

**City of Swartz Creek
AGENDA**

**Virtual Council Meeting, Monday, November 23, 2020, 7:00 P.M.
Paul D. Bueche Municipal Building, 8083 Civic Drive Swartz Creek, Michigan 48473**

1. **CALL TO ORDER**
2. **INVOCATION:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
4A. Council Meeting of November 9, 2020 MOTION Pg. 30
5. **APPROVE AGENDA:**
5A. Proposed / Amended Agenda MOTION Pg. 1
6. **REPORTS & COMMUNICATIONS:**
6A. City Manager's Report MOTION Pg. 8
6B. Staff Reports & Meeting Minutes Pg. 54
6C. Designated Assessor Information Pg. 65
6D. Safe Routes to School Engineering Proposal Pg. 80
6E. AmRace Press Release Pg. 84
6F. Appointment Application and Job Descriptions Pg. 85
7. **MEETING OPENED TO THE PUBLIC:**
7A. General Public Comments
8. **COUNCIL BUSINESS:**
8A. Appointments RESO Pg. 23
8B. Metro Police Support RESO Pg. 26
8C. Designated Assessor RESO Pg. 26
8D. 8002 Miller Road Breach of Lease RESO Pg. 27
8E. Safe Routes to School Engineering RESO Pg. 28
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg. 29

Next Month Calendar

Metro Police Board:	Tuesday, November 24, 2020, 10:00 a.m., Metro HQ (one day early)
Planning Commission:	Tuesday, December 1, 2020, 7:00 p.m., PDBMB
Park Board:	Wednesday, December 2, 2020, 5:30 p.m., PDBMB
City Council:	Monday, December 7, 2020, 7:00 p.m., PDBMB
Downtown Development Authority:	Thursday, December 10 2020, 6:00 p.m., PDBMB
City Council:	Monday, December 14, 2020, 7:00 p.m., PDBMB
Metro Police Board:	Wednesday, December 16, 2020, 10:00 a.m., Metro HQ (a week early)
Zoning Board of Appeals:	Wednesday, December 16, 2020, 6:00 p.m., PDBMB

City of Swartz Creek Mission Statement

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

City of Swartz Creek Values

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

Honesty, Integrity and Fairness

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

Fiscal Responsibility

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

Public Service

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

Embrace Employee Diversity and Employee Contribution, Development and Safety

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

Expect Excellence

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

Respect the Dignity of Others

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

Promote Protective Thinking and Innovative Suggestions

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

**CITY OF SWARTZ CREEK
VIRTUAL REGULAR CITY COUNCIL MEETING ACCESS INSTRUCTIONS
MONDAY, NOVEMBER 23, 2020, 7:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **November 23, 2020** starting at 7:00 p.m. and will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 and rules promulgated by the Michigan Department of Health and Human Services.

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain the notice in alternate formats, please contact Connie Olger, 810-429-2766 48 hours prior to meeting,

Zoom Instructions for Participants

To join the conference by phone:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID** number (also provided below) when prompted using your touch-tone (DTMF) keypad.

Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provide below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

To join the videoconference:

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to join.zoom.us on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DMTF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View participant list-opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” show the active speaker.

Connie Olger is inviting you to a scheduled Zoom meeting.

Topic: Swartz Creek City Council Meeting

Time: November 23, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82953424266>

Meeting ID: 829 5342 4266

One tap mobile

+13017158592,,82953424266# US (Washington D.C)

+13126266799,,82953424266# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 829 5342 4266

Find your local number: <https://us02web.zoom.us/u/kb2DzLHYKs>

If you have any further questions or concern, please contact 810-429-2766 or email colger@cityofswartzcreek.org.

A copy of this notice will be posted at City Hall, 8083 Civic Drive, Swartz Creek, Michigan.

**CITY OF SWARTZ CREEK
VIRTUAL (ELECTRONIC) MEETING RULES AND PROCEDURES**

In order to conduct an effective, open, accessible, and professional meeting, the following protocols shall apply. These protocols are derived from the standard practices of Swartz Creek public meetings, Roberts Rules of Order, the City Council General Operating Procedures, and other public board & commission procedures. These procedures are adopted to govern participation by staff, councilpersons and members of the public in all City meetings held electronically pursuant to PA 228 of 2020. Note that these protocols do not replace or eliminate established procedures or practices. Their purpose is to augment standing expectations so that practices can be adapted to a virtual meeting format.

The following shall apply to virtual meetings of the city's public bodies that are held in accordance with the Open Meetings Act.

1. Meetings of the City Council, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Park Board, or committees thereunder may meet electronically or permit electronic participation in such meetings insofar as (1) the Michigan Department of Health and Human Services restricts the number of persons who can gather indoors due to the COVID-19 pandemic; (2) persons have an illness, injury, disability or other health-related condition that poses a risk to the personal health or safety of members of the public or the public body if they were to participate in person; or (3) there is in place a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or other person authorized to declare a state of emergency or disaster.
2. All meetings held hereunder must provide for two-way communication so that members of the public body can hear and respond to members of the general public, and vice versa.
3. Members of the public body who participate remotely must announce at the outset of the meeting that he/she is in fact attending the meeting remotely and by further identifying the specific physical location (by county, township, village and state) where he/she is located. The meeting minutes must include this information.
4. Notice of any meeting held electronically must be posted at the City Offices at least 18 hours before the meeting begins and must clearly explain the following:
 - (a) why the public body is meeting electronically;
 - (b) how members of the public may participate in the meeting electronically, including the specific telephone number, internet address or similar log-in information needed to participate in the meeting;
 - (c) how members of the public 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;
 - (d) how persons with disabilities may participate in the meeting.

5. The notice identified above must also be posted on the City’s website homepage or on a separate webpage dedicated to public notices for nonregularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website’s homepage that clearly describes the meeting’s purpose.
6. The City must also post on the City website an agenda of the meeting at least 2 hours before the meeting begins.
7. Members of the public may offer comment only when the Chair recognizes them and under rules established by the City.
8. Members of the public who participate in a meeting held electronically may be excluded from participation in a closed session that is convened and held in compliance with the Open Meetings Act.

MAINTAINING ORDER

Public body members and all individuals participating shall preserve order and shall do nothing to interrupt or delay the proceedings of public body.

All speakers shall identify themselves prior to each comment that follows another speaker, and they shall also indicate termination of their comment. For example, “Adam Zettel speaking. There were no new water main breaks to report last month. That is all.”

Any participants found to disrupt a meeting shall be promptly removed by the city clerk or by order of the Mayor. Profanity in visual or auditory form is prohibited.

The public body members, participating staff, and recognized staff/consultants/presenters shall be the only participants not muted by default. All other members must request to speak by raising their digital hand on the Zoom application or by dialing *9 on their phone.

MOTIONS & RESOLUTIONS

All Motions and Resolutions, whenever possible, shall be pre-written and in the positive, meaning yes is approved and no is defeated. All motions shall require support. A public body member whom reads/moves for a motion may oppose, argue against or vote no on the motion.

PUBLIC ADDRESS OF COUNCIL

The public shall be allowed to address a public body under the following conditions:

1. Each person who wishes to address the public body will be first recognized by the Mayor or Chair and requested to state his / her name and address. This applies to staff, petitioners, consultants, and similar participants.
2. Individuals shall seek to be recognized by raising their digital hand as appropriate on the digital application.

3. Petitioners are encouraged to appropriately identify their digital presence so they can be easily recognized during business. If you intend to call in only, please notify the clerk in advance of your phone number.
4. The city clerk shall unmute participants and the members of the public based upon the direction of the mayor or chair. Participants not recognized for this purpose shall be muted by default, including staff, petitioners, and consultants.
5. Individuals shall be allowed five (5) minutes to address the public body, unless special permission is otherwise requested and granted by the Mayor or Chair.
6. There shall be no questioning of speakers by the audience; however, the public body, upon recognition of the Mayor or Chair, may question the speaker.
7. No one shall be allowed to address the public body more than once unless special permission is requested, and granted by the Mayor or Chair.
8. One spokesperson for a group attending together will be allowed five (5) minutes to address the public body unless special permission has been requested, and granted by the Mayor or Chair.
9. Those addressing the public body shall refrain from being repetitive of information already presented.
10. All comments and / or questions shall be directed to and through the Mayor or Chair.
11. Public comments (those not on the agenda as speakers, petitioners, staff, and consultants) are reserved for the two "Public Comment" sections of the agenda and public hearings.

VOTING RECORD OF PUBLIC BODIES

All motions, ordinances, and resolutions shall be taken by "YES" and "NO" voice vote and the vote of each member entered upon the journal.

City of Swartz Creek
CITY MANAGER'S REPORT

Regular Council Meeting of Monday, November 23, 2020 - 7:00 P.M.

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

FROM: Adam Zettel, City Manager

DATE: November 18, 2020

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

- ✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(No Change in Status)*
We have one appeal filed so far this year. It is a repeat appeal for an office at 5376 Miller Road. At this point, we are fairly confident this is the only one. An appraisal for this property has been ordered from Kevin Groves Appraisals, Inc. I will keep the council informed on the progress of this appeal.

- ✓ **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.

Street projects for 2020 are finished!

Chelmsford and Oakview (to Seymour) will be completed next year.

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.

Lighting contracts with Consumers Energy have been approved.

Mr. Harris and I will be working with OHM to ascertain what preventative maintenance projects or rehabilitation projects might be added to 2021 and beyond.

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

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

Work is complete on the sewer collectors on the west end of downtown (Fairchild, McLain, Ingalls, Brady, Hayes, and Holland).

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 inspections are PACP compliant (Pipeline Assessment Certification Program). These inspections 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** *(No Change in Status)*

The scope of work is indeed smaller than originally thought. This means that the excavation and piping needs are smaller, as is the impact on property owners. Engineering services have been approved. Prior to commencing in full, we hope to acquire permanent easements for the run of the new line. We will be working with Springbrook and the Masonic Lodge. I will keep the council informed.

The previous report follows:

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 through the installation of a 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 and have been communicating with all three groups, with positive feedback.

Rowe has begun their design. We would like to perform this work in 2021. Once crews can begin work, they will survey the area and prepare engineering documents that will get us to bid.

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)*

Work is complete on:

Oakview from Winston to Daval (Complete)
Winston from Chesterfield to Oakview (Complete)
Oxford Court (Complete)

Work is underway on Miller Road, from Tallmadge to Dye.

Bristol from Elms to Miller will commence later in the year.

We have sent notice to all impacted properties of record.

UPDATE: MAIN ON CHELMSFORD, FROM WINSTON TO DAVAL, IS NOT BEING REPLACED BECAUSE IT WAS REPLACED IN 2000.

Chelmsford and Oakview (to Seymour) will be completed next year, along with the remainder of the water main work, which will include Morrish Road from Fortino to I-69 and Miller from Raubinger to Elms.

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.

✓ **UTILITY BILL PENALTIES, INTEREST, AND TURN OFFS** *(No Change in Status)*

We have decided to commence with utility bill penalties after the January billing payment date. We will send this notice out with all invoices and directly to those with outstanding balances. This does NOT mean that shut offs will occur. We will be accepting payment plans on an extended basis that will go beyond the standard shut off time period.

Again, we understand that there were allowances made to overcome hardships, so we do not wish to financially punish folks or take unreasonable action on collections or shut offs. However, we do need to move forward sooner or later. Further down the road, we shall need to consider if the outstanding balances will need to go on the July 2021 tax assessment roll, or if some delay will be necessary. We will keep the council informed.

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

The last of the lots acquired prior to the special assessment have been sold. We approved permits for single family homes on September 30th. The city also has two more lots that were acquired through the tax reversion process.

✓ **NEWSLETTER** (*No Change in Status*)

The October newsletter is out!

✓ **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 submitted 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. There is currently some pending legislation that could make this a reality, and they are optimistic. A press release is included that illustrates their plan.
3. **(Update)** Communities First has a purchase option for **Mary Crapo**. They seek to extend this option from February of 2021 to June of 2021 in order to seek funding from the state. Their first application was denied. The zoning, site plan, and PILOT for the 40 unit building conversion have been approved by the city. The land purchase and state approvals are still pending. The park board recommends against the lease unless terms are dramatically improved to allow flexible public use. They have until 2/1/21 to make the purchase.
4. The **school bond** passed and many improvements are expected in 2020 throughout the district. Total investment for this effort will exceed \$50 million over two to three years. Work has commenced on Syring and Elms School, as well as the high school athletic complex. Plans are being submitted for the Middle School. The schools in the city are in a rigorous state of improvement at the moment. It also appears that the school will be adding a walking path on their high school campus that should be integrated with other pedestrian features.
5. **Street repair in 2020** is complete. We will be completing the remainder of Chelmsford and Oakview to Seymour in 2021. The city also has grants and loans for about **\$5 million in water main work** to occur between 2020 and 2022. COVID 19 may put a stop to some or all work efforts.
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. This project is on hold pending the sewer relief project.

7. The **Brewer Condo Project** was given site plan approval and tentative purchase agreement approval (July 22, 2019). 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. The developer indicates they may be able to start soon. They will be working to finalize the master deed and condominium documents so that the purchase agreement can be executed and the property transferred. The resolutions and agreement still enable this activity, despite the delay. If council members wish to revisit this, please let the council know. Otherwise, we hope to have the transfer and start of construction occur this fall.
8. The next **Springbrook East** phase is under construction. They have pulled their first home permit.

✓ **TRAILS** *(No Change of Status)*

After added effort, GM has responded and is communicating as needed through their governmental liaison. They have also commissioned a traffic study to look at the situation. It is unclear if this is a sincere effort to work the problem and cooperate or if it is a justification for their initial reaction that trails are dangerous. Hopefully, we can meet with them and work something out that works for all parties.

