25
542.000 - Read and Bill	56,248.38	56,826.38	34,156.28	22,670.10	60.11
543.230 - Water Main Repair USDA Grant	149,195.00	151,255.00	97,467.00	53,788.00	64.44
793.000 - Facilities - City Hall	10,277.73	10,606.73	6,528.02	4,078.71	61.55
850.000 - Other Functions	12,000.00	12,000.00	0.00	12,000.00	0.00
905.000 - Debt Service	49,916.22	49,916.22	4,161.94	45,754.28	8.34
TOTAL EXPENDITURES	2,494,843.08	2,526,685.97	1,299,948.72	1,226,737.25	
Fund 590 - Water Supply Fund:					
TOTAL REVENUES	2,227,795.00	2,234,795.00	1,032,223.67	1,202,571.33	46.19
TOTAL EXPENDITURES	2,494,843.08	2,526,685.97	1,299,948.72	1,226,737.25	51.45
NET OF REVENUES & EXPENDITURES	(267,048.08)	(291,890.97)	(267,725.05)	(24,165.92)	
Fund 591 - Sanitary Sewer Fund					
000.000 - General	2,500.00	5,200.00	7,154.95	(1,954.95)	137.60
536.000 - Sewer System	1,289,965.00	1,289,965.00	602,836.45	687,128.55	46.73
TOTAL REVENUES	1,292,465.00	1,295,165.00	609,991.40	685,173.60	
000.000 - General	22,682.50	22,682.50	21,141.88	1,540.62	93.21

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
101.000 - Council	11,281.88	11,430.84	7,791.08	3,639.76	68.16
172.000 - Executive	30,593.04	31,228.04	19,585.41	11,642.63	62.72
201.000 - Finance,Budgeting,Accounting	22,554.21	22,596.21	16,798.45	5,797.76	74.34
215.000 - Administration and Clerk	16,422.96	16,682.96	11,895.45	4,787.51	71.30
228.000 - Information Technology	6,000.00	7,333.43	5,506.56	1,826.87	75.09
253.000 - Treasurer	31,211.70	31,348.70	19,964.09	11,384.61	63.68
536.000 - Sewer System	995,116.56	1,024,601.06	389,560.67	635,040.39	38.02
537.000 - Sewer Lift Stations	9,074.40	9,124.40	6,505.17	2,619.23	71.29
542.000 - Read and Bill	64,579.13	65,157.13	41,135.13	24,022.00	63.13
543.400 - Reline Existing Sewers	197,000.00	197,000.00	0.00	197,000.00	0.00
543.401 - Flush & TV Sewers	0.00	16,500.00	0.00	16,500.00	0.00
793.000 - Facilities - City Hall	10,069.04	10,510.04	6,500.06	4,009.98	61.85
850.000 - Other Functions	5,000.00	5,000.00	0.00	5,000.00	0.00
TOTAL EXPENDITURES	1,421,585.42	1,471,195.31	546,383.95	924,811.36	
Fund 591 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,292,465.00	1,295,165.00	609,991.40	685,173.60	47.10
TOTAL EXPENDITURES	1,421,585.42	1,471,195.31	546,383.95	924,811.36	37.14
NET OF REVENUES & EXPENDITURES	(129,120.42)	(176,030.31)	63,607.45	(239,637.76)	
Fund 661 - Motor Pool Fund					
000.000 - General	154,115.26	155,581.26	122,486.68	33,094.58	78.73
TOTAL REVENUES	154,115.26	155,581.26	122,486.68	33,094.58	
172.000 - Executive	10,628.40	10,628.40	9,729.04	899.36	91.54
201.000 - Finance,Budgeting,Accounting	7,889.59	7,923.59	5,115.60	2,807.99	64.56
228.000 - Information Technology	1,150.00	1,446.32	930.30	516.02	64.32
795.000 - Facilities - City Garage	188,597.59	189,174.59	123,083.04	66,091.55	65.06

GL NUMBER	2019-20 ORIGINAL BUDGET	2019-20 AMENDED BUDGET	YTD BALANCE 02/29/2020	AVAILABLE BALANCE	% BDGT USED
850.000 - Other Functions	9,850.00	9,850.00	0.00	9,850.00	0.00
TOTAL EXPENDITURES	218,115.58	219,022.90	138,857.98	80,164.92	
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	154,115.26	155,581.26	122,486.68	33,094.58	78.73
TOTAL EXPENDITURES	218,115.58	219,022.90	138,857.98	80,164.92	63.40
NET OF REVENUES & EXPENDITURES	(64,000.32)	(63,441.64)	(16,371.30)	(47,070.34)	
Fund 865 - Sidewalks					
478.000 - Snow & Ice Removal	1,000.00	1,000.00	1,215.00	(215.00)	121.50
931.000 - Transfers IN	1,200.00	1,200.00	1,200.00	0.00	100.00
TOTAL REVENUES	2,200.00	2,200.00	2,415.00	(215.00)	
478.000 - Snow & Ice Removal	2,200.00	2,200.00	1,215.00	985.00	55.23
TOTAL EXPENDITURES	2,200.00	2,200.00	1,215.00	985.00	
Fund 865 - Sidewalks:					
TOTAL REVENUES	2,200.00	2,200.00	2,415.00	(215.00)	109.77
TOTAL EXPENDITURES	2,200.00	2,200.00	1,215.00	985.00	55.23
NET OF REVENUES & EXPENDITURES	0.00	0.00	1,200.00	(1,200.00)	
Fund 866 - Weed Fund					
000.000 - General	6,800.00	6,800.00	2,300.00	4,500.00	33.82
TOTAL REVENUES	6,800.00	6,800.00	2,300.00	4,500.00	
000.000 - General	2,100.00	2,100.00	570.00	1,530.00	27.14
965.000 - Transfers Out	38,000.00	38,000.00	34,000.00	4,000.00	89.47
TOTAL EXPENDITURES	40,100.00	40,100.00	34,570.00	5,530.00	
Fund 866 - Weed Fund:					
TOTAL REVENUES	6,800.00	6,800.00	2,300.00	4,500.00	33.82
TOTAL EXPENDITURES	40,100.00	40,100.00	34,570.00	5,530.00	86.21
NET OF REVENUES & EXPENDITURES	(33,300.00)	(33,300.00)	(32,270.00)	(1,030.00)	



March 3, 2020

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

Re: Cartoon Network Moving to Digital Preferred Package

Dear City Clerk:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note that effective May 5, 2020, Cartoon Network will only be available as part of Digital Preferred. It will no longer be available as part of Digital Starter TV service, the Kids & Family Genre Pack, or the Latino 300 and Latino 450 packages. We are notifying impacted customers of these changes through a bill message.

Also, on March 24, 2020, WE TV will be added to the Entertainment Package.

On April 21, 2020, WGN America will be added to the Entertainment Package.

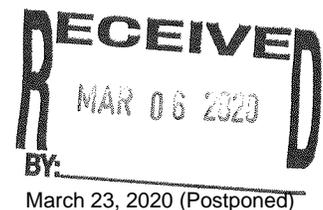
On, April 22, 2020, AXS TV will no longer be available on this channel lineup.

Please feel free to contact me at 734-359-2077 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "John P. Gardner".

John P. Gardner
Director, External Affairs
Comcast, Heartland Region
1401 E. Miller Rd.
Lansing, MI 48911



From: [Glenn Wilson](#)
To: [Adam Zettel](#); [Ben Mainka](#)
Cc: [Michael Wright](#)
Subject: Green Space at Mary Crapo School
Date: Tuesday, March 10, 2020 2:30:32 PM
Attachments: [Outlook-Logo.png](#)
[Outlook-cid_image0.png](#)

Hello Ben and Adam,

Communities First, Inc. plans to enter into a long term lease with either the City of Swartz Creek or Swartz Creek Community Schools for a portion of the green space at the Mary Crapo School building site to preserve the ballfield for community use.

Also, Communities First, Inc. does not plan to develop a “Phase 2” and is only planning to rehabilitate the school building and associated areas (parking and a portion of the green space).

We believe this addresses community concerns about the ball field and allows us to move forward with the development of the Mary Crapo school building.

Best,

Glenn A. Wilson, President & CEO
Communities First, Inc.
415 W. Court St.
Flint, MI 48503
(810) 422-5358
communitiesfirstinc.org



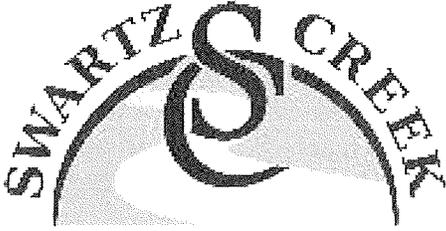
The mission of Communities First, Inc. is to build healthy, vibrant communities through economic development, affordable housing and innovative programming

Please consider the environment prior to printing this email.

Statement of Confidentiality

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error,

any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.



Where Friendships Last Forever

APPLICATION FOR REZONING
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473
810-635-4464

Date: 2/18/20

File No: _____

Fee Received: _____ Receipt No: 235538

NOTICE TO APPLICANT:

Regular meetings of the Swartz Creek Planning commission are held on the first Tuesday of each month at 7:00 PM, at the City Hall, 8083 Civic Dr. Application for rezoning shall be filed at least twenty (20) days before the scheduled meeting date.

TO THE PLANNING COMMISSION:

I, (We), the undersigned, do hereby respectfully make application and petition the Planning Commission to amend the Zoning Ordinance and change the zoning as hereinafter requested, and in support of this application, the following facts are shown.

The property is located and described, as follows:

Assessment Roll Description No. 58-02 - 526 - 027,

Address: 8197 Miller Rd, Swartz Creek, MI 48473

Other description: _____

It has a frontage of: 250' feet and a depth of: 350 feet.

PRESENT ZONING: R-3

If the property is in acreage, and is not therefore a part of a recorded plat: The property sought to be rezoned is located and described as follows: (indicate total acreage also).
Assessment Roll Description No. 58-____-____-____,

PROPERTY SOUGHT FOR REZONING IS OWNED BY:

Name: Swartz Creek Community Schools

Address: 8354 Cappy Lane, Swartz Creek, MI 48473

Phone Number: 810-591-2300

It is desired and requested that the foregoing described property be rezoned from:

R-3

To: RM-1

It is proposed that the property will be put to the following use:

40 senior apartments and community space

It is proposed that the following building(s) will be constructed:

Renovation / Addition to existing school for 40 apartments and community space.

Attached hereto are two (2) prints of the subject property plot plan showing the lot or parcel location within the City. These prints are made a part of this petition and are drawn to scale showing the existing and proposed structures.



Signature of Applicant

Address: Communities First, Inc.

415 W. Court Street Flint, MI 48503

Phone Number: 810-422-5358

Email Address: gwilson@communitiesfirstinc.org



APPLICATION FOR REZONING
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473
810-635-4464

Date: ____ / ____ / ____

File No: _____

Fee Received: _____ Receipt No: _____

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TO THE PLANNING COMMISSION:

I, (We), the undersigned, do hereby respectfully make application and petition the Planning Commission to amend the Zoning Ordinance and change the zoning as hereinafter requested, and in support of this application, the following facts are shown.

The property is located and described, as follows:
Assessment Roll Description No. 58-02 - 526 - 027,

Address: 8197 Miller Rd, Swartz Creek, MI 48473

Only rezone that portion of the site marked on the attached plan as required
Other description: to redevelop the school building. Remainder of site to remain R-3.

It has a frontage of: 250' feet and a depth of: 350 feet.

PRESENT ZONING: R-3

If the property is in acreage, and is not therefore a part of a recorded plat: The property sought to be rezoned is located and described as follows: (indicate total acreage also).
Assessment Roll Description No. 58-____-____-____,

PROPERTY SOUGHT FOR REZONING IS OWNED BY:

Name: Swartz Creek Community Schools

Address: 8354 Cappy Lane, Swartz Creek, MI 48473

Phone Number: 810-591-2300

It is desired and requested that the foregoing described property be rezoned from:

R-3

To: RM-1

It is proposed that the property will be put to the following use:

40 senior apartments and community space

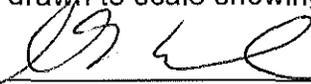
Only that portion of the property marked on the attached site plan which is required to redevelop the school building.

It is proposed that the following building(s) will be constructed:

Renovation / Addition to existing school for 40 apartments and community space.

Only that portion of the property marked on the attached site plan which is required to redevelop the school building.

Attached hereto are two (2) prints of the subject property plot plan showing the lot or parcel location within the City. These prints are made a part of this petition and are drawn to scale showing the existing and proposed structures.

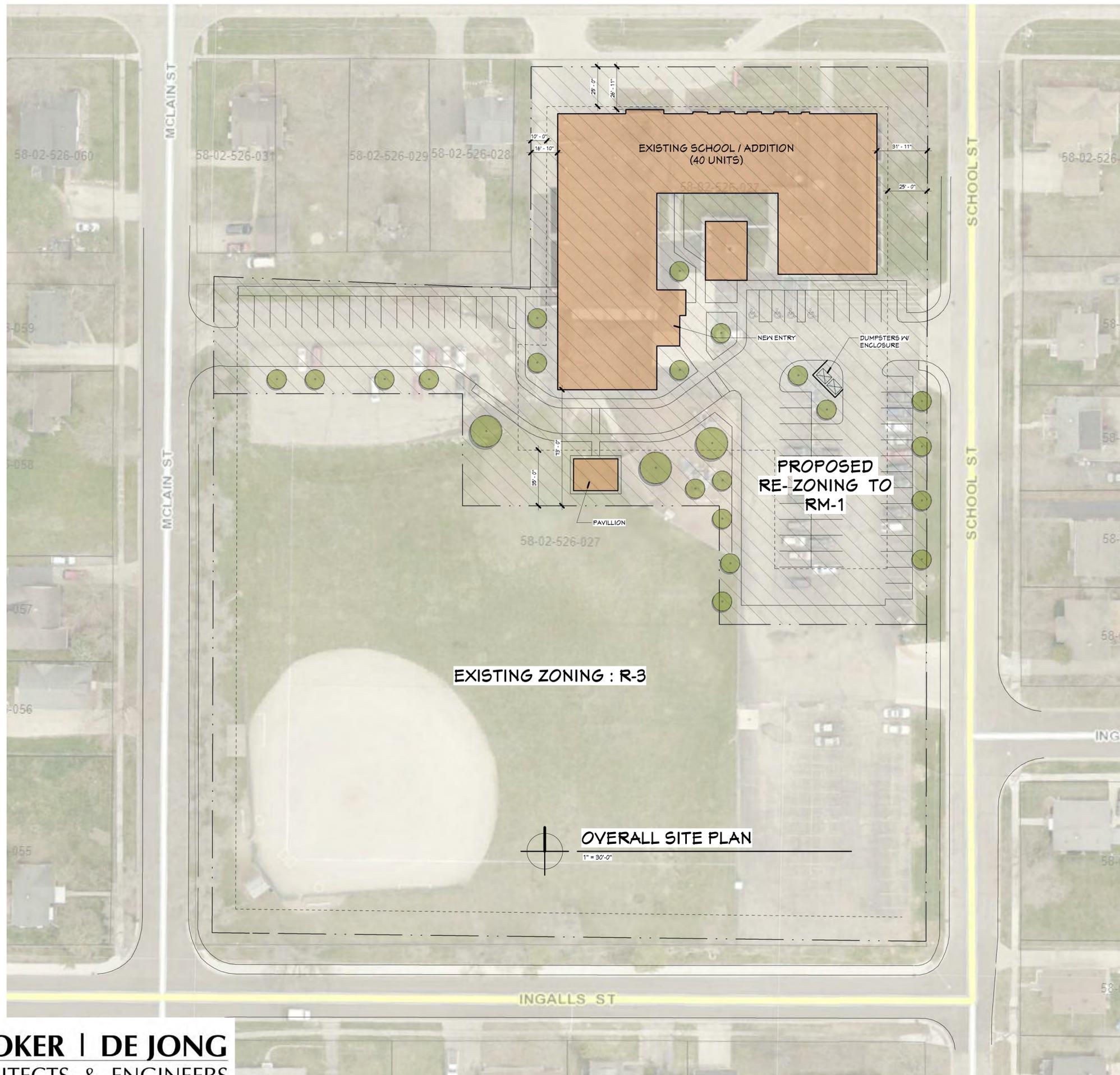

Signature of Applicant

Address: Communities First, Inc.