In the meantime, we continue to negotiate easements with three other property owners. We are concurrently pursuing appraisals for these three easement requests, as well as General Motors. This is a requirement of the condemnation process. Hopefully, this will not be necessary, but we must maintain our timeline for improvements. I will keep the council informed.

In other news, we resubmitted our DNR grant and are hoping for a positive outcome.

The MDOT grant is still awarded and awaiting use. We hope to get all easements and the DNR funding with time to bid this winter and construct in 2021. It is unclear what the match will be at this point, but it will be at least \$200,000 by most accounts.

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

We are supposed to have a joint meeting of the council, planning commission, and DDA this calendar year. This is an obvious challenge to do in person with COVID, and might be even more difficult with a virtual meeting of the same group. Given the large amount of appointments that are due in the near future, compounded with our need to revisit the master plan, I am working with the state on solutions. They recommend we push this into early 2021. We could host a virtual workshop on master planning or otherwise bring the larger group together to host a state-of-the-city style event. I will keep the council informed.

There is a buyer for the Lovegrove Building. We met with them onsite. Though they have not yet closed on the property, it appears that they will soon. They have plans for

relatively robust maintenance and upgrades at the property, and they would like to cooperate on parking, site access, and downtown events.

Though it does not appear they have any immediate plans to engage in a larger scale transformative project, I do believe they have some good users coming to the site and will be investing sufficient resources to bring the building up to functional expectations. I think this is a good step forward.

We are still able to offer our RRC incentives. We will continue to work with property owners to educate and encourage them to consider the benefits of property enhancement and the incentives that can be leveraged to that end.

I have had conversations with them and they are entertaining the possibility of transforming the property in accordance with the Request for Proposals. Either way, we will be moving forward, and I am confident they will act as positive change agents for the building and downtown!

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

I am seeking release from the buyers of tax reverted property on Wade. 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** (*Update*)

The city council extended the forbearance period through September 30th. There was not an October payment and November 1 payment now outstanding as well. The outstanding balance prior to forbearance was the month of March and half of February's payment (totaling \$3,000 without penalties or interest. As of writing, we have received \$400 dollars. There has not been any payment made toward October or November. However, the tenant has been awarded a \$10,000 grant from the county (CARES Act funding). This has been affirmed by the county and should have been issued in late October or early November.

I have reached out to ascertain what their expectations are as we continue through COVID and the post-COVID world. The tenant has been less communicative and has not established a new set of expectations or projections as requested. They are requesting a 'buy-out' number and indicated a desire to finance a purchase. As of writing, the current situation, even with CARES support, is not working.

While we still wish to see the property and business thrive, sustainable rents above ~\$50 a month (as observed between March and November), are required. With promises made in August to catch up not bearing fruit, I have sought input from the attorney. We have a resolution in the packet to proceed with legal remedies. The council can decide to pursue this, extend a forbearance, or pursue some other option.

Ultimately, I think we are trying to balance the acceptance of a business that is undoubtedly struggling with COVID operations with a complete lack of meeting and communicating expectations. While a degree of forbearance and rent reduction appears to be reasonable, a disregard for setting achievable benchmarks,

communicating openly, or satisfying even 10% of rent expectations under COVID is not acceptable.

The previous report (July 27, 2020) contains details of the lease and circumstances regarding the options.

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

The water tower antennae is up. The school is also continuing with improvements district-wide. Athletic facility enhancements are underway. There are also big changes proposed to the middle school and high school grounds, including new parking/drop off arrangements and a trail link. The elementary schools in the city will see additional building and grounds improvements. Note that Elms will have a secondary entrance off an outlot to Elms Road.

One issue that has presented itself is the Residential Equivalent Unit (water and sewer connection and quarterly use factor) charges for Syring. Records indicate that this is a 2 unit building (which is very low for a school). The new county audit places this at 30 units, post construction. This results in additional charges of \$56,000 to be paid by the school to the county and \$84,000 to the city.

We have invoiced the school accordingly. However, I have apprehensions about this large connection fee for a building that has been previously permitted on the system since its construction. We are checking the records to see if we can determine the original unit factor/connection charge amount for the school. If nothing can be found, we may get a request for relief from the school district. I will keep the council informed.

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

County approvals have been granted for storm water. The developer now indicates they may be able to start soon. They will be working to finalize the master deed and condominium documents so that the purchase agreement can be executed and the property transferred. The resolutions and agreement still enable this activity, despite the delay. If council members wish to revisit this, please let the council know. Otherwise, we hope to have the transfer and start construction occur this fall.

✓ **CDBG** *(Update)*

We have accepted bids for the purchase of decorative street signs. This project includes the purchase and installation of decorative street signs throughout the downtown area. We hope to proceed as soon as orders can be made. The bid is less than anticipated, which is always good. We will purchase the signs and look to seek reimbursement for reasonable labor and equipment costs related to installation by our crews. This should get us close to the available allotment.

For the next three year cycle, we have a number of projects approved for potential final application. We have submitted a pre-application for senior services and the number 1 construction project listed at the November 9 public hearing, Abrams Park tennis court conversion/restoration. The amount of funding available for the 2022-2024 cycle is \$42,025.

✓ **SAFE ROUTES TO SCHOOL** *(Business Item)*

A conditional award has been made by the MDOT! We are very happy to announce a grant for another \$600,000+ for trails and walkways in the community! This will enable installation of paths near the middle school, Elms, and Syring for student safety.

These connections will also enhance our trail network. We now have a proposal for engineering. This should be the only expense related to this project moving forward. Once this is out of the way, the grant funds are expected to cover all costs of construction, which will be in later 2021 or 2022. A proposal from OHM and a resolution to proceed is included.

✓ **GIS MAPS** *(No Change of Status)*

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** *(Update)*

The agreement to provide equipment and labor to perform routine maintenance at the new park in Mundy has been signed. Services are due to begin on December 1. I will keep the council informed.

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

A parking area with two drives has been installed. Site grading, including the extension of the eastern berm continues. In addition, Woodside Builders has donated some culverts for drain crossings. Things are coming together! However, no fundraiser has been done this year, so there are no baskets or pads.

The park board is considering the purchase of the baskets and pads using budgeted funds. This might enable us to hit the ground running in 2021. The difficulty comes from the usage of the site for water main construction staging. While Glaeser Dawes is doing a great service in providing this, they have a heavy footprint there and will continue to do so most of the 2021 warm months. This makes recreational use problematic. We will work with GD and the volunteers to see what options we have this winter.

✓ **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)**

The project applicants did not receive funding with their first application to the state. They plan to apply again in February. They expect to be successful and be funded by May of 2021. Since the option to purchase the property from the school expires in February, they are seeking an extension. I do not know if this is likely or not. The previous report follows.

The zoning, site plan, and PILOT have been approved for the 40 units of senior housing within the original building. The land sale is still pending by the school, and the state will be considering funding.

The developer offered a lease to the city, but this matter has stalled. While the maintenance and improvement of a recreational area in downtown has many intrinsic benefits, there are costs and limits as indicated in the lease mark up. I included this in the April 13th packet for discussion. In concept, a long term lease can make much sense to preserve this feature and make enhancements. However, the developer limited options for use (ballfield) and created some uncertainty with the limits on lease rights. There is also the ever-present matter of providing resources to maintain such a feature.

So, the real issue is, do we seek a ballfield area to be held in public trust (at the city's cost), or do we enable the developer to own it for their use. The park board considered this matter at their May and June meetings (with school administration input at the June meeting). There was no interest in leasing the park for a ballpark only. This appears to reflect a requirement that the owners maintain the ballfield for the school or pay the school to relocate it. If this is the case, they might see the city as a means to uphold their obligations.

The board resolved to reject the lease option as written at the May meeting and affirmed this stance in June. There is still a degree of interest for a lease if the city could

maintain it as total green space or if the city had the ability to choose the recreational use.

Currently, Communities First feels the ballfield must be retained as the exclusive use of the site because that is what they feel the community desires. It appears Communities First will owe the school district \$70,000 if the ball field is removed. I communicated the findings of the park board to Communities First. They have until 2/1/21 to make the purchase.

✓ **COVID 19 (Update)**

Cases are increasing rapidly. Hospitals in the region are nearing capacity, and many offices are closed due to active cases or as a precaution. Now that the election is over, we are more rigorously separating our staff at the office and DPW. Many of our neighboring governments have had to endure one or more total shut downs. We seek to avoid this by maintaining and increasing our efforts to promote personal protective gear usage, sanitization, and employee separation.

The most notable feature will be to separate the office staff into two separate teams that will work on opposite days. Doing so will make potential tracing easier and avoid a total shutdown in the event of a positive test. See previous reports for details on our established policies and procedures.

✓ **8067 MILLER ROAD (No Change of Status)**

We have acquired the property and taken over maintenance and upkeep. I am holding off on the survey and any interior finishing, pending the plan for use of the Lovegrove Building. As of writing, it appears there is no desire to use this property to enhance the Lovegrove investments, beyond the need for a rear yard easement to Hayes Street.

With that said, I recommend that the city carve out the easement and sell the property with restrictions on the deed (residential only, no rentals, first right of refusal for city, etc.). This should be done once improvements are made or underway for the Lovegrove building. Note that it is still possible to hold the building for future public use (museum, visitor center/restrooms, chamber building, etc.). **IF THIS IS DESIRED, PLEASE SHARE YOUR OPINION WITH THE COUNCIL!** We will not likely get another shot at this.

✓ **CARES FUNDING (No Change of Status)**

We have learned that our initial reimbursement request for DPW staff, which was a grey area, is probably not fundable. We have received an allocation, but we will likely refuse this based upon the evolving expectations. It is the right thing to do.

We have also learned that the funds for payroll reimbursement of first responders are insufficient to reimburse all agencies fully. Metro has already received a prorated amount of over \$100,000. Their board is awaiting the final reimbursement and ascertaining other conditions before deciding what to do with those proceeds (pension support was at the top of the list). We are still waiting to hear if the fire department will be reimbursed. There is also a chance that the funding source could be increased.

The previous report follows:

We have fantastic news! Public Act 144 of 2020 was signed into law on July 31, 2020. This state law enables additional governmental units to now qualify for the First Responder Hazard Pay Premiums Program and the Public Safety and Public Health Payroll Reimbursement Program. Metro PD and SCAFD can now apply for payroll reimbursement for wages spent for the qualifying period. They were previously unable to do so. If successful, we can expect to get a refund from those agencies. This will be a big deal for us financially. Keep in mind that the expectation is that we shall maintain any such proceeds for future use when the inevitable revenue sharing cuts hit.

In addition to this outlet, we did submit payroll reimbursement for qualifying activities of our DPW staff. This appears to be a grey area for some, but we wish to get our tax dollars back to the greatest extent possible. Deanna and her staff worked very diligently to get a submission into the state prior to the deadline of July 17th. We expect nothing, but we hope to get about \$25,000.

✓ **MASTER PLAN UPDATE** *(No Change of Status)*

The city master plan was last updated in 2016 and is expected to be revisited every five years. This provision could be as simple as accepting the plan as current and valid, or it could be as extensive as a complete rewrite. In speaking with the Mayor, it appears to be prudent to start this process later this year or the beginning of 2021. This will enable the new city council (November election) to consider the scale of the review based upon the post-election environment.

✓ **ORV ORDINANCE** *(No Change of Status)*

Per guidance from the city council, I am working with the attorney to draft an ordinance that would enable enclosed ORV's on select streets (shoulders or 25 mph speed limits and under) under select circumstances (operator, ORV features, etc). When this is ready for review, we shall bring it to the council for discussion.

✓ **RACEWAY LEGISLATION SUPPORT LETTER** *(No Change of Status)*

Based upon the input by Senator Ananich, we will await a later version of the bill prior to acting. It is apparent that there are four or more subcommittee versions that replace the public version which I included in the October 10 packet. I expect this to be on an agenda yet this calendar year.

In other news, there is a press release from the gaming control board regarding the track in Northville. This press release has raised some questions because it notes the inability of the Swartz Creek facility to acquire race days. However, this too appears to be tied to PA 661 according to the owner. I expect a statement from them before the meeting indicating their plans for 2021 and beyond.

The previous report follows:

Senate Bill 661 continues to have life in the senate. There is a hope and expectation that the bill will become law in calendar year 2020. I am including the draft bill as passed by the senate in the council packet. Though changes are likely, the bill would enable Sports Creek raceway to engage in historical wagering, a form of wagering on prior horse races (disguised against human or AI interpretation). The owners of the track

believe that such wagering would make the facility economically viable when combined with live thoroughbred horse racing.

The owner is requesting a resolution of support from the city council for this legislation. They would like to use the existing facility for a use that reflects its intended and practical attributes. Doing so would certainly eliminate a depreciating, even blighting feature of our community. It MIGHT add some additional resources through additional property investment and the potential for 'breakage' tax revenues to the city as derived from the historical wagering.

Even during its heyday, the facility did not have a remarkable impact on the rest of the local economy (for good or ill). However, the site was maintained, paid its fair share of taxes, and had some economic impacts that were noted by local businesses. The new owner is proving to be an open and sincere communicator that has a willingness to cooperate with the community and invest. While the site has other obvious opportunities given its location and size, the current approvals, buildings, and ownership lean towards a return to racing.

This is clearly a council decision. However, circumstances and recent council and community action indicate that this is still the preferred course. I am including the resolution for approval.

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

✓ **MONTHLY REPORTS** (*Update*)

There are some routine reports included for your information.

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

✓ **PLANNING COMMISSION** (*Update*)

The Planning Commission was originally scheduled to meet on November 3rd, however, due to the election the November meeting was held on the 10th. Due to some confusion over a requirement for curbing versus parking blocks, the 7550 Miller site plan was extended to this agenda. The plans were approved as originally conditioned in October, with the exception of the curbing requirement for the north edge of the parking lot. The commission accepted parking blocks for this scenario.

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

The DDA did not meet in October. The next meeting was scheduled for November 12th. However, there is not any business at the moment. The next meeting date is December 10, 2020.

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

The ZBA did not have a March meeting due to COVID 19 mitigation. Their annual meeting was held on September 16th. The officers from last year were appointed for the current year, including Mr. Packer as Chair, Mr. Plumb as Vice-Chair, and Mr. Smith as Secretary. The ZBA engaged in standard training.

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

The Park Board met at city hall for their November 4 meeting. See the attached minutes for details. The Crapo structure donation is still on hold because the family is not committed to it. Winterization is underway. The park board also moved to convert the Otterburn Park berm into a sledding hill. This can be done using the in-kind efforts of the contractor, without adding budgeted expenses or compromising the park.

The next meeting is slated for December 2nd at city hall.

✓ **BOARD OF REVIEW** *(No Change of Status)*

The Board of Review will convene December 15th, but the time has yet to be scheduled. The purpose is to hear petitions related to clerical errors, mutual mistakes of fact, PREs, poverty exemptions, and disabled veterans exemptions.

✓ **CLERK'S OFFICE/ELECTION UPDATE** *(Update)*

Not much to report, things have calmed down now that the election is over. I received notice Wednesday, November 18, 2020 that the Genesee County Board of Canvassers have completed their work on the canvass and the canvass documents were signed and the Official Results were submitted to the Bureau of Elections.

✓ **DEPARTMENT OF COMMUNITY SERVICES/ENGINEERING UPDATE** *(Update)*

Street sweeping will be wrapping over the next couple weeks as we continue to prepare for winter operations. We've also been spending time putting up holiday decorations throughout town and hope to be complete by Thanksgiving. The park bathrooms have been closed for the winter and other seasonal amenities have been removed as well. Hydrant flushing is complete for this year and we plan to revisit this effort in the spring changing our strategy slightly.

Water main interruptions continue to be a concern. Between breaks and service conflicts on Miller Road we've had several shutdowns. There are a number of water services on Miller that we don't have record of and are being found by the contractor. Though the repairs are done quickly, we appreciate the patience of the residents who are impacted and we look forward to having the new main in service.

✓ **TREASURER UPDATE** *(Update)*

The October USDA project payment request was submitted and funds received. The State reporting for OPEB and Pension were filed and all the prepared required reports for the fiscal year end June 30, 2020, have been submitted to the State. Final preparation was made for tax bills, the tax warrants were signed and sent to the county and the bills sent to the printer. Routine duties were performed including but not limited to writing journal entries, processing tax distributions, bank wires, review of accounts payable invoices, preparation and review of payroll remittance payments, monthly billings for accounts receivable, and other financial matters impacting the city.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **APPOINTMENTS** *(Update)*

As expected following an election, there are numerous appointments to make on a number of city boards and commissions. All of these expire on November 23rd with the exception of three park board appointments that expire on December 31, 2020.

With the election of Mrs. Fountain to the city council, replacing Mr. Cramer, we have an overload of council members on the zoning board of appeals since Mr. Gilbert is the current council representative to the ZBA. However, with Mr. Gilbert's term expiring at the November 23rd meeting, the council vacancy is opening up AND there is a vacancy provided by Mrs. Fountain's election. The mayor is looking to put Mr. Henry on this board. As of writing, the citizen spot is still open.

In most cases, extensions (re-appointments) of existing appointments are proposed for those that still qualify. Some positions have been vacated due to resignations and disqualification (Mr. Farrell on Planning Commission). Mr. Henry and Mrs. Fountain are getting some appointments in place of the departing Mr. Cramer. However, Mr. Cramer remains on the Metro Police Authority and some additional affiliated boards.

I am including our application/job descriptions so that you can see qualifications and expectations for various boards and commissions. Some that may not be listed can be found in the charter/ordinance. Contact myself or Mayor Krueger with any questions. Currently, all nine are due to expire every three years on the same day.

✓ **METRO POLICE RESOLUTION OF SUPPORT** (*Business Item*)

I am including a resolution of support for the Metro Police Department. This is something that our partner, Mundy Township, has approved already.

✓ **GENESEE COUNTY DESIGNATED ASSESSOR** (*Business Item*)

Per a new state law (PA 660 of 2018), each county must appoint a designated assessor by December 31, 2020. The Designated Assessor shall serve as the assessor of record and assume all duties and responsibilities as the assessor of record for an Assessing District that is determined to be non-compliant with the State Tax Commission audit program as described in MCL 211.10g(1). This is the AMAR review that we have passed with flying colors.

The Designated Assessor will be designated by an Inter-local Agreement executed between the County Board of Commissioners and a majority of the Assessing Districts in the County, including Swartz Creek. The individual designated as the County Designated Assessor must then be approved by the State Tax Commission.

At the Board of Commissioners meeting on October 28th, the BOC voted unanimously to adopt a Resolution and Inter-local Agreement naming Stacey Kaake as the Genesee County Designated Assessor. The proposal is for \$200 for each city/township per year.

We have a resolution and related information in our packet for consideration so there is no delay in the county selecting an assessor by the end of the year. The agreement basically enables an assessor to come in if the city failed an AMAR, then failed their corrective action plan. Our assessor recommends approving this agreement.

✓ **ANNUAL CHRISTMAS PARADE** (*Update*)

Given the most recent COVID rules, an outdoor gathering for the parade, tree lighting, and related activities is not permitted. However, the fire department still wishes to bring the magic of Santa to the community! They are working on a plan to take Santa on tour through many of our neighborhoods on a limited motorcade style parade. I do not have details yet, but I think this is a good idea.

Council Questions, Inquiries, Requests, Comments, and Notes

Lawn and Waste Services: Our contract for mowing has expired. We will be releasing a three year bid solicitation soon. The Republic waste contract expires on June 30, 2021. We will be soliciting bids for this service as well over the winter so we have ample time to review and potentially transition these services.

**City of Swartz Creek
RESOLUTIONS**

Virtual Regular Council Meeting, Monday, November 23, 2020, 7:00 P.M.

Resolution No. 201123-4A MINUTES – November 9, 2020

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, November 9, 2020, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-5A AGENDA APPROVAL

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of November 23, 2020, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-6A CITY MANAGER’S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of November 23, 2020, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-8A COMMISSION APPOINTMENTS

Motion by Councilmember: _____

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

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

WHEREAS, said appointments are Mayoral appointments, subject to affirmation of the city council.

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

- | | | |
|---------------------|---|---------------------------|
| #201123-8A1 | <u>MAYOR RE-APPOINTMENT:</u>
Fire Board, Citizen
Two year term, expiring November 28, 2022 | John Knickerbocker |
| #201123-8A2 | <u>MAYOR RE-APPOINTMENT:</u>
Fire Board, Council Member
Two year term, expiring November 28, 2022 | John Gilbert |
| #201123-8A3 | <u>MAYOR RE-APPOINTMENT:</u>
Fire Board, Council Member
Two year term, expiring November 28, 2022 | Rae Lynn Hicks |
| #201123-8A4 | <u>MAYOR RE-APPOINTMENT:</u>
Genesee County Metropolitan Alliance, City Council Delegate
Two year term, expiring November 28, 2022 | John Gilbert |
| #201123-8A5 | <u>MAYOR RE-APPOINTMENT:</u>
Genesee County Metropolitan Alliance, Alternate
Two year term, expiring November 28, 2022 | Nate Henry |
| #201123-8A6 | <u>MAYOR RE-APPOINTMENT:</u>
Genesee County Metropolitan Alliance, Citizen
Two year term, expiring November 28, 2022 | Robert Plumb |
| #201123-8A7 | <u>MAYOR RE-APPOINTMENT:</u>
Flint Area Narcotics Group, City Council Delegate
Two year term, expiring November 28, 2022 | Dennis Cramer |
| #201123-8A8 | <u>MAYOR RE-APPOINTMENT:</u>
Flint Area Narcotics Group, Alternate
Two year term, expiring November 28, 2022 | John Gilbert |
| #201123-8A9 | <u>MAYOR RE-APPOINTMENT:</u>
GAIN Auto Theft, City Council Delegate
Two year term, expiring November 28, 2022 | John Gilbert |
| #201123-8A10 | <u>MAYOR RE-APPOINTMENT:</u>
GAIN Auto Theft, Alternate
Two year term, expiring November 28, 2022 | Dennis Cramer |
| #201123-8A11 | <u>MAYOR RE-APPOINTMENT:</u>
Genesee County Small Cities, City Council Delegate
Two year term, expiring November 28, 2022 | David Krueger |
| #201123-8A12 | <u>MAYOR RE-APPOINTMENT:</u>
Genesee County Small Cities, Alternate
Two year term, expiring November 28, 2022 | Samantha Foutain |

- #201123-8A13 MAYOR RE-APPOINTMENT: Dave Alexander**
Local Officers Compensation Commission, Citizen
Five year term, expiring November 24, 2025
- #201123-8A14 MAYOR RE-APPOINTMENT: Dennis Novak**
Local Officers Compensation Commission, Citizen
Five year term, expiring November 24, 2025
- #201123-8A15 MAYOR RE-APPOINTMENT: Samantha Fountain**
Park and Recreation Advisory Board, Citizen
Three year term, expiring December 31, 2023
- #201123-8A16 MAYOR RE-APPOINTMENT: Trudy Plumb**
Park and Recreation Advisory Board, Citizen
Three year term, expiring December 31, 2023
- #201123-8A17 MAYOR RE-APPOINTMENT: Connie Olger**
Park and Recreation Advisory Board, Citizen
Three year term, expiring December 31, 2023
- #201123-8A18 MAYOR RE-APPOINTMENT: Jentery Farmer**
Planning Commission, Council Member
Two year term, expiring November 28, 2022
- #201123-8A19 MAYOR APPOINTMENT: Steve Long**
Planning Commission, Citizen
Remainder of Three year term, expiring June 30, 2022
- #201123-8A20 MAYOR RE-APPOINTMENT: Andrew Harris**
Genesee County Water and Waste Services TAC, Delegate
Two year term, expiring November 28, 2022
- #201123-8A21 MAYOR RE-APPOINTMENT: Adam Zettel**
Genesee County Water and Waste Services TAC, Alternate
Two year term, expiring November 28, 2022
- #201123-8A22 MAYOR APPOINTMENT: Nate Henry**
Zoning Board of Appeals, City Council Delegate
Two year term, expiring November 28, 2022
- #201123-8A23 MAYOR APPOINTMENT:** 
Zoning Board of Appeals, Citizen
Remainder of Three year term, expiring June 30, 2023
- #201123-8A24 MAYOR RE-APPOINTMENT: Douglas Stephens**
Construction Board of Appeals, Citizen
Two year term, expiring November 28, 2022
- #201123-8A25 MAYOR RE-APPOINTMENT: Brad Lyndsay**
Construction Board of Appeals, Citizen
Two year term, expiring November 28, 2022
- #201123-8A26 MAYOR RE-APPOINTMENT: Joe Perreault**
Construction Board of Appeals, Citizen
Two year term, expiring November 28, 2022
- #201123-8A27 MAYOR RE-APPOINTMENT: Adam Zettel**
911 Consortium, Delegate
Two year term, expiring November 28, 2022

#201123-8A28 **MAYOR RE-APPOINTMENT:**
Street Administrator, Delegate
Two year term, expiring November 28, 2022

Andrew Harris

#201123-8A29 **MAYOR RE-APPOINTMENT:**
Street Administrator, Alternate
Two year term, expiring November 28, 2022

Adam Zettel

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-8B

RESOLUTION DECLARING SUPPORT AND APPRECIATION FOR THE METRO POLICE AUTHORITY OF GENESEE COUNTY

Motion by Councilmember: _____

WHEREAS, the Metro Police Authority of Genesee County is contracted by the City of Swartz Creek for police services; and

WHEREAS, the Metro Police Authority of Genesee County implemented and adheres to the "Pillars of Excellence," those being:

- I. Public trust through accountability and integrity
- II. Thoroughness of effort in all aspects of our work
- III. Community partnership at all levels
- IV. Problem-Oriented Community Policing is our daily approach
- V. Progressive innovation and improvement; and

WHEREAS, the Metro Police Authority follows the President's Executive Order on Safe Policing for Safe Communities:

NOW, THEREFORE BE IT RESOLVED, that the Swartz Creek City Council does hereby declares it supports and appreciates the work of the Metro Police Authority of Genesee County.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-8C

A RESOLUTION TO AUTHORIZE THE APPROVAL AND SIGNING OF AN INTERLOCAL AGREEMENT FOR THE GENESEE COUNTY DESIGNATED ASSESSOR

WHEREAS, MCL 211.10g establishes the requirement for a designated assessor in each county and that such designation should be made before December 31, 2020; and,

WHEREAS, to meet the requirement of appointing a Designated Assessor for Genesee County, the assessing districts in Genesee County and the County of Genesee have agreed to designate Stacey Kaake as Designated Assessor; and,

WHEREAS, the Interlocal Agreement naming the Designated Assessor shall be binding upon all assessing districts upon its approval by the County Board of Commissioners, Stacey Kaake, a majority of the assessing districts, and the State Tax Commission; and,

WHEREAS, the Designated Assessor shall only act as the assessor of record for an assessing district when required to by the State Tax Commission pursuant to MCL 211.10g.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council of Genesee County Assessing District approves the Interlocal Agreement naming Stacey Kaake, an individual qualified and certified by the State Tax Commission as a Michigan Master Assessing Officer, to be the County Designated Assessor for Genesee County; and,

BE IT FURTHER RESOLVED THAT, the Mayor Krueger is authorized to sign the Interlocal Agreement.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-8D RESOLUTION TO AUTHORIZE THE CITY ATTORNEY TO INITIATE LEGAL PROCEEDINGS FOR NONPAYMENT OF RENT AT 8002 MILLER ROAD

Motion by Councilmember: _____

WHEREAS, the City owns the property located at 8002 Miller Road, Swartz Creek, MI 48473, and is the Landlord under the terms of a lease agreement (Agreement) signed between the City and the Tenant of 8002 Miller Road;

WHEREAS, the Agreement requires the Tenant to pay \$800 per month for the residential unit and \$1,200 for the commercial unit, and the Tenant has failed to do so, and the Tenant currently owes \$17,360.00;

WHEREAS, the City did not enforce certain Agreement provisions to take possession of 8002 Miller Road because of the Covid-19 Pandemic; and

WHEREAS, the City now wishes to enforce the appropriate provisions of the Agreement and seek possession of the property for non-payment of rent, or other alternative resolutions.