415 W. Court Street Flint, MI 48503

Phone Number: 810-422-5358

Email Address: gwilson@communitiesfirstinc.org



SITE INFORMATION

SITE ADDRESS: 8197 MILLER ROAD, SWARTZ CREEK, MI 48473	
PARCEL NUMBER: 58-02-526-027	
SITE AREA: 5.06 ACRES / 220,413 SF - TOTAL	
SITE AREA / PHASE 1: 2.2 ACRES / 95,643 SF	
ZONING:	CURRENT: R-3 - DOWNTOWN RESIDENTIAL PROPOSED: REZONED TO RM-1 (SCHOOL PORTION)
BY-RIGHT USE:	RM-1 - MULTI-FAMILY RESIDENTIAL
LOT AREA:	MAXIMUM: 1,200 SF PROPOSED: 95,643 SF
COVERAGE:	MAXIMUM: 30% PROPOSED: 22.5%
FRONT SETBACK:	REQUIRED: 25' PROPOSED: 26'-11"
REAR SETBACK:	REQUIRED: 35' PROPOSED: 73'
SIDE SETBACKS:	REQUIRED: 10' ONE / 25' BOTH PROPOSED: 16'-10" / 45'-4"
BUILDING HEIGHT:	REQUIRED: 3 STORIES / 35' PROPOSED: 3 STORIES / 35' (NEW ADDITION)
PARKING: (SPACE SIZE 9' x 10')	REQUIRED: 1.5 PER UNIT (SENIOR HOUSING) PROPOSED: 60 SPACES
ADDITIONAL REGULATIONS:	LANDSCAPING AND SITE LIGHTING TO BE PROVIDED TO MEET OR EXCEED ZONING ORDINANCE

February 27, 2020

Planning Commission
 City of Swartz Creek
 8083 Civic Drive
 Swartz Creek, MI 48473

Attention: Adam Zettel, City Manager

Subject	8197 Miller Road Rezoning Request
Description of Application	2.2 acre-rezoning from R-3, Downtown Residential to RM-1, Multiple Family Residential
Applicant	Communities First, Inc. 415 W. Court Street Flint, MI 48503
Property Owner	Swartz Creek Consolidated Schools 8354 Cappy Lane Swartz Creek, MI 48473
Zoning	R-3, Downtown Residential
Application Date	February 18, 2020

Dear Commissioners:

We have reviewed the above application to rezone the above property from R-3, Downtown Residential, to RM-1, Multiple-Family Residential. The applicant is proposing an adaptive re-use of the 2.2-acre portion of the property that will permit construction of multiple-family, senior residential units. The parcel has 250 feet of frontage on Miller and is owned by Swartz Creek Consolidates Schools. The building is a two-story, brick structure and has housed the Mary Crapo Child Development Center, associated parking lots and drive aisle and entrance/exits, and ball field. The rear portion of the site that includes the ballfield is not included in the rezoning request.

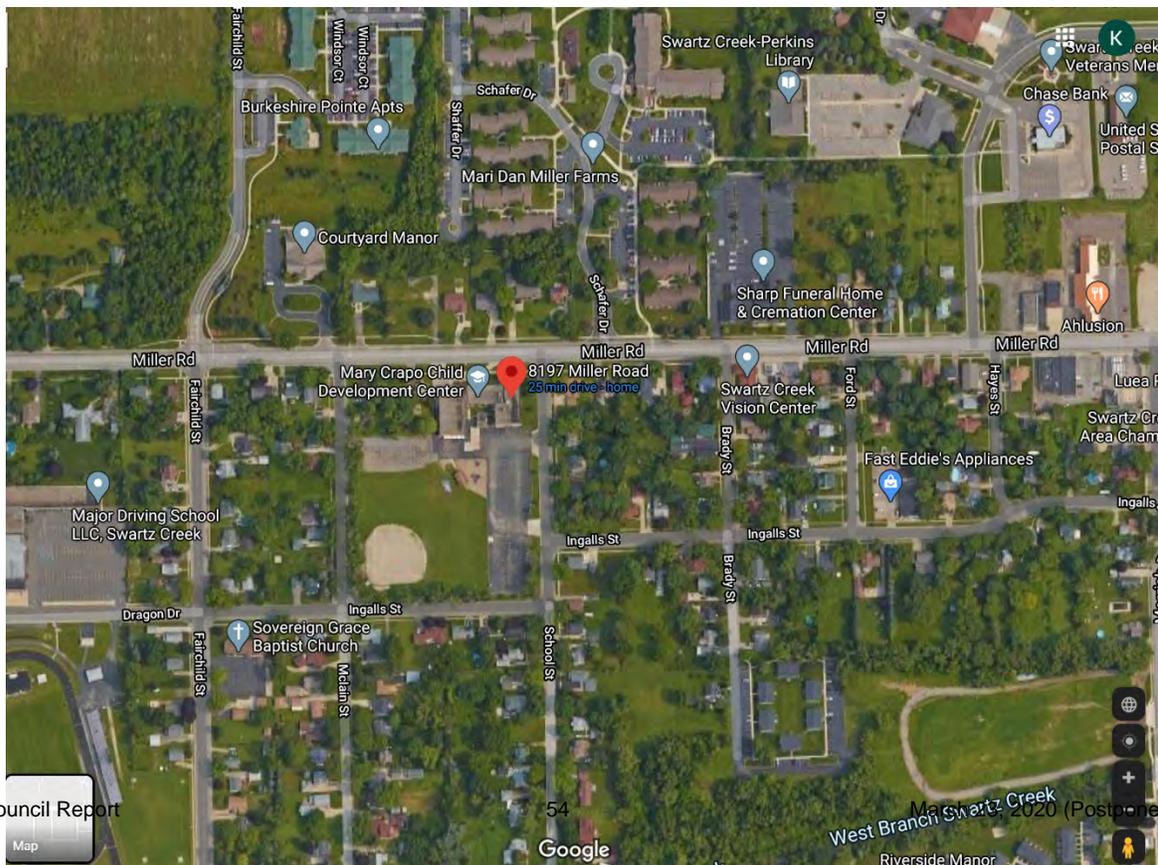
The opinions in this report are based on a review of the materials submitted by the applicant, a site visit, and conformance to city plans and ordinance standards. Please note that the applicant shall be responsible for the accuracy and validity of information presented with the application. In making a decision on this request, the Planning Commission should apply appropriate standards in consideration of our review, additional comments from the applicant, and relevant factual new information presented at the public hearing.

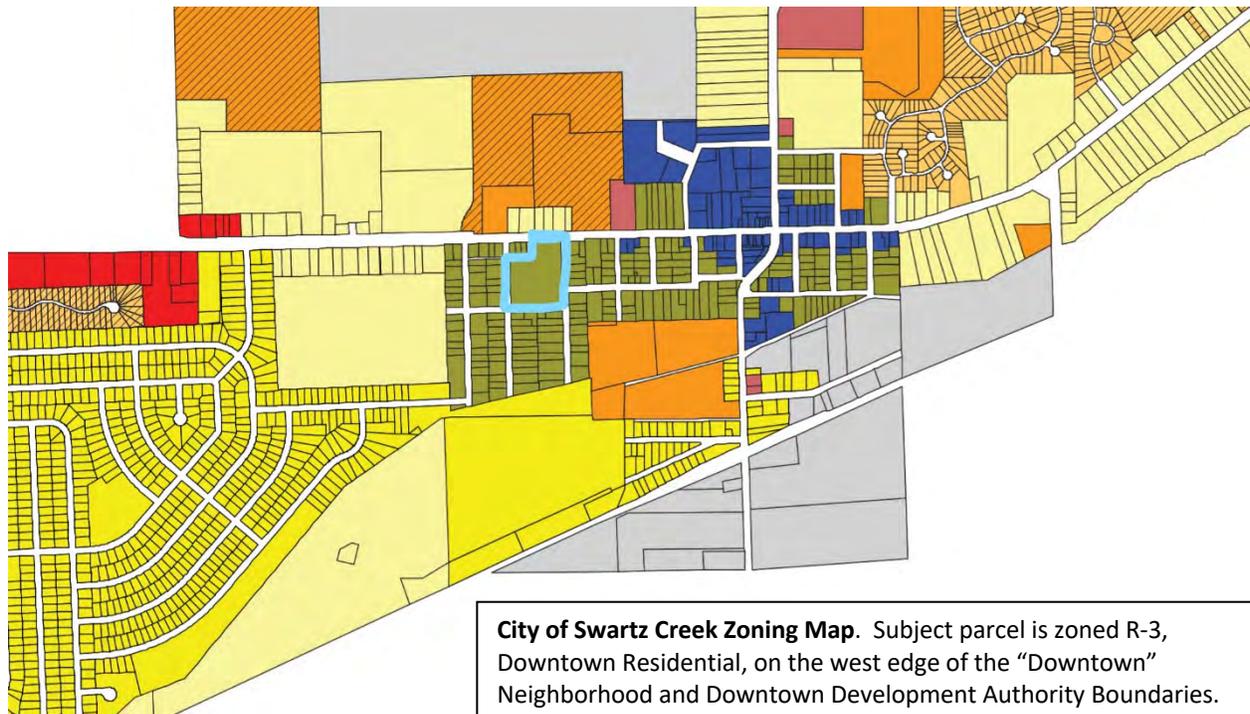
Based upon our review of the zoning ordinance and master plan, discussions with City Staff, and a visit to the site, we offer the following comments for your consideration.

LOCATION AND DESCRIPTION

The subject site is on the south side of Miller Road, west of School Street, east of McClain Street, and north of Ingalls Street. The site is surrounded by residential uses; to the north is single-family residential, with multiple family residential immediately north; and to the east, south, and west of the property are single-family residential uses. No significant topographic or environmental issues are present.

Surrounding Land Use and Zoning			
	Existing Use	Zoning	Future Land Use/Master Plan
Subject Property	Single-Family Residential, Public (school building)	R-3, Downtown Residential	Mixed Use
North	Single-Family Residential/Multiple Family Residential	R-1 Single Family Residential; RM-1 Multiple Family Residential	Medium and High Density Residential
South	Single-Family Residential	R-1, Single Family Residential	Medium Density Residential
East	Single-Family Residential	R-1, Single-Family Residential	Medium Density Residential
West	Single-Family Residential	R-1, Single-Family Residential	Medium Density Residential





City of Swartz Creek Zoning Map. Subject parcel is zoned R-3, Downtown Residential, on the west edge of the “Downtown” Neighborhood and Downtown Development Authority Boundaries.

ZONING DISTRICT USES

The following summarize the permitted, conditional, and special land uses in both the existing and proposed zoning districts.

	R-3, Downtown Residential (existing)	RM-1, Multiple Family Residential (proposed)
Accessory buildings, structures, and uses customarily incidental to the principle uses permitted by right	P	P
Accessory dwelling units	--	--
Agriculture	CLU	--
Apartments in single family home	P	P
Cemetery	CLU	CLU
Cluster Family Dwelling Units		P
Community centers	SLU	SLU

Detached single-family dwellings	P	P
Essential public service buildings (no outdoor storage)	SLU	SLU
Expansion of apartments within existing building	CLU	P
Family day care	SLU	SLU
Granny flat/accessory dwelling unit	CLU	--
Group living (adult and child residential facilities)	SLU	SLU
Home occupation	CLU	CLU
Manufactured housing on individual lots (not part of a park, section 20.20)	SLU	--
Multiple-family residential dwellings (apartment, senior community, row houses, similar multiple family residential)		P
Nursing and convalescent care	SLU	SLU
Parks (public and private)	SLU	SLU
Places of assembly, including places of worship	SLU	SLU
Private recreation	SLU	SLU
Private swimming club	SLU	SLU
Public library	P	P
Public utilities	--	--
School (public and private)	SLU	SLU
Small inn/B&B	CLU	--
Two-Family Dwelling	--	P

The two residential zoning districts allow many of the same uses, however, the multiple-family zoning district allows cluster family dwelling units, two-family dwelling units, and multiple-family residential dwellings.

FINDINGS

The rezoning request was reviewed based on the following criteria, **Section 24.04. - Criteria for amendment of the official zoning map:**

In considering any petition for an amendment to the official zoning map, the Planning Commission and City Council shall consider the following criteria in making its findings, recommendations and decision:

A. Consistency with the goals, policies, and future land use map of the City of Swartz Creek Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.

The Master Plan designates this site as Mixed-Use (within the Downtown Neighborhood) on the Future Land Use Map, with abutting parcels to the north, south, east, and west master planned for medium to high density residential.

Mixed-Use in the Downtown Neighborhood “reflects Central Business District zoning with uses mixed within buildings and/or including residential uses and commercial uses in close proximity. The Mixed-Use designation would allow sites at prime locations in the city, in terms of proximity to major roadways, shopping and services, to be utilized to their maximum potential. It would also help create an area of concentrated development that is easily accessible by both vehicles and pedestrians.

The corresponding **Land Use Goals** Chapter (of the Master Plan) for Residential Development within the City indicates that residential neighborhoods shall:

1. “protect existing residential neighborhoods and require new residential developments to be well designed;
2. to have viable residential neighborhoods that offer a mix of housing options; and
3. to provide opportunities for affordable residential development that will accommodate the future growth of the City and contribute to the quality of life offered to current and future residents.”

The **Objectives** to accomplish the land use goals of Residential Development within the City:

1. “Encourage housing opportunities for a variety of preferences, lifestyles, and household types at appropriate locations.;
2. encourage a mix of dwelling types and densities, where they can be supported by the available infrastructure and services; promote and enforce maintenance and rehabilitation of existing housing and residential neighborhoods.;
3. maintain an environment that encourages pride of ownership and contributes to an affordable and easily marketable housing stock that makes Swartz Creek an attractive place to live.”

The proposed rezoning matches the Land Use Goals and Objectives for the City of Swartz Creek.

B. Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.

The parcel is surrounded by existing residential uses. The site is large enough to accommodate the uses permitted in the RM-1 District.

C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one of the uses permitted under the current zoning.

The current zoning allows single-family residential housing. Single-family residential can be developed on this property, however, given the existing 2 story brick building and amenities, the demolition costs of the building and plus new construction is not likely to bring a reasonable return on investment nor maximize the potential of the property.

D. The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

The residential uses allowed in the RM-1, Multiple Family Zoning District are compatible with surrounding land uses and with proper site design, would have minimal impact in terms of traffic, environment, aesthetics, etc.

E. The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."

The site is currently served by the City's water and sewer lines and will not increase the demand for services nor compromise the health, safety, or welfare of the neighboring properties or community at large.

F. The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.

The City of Swartz Creek land use inventory is rich in residential development; however, a majority of the residential use is single-family residential; representing forty-five percent (45%) of the land within the City. Only two and a half percent (2.5%) of the City's housing inventory is multiple family residential.

Swartz Creek also has a significantly lower percentage of the population in the younger age groups, specifically the school age, family forming, and mid-life groups. The City has a higher percentage of seniors, which reflects the in-place aging of residents and demand on retirement housing stock. Population projections for Swartz Creek predict that the number of seniors

residing in Swartz Creek will continue to grow. The community should ensure that the proper amount and type of housing continues to be available to meet this trend.

The combination of limited multiple-family residential developments in Swartz Creek and the aging population creates a strong demand for the uses in RM-1, specifically senior community housing. Finally, it is challenging to find affordable, quality housing that serves seniors in this area of Genesee County and Michigan. Given the lack of available multiple-family residentially zoned land in the City, opportunities should be provided for additional diverse and affordable housing.

G. The request has not previously been submitted within the past one year, unless conditions have changed, or new information has been provided.

The request has not been submitted within the past year.

H. Other factors deemed appropriate by the planning commission and city council.

RECOMMENDATION

Given the above analysis, we recommend that the Planning Commission recommend approval of the rezoning request from R-3, Downtown Residential District, to RM-1, Multiple-Family Residential District for the following reasons:

1. The proposed rezoning supports the desired uses within the Mixed-Use future land use category of the City of Swartz Creek Master Plan;
2. The proposed rezoning accomplishes the City's Land Use Goals of providing a variety of lifestyle and household types and mix of dwelling types and densities.
3. There is a need to provide additional land that is zoned for multiple-family housing as well as for aging/senior populations;
4. Rezoning the land to multiple-family residential addresses a community need (multiple family housing represents only 2.5 % of the City's land uses);
5. The site is capable of accommodating the range of uses permitted in the RM-1 District;
6. Adequate public services are available to service this site; and
7. Residential use at this location is appropriate due to adjacent, existing single- and multiple-family housing.

If you have any further questions, please contact us at 810-734-0000.

Sincerely,

CIB PLANNING



Carmine P. Avantini, AICP
President



March 19, 2020

Planning Commission
 City of Swartz Creek
 8083 Civic Drive
 Swartz Creek, MI 48473

Attention: Mr. Adam Zettel:

Subject	8197 Miller Road Site Plan Review Request
Description of Application	<i>Revised</i> Site Plan Review for Rehabilitation of Former Mary Crapo School Building into Senior Apartments.
Applicant	Communities First, Inc. 415 W. Court Street Flint, MI 48503
Property Owner	Swartz Creek Consolidated Schools 8354 Cappy Lane Swartz Creek, MI 48473
Zoning	R-3, Downtown Residential (RM-1 Rezoning Requested)
Application Date	February 18, 2020

Dear Planning Commissioners

We have reviewed the above *revised* site plan application for the adaptive re-use of the 39,054 square foot, former Mary Crapo School property to permit renovation and construction of multiple-family, senior residential units. The parcel has 250 feet of frontage on Miller and is owned by Swartz Creek Consolidated Schools. The building is a multiple-story, brick structure and has housed the Mary Crapo Child Development Center, associated parking lots and drive aisle and entrance/exits, and ball fields. The property is currently zoned R-3, Downtown Residential and a rezoning request to RM-1, Multiple Family Residential has also been submitted for review.

The opinions in this report are based on a review of the proposed revised site plan, conditions of Planning Commission approval meetings, and conformance to City ordinance standards. Key review item points in this letter are underlined for the benefit of the applicant. Please note that the applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application.

REVIEW COMMENTS

Section 21.06, Application for full site plan review, of the ordinance, requires the submission of a site plan meeting the requirements of the City of Swartz Creek Zoning Ordinance. Some site plan details and information are missing, however, and can be provided for administrative review.

1. **Informational Data:** The applicant is still missing the following information and site plan data that should be included on a revised site plan:
 - a. Schedule of the project completion
 - b. Identification of architect/engineer and seal of preparer
 - c. Topography
 - d. Designation of fire lanes
 - e. Total square footage
 - f. Mechanical equipment screening

2. **Dimensional Requirements:** Maximum density, minimum floor area and maximum height shall comply with the dimensional standards for the Multiple Family Residential (RM-1) District. The height, bulk, density, and area requirements are as follows:

RM-1 Standard	Required	Provided	Comment
Minimum Lot Area	7,200 square feet	95,693 square feet	<i>Meets standard</i> (information provided is for Phase 1 only; other phasing information is not provided)
Minimum Lot Width	0	250 feet	<i>Meets standard</i>
Minimum Front Yard Setback	25 feet	26 feet, 11 inches	<i>Meets standard</i>
Minimum Side Yard Setback	One side 10 feet/total of 2 sides 25 feet	16 feet, 10 inches (one side); 48 feet, 9 inches (2 sides)	<i>Meets standard</i>
Minimum Rear Yard Setback	35 feet	73 feet	<i>Meets standard</i>
Maximum Lot Coverage	30%	22.5%	<i>Meets standard</i>
Maximum Height	35 feet, 3 stories	35 feet	<i>Meets standard</i>

3. **Statement of Use:** The applicant is proposing an adaptive reuse of the building. An approximately 61' x 52', 3-story, 35-foot addition, totaling 9,672 square feet, is proposed in the southwest corner of the existing building. The applicant is proposing to create 40 senior apartment units; 25 one-bedroom units and 15-two-bedroom units. Additionally, 5,940 square feet in two (2) Community Rooms and 837 square feet in a Commons area are proposed as part of the re-use.
 - **Lower level:** 12 units: 8 one-bedroom units; 4 two-bedroom units; community room, common room, management office; and lobby
 - **First Floor:** 14 units: 9 one-bedroom units; 5 two-bedroom units; and community room
 - **Second Floor:** 14 units: 8 one-bedroom units; and 6 two-bedroom units

4. **Unit Size:** The proposed square footage of the units meets ordinance minimums and is as follows:
- One-bedroom units: Minimum 600 square feet.
The proposed one-bedroom unit are between 640-736 square feet; and
 - Two-bedroom units: Minimum 750 square feet.
The proposed two-bedroom units range from 750 to 992 square feet.

The unit sizes are in compliance.

Access and Circulation: As shown on the site plan, ingress traffic will enter the site via School Street and exit via McClain Street. The traffic pattern is primarily one way, with the exception of the southern parking lots. *Section 17.02 Access Management*, requires properties with multiple frontages to provide access from the street with the lower volume average for day trips. The proposed drives satisfy this requirement. It should also be noted that the existing curb cuts and drive along Miller Road is to remain and be utilized, conditioned upon the addition of landscaping to soften the appearance of the front of the building and site.

5. **Pedestrian Circulation.** Six (6) foot internal sidewalk connections between the building and parking lot are proposed south of the building and additionally along the property perimeter of both School and McClain Streets. The new sidewalk will tie into the Miller Road sidewalks. The parking spaces along the south side of the building and closest to the entrance must have a minimum width of seven (7) feet to accommodate the overhang from vehicles.
6. **Dumpster:** The dumpster pad location, a concrete pad, masonry walls and a dumpster gate **are in compliance** with the ordinance. The turning templates placed on the site plan indicate that refuse removal by trucks is possible.
7. **Parking Space Requirements:** For (senior)multiple family residential housing, 1.5 spaces per unit are required. With 40 units, the site must have a minimum of 60 parking spaces. The applicant has provided 60 spaced and **is in compliance**.
8. **Parking Lot Information and Landscaping:** As this is an adaptive re-use project, much of parking locations are already established and requirements to setback parking a minimum of 10 feet from the right of way is not practical. Parking south of the building currently exists, but will be removed, repaved, and re-stripped to meet ordinance standards.

The existing parking southwest of the building will removed and relocated north along the drive aisle leading to the McCain Street egress. The parking will be south of the existing residential homes and an alley. *Section 18.02 General parking standards*, of the ordinance, requires off street parking to be setback 20 feet from single family residential. Technically the parking is adjacent to the alley behind the homes. The intent of the ordinance can be met by planting a buffer of evergreens screening the parking lot and car headlights from the rear of the residences is strongly encouraged.

9. **Landscaping and Screening:** The applicant has provided a landscape plan for review but the plan does not have any data calculations. This information should be provided in a revised submission.
10. **Lighting:** The applicant has provided a lighting plan and photometric grid. Light fixture specifications should be submitted for conformance with requirements and may be approved administratively.
11. **Building Elevations:** The applicant has submitted a rendering of the building and proposed addition. The existing brick will be cleaned and used on 24% of the building. The remaining 76% will consist of a metal panel system with metal fascia, aluminum windows, and a cast stone sill.

The applicant must bring and present material and color samples to the City for administrative review and approval.
12. **Other Department and Agency Review:** Site plan approval must be conditioned upon review and approval from all applicable consultants, departments, and agencies.

RECOMMENDATION

While the site plan is generally compliant, based upon the above comments we recommend that a site plan approval conditioned upon the following for administrative review and approval:

1. Submission of a revised site plan, for administrative review and approval, that addresses the outstanding items above;
2. The sidewalk along the south side of the building and closest to the entrance be seven (7) feet wide to accommodate the overhang from vehicles;
3. That additional landscaping be added across the Miller Road property frontage;
4. The submission of landscape calculations and planting a buffer of evergreens to screen the parking on the east side of the parcel; and
5. Review and approval from all applicable consultants, departments, and agencies.

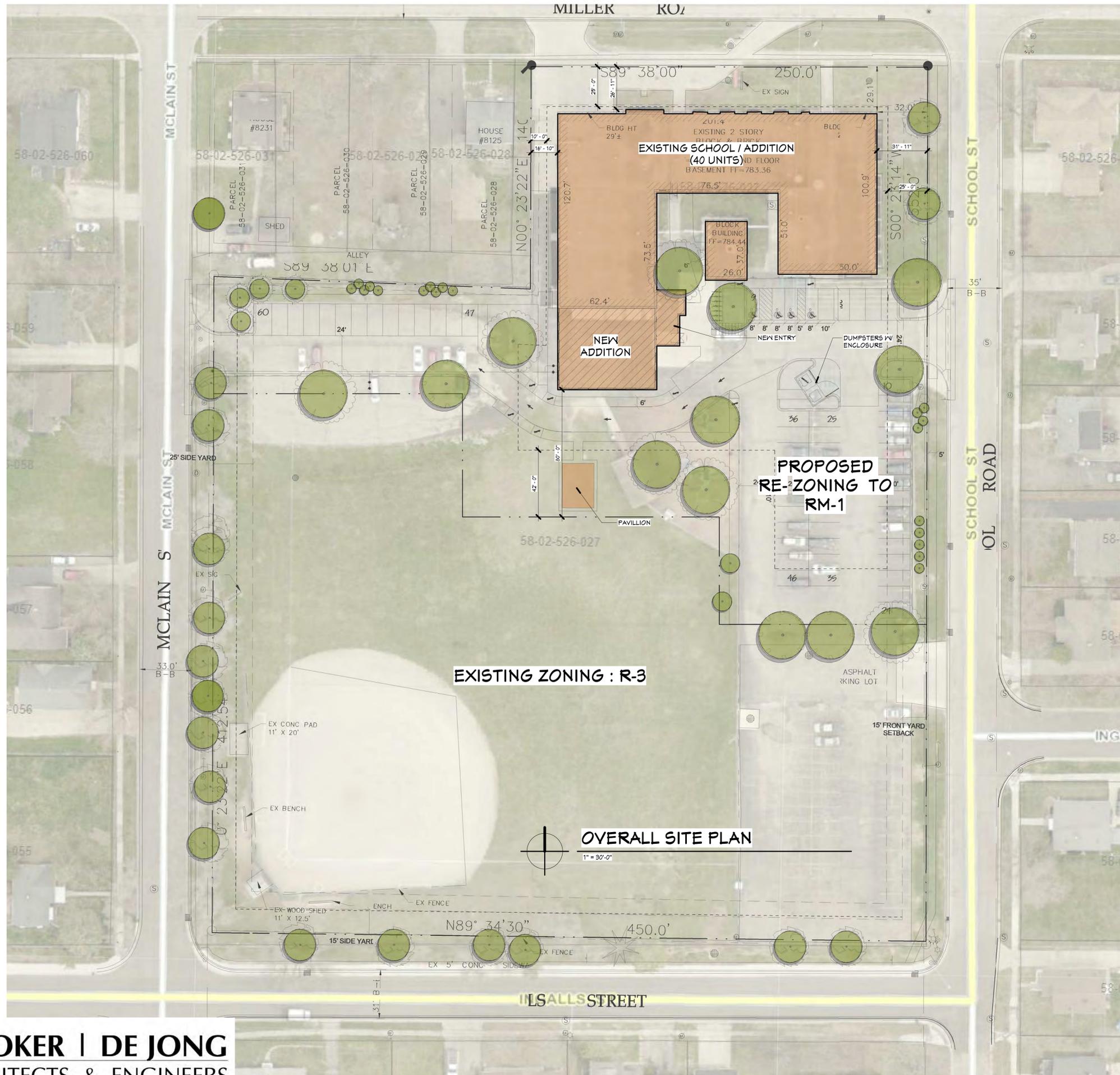
If you have any further questions, please contact us at 810-734-0000.