THEREFORE, THE CITY HEREBY RESOLVES TO:

1. Authorize the city attorney to initiate legal proceedings under the Agreement for nonpayment of rent.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-8E

RESOLUTION TO APPROVE A PRELIMINARY ENGINEERING PROPOSAL FOR THE SAFE ROUTES TO SCHOOL PROGRAM GRANT

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek owns, operates, and maintains a system of major streets, local streets, and pedestrian safety assets, and

WHEREAS, the Swartz Creek Community School District owns, operates, and maintains K-12 and related facilities and grounds that include pedestrian and bike user amenities, and

WHEREAS, the city and school partnered to apply for a Safe Routes to School Grant that would enable the construction of various pedestrian amenities within the community, including sidewalks, trails, crossings, and education, and

WHEREAS, the city was awarded over \$600,000 to construct such improvements, and

WHEREAS, surveys, engineering, and easement acquisition are now required to proceed with the development and realization of the SRTS plan, and

WHEREAS, OHM Advisors is one of the city's pre-authorized professional engineering services companies, and OHM has been specializing in overseeing the city's trail and pedestrian design services, and

WHEREAS, the Swartz Creek City Council finds that it is in the best interest of the community health and safety to proceed with design of the SRTS plan.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council approves the preliminary engineering proposal as submitted by OHM Advisors on November 9, 2020 in the amount of \$83,200, funds to be split between the general fund and the major street fund per the Treasurer.

BE IT FURTHER RESOLVED, the City Council authorizes and directs the Mayor to execute said proposal on behalf of the city.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 201123-10A ADJOURN

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of November 23, 2020, and set _____(location) as the venue for the next regularly scheduled council meeting of December 7, 2020.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 11/09/2020**

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

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, Clerk Connie Olger, Treasurer Deanna Korth, City Attorney Mike Gildner.

Others Present: Lania Rocha, Bob Plumb, Dennis Cramer, Glenda Grable, Janet Sulz, Erik & Dawn Jamison, Steve Long, Metro PD Chief Bade.

NOMINATIONS & ELECT MAYOR

Motion No. 201109-01

(Carried)

Nomination of Councilmember Farmer by Councilmember Farmer for the office of Mayor.

Nomination of Councilmember Krueger by Councilmember Pinkston for the office Of Mayor.

Nomination of Councilmember Hicks by Councilmember Hicks for the office of Mayor.

Close nominations for the Swartz Creek City Council Mayor.

Vote to elect Mayor.

Councilmember	Farmer:	Farmer
Councilmember	Fountain:	Farmer
Councilmember	Gilbert:	Hicks
Councilmember	Henry:	Farmer
Councilmember	Hicks :	Hicks
Councilmember	Krueger:	Krueger
Councilmember	Pinkston:	Krueger

Discussion

2nd Vote

Councilmember	Farmer:	Farmer
Councilmember	Fountain:	Farmer
Councilmember	Gilbert:	Hicks
Councilmember	Henry:	Farmer
Councilmember	Hicks :	Hicks
Councilmember	Krueger:	Krueger
Councilmember	Pinkston:	Krueger

Councilmember Hicks withdraws her nomination.

3rd Vote

Councilmember	Pinkston:	Krueger
Councilmember	Krueger:	Krueger
Councilmember	Hicks :	Krueger
Councilmember	Henry:	Farmer
Councilmember	Gilbert:	Krueger
Councilmember	Fountain:	Farmer
Councilmember	Farmer:	Farmer

Elected (*Minimum 4 Votes Needed*): Krueger

NOMINATIONS & ELECT MAYOR PRO-TEM

Motion No. 201109-02

(Carried)

Nomination of Councilmember Hicks by Councilmember Pinkston for the office of Mayor Pro-Tem.

Nomination of Councilmember Farmer by Councilmember Farmer for the office of Mayor Pro-Tem.

Nomination of Councilmember Gilbert by Councilmember Gilbert for the office of Mayor Pro-Tem.

Close nominations for the Swartz Creek City Mayor Pro Tem.

Vote to elect Mayor Pro-Tem.

Councilmember	Farmer:	Farmer
Councilmember	Fountain:	Hicks
Councilmember	Gilbert:	Gilbert
Councilmember	Henry :	Farmer

Councilmember Hicks : Hicks
Councilmember Krueger: Hicks
Councilmember Pinkston: Hicks

Elected (*Minimum 4 Votes Needed*): Hicks

APPROVAL OF MINUTES

Resolution No. 201109-03

(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 October 26, 2020 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 201109-04

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Gilbert

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

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

CITY MANAGER'S REPORT

Resolution No. 201109-05

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Gilbert

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

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

NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC:

Dennis Cramer 5299 Worchester Drive, he did sign his last agreement today with FANG. Great to see younger people running for council. He also commented on the article in The View about the race track license.

Glenda Grable 4464 Colony Court, she would like the city to contact Mr. Basilius, Springbrook Association President, and set up a plan to fix the issue with the fire hydrant near her driveway.

Steve Long 5356 Worchester Drive, wondered why our mayor is voted in by council and not the residents. Mr. Zettel responded that the charter dictates that process.

COUNCIL BUSINESS:

FISCAL YEAR 2020 AUDIT

PRESENTATION

Pam Hill, Plante Moran Representatives, presented the results of the City's audit for year ending June 30, 2020. This included the audit opinion letter. The audit was performed 100% remotely this year and it took a little bit more time. She thanked the staff for working with them with this new process. A few new things that happened at the city this year, implementation of a new accounting standard, USDA loans and continued complexities with the pensions and retiree health care standards. We did issue an unmodified opinion which is the highest level of assurance you can receive.

She reviewed governmental fund revenue, taxable value, components of governmental fund expenditures, general fund, components of governmental funds, long-term liabilities, and business-type activities long-term liabilities. Items to consider looking ahead are investment in infrastructure and the USDA loan. The city's budget is super precise and the administration has done an excellent job on the budget.

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

Resolution No. 201109-06

(Carried)

Motion by Councilmember Pinkston
Second by Mayor Pro Tem Hicks

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

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

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

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

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

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

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

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

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

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

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

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

Prohibited parking (signs un-necessary)

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

Parking for prohibited purpose

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

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

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

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

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

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

Fire

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

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

Police

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

4. Chapter 5: Cemetery Lots - Purchase

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

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

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

6. Chapter 11: Park Reservation Fees

Elms Park

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

Abrams Park

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

Deposit \$100.00

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

\$50.00

8. Chapter 15: Permit, Sidewalk Installation

\$25.00

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

\$100.00

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

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

Rates for Quarterly Billings

Readiness to serve charge

5/8", 3/4", 1"	\$56.88
1.5"	\$227.39
2"	\$363.83
3"	\$682.18

4"	\$1,136.97
6"	\$2,273.93

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

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

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

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

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

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

Bulk Water Purchases

1 cubic ft. = 7.4805
Gallons

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

11. Chapter 19: Water & Sewer Tap Fees

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

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

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

(C) Furthermore, for any structure used generally for more than one (1) purpose, connection fees shall be determined by applying the appropriate unit factors as set by the

Genesee County Division of Water and Waste, to the various uses on any level, grade or sub-grade plane of the structure, provided that it is intended that the fees so derived shall be cumulative. Tap fees shall also apply for any additional units that may be calculated and applied by the County WWS pursuant to change in use or otherwise.

12. Chapter 19: Sanitary Sewer Rates

Rates for Quarterly Billings

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

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

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

13. Chapter 20: Weed Cutting Fees

\$300 per cut

14. Building & Trade Inspection Fees

A. Building Permit Fees:

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

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

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

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

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

Siding permits are based upon the project cost.

Commercial roofing is to be based upon the project cost.

Up to \$1,000 (includes one (1) inspection only).....	\$75.00
\$1,000.00 to \$10,000.00.....	\$75.00 plus \$10.00 per \$1,000.00 over \$1,000.00

\$10,000.00 to \$100,000.00.....	\$165.00 plus \$3.00 per \$1,000.00 over \$10,000.00
\$100,001.00 to \$500,000.00.....	\$435.00 plus \$2.00 per \$1,000.00 over \$100,000.00
\$500,000 plus.....	\$1,235.00 plus \$3.00 per \$1,000.00 over \$500,000.00

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

B. Electrical Inspection Fees

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

New Residential Electrical System

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

Service

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

Signs

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

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

Inspections

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

C. Mechanical Inspection Fees

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

Residential Heating System

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

Tanks

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

Piping

Piping-minimum fee \$25	\$.05/ft
Process piping	\$.05/ft

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

Air Handlers/Heat Wheels

Conversion Burners (oil)	\$25
	\$30

Commercial Hoods/Exhausters	\$15
Heat Recovery Units	\$10
V.A.V. Boxes	\$10
Unit Ventilators	\$10
Unit Heaters (terminal units)	\$15

Fire Suppression/Protection/Other

(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

Inspections

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
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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
<u>Inspections</u>	
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
	Copy

Medical Marijuana Dispensary/Facility Review \$500

C. Subdivision Review

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

19. Chapter 1: Municipal Civil Infraction Fines

Civic Infraction Citation Fines:

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

Civic Infraction Notice Fines:

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

20. Rental Inspection Program Fees

Registration \$75 for the first unit, plus \$20 for each additional unit on a shared premises, with common ownership and management, or within recognized apartment complexes

Follow up inspections The initial and one follow-up inspection will be performed without additional fees. Subsequent inspections shall be charged at the rate of \$25/unit

Registration Updates/Amendments No charge

Coverage 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	Dated October 23, 2017 (Building; Police Removal)
Resolution No. 180312-06	Dated March 12, 2018 (Building Penalty)
Resolution No. 181126-07	Dated November 26, 2018 (Parking)

Discussion Ensued.

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

NO: None. Motion Declared Carried.

A RESOLUTION TO APPROVE A SHARED SERVICE AGREEMENT WITH MUNDY TOWNSHIP THAT WILL ENABLE THE PROVISION OF PARK AND PUBLIC WORKS SERVICES AND COST SHARING

Resolution No. 201109-07

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Henry

WHEREAS, the City of Swartz Creek operates a department of community services that is responsible for the overseeing operations and investment of streets, water, sewer, storm, parks, facilities, waste, and related functions; and

WHEREAS, Mundy Township is finishing improvements to a park on Hill Road, which includes parking areas, lighting, passive recreation, trails, and a future ballfield; and

WHEREAS, the Township of Mundy does not operate a department of community services and desires to contract with the City of Swartz Creek to provide routine and limited services related to inspections, waste collection, snow removal, and minor upkeep on the park; and

WHEREAS, the city and township currently maintain two shared service agreements (building services and engineering services), as well as a joint police department; and

WHEREAS, the city and township, under MCL 124.532, desire to cooperate on the joint provision of public works to reduce costs and add collective value.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the Agreement for Joint Maintenance Services with Mundy Township as included in the November 9, 2020 packet and directs staff to integrate the terms of the agreement into the official minutes of record and to establish and set procedures, policies, and duties as necessary to implement and perform services as outlined in the agreement.

Discussion Ensued.

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

RESOLUTION TO APPROVE THE CITY CDBG PRE-ALLOCATION

Public Hearing

Mr. Zettel reviewed the requirements, this is a pre application process \$42,025 approved for the 2022-2024 year cycle. Examples of approved projects would be senior center service allowance, lighting improvements, demolitions, streetscaping these are projects we have done in the past.

Mayor Krueger commented funds could be used on the 8067 Miller Road property if the City keeps the property for a community resource.

Open 8:24 p.m.

Mr. Cramer questioned if any money could be used for the development of the Historical Society. Mr. Zettel responded he doesn't believe so. He clarified the areas of the city that qualify for the funding.

Councilmember Henry suggested using the monies for: filling sidewalk gaps, lighting at Abrams Park, roof repair/replacement on pavilions at Abrams Park, crosswalk at Morrish Rd. near Ingalls and residential landscape improvements. Mr. Zettel replied he feels the residential landscape improvements wouldn't apply.

Councilmember Fountain agreed with Councilmember Henry on his suggestions and also would like to see the funding used to repurpose the tennis courts at Abrams Park and downtown area by Hayes.

Mayor Pro Tem Hicks suggested lighting on the alley way off Hayes and replacing some of the planters downtown as needed.

Close 8:30 p.m.

Break 8:30 p.m. to 8:39 p.m.