Sincerely,

CIB PLANNING



Carmine P. Avantini, AICP
President



SITE INFORMATION

SITE ADDRESS: 8197 MILLER ROAD, SWARTZ CREEK, MI 48473	
PARCEL NUMBER: 58-02-526-027	
SITE AREA: 5.06 ACRES / 220,413 SF - TOTAL	
SITE AREA / PHASE 1: 2.2 ACRES / 95,643 SF	
ZONING:	CURRENT: R-3 - DOWNTOWN RESIDENTIAL PROPOSED: REZONED TO RM-1 (SCHOOL PORTION)
BY-RIGHT USE:	RM-1 - MULTI-FAMILY RESIDENTIAL
LOT AREA:	MAXIMUM: 1,200 SF PROPOSED: 95,643 SF
COVERAGE:	MAXIMUM: 30% PROPOSED: 22.5%
FRONT SETBACK:	REQUIRED: 25' PROPOSED: 26'-11"
REAR SETBACK:	REQUIRED: 35' PROPOSED: 73'
SIDE SETBACKS:	REQUIRED: 10' ONE / 25' BOTH PROPOSED: 16'-10" / 45'-4"
BUILDING HEIGHT:	REQUIRED: 3 STORIES / 35' PROPOSED: 3 STORIES / 35' (NEW ADDITION)
PARKING:	REQUIRED: 1.5 PER UNIT (SENIOR HOUSING) PROPOSED: 60 SPACES
ADDITIONAL REGULATIONS:	LANDSCAPING AND SITE LIGHTING TO BE PROVIDED TO MEET OR EXCEED ZONING ORDINANCE

EXISTING ZONING : R-3

OVERALL SITE PLAN

1" = 30'-0"



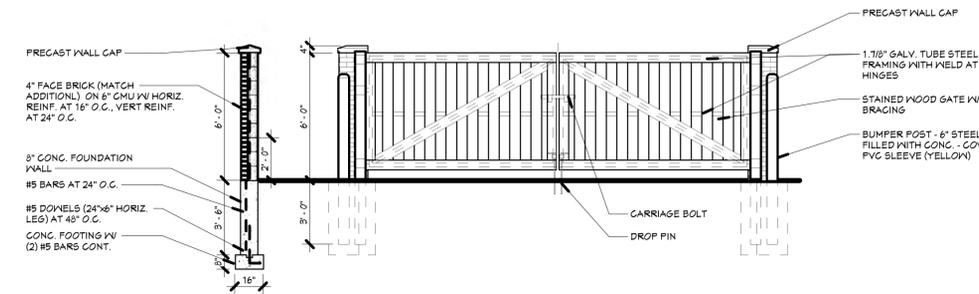
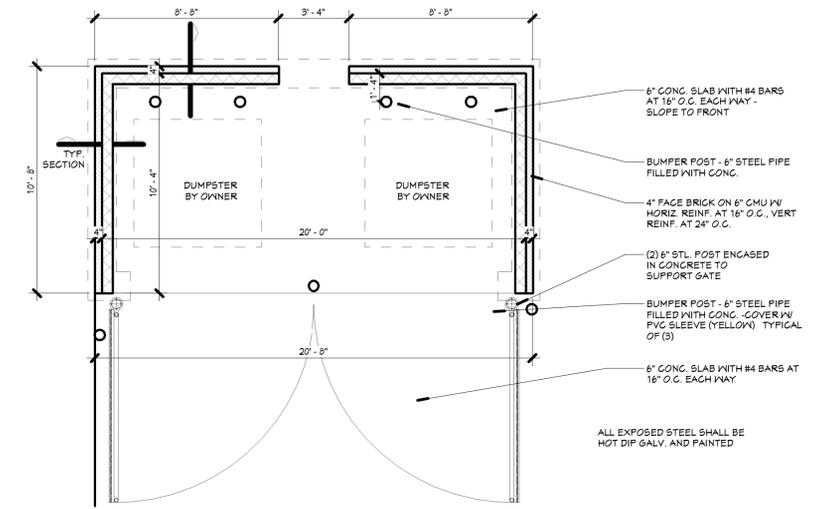
EXISTING SOUTH FACADE



EXISTING NORTH FACADE



EXISTING WEST FACADE



DUMPSPSTER ENCLOSURE

1/4" = 1'-0"



WEST ELEVATION - ADDITION

1/8" = 1'-0"

MATERIAL BREAKDOWN (ADDITION)

- FACE BRICK - 24% (1,792 SF)
- METAL PANEL - 76% (5,862 SF)



EAST ELEVATION - ADDITION

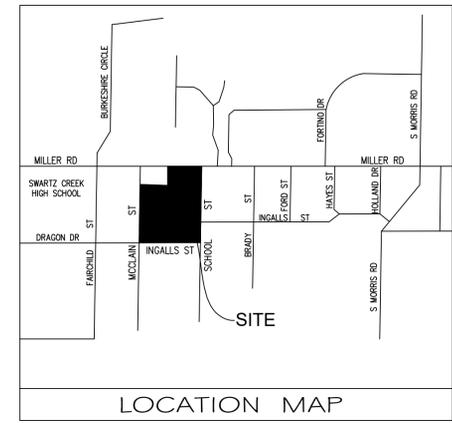
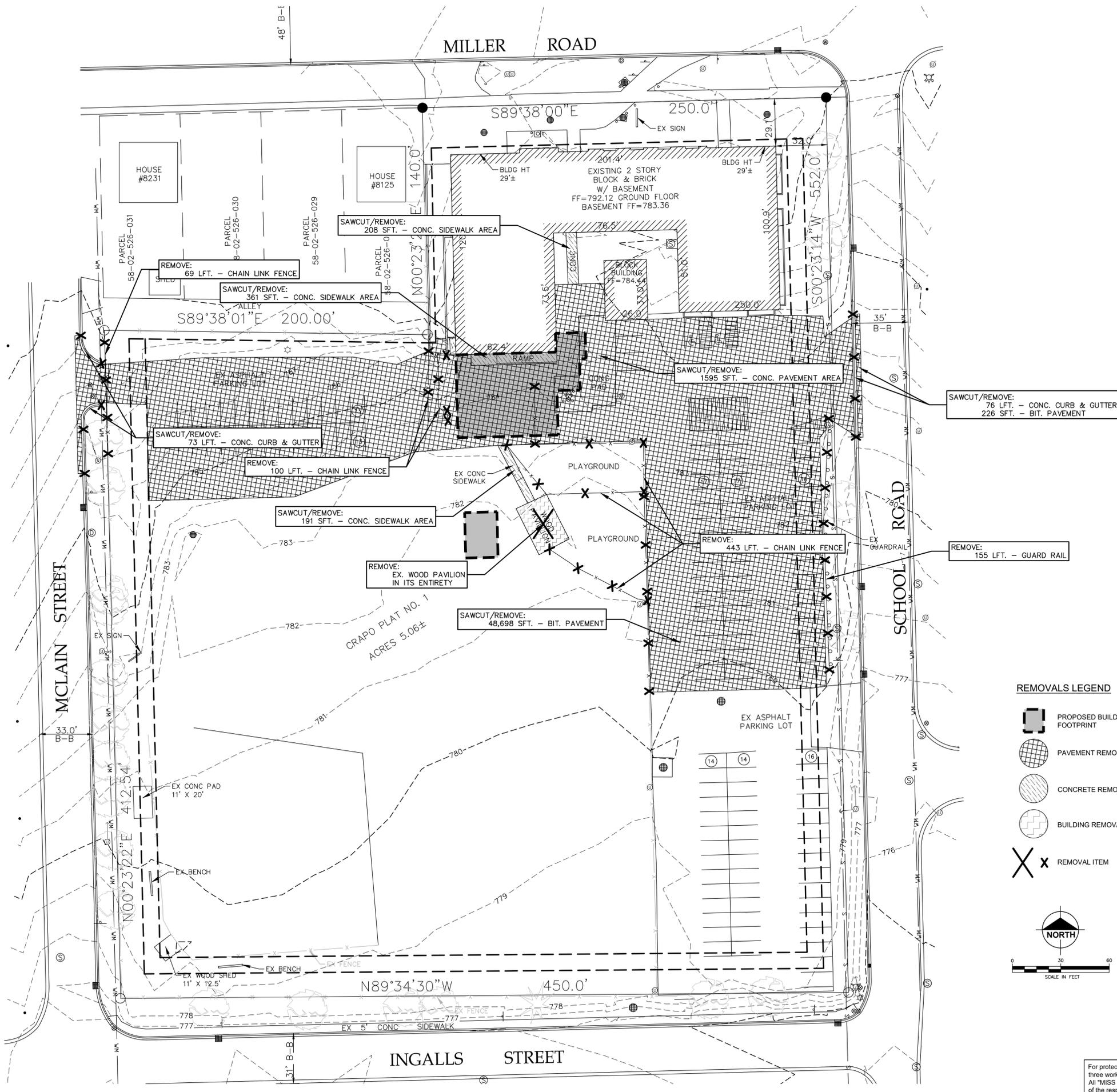
1/8" = 1'-0"



SOUTH ELEVATION - ADDITION

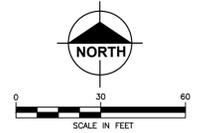
1/8" = 1'-0"





REMOVALS LEGEND

-  PROPOSED BUILDING FOOTPRINT
-  PAVEMENT REMOVAL AREA
-  CONCRETE REMOVAL AREA
-  BUILDING REMOVAL AREA
-  REMOVAL ITEM



Property Address: 8197 Miller Road
Swartz Creek, Michigan 48473
Parcel Number: 58-02-526-027
Property Description: WARRANTY DEED LIBER 451 PAGE 635 & 636

LAND SITUATED AND BEING IN THE TOWNSHIP OF GAINES, COUNTY OF GENESEE AND STATE OF MICHIGAN, AND DESCRIBED AS FOLLOWS. TO WIT: LOTS THIRTY FOUR (34) TO FORTY-FIVE (45), BOTH INCLUDED, AND LOTS FIFTY (50) TO FIFTY-SIX (56), BOTH INCLUDED, ALL ACCORDING TO THE PLAT OF CRAPO PLAT NO. 1, A SUBDIVISION OF PART OF THE WEST HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF SECTION 2, TOWN 6 NORTH, RANGE 5 EAST, GAINES TOWNSHIP, GENESEE COUNTY, STATE OF MICHIGAN, NOW ON FILE IN THE OFFICE OF THE GENESEE COUNTY REGISTER OF DEEDS.

Total Acreage: 1.65 Acres (71,874 sq. ft.)
Property Zoning: R-3 (Downtown Residential)
Setbacks:
Front: 5 ft.
Side: 10 ft.
Rear: 10 ft.
Maximum Allowable Building Height: 2 Stories or 30 ft.
Maximum Lot Coverage: 40%

Plan Prepared By:
Bruce A. Callen, P.E.
Callen Engineering, Inc.
113 W. Savidge St., Suite B
Spring Lake, Michigan 49456
Tel: 616-240-9080
email: bcallen@callenengineering.com

For protection of underground utilities, the CONTRACTOR shall dial 1-800-482-7171 OR 811 a minimum of three working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. All "MISS DIG" participating members will thus be routinely notified. This does not relieve the CONTRACTOR of the responsibility of notifying the utility owners who may not be part of the "MISS DIG" alert system.



Know what's below.
Call before you dig.
DATE OF PLAN: 02-19-20



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Architects & Engineers
316 Morris Avenue
Studio Suite 410
Muskegon, MI 49440
P231.722.3407
P231.722.2589



Callen Engineering, Inc.
Spring Lake, Michigan

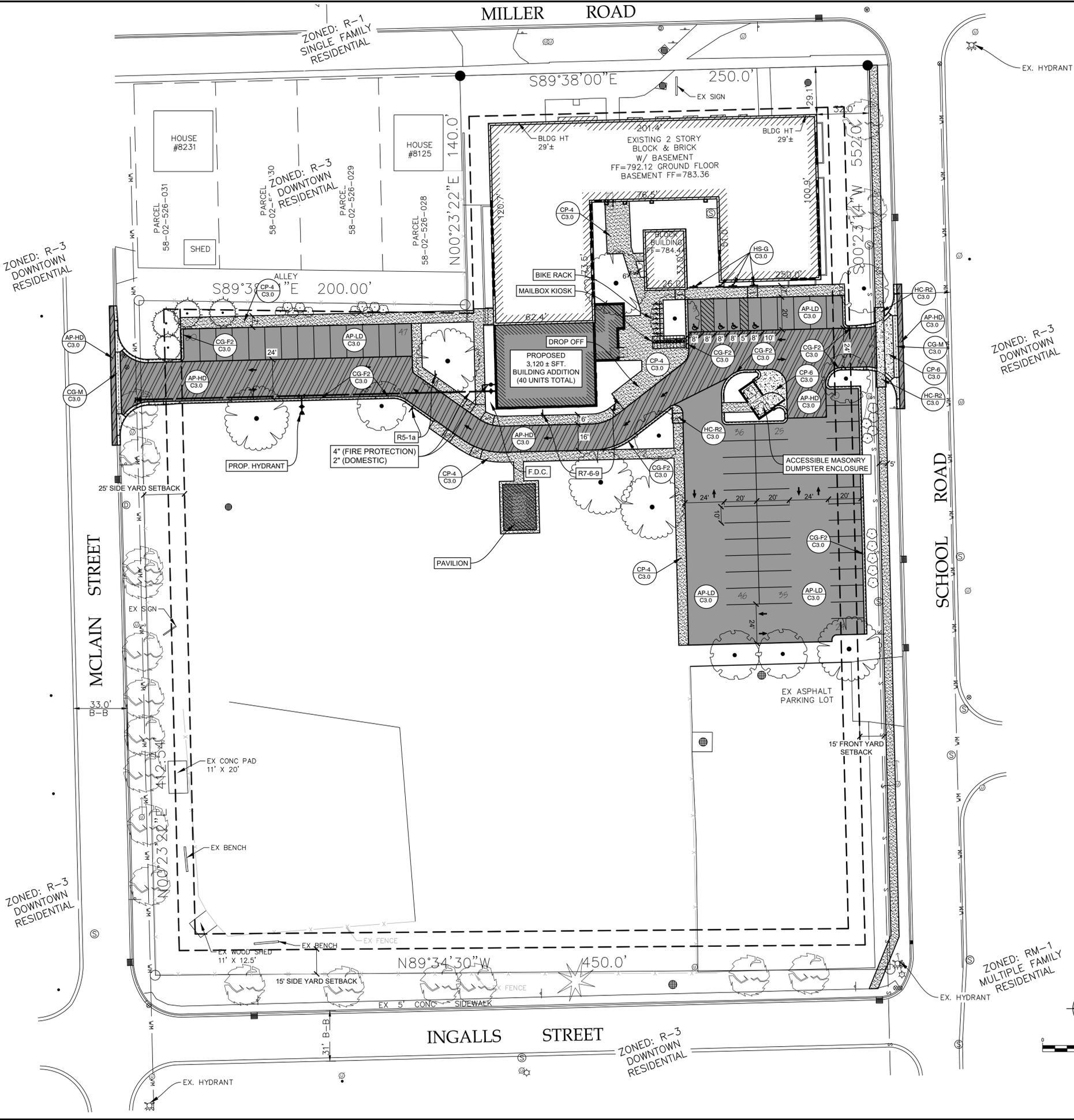
RENOVATION AND ADDITION FOR
MARY CRAPO SCHOOL
8197 MILLER ROAD, SWARTZ CREEK, MI 48473
COMMUNITIES FIRST INC.