Resolution No. 201109-08

(Carried)

Motion by Councilmember Farmer
Second by Councilmember Fountain

WHEREAS, the City of Swartz Creek City Council receives an allocation of Community Development Block Grant Funds from Genesee County on a three year cycle, with the next allocation expected to be \$42,025; and

WHEREAS, applications are now being accepted for service projects and construction projects; and,

WHEREAS, projects must meet specific criteria as noted on the pre-application forms, including expenditure in low/moderate income areas, or serving a low/moderate income population while accomplishing a national objective; and,

WHEREAS, the funds for services can equal up to 30% of the three year allocation for approved and eligible purposes; and,

WHEREAS, the city council held a public hearing on November 09, 2020 to hear public comment related to the use of such funds,

NOW, THEREFORE, BE IT RESOLVED THAT the Swartz Creek City Council submit a pre-application to the Genesee County Metropolitan Planning Commission for the three year Community Development Block Grant Distribution, an amount estimated to be \$42,025, to support all or some of the following activities:

1. Senior Center
2. Abrams Park Leaking Roof
3. Abrams Park Tennis Courts Resurfacing
4. Sidewalk Gaps
5. Lighting

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE ADDENDUMS TO THE CITY'S MERS RETIREMENT AGREEMENTS

Resolution No. 201109-09

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek participates in the Michigan Municipal Employees Retirement System, including current and former full time employees that participate in defined benefit and defined contribution retirement plans; and

WHEREAS, MERS is seeking affirmation of how the city accounts for retirement eligible compensation as it relates to determining the value of wages for which retirement is earned and final average compensation; and

WHEREAS, staff has consulted with MERS and completed the defined benefit and defined contribution agreement addendums to reflect the current practices for calculating wages for matching contributions and wages for final average compensation.

NOW, THEREFORE, BE IT RESOLVED, the City of Swartz Creek City Council hereby approves the Defined Contribution Plan Adoption Agreement Amendment and the Defined Benefit Plan Adoption Agreement Amendment.

BE IT FURTHER RESOLVED THAT, the City Council authorizes and directs the City Manager to execute and deliver the amendments to MERS of Michigan.

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

NO: None. Motion Declared Carried.

RESOLUTION TO APPROVE AN AMENDMENT TO THE AMERICAN TOWER LEASE AGREEMENT FOR A COMMUNICATION FACILITY LOCATED ON ELMS ROAD

Resolution No. 201109-10

(Carried)

Motion by Councilmember Henry
Second by Councilmember Farmer

WHEREAS, the City of Swartz Creek (Landlord) owns the real property on Elms Road; and

WHEREAS, the City and American Tower (Tenant) (or its predecessor-in-interest) entered into that certain Lease Agreement dated June 19, 1997 (the "*Original Lease*") as amended by that certain First Amendment to Lease Agreement dated July 25, 2016 (the "*First Amendment*") (as the same may have been amended from time to time, collectively, the "*Lease*"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities, all as more particularly described in the Lease; and

WHEREAS, Tenant, Verizon Communications Inc., a Delaware corporation, and other parties identified therein, entered into a Management Agreement and a Master Prepaid Lease, both with an effective date of March 27, 2015 and both with ATC Sequoia LLC, a Delaware limited liability company ("*American Tower*"), pursuant to which American Tower subleases, manages, operates and maintains, as applicable, the Leased Premises, all as more particularly described therein; and

WHEREAS, Tenant has granted American Tower a limited power of attorney (the "*POA*") to, among other things, prepare, negotiate, execute, deliver, record and/or

file certain documents on behalf of Tenant, all as more particularly set forth in the POA; and

WHEREAS, Landlord and Tenant desire to amend the terms of the Lease and to otherwise modify the Lease as expressly provided therein.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves the Second Amendment to Lease Agreement as included in the November 9, 2020 city council packet.

BE IT FURTHER RESOLVED THAT, the City Council nominates, authorizes, and directs the City Attorney Mike Gildner to function as Attorney in Fact to execute and deliver the lease and any related memorandums or instruments of the lease that are necessary.

BE IT FURTHER RESOLVED THAT, the City Council authorizes and directs its members to individually execute the accompanying Consent Affidavit.

Discussion Ensued.

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

RESOLUTION TO APPROVE THE CITY OF SWARTZ CREEK VIRTUAL (ELECTRONIC) MEETING RULES AND PROCEDURES

Resolution No. 201109-11

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Gilbert

WHEREAS, the City of Swartz Creek City Council and other public bodies have been meeting virtually during the COVID 19 pandemic in accordance with various State of Michigan Executive Orders that were intended to enable meetings of public bodies in a manner that would be conducive to the health and participation objectives of public body members and the general public, and;

WHEREAS, the applicable executive orders are no longer valid; however Public Act 228 of 2020 enables the provision of virtual (electronic) meetings of public bodies under limited circumstances, and;

WHEREAS, the City of Swartz Creek intends to invest in sufficient technology to be able to sustainably hold virtual meetings of the public body or hybrid meetings in which some members of the public body or public may be participating electronically.

NOW THEREFORE, BE IT RESOLVED the City of Swartz Creek City Council hereby adopts the City of Swartz Creek Virtual (Electronic) Meeting rules and Procedures for use at future virtual meetings of all city public bodies.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

RESOLUTION TO PURCHASE DECORATIVE STREET SIGNS USING CDBG FUNDS

Resolution No. 201109-12

(Carried)

Motion by Councilmember Fountain
Second by Councilmember Gilbert

WHEREAS, the City of Swartz Creek City Council receives an allocation of Community Development Block Grant Funds from Genesee County on a three year cycle; and

WHEREAS, such funds must be used in eligible low to moderate areas of the city for approved and eligible purposes or be a qualifying service, including the provision of public assets and infrastructure components; and,

WHEREAS, the City has engaged in enhancement of the commercial and residential areas of downtown, which is a qualifying district; and,

WHEREAS, the Swartz Creek City Council held a public hearing on November 12, 2018 to hear public comment related to the use of such funds; and

WHEREAS, sealed bids were solicited from the general public and Women and Minority Owned Businesses to acquire decorative street signs in accordance with state, federal, and local standards; and

WHEREAS, sealed bids were opened on October 29, 2020, with the lowest bid being Dornbos Sign, Inc.; and

WHEREAS, after the checking of eligibility of the bidder, staff recommends approval of the low bid.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby accepts the low bid, including units costs, from Dornbos Sign, Inc., and appropriates an amount not to exceed \$17,964.70 plus 20% contingency, funds to be allocated from 101 General Fund.

BE IT FURTHER RESOLVED the City of Swartz Creek hereby authorizes DPW staff to install the signs, with labor and equipment costs to be submitted for reimbursement through the CDBG program.

BE IT FURTHER RESOLVED the City of Swartz Creek hereby directs the city manager to execute necessary agreements and work orders, sufficient to engage and execute the services of Dornbos Sign, Inc. in accordance with the bid specifications and applicable regulatory compliance measures.

BE IT FURTHER RESOLVED the City of Swartz Creek hereby directs the city manager, clerk, and treasurer to sign any and all project documents related to the corresponding Community Development Block Grant Contract and oversight, including reimbursement and regulatory documents.

Discussion Ensued.

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

NO: None. Motion Declared Carried.

A RESOLUTION TO APPROVE AMENDED BYLAWS OF THE SWARTZ CREEK FIRE BOARD

Resolution No. 201109-13

(Carried)

Motion by Mayor Pro Tem Hicks
Second by Councilmember Gilbert

WHEREAS, the City of Swartz Creek and Clayton Township operate a joint fire department pursuant to the provision of MSA 5.2640(6), in which a joint board has been established to operate the fire department; and

WHEREAS, The Swartz Creek Area Fire Board oversees the operation of the joint department under the applicable interlocal agreement and bylaws that are adopted by the two municipalities; and

WHEREAS, the Board seeks to update these bylaws to enable electronic payments by the department, to alter agenda layout, and to alter protocols for joint meetings of the department staff and board; and

WHEREAS, the Swartz Creek City Council finds these updates to be beneficial to the provision of fire service in the operations area.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek hereby approves and affirms the Swartz Creek Area Fire Board bylaws as included in the November 9, 2020 city council packet.

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

**RESOLUTION TO APPROVE TRAFFIC CONTROL ORDER NUMBER 177, TO
RELOCATE NO PARKING SIGNS ON OAKVIEW DRIVE**

Resolution No. 201109-14

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approve Traffic Control Order #177 as a permanent order and direct the staff to place and/or remove signs in accordance with the MUTCD.

Discussion Ensued.

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

MEETING OPENED TO THE PUBLIC:

Dennis Cramer 5299 Worchester Drive, congratulated the Mayor on his appointment. He had a great time serving on the council it was a fantastic experience. Mayor Krueger thanked Mr. Cramer for his work with the census, we have over 99 percent compliance.

REMARKS BY COUNCILMEMBERS:

Councilmember Gilbert let everyone know that on Wednesday, November 11, 2020 @ 11:00 a.m. at the Veterans Memorial there will be a service in honor of Veterans Day.

Councilmember Farmer welcomed Councilmember Fountain and congratulated Mayor Krueger and Mayor Pro Tem Hicks. He apologizes for any miscommunication earlier.

Councilmember Henry thanked Mr. Cramer for his work on council. He welcomed Councilmember Fountain and congratulated Mayor Krueger and Mayor Pro Tem Hicks.

Councilmember Fountain is honored to be on council and thanked Mr. Cramer for his service and commitment to the community and hopes he stays involved because he has been a very valuable asset.

Mayor Pro Tem Hicks thanked Mr. Cramer for serving on council, welcomed Councilmember Fountain and congratulated Mayor Krueger.

Councilmember Pinkston thanked Mr. Cramer for doing a good job.

Mayor Krueger thanked Mr. Cramer for his service. He questioned the pause of work on the water main on Miller Road. Mr. Zettel responded he will look into it.

ADJOURNMENT

Resolution No. 201109-15

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Farmer

I Move the Swartz Creek City Council adjourn the regular meeting at 9:20 p.m.

Unanimous Voice Vote.

David A. Krueger, Mayor

Connie Olger, City Clerk

FANG ACTIVITY REPORT

October 2020

10/01 – FANG detectives executed a search warrant in the Flint area. FANG detectives seized 100 grams of crack cocaine, 79 grams of powder cocaine, 30 grams of heroin and 5 firearms. The suspect was arrested and lodged on various charges.

10/05 – FANG detectives utilized a confidential informant to purchase a small amount of heroin/fentanyl from a dealer. The dealer sold to the CI from the dealer's vehicle. FANG detectives conducted surveillance on the suspect vehicle and were able to contact a marked unit to get the vehicle stopped. A search of the vehicle yielded 2 oz. of heroin/fentanyl and \$2,452 in cash. The suspect vehicle was also seized for forfeiture.

10/08 – FANG detectives conducted an undercover buy of a ¼ pound of crystal meth from a dealer in the Flint area. The dealer was identified and the investigation is ongoing.

FANG detectives utilized a confidential informant to conduct a controlled purchase of heroin from a known dealer in the Flint area. The investigation is ongoing.

10/13- FANG detectives utilized a confidential informant to purchase an 8 ball of crack cocaine from a dealer in the flint area.

10/15- FANG detectives utilized a confidential informant to purchase 1 gram of crystal meth from a dealer in Mt. Morris Twp. The investigation is ongoing.

10/16-FANG detectives conducted a search warrant in Grand Blanc Twp. on a suspected illegal marijuana grow. As a result of the search warrant, FANG detectives seized 90 marijuana plants, 1 handgun and \$3,780 in cash.

10/20 – FANG detectives were able to lure the dealer from the undercover buy from 10/08 to a parking lot in Flint Twp. FANG detectives had told the dealer that they wished to purchase more crystal meth. Once the dealer showed up he was stopped by Flint Twp. rollers and taken into custody. A search of the vehicle was conducted and 1 handgun and approximately 50 Xanax pills were recovered. The dealer was taken into custody on delivery and gun charges.

10/21 – FANG detectives executed a search warrant at the residence of a known cocaine dealer. As a result FANG detectives seized approximately 50 grams of cocaine and \$396.

Also on this date FANG detectives utilized a confidential informant to purchase crack cocaine from a known dealer in the Flint area. The investigation is ongoing.

FANG detectives utilized a confidential informant on a second purchase of narcotics. This time crystal meth was purchased. That investigation resulted in a search warrant on 10/22.

10/22 – FANG executed a search warrant stemming from a crystal meth purchase on 10/21. FANG detectives seized user amounts of crystal meth and \$885 in cash.

Later on the same date, FANG detectives utilized a confidential informant to purchase crack cocaine from a known dealer in the Flint area. That purchase resulted in the execution of a search warrant later that night. During the execution of the warrant FANG detectives seized 44 grams of powder cocaine, 3.7 grams of crack cocaine, 2 handguns and \$3,100 in cash.

10/26 – FANG detectives utilized confidential informants to make a purchase of 1 gram of heroin from a dealer in the Flint area. The dealer was identified and the investigation is ongoing.

10/27 – FANG detectives utilized a confidential informant to facilitate the purchase of 1 Gram of heroin from a known dealer in the Flint area. The investigation is ongoing.

FANG detectives also utilized a confidential informant to facilitate the purchase of crack cocaine from a dealer in the Flint area. The dealer was identified and the investigation continues.

10/22 – FANG detectives assisted Davison Twp. with surveillance on a B&E suspect in their township.

Also on this date FANG detectives utilized a confidential informant to purchase an 8 ball of cocaine from a dealer in the Flint area. The dealer was identified and the investigation continues.

10/28– FANG detectives assisted Lapeer County Sheriff’s Office with the execution of a felony arrest warrant and a search warrant for records at a residence in the City of Flint. Once inside the residence FANG detectives located several guns, a marijuana grow and illegal mushrooms. FANG detectives drafted a second search warrant for narcotics and weapons in the residence. FANG detectives seized a total of 40 marijuana plants, 2 pounds of processed marijuana, 1 pound of mushrooms, 5 guns and \$6,000 in cash.

10/29 - FANG detectives executed a search warrant on the residence of a dealer known to be selling heroin. As a result of the search warrant FANG detectives seized 5 grams of crack cocaine, 5 grams of heroin, 1 handgun and \$560 in cash. Both occupants of the residence already had outstanding Felony warrants from FANG. Both were lodged on their warrants.