Project Number	4-1228
ISSUANCE	1. 20-0219 SITE PLAN REVIEW

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EXISTING
CONDITIONS &
REMOVALS PLAN

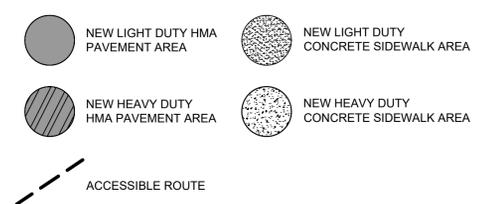
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PROPOSED PERMANENT SIGNAGE LEGEND



PROPOSED FEATURES LEGEND



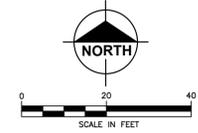
GENERAL NOTES

- PROJECT INCLUDES CONSTRUCTION OF A NEW PLANNED UNIT DEVELOPMENT CONSISTING OF 40 RESIDENTIAL UNITS IN ONE (1) THREE STORY BUILDING, AND RELATED PARKING, LANDSCAPING, SIGNAGE, LIGHTING, UTILITIES, AND STORM WATER DRAINAGE FACILITIES.
- THE DEVELOPMENT SHALL BE SERVED BY PUBLIC WATER MAIN AND PUBLIC SANITARY SEWER.
- ACCESS TO THE DEVELOPMENT SHALL BE VIA TWO (2) CURBCUTS, ONE (1) RECONSTRUCTED CURBCUT ONTO SCHOOL ROAD, ONE (1) RECONSTRUCTED CURBCUT ONTO MCLAIN STREET.
- STORM DRAINAGE SHALL BE DETAINED ON SITE, MEETING THE REQUIREMENTS OF THE COUNTY OF GENESEE GUIDELINES FOR STORM WATER MANAGEMENT.
- PARKING AND DRIVE AREAS SHALL BE PAVED WITH BITUMINOUS AND CONCRETE PAVEMENTS.
- PARKING: REQUIRED: 1.25 SPACES PER DWELLING UNIT.
 DWELLING UNITS = 40 APARTMENT UNITS
 (40*1.25) = 50 PARKING SPACES
TOTAL = 50 SPACES

 PROVIDED: **TOTAL = 60 SPACES**, INCLUDING FOUR (4) BARRIER FREE SPACES.
- NEW SIGNAGE SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF SWARTZ CREEK ZONING ORDINANCE.
- PROPOSED SITE LIGHTING SHALL BE A COMBINATION OF POLE, AND WALL-MOUNTED FIXTURES, DIRECTED TO INHIBIT LIGHTING BEYOND PROPERTY LIMITS, MEETING THE REQUIREMENTS OF APPLICABLE SECTIONS OF THE CITY OF SWARTZ CREEK ZONING ORDINANCE.
- LANDSCAPING AND SCREENING SHALL MEET THE INTENT OF CITY OF SWARTZ CREEK ZONING ORDINANCE.
- ALL PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO THE STANDARDS SET FORTH IN THE CURRENT EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.



Plan Prepared By:
 Bruce A. Callen, P.E.
 Callen Engineering, Inc.
 1113 W. Savidge St., Suite B
 Spring Lake, Michigan 49456
 Tel: 616-240-9080
 email: bcallen@callenengineering.com



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811
 Know what's below.
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 DATE OF PLAN: 02-19-20

H DJ
 HOOKER | DEJONG
 Architects & Engineers
 316 Morris Avenue
 Studio Suite 410
 Muskegon, MI 49440
 P231.722.3407
 P231.722.2589

CE
 Callen Engineering, Inc.
 Spring Lake, Michigan

RENOVATION AND ADDITION FOR MARY CRAPO SCHOOL
 8197 MILLER ROAD, SWARTZ CREEK, MI 48473
COMMUNITIES FIRST INC.

Project Number	4-1228
ISSUANCE	
1. 20-0219	SITE PLAN REVIEW
2. 20-0302	SP REVIEW COMMENTS

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SITE PLAN
C1.0

MILLER ROAD

S89°38'00"E 250.0'

HOUSE #8231
 PARCEL 58-02-526-031
 SHED
 PARCEL 58-02-526-030
 PARCEL 58-02-526-029
 HOUSE #8125
 PARCEL 58-02-526-028

ALLEY
 S89°38'01"E 200.00'

EXISTING 2 STORY
 BLOCK & BRICK
 W/ BASEMENT
 FF=792.12 GROUND FLOOR
 BASEMENT FF=783.36

N00°23'22"E 140.0'

BLDG HT 29'±
 201.4
 29.1
 100.9'
 552.0'

ZONED: R-3
 DOWNTOWN
 RESIDENTIAL

PROPOSED PERMANENT SIGNAGE LEGEND



MCLAIN STREET

ZONED: R-3
 DOWNTOWN
 RESIDENTIAL

EX CONC PAD
 11' X 20'

EX BENCH

EX WOOD SHED
 11' X 12.5'

15' SIDE YARD SETBACK

INGALLS STREET

ZONED: R-3
 DOWNTOWN
 RESIDENTIAL

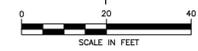
N89°34'30"W 450.0'

SCHOOL ROAD

ZONED: RM-1
 MULTIPLE FAMILY
 RESIDENTIAL

EX ASPHALT
 PARKING LOT

15' FRONT YARD
 SETBACK



Plan Prepared By:
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 email: bcallen@callenengineering.com



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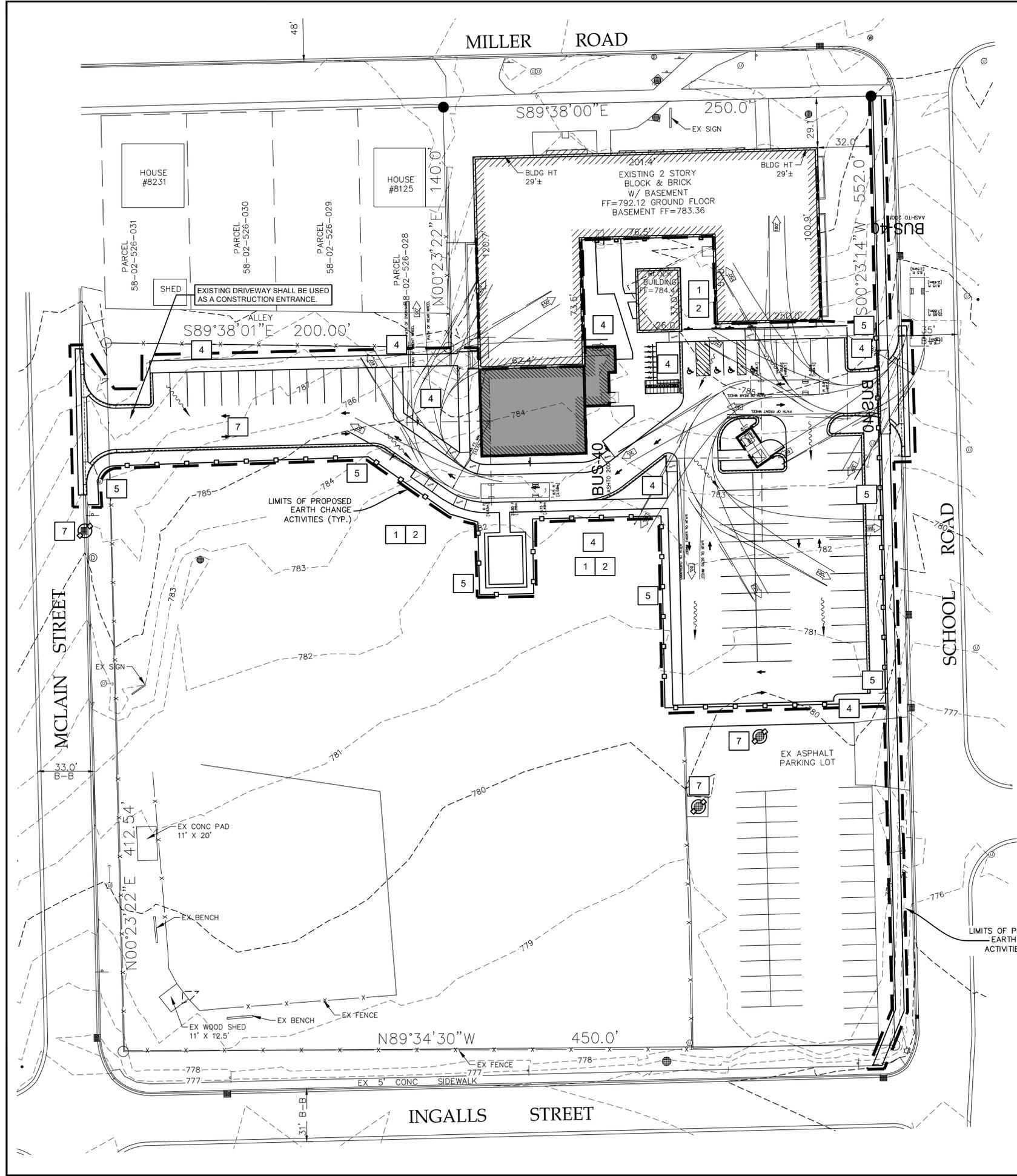
RENOVATION AND ADDITION FOR
MARY CRAPO SCHOOL
 8197 MILLER ROAD, SWARTZ CREEK, MI 48473
 COMMUNITIES FIRST INC.

Project Number	4-1228
ISSUANCE	
1. 20-0219	SITE PLAN REVIEW
2. 20-0302	SP REVIEW COMMENTS

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TURNING
 TEMPLATES

C1.0



EROSION CONTROL MEASURES

KEY	SESC MEASURE	SYMBOL	WHERE USED
1	Seeding		When bare soil is exposed, temporarily or permanently, to erosive forces from wind and/or water on flat areas, mild slopes, grassed waterways and spillways, diversion ditches and dikes, borrow and stockpile areas, and spoil piles.
2	Mulch		On flat areas, slopes, grassed waterways and spillways, diversion ditches and dikes, borrow and stockpile areas, and spoil piles when areas are subject to raindrop impact, and erosive forces from wind or water.
4	Trees, Shrubs, Vines and Ground Cover		When bare soil or recently vegetated slopes are exposed to erosive forces from wind and/or water.
5	Perimeter Sediment Control Measures (Silt Fence, Straw Wattles, etc.)		As a temporary measure used to capture sediment from sheet flow. May also divert small volumes of sheet flow to protected outlets.
7	Storm Drain Inlet Protection		Around the entrance to a catch basin or an inlet that will capture runoff from an earth change activity.
28	Stone Construction Access		At locations where construction equipment will enter and exit the drain easement and tracking of soil is anticipated.

*SEE MICHIGAN ASSOCIATION OF COUNTY DRAIN COMMISSIONERS SESC MANUAL (VERSION 2018) FOR SPECIFICATIONS

SESC NOTES

Total disturbed area: 67,827 sq ft (1.56 Acres)

Additional erosion control measures not shown on the site plan may be necessary as site work progresses. Permittee is responsible for all measures necessary to prevent offsite sedimentation.

Geotextile silt fence and all catch basin protection measures shall be properly placed as shown on plans and as needed to retain soils onsite. Periodic maintenance and inspection of SESC measures is required for proper effectiveness.

Stabilize site as soon as possible.

Construction is anticipated to begin APRIL 2020 with substantial sitework completion no later than NOVEMBER 2020.

SUBSURFACE CONDITIONS

Soils generally consist of Conover loam, and Spinks loamy sand, wet subsoil variant. (USDA NRCS Classification) consisting of Variable loam soils to a depth of 80 inches. Soil borings are pending.

STORM STRUCTURE NOTES

STORM SEWER LENGTHS PROVIDED ARE MEASURED FROM CENTER OF STRUCTURE. RIM ELEVATIONS ARE MEASURED AT EDGE OF METAL.

STORM SEWER SHALL BE WATER-TIGHT, SOLID-WALL HDPE OR APPROVED EQUAL, UNLESS INDICATED ON THE PLANS.

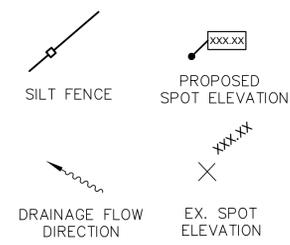
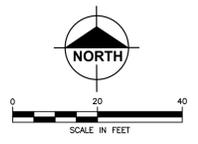
MANHOLES AND CATCH BASINS SHALL BE IN ACCORDANCE WITH MDOT STANDARD SPECIFICATIONS. CATCH BASINS SHALL INCLUDE 2-FT SUMP.

CONNECTIONS TO MANHOLES SHALL BE MADE WITH A RESILIENT CONNECTOR FOR PIPE DIAMETERS 24 INCHES OR LESS.

MANHOLE RIM ELEVATIONS SHALL BE SET 1/4" BELOW PLAN GRADE. CATCH BASIN RIM ELEVATIONS SHALL BE SET 1 1/8" BELOW PLAN GRADE.

ALL CURB DIMENSIONS ARE MEASURED FROM EDGE OF METAL.

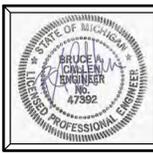
THE CONTRACTOR SHALL EXPOSE AND VERIFY LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. CONFLICTS IN GRADES SHALL BE REPORTED TO ENGINEER AND ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO OWNER.



BENCHMARKS:

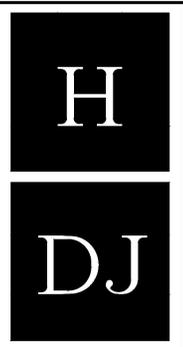
BM #1 EL. 777.46' (NAV DATUM)
NORTHWEST BOLT ON HYDRANT AT NORTHWEST CORNER OF INGALLS STREET AND SCHOOL STREET

BM #2 EL. 791.57' (NAV DATUM)
SOUTHWEST BOLT ON HYDRANT AT SOUTHEAST CORNER OF MILLER ROAD AND SCHOOL STREET.



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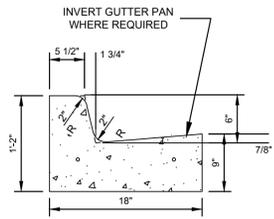
RENOVATION AND ADDITION FOR
MARY CRAO SCHOOL
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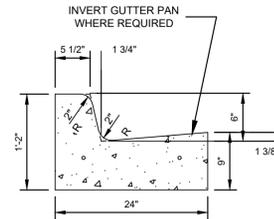
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**GRADING,
DRAINAGE, AND
SESC PLAN**

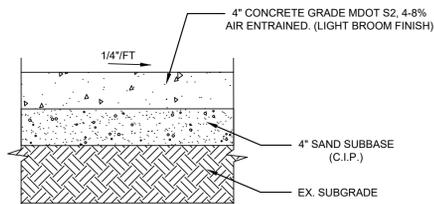
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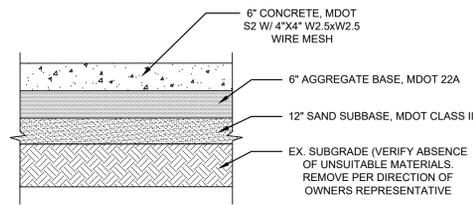
CONCRETE CURB & GUTTER (CG-F2)
DETAIL F2, MODIFIED
NO SCALE



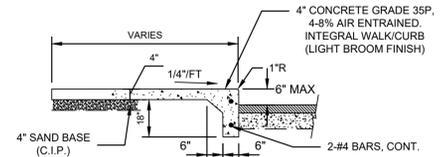
CONCRETE CURB & GUTTER (CG-F4)
DETAIL F4, MODIFIED
NO SCALE



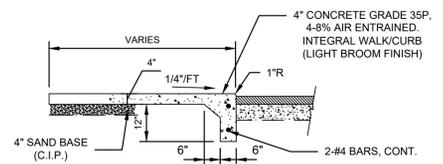
CONCRETE SIDEWALK SECTION (CP-4)
NO SCALE



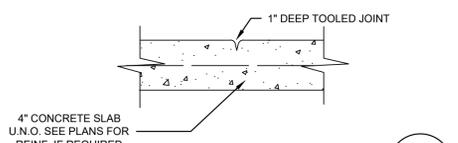
6" CONCRETE PAVEMENT SECTION (CP-6)
NO SCALE



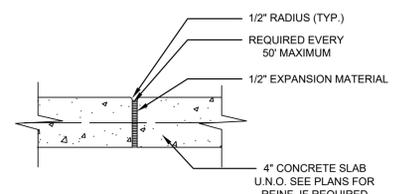
INTEGRAL WALK / CURB (SW-1)
NO SCALE



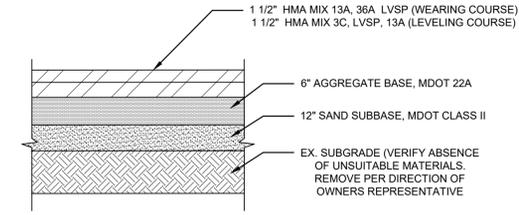
CONCRETE SIDEWALK W/ FLUSH CURB (SW-2)
NO SCALE



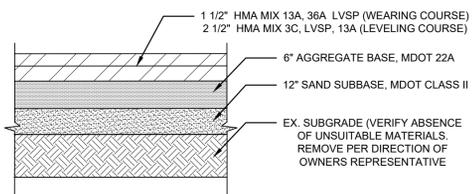
WALK CONTROL JOINT (SW-CJ)
NO SCALE



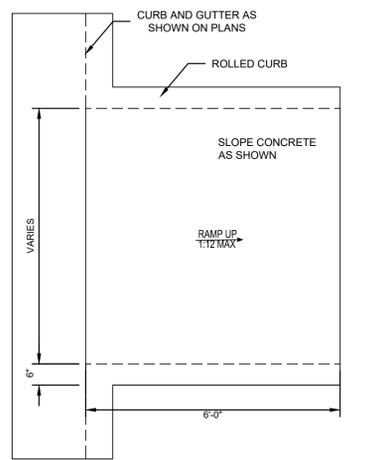
WALK EXPANSION JOINT (SW-EJ)
NO SCALE



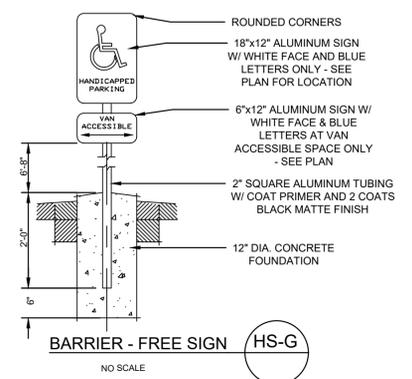
HMA LIGHT DUTY PAVEMENT SECTION (AP-LD)
NO SCALE



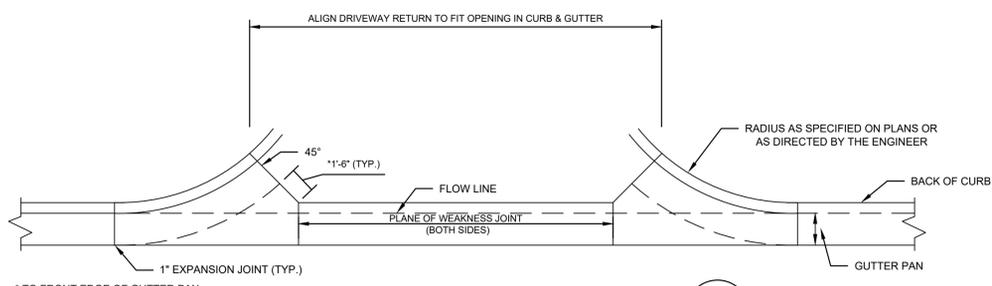
HMA HEAVY DUTY PAVEMENT SECTION (AP-HD)
NO SCALE



B.F. RAMP DETAIL (HC-R2)
TYPE R
NO SCALE



BARRIER - FREE SIGN (HS-G)
NO SCALE



CONCRETE DRIVEWAY OPENING, DETAIL M (TYP.) (CG-M)
NO SCALE

For protection of underground utilities, the CONTRACTOR shall dial 1-800-482-7171 OR 811 a minimum of three working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. All "MISS DIG" participating members will thus be routinely notified. This does not relieve the CONTRACTOR of the responsibility of notifying the utility owners who may not be part of the "MISS DIG" alert system.

Know what's below.
Call before you dig.
DATE OF PLAN: 02-19-20

H
DJ

HOOKER | DEJONG
Architects & Engineers
316 Morris Avenue
Studio Suite 410
Muskegon, MI 49440
P231.722.3407
P231.722.2589

CE

Callen Engineering, Inc.
Spring Lake, Michigan

RENOVATION AND ADDITION FOR
MARY CRAPO SCHOOL
8197 MILLER ROAD, SWARTZ CREEK, MI 49473

COMMUNITIES FIRST INC.

Project Number	4-1228
ISSUANCE	
1. 20-0219	SITE PLAN REVIEW

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X-SECTIONS,
NOTES, AND
DETAILS

C3.0

Plan Prepared By:
Bruce A. Callen, P.E.
Callen Engineering, Inc.
113 W. Savidge St., Suite B
Spring Lake, Michigan 49456

Tel: 616-240-9080
email: bcallen@callenengineering.com



Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
LOT LINE	+	0.1 fc	1.5 fc	0.0 fc	N/A	N/A
PARKING LOT	+	2.8 fc	7.8 fc	0.1 fc	78.0:1	28.0:1

Schedule

Symbol	Label	QTY	Catalog Number	Description	Lamp	Lumens per Lamp	Wattage
□	S1	4	DSX1 LED P4 30K T3M MVOLT HS	DSX1 LED P4 30K T3M MVOLT with houseside shield	LED	10586	125
□	S2	8	DSX1 LED P4 30K T4M MVOLT HS	DSX1 LED P4 30K T4M MVOLT with houseside shield	LED	10217	125
□	S3	0	DSX1 LED P4 30K T3M MVOLT HS	DSX1 LED P4 30K T3M MVOLT with houseside shield	LED	10586	125





ROWE PROFESSIONAL SERVICES COMPANY

Large Firm Resources. Personal Attention. sm

March 18, 2020

Mr. Adam Zettel, City Manager
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

RE: District 3 Sanitary Relief Sewer
Design Engineering Proposal

Dear Mr. Zettel:

ROWE Professional Services is pleased to provide the city with a proposal for the above referenced project. As you know, the city's District 3 Sanitary sewer has reached its theoretical capacity and the Genesee County Drain Commissioner's Office (GCDC) will not allow any more development (such as Apple Creek Station) until a plan has been put in place to increase capacity. ROWE's analysis of the system has provided a resolution to the capacity issue by installing a relief sewer from Springbrook West directly to the county sewer interceptor at the Swartz Creek (see attached map). Construction is estimated at \$450,000 and will provide sanitary sewer capacity for the remaining development in Sewer District 3.

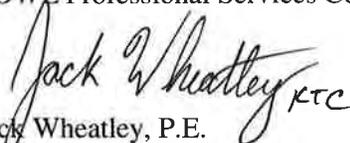
Before starting the design, there are a few steps that we'll want to explore to make sure the project can move forward.

1. We will verify our analysis by surveying the interceptor's tie-in elevation to make sure the sewer will flow as presumed in the analysis.
2. We will meet with GCDC to gain their approval of the idea for the relief sewer.
3. There will be easements necessary from Springbrook West, United Methodist Church, and the Mason's Hall so we will approach the property owners to determine their willingness to provide an easement prior to starting design.

Once these three items above have been explored to the city's satisfaction, we will start the design and permitting process. Our fee for the engineering design is **\$33,350** (see attached fee breakdown). This fee includes all work necessary to develop contract documents for advertising the project including topographic survey, construction drawings, contract documents, specifications, Engineer's estimate, bidding process, and contract award. This fee also includes permit applications for public sanitary sewer construction and soil erosion control (permit fees to be paid by the city).

ROWE looks forward to another successful project with the city. If you have any questions, concerns, or require additional information, please do not hesitate to contact me at (810) 341-7500.

Sincerely,
ROWE Professional Services Company


Jack Wheatley, P.E.
Sr. Project Manager

Attachment

Engineering | Surveying | Aerial Photography/Mapping | Landscape Architecture | Planning

Corporate: The ROWE Building, 540 S. Saginaw Street, Ste. 200 • Flint, MI 48502 • O (810) 341-7500 • F (810) 341-7573

With Offices In: Farmington Hills, MI • Grayling, MI • Kentwood, MI • Lapeer, MI • Mt. Pleasant, MI • Myrtle Beach, SC
City Council Report

www.rowepsc.com

March 23, 2020 (Postponed)

CITY OF SWARTZ CREEK
DISTRICT 3 SANITARY SEWER IMPROVEMENTS
March 18, 2020

Design Engineering Fee Breakdown

A. Design Engineering

1. *Field Work* - Provide topographic survey to measure all existing surface features, sewer pipe depths, building corners, parking lots, and identify property lines within the proposed sewer route. Develop the three easement legal descriptions and drawings. The city will negotiate the easements with the property owners. **\$4,850**

 2. *Plans, Specifications, and Estimate* - Develop construction drawings, prepare specifications, provide an engineer's estimate, review final plans with the city staff; submit necessary information for required GCDC, Michigan Department of Environment, Great Lakes, and Energy (EGLE), and soil erosion control permits; advertise the project for bidding; and assist with the award of the Contractor. **\$28,500**
- Overall Design Engineering Total** **\$33,350**



ROWE PROFESSIONAL SERVICES COMPANY

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March 5, 2020

Mr. Adam Zettel, City Manager
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

City of Swartz Creek – District 3 Relief

Dear Mr. Zettel:

ROWE Professional Services Company has analyzed the Sanitary Sewer Capacity issue in District 3 as described in the Sewer Capacity Report that was completed on November 27, 2019. An existing capacity analysis map and branch flow calculation table for Sewer District 3 of City of Swartz Creek is included. We have reviewed the District 3 Capacity and have concluded the following items:

There were two options analyzed to increase capacity for District 3's outlet pipe. The first option was to remove Apple Creek Station Apartments (Branch A) from the district and reroute it to District 4. The second was to reroute Apple Creek Station Apartments and most of the Springbrook West Condominiums straight to the GCDC-WWS interceptor.

Option #1

Apple Creek Station Apartments (Branch A) theoretically produces 206 gallons per minute (gpm) during a 25-year storm event. Removing 206 gpm from the theoretical total of 620.9 gpm will leave 414.9 gpm. This flow is still greater than the capacity of District 3's 8-inch pipe which is 343 gpm. Since this will not relieve the capacity issue, it is not recommended to complete rerouting the Apple Creek Station Apartments (Branch A). Since this option is not recommended, a preliminary engineering cost estimate to reroute Branch A was not completed.

Option #2

Apple Creek Station Apartments and Springbrook West Condominiums (Branch A, B, and C; Trunk C and D) combined theoretically produce 456.4 gpm during a 25-year storm event. Removing 456.4 gpm from the theoretical total of 620.9 gpm will leave 164.5 gpm. Since Trunk C is an 8-inch pipe, upsizing and pipe rerouting will need to be completed to allow for the 456.4 gpm. With the addition of the proposed 48 Residential Equivalent Units (REUs) from the Apple Creek Station Apartments, an estimated total of 512.6 gpm (see attached Option #2: District 3 Proposed Flow Table) would need to be rerouted using a minimum 10-inch sanitary sewer main. However, it is recommended that a 12-inch sanitary sewer main is constructed because the capacity of a 10-inch pipe is 520 gpm. Easements will be necessary from three or four parcels for the rerouting. Please review the attached District 3 Relief Plan and Conceptual Cost Opinion for the proposed preliminary sewer layout and estimate. Existing plans for the existing system were unavailable, so prior to designing Option 2, survey work will need to be completed to verify this option.

Engineering | Surveying | Aerial Photography/Mapping | Landscape Architecture | Planning

Corporate: The ROWE Building, 540 S. Saginaw Street, Ste. 200 • Flint, MI 48502 • O (810) 341-7500 • F (810) 341-7573

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City Council Report

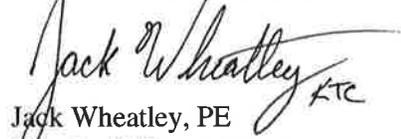
www.rowepsc.com

March 23, 2020 (Postponed)

Mr. Adam Zettel, City Manager
March 5, 2020
Page 2

Thank you for the opportunity to assist the City of Swartz Creek. If you have any questions, please contact me at (810) 341-7500.

Sincerely,
ROWE Professional Services Company

A handwritten signature in black ink that reads "Jack Wheatley" with a stylized flourish and the letters "PE" at the end.