REVENUE AND EXPENDITURE REPORT FOR CITY OF SWARTZ CREEK
PERIOD ENDING 10/31/2020

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED

Fund 101 - General Fund					
000.000 - General	2,322,610.27	2,322,610.27	1,758,619.61	563,990.66	75.72
215.000 - Administration and Clerk	40.00	40.00	0.40	39.60	1.00
262.000 - Elections	0.00	0.00	5,000.00	(5,000.00)	100.00
301.000 - Police Dept	4,100.00	4,100.00	4,257.00	(157.00)	103.83
336.000 - Fire Department	0.00	0.00	40,883.00	(40,883.00)	100.00
345.000 - PUBLIC SAFETY BUILDING	25,050.00	25,050.00	6,315.99	18,734.01	25.21
410.000 - Building & Zoning & Planning	65,200.00	65,200.00	25,337.04	39,862.96	38.86
444.000 - Sidewalks	900.00	900.00	0.00	900.00	0.00
448.000 - Lighting	9,870.00	9,870.00	2,573.84	7,296.16	26.08
523.000 - Grass, Brush & Weeds	4,500.00	4,500.00	3,030.00	1,470.00	67.33
694.000 - Community Development Block Grant	33,300.00	33,300.00	0.00	33,300.00	0.00
728.005 - Holland Square Streetscape	40,000.00	40,000.00	40,000.00	0.00	100.00
782.000 - Facilities - Abrams Park	140.00	140.00	140.00	0.00	100.00
783.000 - Facilities - Elms Rd Park	6,700.00	6,700.00	3,180.00	3,520.00	47.46
790.000 - Facilities-Senior Center/Libr	6,200.00	6,200.00	1,218.57	4,981.43	19.65
794.000 - Community Promotions Program	0.00	0.00	1,000.00	(1,000.00)	100.00

TOTAL REVENUES	2,518,610.27	2,518,610.27	1,891,555.45	627,054.82	
000.000 - General	14,160.00	14,160.00	4,547.16	9,612.84	32.11
101.000 - Council	22,585.73	22,585.73	9,780.43	12,805.30	43.30
172.000 - Executive	109,424.96	252,233.81	185,066.89	67,166.92	73.37
215.000 - Administration and Clerk	36,221.00	36,221.00	6,674.07	29,546.93	18.43

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
228.000 - Information Technology	15,875.00	15,875.00	11,919.95	3,955.05	75.09
247.000 - Board of Review	3,658.85	3,658.85	322.96	3,335.89	8.83
253.000 - Treasurer	93,323.00	93,323.00	32,809.49	60,513.51	35.16
257.000 - Assessor	47,959.00	47,959.00	11,187.09	36,771.91	23.33
262.000 - Elections	47,202.00	47,202.00	21,294.93	25,907.07	45.11
266.000 - Legal Council	14,000.00	14,000.00	3,808.00	10,192.00	27.20
301.000 - Police Dept	7,900.00	7,900.00	11,775.90	(3,875.90)	149.06
301.266 - Legal Council PSFY	5,000.00	5,000.00	4,610.36	389.64	92.21
301.851 - Retiree Employer Health Care PSFY	19,670.00	19,670.00	7,352.67	12,317.33	37.38
334.000 - Metro Police Authority	1,019,475.00	1,019,475.00	253,711.00	765,764.00	24.89
336.000 - Fire Department	206,650.00	206,650.00	70,218.20	136,431.80	33.98
345.000 - PUBLIC SAFETY BUILDING	39,132.39	88,822.39	63,022.92	25,799.47	70.95
410.000 - Building & Zoning & Planning	128,884.00	128,884.00	13,782.64	115,101.36	10.69
444.000 - Sidewalks	1,200.00	1,200.00	0.00	1,200.00	0.00
448.000 - Lighting	105,000.00	105,000.00	24,854.33	80,145.67	23.67
523.000 - Grass, Brush & Weeds	1,200.00	1,200.00	550.00	650.00	45.83
694.000 - Community Development Block Grant	33,300.00	33,300.00	0.00	33,300.00	0.00
728.000 - Economic Development	0.00	0.00	55.91	(55.91)	100.00
781.000 - Facilities - Pajtas Amphitheater	1,468.00	1,468.00	459.10	1,008.90	31.27
782.000 - Facilities - Abrams Park	37,785.87	37,785.87	13,044.25	24,741.62	34.52
783.000 - Facilities - Elms Rd Park	80,732.00	80,732.00	22,846.62	57,885.38	28.30
784.000 - Facilities - Bicentennial Park	1,324.00	1,324.00	212.97	1,111.03	16.09
786.000 - Non-Motorized Trailway	30,000.00	49,730.00	4,380.00	45,350.00	8.81

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
787.000 - Veterans Memorial Park	2,840.00	2,840.00	1,618.37	1,221.63	56.98
788.000 - Disc Golf Park	10,000.00	10,000.00	0.00	10,000.00	0.00
790.000 - Facilities-Senior Center/Libr	36,620.58	36,620.58	9,506.20	27,114.38	25.96
793.000 - Facilities - City Hall	19,802.88	19,802.88	5,664.35	14,138.53	28.60
794.000 - Community Promotions Program	50,059.00	50,059.00	12,937.31	37,121.69	25.84
796.000 - Facilities - Cemetary	1,901.70	1,901.70	444.27	1,457.43	23.36
797.000 - Facilities - City Parking Lots	5,600.00	8,890.00	1,064.03	7,825.97	11.97
851.000 - Retired Employee Health Care	25,900.00	25,900.00	4,024.55	21,875.45	15.54
965.000 - Transfers Out	175,367.50	175,367.50	173,778.83	1,588.67	99.09
TOTAL EXPENDITURES	2,451,222.46	2,666,741.31	987,325.75	1,679,415.56	
Fund 101 - General Fund:					
TOTAL REVENUES	2,518,610.27	2,518,610.27	1,891,555.45	627,054.82	75.10
TOTAL EXPENDITURES	2,451,222.46	2,666,741.31	987,325.75	1,679,415.56	37.02
NET OF REVENUES & EXPENDITURES	67,387.81	(148,131.04)	904,229.70	(1,052,360.74)	
Fund 202 - Major Street Fund					
000.000 - General	450,475.00	450,475.00	106,860.59	343,614.41	23.72
441.000 - Miller Rd Park & Ride	5,000.00	5,000.00	421.96	4,578.04	8.44
474.000 - Traffic Services	0.00	0.00	364.36	(364.36)	100.00
478.000 - Snow & Ice Removal	2,400.00	2,400.00	0.00	2,400.00	0.00
TOTAL REVENUES	457,875.00	457,875.00	107,646.91	350,228.09	
228.000 - Information Technology	1,000.00	1,000.00	406.82	593.18	40.68
441.000 - Miller Rd Park & Ride	5,058.24	5,058.24	1,098.02	3,960.22	21.71
448.000 - Lighting	15,000.00	58,330.00	43,330.00	15,000.00	74.28
449.500 - Right of Way - General	10,000.00	10,000.00	2,400.00	7,600.00	24.00
449.501 - Right of Way - Storms	20,000.00	20,000.00	252.19	19,747.81	1.26

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
463.000 - Routine Maint - Streets	158,025.87	158,025.87	21,985.81	136,040.06	13.91
463.307 - Oakview - Seymour to Chelmsford	50,000.00	113,758.21	278,619.42	(164,861.21)	244.92
463.308 - Winston - Oakview to Chesterfield	20,000.00	20,000.00	25,999.59	(5,999.59)	130.00
473.000 - Routine Maint - Bridges	1,000.00	1,000.00	0.00	1,000.00	0.00
474.000 - Traffic Services	40,202.00	56,021.08	10,557.17	45,463.91	18.84
478.000 - Snow & Ice Removal	81,307.00	81,307.00	845.12	80,461.88	1.04
482.000 - Administrative	17,762.00	17,762.00	4,861.50	12,900.50	27.37
538.500 - Intercommunity storm drains	12,500.00	12,500.00	1,125.19	11,374.81	9.00
965.000 - Transfers Out	100,000.00	100,000.00	100,000.00	0.00	100.00
TOTAL EXPENDITURES	531,855.11	654,762.40	491,480.83	163,281.57	
Fund 202 - Major Street Fund:					
TOTAL REVENUES	457,875.00	457,875.00	107,646.91	350,228.09	23.51
TOTAL EXPENDITURES	531,855.11	654,762.40	491,480.83	163,281.57	75.06
NET OF REVENUES & EXPENDITURES	(73,980.11)	(196,887.40)	(383,833.92)	186,946.52	
Fund 203 - Local Street Fund					
000.000 - General	143,500.00	143,500.00	40,660.63	102,839.37	28.33
449.000 - Right of Way Telecomm	15,000.00	15,000.00	0.00	15,000.00	0.00
478.000 - Snow & Ice Removal	500.00	500.00	0.00	500.00	0.00
931.000 - Transfers IN	500,000.00	500,000.00	100,000.00	400,000.00	20.00
TOTAL REVENUES	659,000.00	659,000.00	140,660.63	518,339.37	
228.000 - Information Technology	1,000.00	1,000.00	406.82	593.18	40.68
429.000 - Occupational Safety	0.00	0.00	38.10	(38.10)	100.00
448.000 - Lighting	15,000.00	22,222.00	7,222.00	15,000.00	32.50
449.500 - Right of Way - General	22,500.00	22,500.00	1,200.00	21,300.00	5.33
449.501 - Right of Way - Storms	0.00	0.00	159.38	(159.38)	100.00

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
463.000 - Routine Maint - Streets	285,870.05	285,870.05	24,220.51	261,649.54	8.47
463.107 - Chelmsford - Seymour to Oakview	50,000.00	80,148.30	195,420.73	(115,272.43)	243.82
463.108 - Oxford Court	55,000.00	79,736.32	105,129.07	(25,392.75)	131.85
474.000 - Traffic Services	20,006.00	20,130.20	4,135.81	15,994.39	20.55
478.000 - Snow & Ice Removal	68,999.00	68,999.00	829.99	68,169.01	1.20
482.000 - Administrative	20,319.75	20,319.75	3,646.08	16,673.67	17.94
538.500 - Intercommunity storm drains	10,000.00	10,000.00	1,125.19	8,874.81	11.25
TOTAL EXPENDITURES	548,694.80	610,925.62	343,533.68	267,391.94	
Fund 203 - Local Street Fund:					
TOTAL REVENUES	659,000.00	659,000.00	140,660.63	518,339.37	21.34
TOTAL EXPENDITURES	548,694.80	610,925.62	343,533.68	267,391.94	56.23
NET OF REVENUES & EXPENDITURES	110,305.20	48,074.38	(202,873.05)	250,947.43	
Fund 204 - MUNICIPAL STREET FUND					
000.000 - General	651,580.00	651,580.00	668,421.20	(16,841.20)	102.58
TOTAL REVENUES	651,580.00	651,580.00	668,421.20	(16,841.20)	
905.000 - Debt Service	167,917.11	167,917.11	12,893.97	155,023.14	7.68
965.000 - Transfers Out	500,000.00	500,000.00	0.00	500,000.00	0.00
TOTAL EXPENDITURES	667,917.11	667,917.11	12,893.97	655,023.14	
Fund 204 - MUNICIPAL STREET FUND:					
TOTAL REVENUES	651,580.00	651,580.00	668,421.20	(16,841.20)	102.58
TOTAL EXPENDITURES	667,917.11	667,917.11	12,893.97	655,023.14	1.93
NET OF REVENUES & EXPENDITURES	(16,337.11)	(16,337.11)	655,527.23	(671,864.34)	
Fund 226 - Garbage Fund					
000.000 - General	415,025.00	415,025.00	423,033.29	(8,008.29)	101.93
TOTAL REVENUES	415,025.00	415,025.00	423,033.29	(8,008.29)	
000.000 - General	10,036.75	10,036.75	10,036.75	0.00	100.00
101.000 - Council	3,169.93	3,169.93	1,738.87	1,431.06	54.86

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
172.000 - Executive	7,850.00	7,850.00	3,292.51	4,557.49	41.94
215.000 - Administration and Clerk	3,735.00	3,735.00	1,515.16	2,219.84	40.57
228.000 - Information Technology	2,075.00	2,075.00	988.54	1,086.46	47.64
253.000 - Treasurer	15,705.00	15,705.00	5,970.61	9,734.39	38.02
257.000 - Assessor	800.00	800.00	0.00	800.00	0.00
528.000 - Sanitation Collection	292,202.58	292,202.58	80,894.58	211,308.00	27.68
530.000 - Wood Chipping	52,484.50	52,484.50	18,241.13	34,243.37	34.76
782.000 - Facilities - Abrams Park	9,092.00	9,092.00	3,779.29	5,312.71	41.57
783.000 - Facilities - Elms Rd Park	12,140.00	12,140.00	6,029.51	6,110.49	49.67
793.000 - Facilities - City Hall	4,045.09	4,045.09	1,336.38	2,708.71	33.04
TOTAL EXPENDITURES	413,335.85	413,335.85	133,823.33	279,512.52	
Fund 226 - Garbage Fund:					
TOTAL REVENUES	415,025.00	415,025.00	423,033.29	(8,008.29)	101.93
TOTAL EXPENDITURES	413,335.85	413,335.85	133,823.33	279,512.52	32.38
NET OF REVENUES & EXPENDITURES	1,689.15	1,689.15	289,209.96	(287,520.81)	
Fund 248 - Downtown Development Fund					
000.000 - General	66,962.00	66,962.00	50,319.60	16,642.40	75.15
728.004 - Family Movie Night	2,000.00	2,000.00	0.00	2,000.00	0.00
TOTAL REVENUES	68,962.00	68,962.00	50,319.60	18,642.40	
173.000 - DDA Administration	2,820.00	2,820.00	2,515.50	304.50	89.20
728.002 - Streetscape	40,945.00	40,945.00	40,000.00	945.00	97.69
728.004 - Family Movie Night	3,450.00	11,510.00	4,880.00	6,630.00	42.40
TOTAL EXPENDITURES	47,215.00	55,275.00	47,395.50	7,879.50	
Fund 248 - Downtown Development Fund:					
TOTAL REVENUES	68,962.00	68,962.00	50,319.60	18,642.40	72.97
TOTAL EXPENDITURES	47,215.00	55,275.00	47,395.50	7,879.50	85.74
NET OF REVENUES & EXPENDITURES	21,747.00	13,687.00	2,924.10	10,762.90	