Jack Wheatley, PE
Principal/Vice President

Attachments

R:\Projects\18C0276\Submittals\District 3 Capacity Relief\District 3 Relief.docx

City of Swartz Creek
 Conceptual Cost Opinion
District 3 Capacity Relief
 March 2020



**ROWE PROFESSIONAL
 SERVICES COMPANY**

540 S. Saginaw St. | Flint, MI 48502
 810-341-7500

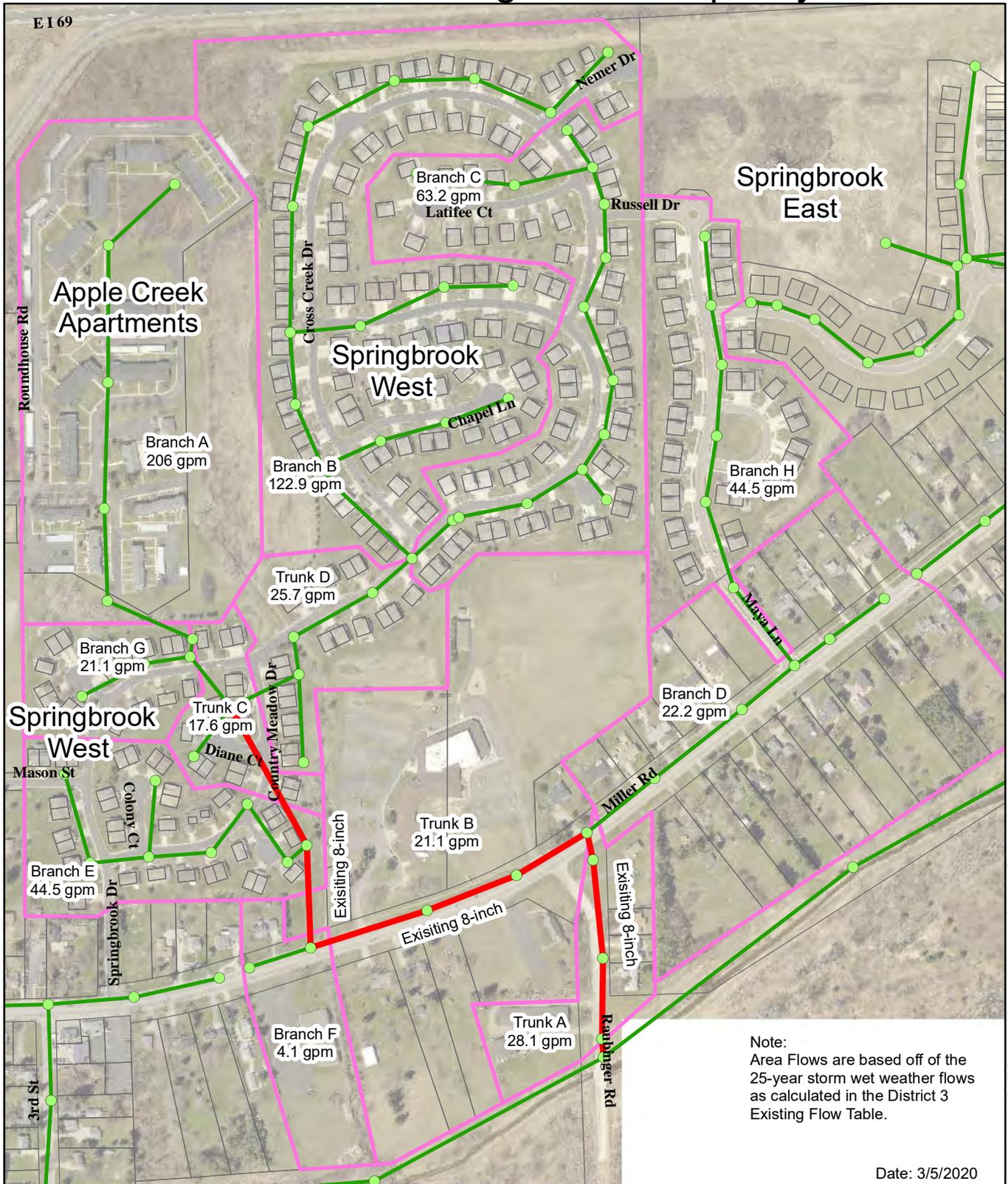
Item	Quantity	Unit	Estimated Unit Price	Estimated Total Cost
Mobilization, 10% Max	1	LSUM	\$ 36,900.00	\$ 36,900.00
Sanitary Sewer 8-inch	750	Ft	\$ 100.00	\$ 75,000.00
Sanitary Sewer 12-inch	950	Ft	\$ 120.00	\$ 114,000.00
Sanitary Sewer 12-inch Bore and Jack	100	Ft	\$ 500.00	\$ 50,000.00
Sanitary Manhole with Cover	12	Ea	\$ 5,000.00	\$ 60,000.00
External Drop Connection at Interceptor	1	Ea	\$ 5,000.00	\$ 5,000.00
Sanitary Manhole Tap	1	Ea	\$ 1,000.00	\$ 1,000.00
Sanitary Sewer Tap	1	Ea	\$ 1,000.00	\$ 1,000.00
Sanitary Sewer Bulkhead	2	Ea	\$ 500.00	\$ 1,000.00
Sanitary Sewer Abandon	1	LSUM	\$ 1,000.00	\$ 1,000.00
Turf Establishment	4000	Syd	\$ 6.00	\$ 24,000.00
Drain Restoration	1	LSUM	\$ 20,000.00	\$ 20,000.00
Soil Erosion and Sedimentation Control	1	LSUM	\$ 7,500.00	\$ 7,500.00
Clearing	1	LSUM	\$ 5,000.00	\$ 5,000.00
Maintaining Traffic	1	LSUM	\$ 5,000.00	\$ 5,000.00
			Subtotal	\$ 406,400.00

	Subtotal	\$ 406,400.00
	Contingencies (10%)	\$ 40,640.00
	Engineering Design, Permit Applications, and Construction Services Allowance (20%)	\$ 81,280.00
	Total Cost Opinion	\$ 528,320.00

Notes

1. This preliminary estimate is for planning and budget purposes only. Final constructed quantities and cost may vary.
2. Costs for easements and easement acquisition are not included in this estimate.

District 3 Existing Sewer Capacity



Note:
Area Flows are based off of the 25-year storm wet weather flows as calculated in the District 3 Existing Flow Table.

Date: 3/5/2020

Legend

- Branch Boundary
- Sanitary Manholes
- Undersized Sewer
- Sanitary Pipe



0 110 220 440 Feet

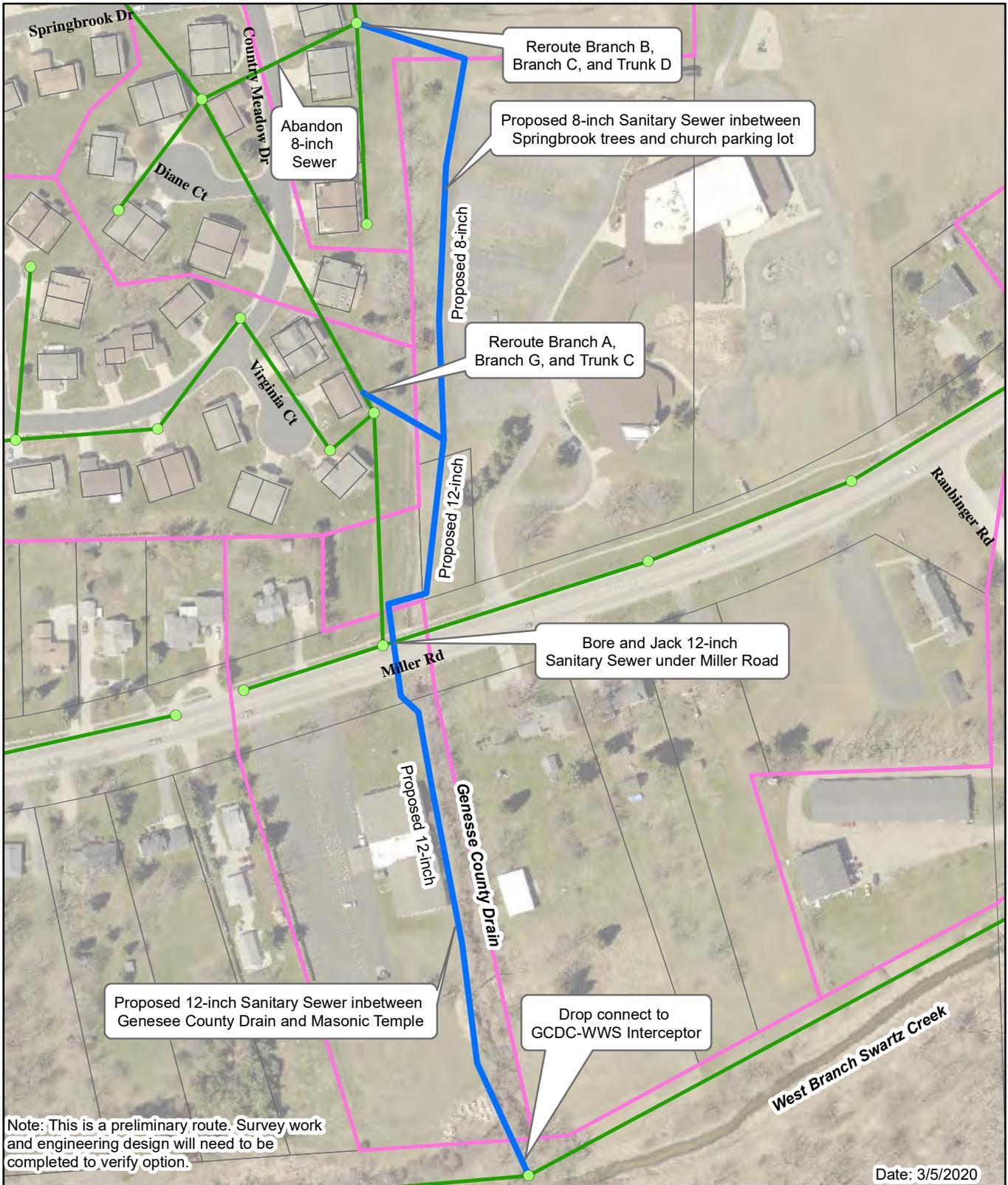


ROWE PROFESSIONAL SERVICES COMPANY

540 S. Saginaw Street, Suite 200
Flint, MI 48502

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District 3 Relief Plan



Legend					ROWE PROFESSIONAL SERVICES COMPANY 540 S. Saginaw Street, Suite 200 Flint, MI 48502
● Sanitary Manholes	□ Branch Boundary				
— Sanitary Pipe	— Proposed Sewer				

R:\Projects\18C0280\Dwg\GIS\Swartz Creek Master Online Sewer District 3 Proposed.mxd

District 3 Existing Flow Table

City of Swartz Creek
March 2020

 ROWE PROFESSIONAL
SERVICES COMPANY
540 S. Saginaw St. | Flint, MI 48502
810-341-7500

Current User	Useage Type	REU Factor	Units	REUs	Flow (gal/day)	Flow (gpm)	Wet Flow (gpm)	Comments/Assumptions
Branch B - Springbrook West 1								
Spring Brook West	Condo	1 REU per unit	105 Units	105	33,075	23.0	122.9	
Branch C - Springbrook West 2								
Spring Brook West	Condo	1 REU per unit	54 Units	54	17,010	11.8	63.2	
Trunk D - Springbrook West Trunk 1								
Spring Brook West	Condo	1 REU per unit	22 Units	22	6,930	4.8	25.7	
Trunk D Total				181	57,015	39.6	211.8	
Branch A - Apple Creek Apartments								
Apple Creek Apartments	Multi-Fam	1 REU per unit	176 Units	176	55,440	38.5	206.0	
Branch G - Springbrook West 4								
Spring Brook West	Condo	1 REU per unit	18 Units	18	5,670	3.9	21.1	
Trunk C - Springbrook West Trunk 2								
Spring Brook West	Condo	1 REU per unit	15 Units	15	4,725	3.3	17.6	
Trunk C Total				390	122,850	85.3	456.4	
Branch E - Springbrook West 3								
Spring Brook West	Condo	1 REU per unit	38 Units	38	11,970	8.3	44.5	
Branch F - Miller Road West								
Houses on Miller Rd	House	1 REU per unit	1 Units	1	315	0.2	1.2	
Masonic Temple	Church	0.01 REU per Seat	250 Seats	2.5	788	0.5	2.9	Assumed 250 seats
Trunk B - Miller Road								
Houses on Miller Rd	House	1 REU per unit	3 Units	3	945	0.7	3.5	
United Methodist Church	Church	0.01 REU per Seat	1000 Seats	10	3,150	2.2	11.7	Assumed 1000 seats
The Sanctuary	Church	0.01 REU per Seat	500 Seats	5	1,575	1.1	5.9	Assumed 500 seats
Trunk B Total				450	141,593	98.3	526.1	
Branch H - Springbrook East								
Spring Brook East	Condo	1 REU per unit	38 Units	38	11,970	8.3	44.5	
Branch D - Miller Road East								
Houses on Miller Rd	House	1 REU per unit	19 Units	19	5,985	4.2	22.2	
Branch D Total				57	17,955	12.5	66.7	
Trunk A - Raubinger Road								
Raubinger Apts	Multi-Fam	1 REU per unit	20 Units	20	6,300	4.4	23.4	
Houses on Miller Rd	House	1 REU per unit	1 Units	1	315	0.2	1.2	
Houses on Raubinger Rd	House	1 REU per unit	3 Units	3	945	0.7	3.5	
Total				531	167,108	116.0	620.9	

Note:

Wet Weather Flow is based on a 5.35 Peak Factor from the Sewer Capacity Analysis Report from November 27, 2019 comparing the Observed Dry Weather flow to the Estimate Flow During 25 Year Storm Event

Option #2: District 3 Proposed Flow Table

City of Swartz Creek
March 2020

 ROWE PROFESSIONAL
SERVICES COMPANY
540 S. Saginaw St. | Flint, MI 48502
810-341-7500

Current User	Useage Type	REU Factor	Units	REUs	Flow (gal/day)	Flow (gpm)	Wet Flow (gpm)	Comments/Assumptions
Branch B - Springbrook West 1								
Spring Brook West	Condo	1 REU per unit	105 Units	105	33,075	23.0	122.9	
Branch C - Springbrook West 2								
Spring Brook West	Condo	1 REU per unit	54 Units	54	17,010	11.8	63.2	
Trunk D - Springbrook West Trunk 1								
Spring Brook West	Condo	1 REU per unit	22 Units	22	6,930	4.8	25.7	
Trunk D Total				181	57,015	39.6	211.8	
Branch A - Apple Creek Apartments								
Apple Creek Apartments	Multi-Fam	1 REU per unit	224 Units	224	70,560	49	262.2	Includes proposed 48 REUs
Branch G - Springbrook West 4								
Spring Brook West	Condo	1 REU per unit	18 Units	18	5,670	3.9	21.1	
Trunk C - Springbrook West Trunk 2								
Spring Brook West	Condo	1 REU per unit	15 Units	15	4,725	3.3	17.6	
Trunk C Total				438	137,970	95.8	512.6	
Branch E - Springbrook West 3								
Spring Brook West	Condo	1 REU per unit	38 Units	38	11,970	8.3	44.5	
Branch F - Miller Road West								
Houses on Miller Rd	House	1 REU per unit	1 Units	1	315	0.2	1.2	
Masonic Temple	Church	0.01 REU per Seat	250 Seats	2.5	788	0.5	2.9	Assumed 250 seats
Trunk B - Miller Road								
Houses on Miller Rd	House	1 REU per unit	3 Units	3	945	0.7	3.5	
United Methodist Church	Church	0.01 REU per Seat	1000 Seats	10	3,150	2.2	11.7	Assumed 1000 seats
The Sanctuary	Church	0.01 REU per Seat	500 Seats	5	1,575	1.1	5.9	Assumed 500 seats
Trunk B Total				60	18,743	13.0	69.6	
Branch H - Springbrook East								
Spring Brook East	Condo	1 REU per unit	38 Units	38	11,970	8.3	44.5	
Branch D - Miller Road East								
Houses on Miller Rd	House	1 REU per unit	19 Units	19	5,985	4.2	22.2	
Branch D Total				57	17,955	12.5	66.7	
Trunk A - Raubinger Road								
Raubinger Apts	Multi-Fam	1 REU per unit	20 Units	20	6,300	4.4	23.4	
Houses on Miller Rd	House	1 REU per unit	1 Units	1	315	0.2	1.2	
Houses on Raubinger Rd	House	1 REU per unit	3 Units	3	945	0.7	3.5	
Total				141	44,258	30.7	164.4	

Note:

Wet Weather Flow is based on a 5.35 Peak Factor from the Sewer Capacity Analysis Report from November 27, 2019 comparing the Observed Dry Weather flow to the Estimate Flow During 25 Year Storm Event



Adam Zettel, AICP

City Manager

810.635.4464

azettel@cityofswartzcreek.org

March 19, 2020

UPDATED (3/19/2020) CITY SERVICE PUBLIC NOTICE (COVID 19)

The City of Swartz Creek is taking measures to protect the public and staff as the State of Michigan, currently under a state of emergency, mitigates the spread of COVID-19 virus. The situation is dynamic, and these measures may change rapidly.

The city offices are closed to the public until further notice. Anyone requiring services from staff at the city offices are asked to make an appointment by calling 810-635-4464 or via email at colger@cityofswartzcreek.org. Walk-ins shall be expected to follow social distancing and other rigorous protocols.

All public meetings hosted by the city for the month of March are cancelled. Recent guidance provided by a gubernatorial executive order 2020-15 makes virtual meetings possible. The city expects to begin hosting virtual meetings that include proxy two-way communication for council members, staff, petitioners, and the general public in time for the council meeting on April 13, 2020. Meetings of the planning commission, park board, downtown development authority, and zoning board of appeals are cancelled until further notice.

Utility bill payments can be paid using U.S. Mail, the drop-box (located in the city office parking lot by the south west side of the building), or online <https://bsaonline.com/?uid=2016>. The city's online information and permitting services, accessible by the same link, are also extensive and available for use.

The Department of Public Services will not be engaging in non-emergency home appointments or similar services, but other city services are expected to be available.

Emergency, School, Veteran, and Senior Services are provided by other parties. Please consult their respective websites or use the contact information below.

Swartz Creek Area Fire Department: 810.635.2300

Swartz Creek Community Schools: 810.591.2300

Swartz Creek Area Senior Center: 810.635.4122

Genesee County Department of Veterans Services: 810.257.3068

Please continue to visit the city Facebook page and website for updates. Additional information from the state is on the following website: <https://www.michigan.gov/Coronavirus>

8083 Civic Drive

Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

<ftp://cityofswartzcreek.org>



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2020-15

Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Michigan Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945, provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is crucial that all Michiganders take steps to limit in-person contact. These critical mitigation measures include social distancing and limiting the number of people interacting at public gatherings.

To that end, it is reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to

conduct public business during this emergency, including actions to respond to COVID-19, and the general public must be able to continue to participate in government decision-making without unduly compromising public health, safety, and welfare.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Effective immediately and continuing until April 15, 2020 at 11:59 pm, to the extent that the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 to 15.272 (“OMA”) requires that a meeting of a public body be held in a physical place available to the general public or requires the physical presence of one or more members of a public body, strict compliance with section 3 of the OMA, MCL 15.263, is temporarily suspended in order to alleviate any such physical-place or physical-presence requirements, as follows:
 - (a) A meeting of a public body may be held electronically, including by telephonic conferencing or video conferencing, in a manner in which both the general public and the members of the public body may participate by electronic means.
 - (b) A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. The public body also may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants.
 - (c) Members of a public body and of the general public participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting.
 - (d) All persons must be permitted to participate in any meeting of a public body held electronically, except as otherwise provided in the OMA.
 - (e) If a public body directly or indirectly maintains an official internet presence, the public body must, consistent with and in addition to any other applicable notice requirements under the OMA, post advance notice of a meeting held electronically on a portion of the public body’s website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website’s homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include all of the following:
 - (i) An explanation of the reason why the public body is meeting electronically.

- (ii) Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.
 - (iii) Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
 - (iv) Procedures by which persons with disabilities may participate in the meeting.
- (f) The right of a person to participate in a meeting of a public body held electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations to minimize the possibility of disrupting the meeting.
- (g) A public body may not require a person as a condition of participating in a meeting of the public body held electronically to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms necessary to permit the person to participate in a public comment period of the meeting.
- (h) A person must be permitted to address a meeting of a public body held electronically under rules established and recorded by the public body. A person must not be excluded from a meeting held electronically otherwise open to the public except for a breach of the peace actually committed during the meeting.
- (i) During a meeting of a public body held electronically, members of the public body are urged to take all votes by roll call to avoid any questions about how each member of the public body votes.
- (j) If a public body holding a meeting electronically directly or indirectly maintains an official internet presence, the public body is encouraged to make available to the general public through the public body's website homepage an agenda and other materials relating to the meeting.
- (k) Members of the general public otherwise participating in a meeting of a public body held electronically may be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.
2. A public body holding a meeting electronically as provided under this order is encouraged to do so in a manner that effectuates as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making. Discussions or deliberations at an open meeting that cannot at a minimum be heard by the general

public participating in the meeting are contrary to these purposes. Accordingly, members of a public body must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision, and must avoid “round-the-horn” decision-making in a manner not accessible to the public at an open meeting.

3. If a decision or other action of a public body is in compliance with the requirements of this order and the other requirements of the OMA, it is in compliance with the OMA.
4. Effective immediately and continuing until April 15, 2020 at 11:59 pm, if a statute or rule other than the OMA requires that public comments be permitted or a public hearing be held, including in conjunction with the issuance of a permit or a hearing required under the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a, a public body or department or agency may provide a means for remote public comment or participation through the use of any technology that would facilitate a member of the general public’s ability to participate remotely to the same extent as if the member of the general public appeared in person. If not expressly authorized by statute or rule, written comment, including by electronic means, also is permitted.
5. Effective immediately and continuing until April 15, 2020 at 11:59 pm, strict compliance with subsection 6 of section 11a, subsection 7 of section 384, and subsection 1 of section 418a of the Revised School Code, 1976 PA 451, as amended, MCL 380.11a(6), MCL 380.384(7), and MCL 380.418a(1), is temporarily suspended so as not to require school district boards to hold meetings at least once each month.
6. Nothing in this order permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of the press and other news media both to meetings held electronically and to members of public bodies.
7. As used in this order, the terms “decision,” “meeting,” and “public body” mean those terms as defined under section 2 of the OMA, MCL 15.262, except this order does not apply to state legislative bodies.
8. A provision of this order will prevail over any conflicting provision of a local charter, ordinance, or rule.
9. This order supersedes sections 2 and 3 of Executive Directive 2020-2.

Given under my hand and the Great Seal of the State of Michigan.

Date: March 18, 2020

Time: 4:46 pm



GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE

MEMORANDUM REGARDING COVID-19 PROCEDURES

TO: SIMEN, FIGURA & PARKER, P.L.C. MUNICIPAL CLIENTS

FROM: MICHAEL J. GILDNER, ESQ.

DATED: MARCH 17, 2020

RE: COVID-19

Over the last few days I have been inundated with questions about what local municipalities may do to combat this virus. Those questions generally center around the steps local governments can take to limit office hours, or manage staff levels, or how to transact business at an open meeting while at the same time complying with state or federal dictates designed to implement social distancing.

The Emergency Management Act enables small communities (those under a population of 10,000) to appoint "an emergency management coordinator." That person has the power to declare a local state of emergency which enables that person to:

- restrict travel on local roads;
- direct and coordinate emergency operations plans with state and federal emergency officials;
- appropriate and expend funds, make contracts, and obtain and distribute equipment, materials and supplies for disaster purposes;
- provide for the health and safety of persons and property;
- direct and coordinate local multi-agency response to emergencies; and
- appoint, employ, remove, or provide rescue teams, auxiliary fire and police personnel and other disaster workers.

For those of you who did not previously appoint an emergency management coordinator, this experience shows the value in doing so at your earliest opportunity.

Even so, it is altogether appropriate and lawful for a municipality to (A) restrict office hours; (B) alter staffing levels and schedules to minimize the gathering of employees; and (C) alter other operations to promote social distancing.

Concerning public meetings, Governor Whitmer issued a Directive late last week that is a source of debate or confusion. This paragraph in the Governor's Directive is the source of the problem:

"All public bodies of departments and agencies of the State subject to the OMA that must continue to meet must do so by means sufficient to enable meaningful access and communication for all participants. Participation by remote access technology, including conference calling, real-time streaming, or other platforms is acceptable, and sufficient to form a quorum, so long as public access and participation is preserved."

Besides the fact that this Directive applies to State agencies and not local governments, I do not believe that this Directive alters in any significant way how the OMA applies to municipal meetings. A public body has a quorum when a sufficient number of elected officials are **physically** present. In other words, elected officials who participate remotely do not count towards a quorum. Also, elected officials cannot vote electronically or remotely. They must instead be physically present before they can cast a vote. At most, I believe that a municipality can close its meetings to the general public only if it offers remote access technology enabling members of the public to participate in real time.

These are extraordinary times, of course, and much is changing by the hour. As circumstances change and new information becomes available I will do my best to keep you informed. And, as always, call me if you have any questions.

MEMORANDUM REGARDING COVID-19 PROCEDURES

TO: SIMEN, FIGURA & PARKER, P.L.C. MUNICIPAL CLIENTS

FROM: MICHAEL J. GILDNER, ESQ.

DATED: MARCH 19, 2020

RE: COVID-19 ***UPDATE*******

Governor Whitmer issued an Executive Order yesterday regarding the application of the Open Meeting Act to local municipalities given the COVID-19 crisis. In short, it temporarily suspends the strict application of the Open Meetings Act to local governmental bodies provided certain measures are implemented.

First, it says that meetings may be held electronically, including by telephonic conferencing or video conferencing, provided everyone participating in that meeting, including members of the public, can participate in real time. Whatever method used must permit two-way communication so that all public officials and members of the public can hear each other during the meeting. The order also says that a public body can use technology whereby typed public comments may be read to or shared with members of the public body and other participants.

Second, the order says that members of the public body who participate electronically are counted towards establishing a quorum.

Third, members of the public body can participate electronically in the meeting as if they were physically present, which means they can vote even if they are not physically present. However, roll call voting is encouraged to avoid disputes about how members voted.

Fourth, a public body that is meeting electronically can still go into executive session for any of the purposes allowed by the Open Meetings Act, assuming the closed session is held in compliance with the requirements of the Open Meetings Act applicable to a closed session.

Fifth, a public body that maintains an official internet presence must post advance notice of a meeting to be held electronically consistent with notice provisions of the Open Meetings Act. The order lists several substantive requirements for that notice. If your community plans on holding any meetings electronically, I will help you draft that notice so that it complies with this order.

The Governor's order is meant to make it easier for local governments to conduct business at public meetings without sacrificing openness and transparency in how you do business. If you meet electronically but members of the general public cannot hear your discussions or deliberations, then you will be found in violation of the Open Meetings Act. The same is true if elected officials use email, texting, instant messaging or other forms of electronic communication to make a decision or to deliberate towards a decision.

This Executive Order expires on April 15, 2020 at 11:59 p.m. If you have questions concerning it, please call.

CORONAVIRUS DISEASE 2019 (COVID-19)



The Michigan Department of Health and Human Services (MDHHS) is working closely with healthcare providers, local public health departments, and the Centers for Disease Control and Prevention (CDC) to actively monitor any potential cases of Coronavirus Disease 2019 (COVID-19) in Michigan. MDHHS will update information as it becomes available at: Michigan.gov/Coronavirus.

What is COVID-19?

COVID-19 is a virus strain that has only spread in people since December 2019. Health experts are concerned because little is known about this new virus and it has the potential to cause severe illness and pneumonia.

How does COVID-19 spread?

Health experts are still learning the details about how this new coronavirus spreads. The virus is thought to spread mainly from person-to-person:

- Between people who are in close contact (within about 6 feet) with an ill person, and
- Through respiratory droplets produced when an infected person coughs or sneezes.
- It also may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it, then touching their mouth, nose or eyes.

What are the symptoms of COVID-19?

People who have been diagnosed with COVID-19 have reported symptoms that may appear in as few as two days or as long as 14 days after exposure to the virus:



Fever



Cough



Difficulty Breathing

Who is at risk for COVID-19?

At this time, most people in the U.S. will have little immediate risk of exposure to this virus. To minimize the risk of spread, health officials are working with healthcare providers to promptly identify and evaluate any suspected cases.

It is important to remember that stigma and discrimination occur when people associate an infectious disease, such as COVID-19, with a population or nationality. COVID-19 does not target people from specific populations, ethnicities, or racial backgrounds.

How can I protect myself from getting COVID-19?

If you are traveling overseas (to China but also to other places) follow the CDC's guidance: [CDC.gov/Travel](https://www.cdc.gov/travel).

Right now, there are no additional precautions recommended for the general public. Steps you can take to prevent spread of flu and the common cold will also help prevent COVID-19:



Wash your hands often with soap and water. If not available, use hand sanitizer.



Avoid touching your eyes, nose or mouth with unwashed hands.



Cover your mouth and nose with a tissue when coughing.



Avoid contact with people who are sick.



Stay home if you are sick, and contact your healthcare provider.

How is COVID-19 treated?

There are no medications specifically approved for coronavirus. People infected with COVID-19 should receive supportive care to help relieve symptoms. For severe cases, treatment should include care to support vital organ functions.

COVID-19 Information Updates:

Centers for Disease Control and Prevention: [CDC.gov/Coronavirus](https://www.cdc.gov/Coronavirus)

Michigan Department of Health and Human Services: [Michigan.gov/Coronavirus](https://www.michigan.gov/Coronavirus)