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 350 - City Hall Debt Fund					
000.000 - General	7.00	7.00	0.82	6.18	11.71
931.000 - Transfers IN	100,357.50	100,357.50	98,778.83	1,578.67	98.43
TOTAL REVENUES	100,364.50	100,364.50	98,779.65	1,584.85	
905.000 - Debt Service	101,117.50	101,117.50	2,683.75	98,433.75	2.65
TOTAL EXPENDITURES	101,117.50	101,117.50	2,683.75	98,433.75	
Fund 350 - City Hall Debt Fund:					
TOTAL REVENUES	100,364.50	100,364.50	98,779.65	1,584.85	98.42
TOTAL EXPENDITURES	101,117.50	101,117.50	2,683.75	98,433.75	2.65
NET OF REVENUES & EXPENDITURES	(753.00)	(753.00)	96,095.90	(96,848.90)	
Fund 402 - Fire Equip Replacement Fund					
000.000 - General	11.00	11.00	5.57	5.43	50.64
931.000 - Transfers IN	75,000.00	75,000.00	75,000.00	0.00	100.00
TOTAL REVENUES	75,011.00	75,011.00	75,005.57	5.43	
336.000 - Fire Department	3,500.00	3,500.00	0.00	3,500.00	0.00
TOTAL EXPENDITURES	3,500.00	3,500.00	0.00	3,500.00	
Fund 402 - Fire Equip Replacement Fund:					
TOTAL REVENUES	75,011.00	75,011.00	75,005.57	5.43	99.99
TOTAL EXPENDITURES	3,500.00	3,500.00	0.00	3,500.00	0.00
NET OF REVENUES & EXPENDITURES	71,511.00	71,511.00	75,005.57	(3,494.57)	
Fund 590 - Water Supply Fund					
000.000 - General	6,000.00	6,000.00	415.15	5,584.85	6.92
540.000 - Water System	2,226,000.00	2,226,000.00	601,713.95	1,624,286.05	27.03
TOTAL REVENUES	2,232,000.00	2,232,000.00	602,129.10	1,629,870.90	
000.000 - General	25,091.88	25,091.88	25,088.46	3.42	99.99
101.000 - Council	13,503.00	13,503.00	4,347.92	9,155.08	32.20
172.000 - Executive	29,826.00	29,826.00	11,982.72	17,843.28	40.18

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
215.000 - Administration and Clerk	19,583.00	19,583.00	5,350.13	14,232.87	27.32
228.000 - Information Technology	5,675.00	5,675.00	2,903.73	2,771.27	51.17
253.000 - Treasurer	56,381.50	56,381.50	19,029.30	37,352.20	33.75
540.000 - Water System	2,037,955.66	2,037,955.66	458,042.85	1,579,912.81	22.48
542.000 - Read and Bill	51,475.00	51,475.00	7,026.05	44,448.95	13.65
543.230 - Water Main Repair USDA Grant	243,800.00	392,655.19	432,487.48	(39,832.29)	110.14
793.000 - Facilities - City Hall	10,289.20	10,289.20	3,306.51	6,982.69	32.14
905.000 - Debt Service	99,579.23	99,579.23	3,755.61	95,823.62	3.77
TOTAL EXPENDITURES	2,593,159.47	2,742,014.66	973,320.76	1,768,693.90	
Fund 590 - Water Supply Fund:					
TOTAL REVENUES	2,232,000.00	2,232,000.00	602,129.10	1,629,870.90	26.98
TOTAL EXPENDITURES	2,593,159.47	2,742,014.66	973,320.76	1,768,693.90	35.50
NET OF REVENUES & EXPENDITURES	(361,159.47)	(510,014.66)	(371,191.66)	(138,823.00)	
Fund 591 - Sanitary Sewer Fund					
000.000 - General	5,700.00	5,700.00	870.89	4,829.11	15.28
536.000 - Sewer System	1,267,000.00	1,267,000.00	345,642.31	921,357.69	27.28
TOTAL REVENUES	1,272,700.00	1,272,700.00	346,513.20	926,186.80	
000.000 - General	25,091.88	25,091.88	25,089.41	2.47	99.99
101.000 - Council	12,930.82	12,930.82	4,347.30	8,583.52	33.62
172.000 - Executive	29,964.00	29,964.00	11,739.21	18,224.79	39.18
215.000 - Administration and Clerk	18,433.00	18,433.00	5,350.26	13,082.74	29.03
228.000 - Information Technology	5,375.00	5,375.00	2,903.73	2,471.27	54.02
253.000 - Treasurer	55,919.00	55,919.00	19,029.27	36,889.73	34.03
536.000 - Sewer System	994,754.59	994,754.59	183,303.64	811,450.95	18.43
537.000 - Sewer Lift Stations	10,982.00	10,982.00	2,417.53	8,564.47	22.01

GL NUMBER	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 10/31/2020	AVAILABLE BALANCE	% BDGT USED
542.000 - Read and Bill	63,122.00	63,122.00	21,038.72	42,083.28	33.33
543.310 - Sewer District Rehabilitation	0.00	26,263.00	9,916.50	16,346.50	37.76
543.400 - Reline Existing Sewers	183,128.00	183,128.00	0.00	183,128.00	0.00
543.401 - Flush & TV Sewers	90,000.00	90,000.00	14,058.00	75,942.00	15.62
793.000 - Facilities - City Hall	9,790.16	9,790.16	3,292.59	6,497.57	33.63
TOTAL EXPENDITURES	1,499,490.45	1,525,753.45	302,486.16	1,223,267.29	
Fund 591 - Sanitary Sewer Fund:					
TOTAL REVENUES	1,272,700.00	1,272,700.00	346,513.20	926,186.80	27.23
TOTAL EXPENDITURES	1,499,490.45	1,525,753.45	302,486.16	1,223,267.29	19.83
NET OF REVENUES & EXPENDITURES	(226,790.45)	(253,053.45)	44,027.04	(297,080.49)	
Fund 661 - Motor Pool Fund					
000.000 - General	234,250.00	234,250.00	47,746.57	186,503.43	20.38
TOTAL REVENUES	234,250.00	234,250.00	47,746.57	186,503.43	
172.000 - Executive	10,300.00	10,300.00	9,736.00	564.00	94.52
228.000 - Information Technology	1,070.00	1,070.00	431.84	638.16	40.36
253.000 - Treasurer	7,788.00	7,788.00	2,420.73	5,367.27	31.08
795.000 - Facilities - City Garage	386,681.00	386,681.00	54,419.81	332,261.19	14.07
TOTAL EXPENDITURES	405,839.00	405,839.00	67,008.38	338,830.62	
Fund 661 - Motor Pool Fund:					
TOTAL REVENUES	234,250.00	234,250.00	47,746.57	186,503.43	20.38
TOTAL EXPENDITURES	405,839.00	405,839.00	67,008.38	338,830.62	16.51
NET OF REVENUES & EXPENDITURES	(171,589.00)	(171,589.00)	(19,261.81)	(152,327.19)	



GENESEE COUNTY DEPARTMENT OF EQUALIZATION

1101 BEACH STREET-SUITE 206, FLINT, MICHIGAN, 48502-1468

TELEPHONE (810) 257-3017 FAX (810) 768-7954

Melissa Hayduk, MMAO (4), CAE, PPE
DIRECTOR

To: Martin Cousineau, Chairman, Genesee County Board of Commissioners

From: Mellissa K. Hayduk, Genesee County Equalization Director

Date: October 28, 2020

Re: Interlocal Agreement and Designated Assessor recommendation

P.A. 660 of 2018 requires each county to notify the State Tax Commission, no later than December 31, 2020, of the individual that will serve as the county's Designated Assessor. The county must provide the State Tax Commission with an inter-local agreement executed by the County Board of Commissioners, a majority of the assessing districts within that county, and the proposed Designated Assessor for that county.

The process of finding an individual qualified to take on the role of Designated Assessor and developing an Inter-local Agreement has involved quite a bit of time and effort. After receiving further clarification and an Inter-local Agreement template from the State Tax Commission in August, an RFP was created and submitted for Designated Assessor proposals. The RFP was posted on the County's website, MITN, the Michigan Assessors Association (MAA) and emailed to all members of the MAA and all of the Genesee County Assessors. The due date to submit a proposal was 2:00pm, October 8, 2020.

One proposal was received for the Designated Assessor. The proposal received is from Mrs. Stacey Kaake. Mrs. Kaake is a Michigan Master Assessing Officer and Michigan Certified Personal Property Examiner and is currently the assessor for the City of Flint. Mrs. Kaake also has a Masters in Public Administration from the University of Michigan, Flint. She is active in the Michigan Assessors Association, serving as Vice President. She also serves as a member on the State CAMA Data Standards Committee and is an IAAO member.

The inter-local agreement has been developed to include all the necessary provisions required by the State Tax Commission. This information has been reviewed and the matter is being brought before you for consideration.

If you approve the Inter-local Agreement, it will then be forwarded on to the Assessing Districts to obtain approval of a majority of the districts. I have reached out to the Assessing District's assessors and officials regarding the Designated Assessor and Inter-local Agreement by holding informational meetings to update them and provide them with the Michigan Department of Treasury documents relating to P.A. 660 of 2018.

The State Tax Commission will then determine if the individual named as the Designated Assessor is capable of ensuring that the Assessing Districts within the county will achieve and maintain substantial compliance.

The Inter-local Agreement naming Stacey Kaake as the Genesee County Designated Assessor is attached. The document, along with her resume, is ready for your review and consideration. The same is submitted with a recommendation to approve.

Please feel free to reach out to me at any time with any questions you may have regarding this matter.

**Genesee County Interlocal Agreement
to Approve the Designated Assessor**

for the period commencing January 1, 2021 through December 31, 2025

Public Act 660 of 2018 requires a County to have a Designated Assessor on file with the State Tax Commission. Accordingly, the following Interlocal Agreement (“Agreement”) has been executed by the Board of Commissioners for Genesee County (“County”), a majority of the Assessing Districts in Genesee County (“Assessing Districts”), and the individual put forth as the proposed County Designated Assessor (“Designated Assessor”). Genesee County and the Assessing Districts are collectively referred to through this agreement as the “Parties”.

RECITALS

WHEREAS, the Assessing Districts are Municipal Corporations located within the County of Genesee, in the State of Michigan; and

WHEREAS, the Michigan Constitution of 1963, Article 7, Section 28 permits a political subdivision to exercise jointly with any other political subdivision any power, privilege, or authority which such political subdivisions share in common with each other and which each might exercise separately; and

WHEREAS, The Urban Cooperation Act of 1967, being MCL 124.505 et seq, and the Intergovernmental Transfer of Functions and Responsibility Act give effect to the Constitutional provision by providing that public agencies may enter into Interlocal agreements to carry out the respective functions, powers and authority; and

WHEREAS, P.A. 660 of 2018 requires each County to enter into an Agreement that designates the individual who will serve as the County Designated Assessor. That interlocal agreement must be approved by the County Board and a majority of the assessing districts in the County.

NOW, THEREFORE, based on the foregoing Recitals, and in consideration of the terms of this Agreement, the Parties and the Designated Assessor agree as follows:

BACKGROUND INFORMATION

1a. Designation of County Designated Assessor. The County and a majority of the Assessing Districts in the County designate Stacey Kaake, who is an individual qualified and certified by the State Tax Commission as a Master Assessing Officer (Certification # R-8424), to be the Designated Assessor for Genesee County.

1b. Assessing Districts covered under this interlocal agreement are as follows: ARGENTINE TOWNSHIP, ATLAS TOWNSHIP, CLAYTON TOWNSHIP, DAVISON TOWNSHIP, FENTON TOWNSHIP, FLINT TOWNSHIP, FLUSHING TOWNSHIP, FOREST TOWNSHIP, GAINES TOWNSHIP, GENESEE TOWNSHIP, GRAND BLANC TOWNSHIP, MONTROSE TOWNSHIP, MT. MORRIS TOWNSHIP, MUNDY TOWNSHIP, RICHFIELD TOWNSHIP, THETFORD TOWNSHIP, VIENNA TOWNSHIP, CITY OF BURTON, CITY OF FLINT, CITY OF CLIO, CITY OF DAVISON, CITY OF FENTON, CITY OF FLUSHING, CITY OF GRAND BLANC, CITY OF LINDEN, CITY OF MONTROSE, CITY OF MT. MORRIS, and CITY OF SWARTZ CREEK

1c. SEV totals by class (including special act values) for Genesee County as of 2020 are as follows.

Agricultural	219,370,714	Timber-Cutover	0
Commercial	2,455,941,400	Developmental	0
Industrial	392,704,900	Total Real Property	12,275,393,624
Residential	9,207,376,610	Personal Property	784,141,200
		Total Real and Personal Property	13,059,544,824

Total number of parcels, by classification, including special act rolls, within each local unit totals by class for Genesee County as of 2020 are labeled Parcel Count Report, attached at the end of this Agreement, and incorporated herein by this reference.

1d. List of any unique, complex, or high value properties within the County. General Motors, Great Lakes Gas Transmission and Consumers Energy.

1f. Term of Agreement. If approved by the State Tax Commission, the County Designated Assessor shall serve for a minimum of five (5) years from the date of the approved designation. The designation shall not be revoked, and no new designation shall be made earlier than five (5) years following the date of the approved designation, except in the event of the death or disability of the Designated Assessor.

1g. Agreement Effective Date. The effective date of this agreement shall commence on January 1, 2021, or at such time the State Tax Commission approves the designation of the Designated Assessor, whichever comes last.

1h. Place of Performance of Duties. The duties performed by the Designated Assessor shall be carried out at the principal office of the Designated Assessor located at 1415 Bluffview Lane, Grand Blanc, Michigan, 48439. Office hours at an Assessing District's Township or City Hall will be negotiated at such a time an Assessing District chooses to or is ordered to have the Designated Assessor act as their assessor of record.

QUALIFICATIONS OF DESIGNATED ASSESSOR

2a. Current assessor certification level and number. Stacey Kaake is currently certified as a Michigan Master Assessing Officer (“MMAO”). Certification number is R-8424.

2b. Current employment status of the Designated Assessor. Stacey Kaake is currently the assessor for the City of Flint.

2c. Prior local unit assessing experience. Stacey Kaake was the assessor of record for City of Burton, City of Bay City, and Independence Township.

2d. Conflict of interest disclosures. Stacey Kaake is the assessor of record for the City of Flint.

SCOPE OF SERVICES PROVIDED BY DESIGNATED ASSESSOR

3a. Preparation of assessment rolls. The Designated Assessor shall annually meet the guidelines of the State Tax Commissions document “Supervising Preparation of the Assessment Roll” for any Assessing District under contract with the Designated Assessor.

3b. Plan to correct deficiencies found in an Audit of Minimum Assessing Requirements (“AMAR”) audit. The Designated Assessor shall file a Corrective Action Plan with the State Tax Commission within 30 days of assuming jurisdiction of an Assessing District who was found to have deficiencies on their latest AMAR audit. With the exception of a complete reappraisal, all identified AMAR deficiencies will be corrected within one year of assumption of the Assessing District, unless otherwise agreed upon by the Designated Assessor, Assessing District and the State Tax Commission.

3c. Attendance at Boards of Review Meetings. After assuming jurisdiction of an Assessing District, the Designated Assessor or their designee shall be present at all Boards of Review.

3d. Duties and responsibilities related to property tax appeals. The Assessing District shall retain ultimate control of all litigation and settlement negotiations and the Designated Assessor shall operate under the direction of the Assessing District in any litigation regarding a tax appeal, including appeals to the Small Claims Division.

Any appeal to the Tax Tribunal may result in the Assessing District obtaining competent legal counsel at its expense. If counsel shall desire the assistance of the Designated Assessor in the defense of such appeals, additional fees for preparing necessary appraisals and/or consultation shall be reviewed in advance by the Assessing District and agreed upon on a case-by-case basis. The Assessing District may choose to retain the Designated Assessor to prepare this report or may employ another firm to prepare a supportable and defensible report for an additional fee.

The Designated Assessor shall defend all appeals to the Small Claims Division of the Michigan Tax Tribunal. This shall include, but not be limited to, filing necessary petitions, preparing and submitting such material, statistics and other information as is necessary to properly defend any such appeal, and appearing at all hearings and meetings as are required for the purpose of defending said appeal. All the foregoing regarding appeals to the Small Claims Division is deemed to be included as part of the services compensated pursuant to the terms and provisions of this Agreement.

In all other potential appeals to the Michigan Tax Tribunal or State Tax Commission, the Designated Assessor shall provide as part of the services included under the terms and provisions of this Agreement such time and effort as is necessary to properly provide documents, analysis and advice as may be required in the determination of the Designated Assessor or the Assessing District to forestall the formal filing of an appeal or to settle a disputed case up to the date of the filing of a petition appealing a decision of the Assessing District or any of its agencies or boards to the Michigan Tax Tribunal or State Tax Commission. After the filing of said petition, the Designated Assessor shall be available to the Assessing District for such further assistance as is required by the Assessing District in the defense of such appeal. The Designated Assessor shall be available as an expert witness on behalf of the Assessing District in any proceedings. Mileage expenses for travel required for appearance at Tax Tribunal hearings or State Tax Commission hearings shall be reimbursed at the rate per mile recognized by the Internal Revenue Service's allowance for business use of an automobile and the hourly rate as identified in section 5a of this agreement.

3e. Reporting requirement and responsibility to meet with local unit officials. On or before December 31 of each year, at the Assessing District's request, the Designated Assessor shall prepare written recommendations and conclusions regarding the current state of the Assessing District's assessment rolls, by class, together with specific recommendations concerning actions which, in the opinion of the Designated Assessor, should be taken in order to achieve maximum equity in the assessment rolls and compliance with all State Tax Commission rules, regulations and guidelines.

3f. Any and all obligations of local unit assessing staff members. If an Assessing District employs any assessing staff other than the Assessor of Record, those staff members shall remain employees of the Assessing District. Those staff members will continue to conduct their duties as they understand them under the supervision of the Designated Assessor. If changes in duties are identified as necessary by the Designated Assessor, those changes will be discussed with the employee and Assessing District prior to implementation. No existing staff member will be terminated by the Designated Assessor without prior approval of the Assessing District.

3g. Responsibilities of Designated Assessor while not acting as an assessor of record for an assessing district under this agreement. The Designated Assessor will have no official duties of record until such time they are appointed the Assessor of Record of an Assessing District. Upon their request, The Designated Assessor will meet with the Assessing District to discuss potential solutions of any deficiencies identified by an AMAR audit to avoid any formal action by the State Tax Commission.

3h. Requirement to remain certified and in good-standing. The Designated Assessor shall maintain their MMAO Certification and remain in good standing with the State Tax Commission.

3i. Non-exclusivity of assessing services. Nothing in this Agreement prevents or limits the Designated Assessor from serving as the Designated Assessor, Assessor of Record or Equalization Director for this or any other County in Michigan.

DUTIES AND RESPONSIBILITIES FOR LOCAL ASSESSING DISTRICTS
CONTRACTING WITH THE DESIGNATED ASSESSOR

4a. Access to required documents and information. While under contract with the Designated Assessor, the Assessing District shall provide reasonable access to all assessing records, documents, databases, and information. This shall include remote access, if available, to the Assessing District’s computer and network system.

4b. Policies and procedures of Assessing District. While under contract with the Designated Assessor, the Assessing District shall make the Designated Assessor aware of any applicable local policies and procedures including technology, equipment, facilities, personnel, etc. that may apply to them as a contractor.

COST AND COMPENSATION FOR DESIGNATED ASSESSOR

5a. Payment terms and Fee Structure. All assessing maintenance contracts will be based on a per parcel basis with the following fee schedule:

- Agricultural Real - \$12.00 per parcel
- Commercial Real - \$15.00 per parcel
- Industrial Real - \$15.00 per parcel
- Residential Real - \$12.00 per parcel
- Other Real - \$16.00 per parcel
- Personal Property - \$20.00 per parcel
- Special Act Parcels - \$20.00 per parcel

The above stated fees shall include an annual on-site review of at least 20% of the total ad-valorem real property count.

All re-appraisal contracts will be based on a per parcel basis with the following fee schedule:

- Agricultural Real - \$65.00 per parcel
- Commercial Real - \$65.00 per parcel
- Industrial Real - \$65.00 per parcel
- Residential Real - \$65.00 per parcel
- Other Real - \$65.00 per parcel

Hourly fee schedule of personnel are as follows:

- MMAO Assessor - \$100.00 per hour

MAAO Assessor -	\$50.00 per hour
MCAO Assessor -	\$30.00 per hour
Support Staff -	\$25.00 per hour

Office hours if required by the Assessing District will be billed at \$50.00 per hour, for any person with a level MAAO.

5b. Payment responsibility. All fees associated with serving as the Designated Assessor shall be paid directly by the user Assessing District under contract within 30 days of invoicing.

5c. Retainer fee. For as long as Stacey Kaake is the Designated Assessor a retainer fee for this agreement will be \$200.00 per Assessing District, per year which will be paid as indicated in 5b. This fee gives each unit 2 hours of work with the current assessor, per year, to answer questions regarding the AMAR, or to help address issues that may come from a future AMAR. This will help the current assessor and Designated Assessor to be preemptive of potential issues.

5d. Payment in the event of death or disability of the Designated Assessor. In the event of the disability of the Designated Assessor, all payments for completed work shall be made to the Designated Assessor.

In the event of the death of the Designated Assessor, all payments for completed work shall be made to Mark Kaake.

5e. Cost reimbursement for when the Designated Assessor is acting as assessor of record. Any cost incurred by the Designated Assessor outside of what is covered under the maintenance or reappraisal contract while acting as the assessor of record shall be reimbursed by the user Assessing District under contract within 30 days of invoicing.

5f. Identification of certain costs. The following items will be considered additional cost items and will be billed at their actual cost of supplies and materials plus the hourly fee of the personnel who completed the work as stated in section 5a of this Agreement.

- Setting up Tax database for tax collection
- Printing and or mailing of tax bills
- Printing and or mailing of assessment change notices
- Appraisal work for an entire MTT tribunal
- Expert witness testimony for an entire MTT tribunal

Unless otherwise agreed upon, the Designated Assessor will be responsible for the cost of employing additional assessing staff to bring the assessing unit into AMAR compliance.

MISCELLANEOUS

6a. Petition to State Tax Commission. Upon the execution and filing of this Interlocal Agreement, the County shall petition the State Tax Commission to approve the individual named in Section 1a of this Interlocal Agreement to serve as the County Designated Assessor. The individual shall serve as the County Designated Assessor upon approval of the State Tax Commission. If the State Tax Commission rejects the County's petition, then the parties agree to enter into additional Interlocal Agreements under MCL 211.10g(4)(a) until a suitable Assessor has been presented.

6b. Nondiscrimination. The Parties shall adhere to all Federal, State, and local laws, ordinances and regulations prohibiting discrimination in the performance of this Interlocal Agreement. The Parties shall not discriminate against a person to be served or an employee or applicant for employment because of race, color, religion, national origin, age, sex, disability that is unrelated to an individual's ability to perform the duties of a particular job or position, height, weight, or marital status. Breach of this section shall be regarded as a material breach of this Interlocal Agreement.

6c. Governing Law and Venue. This Agreement is entered into under the laws of the State of Michigan. Any litigation arising out of this Contract must be initiated within two years of the cause of action accruing and must be brought in a court of competent jurisdiction in Genesee County, Michigan.

6d. Liability. The Designated Assessor and its agents and employees are independent contractors and not employees of the County or the Assessing Districts. Each party to this Agreement will remain responsible for any claims arising out of that party's performance of this Agreement, as provided for in this Agreement or by law. This Agreement is not intended to either increase or decrease either party's liability to or immunity from tort claims. This Agreement is not intended to give, nor will it be interpreted as giving, either party a right of indemnification either by contract or at law for claims arising out of the performance of this Agreement.

6e. No Assignment or Modification. The Designated Assessor may not assign or subcontract this Agreement without express consent. The Agreement may be modified only in writing under the same formalities as this Agreement.

6f. Binding Effect. The provisions of this Contract apply to and bind the heirs, executors, administrators, and assigns of all signors.

6g. Headings. The paragraph headings in this Agreement are used only for ease of reference, and do not limit, modify, construe, or interpret any provision of this Agreement.

CERTIFICATION

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized agents.

COUNTY OF GENESEE

10/28/2020

DocuSigned by:
Martin Cousineau
Dr. Martin Cousineau, Chair
County Board of Commissioners

Date

ARGENTINE TOWNSHIP

Supervisor

Date

ATLAS TOWNSHIP

Supervisor

Date

CLAYTON TOWNSHIP

Supervisor

Date

DAVISON TOWNSHIP

Supervisor

Date

FENTON TOWNSHIP

Supervisor

Date

FLINT TOWNSHIP

Supervisor

Date

FLUSHING TOWNSHIP

Supervisor

Date

FOREST TOWNSHIP

Supervisor

Date

GAINES TOWNSHIP

Supervisor

Date

GENESEE TOWNSHIP

Supervisor

Date

GRAND BLANC TOWNSHIP

Supervisor

Date

MONTROSE TOWNSHIP

Supervisor

Date

MT. MORRIS TOWNSHIP

Supervisor

Date

MUNDY TOWNSHIP

Supervisor

Date

RICHFIELD TOWNSHIP

Supervisor

Date

THETFORD TOWNSHIP

Supervisor

Date

VIENNA TOWNSHIP

Supervisor Date

CITY OF BURTON

Mayor Date

CITY OF CLIO

Mayor Date

CITY OF DAVISON

Mayor Date

CITY OF FENTON

Mayor Date

CITY OF FLINT

Mayor Date

CITY OF FLUSHING

Mayor Date

CITY OF GRAND BLANC

Mayor Date

CITY OF LINDEN

Mayor Date

CITY OF MONTROSE

Mayor

Date

CITY OF MT. MORRIS

Mayor

Date

CITY OF SWARTZ CREEK

Mayor

Date

COUNTY DESIGNATED ASSESSOR

Stacey Kaake

Date

County: 25- GENESEE

Governmental Unit	----- Real -----							----- Personal -----						Grand Total	
	Ag	Comm	Ind	Res	T-C	Dev	Total	Ag	Comm	Ind	Res	Util	Total		Exempt
ARGENTINE TOWNSHIP	144	49	3	3218	0	0	3414	0	78	0	0	3	81	55	3550
ATLAS TOWNSHIP	25	99	39	3395	0	0	3558	0	188	3	0	8	199	60	3817
CLAYTON TOWNSHIP	211	93	13	2996	0	0	3313	0	119	2	0	8	129	93	3535
DAVISON TOWNSHIP	83	230	37	6293	0	0	6643	0	414	5	0	9	428	58	7129
FENTON TOWNSHIP	2	221	19	7676	0	0	7918	0	304	10	0	4	318	110	8346
FLINT TOWNSHIP	0	1180	60	10087	0	0	11327	0	1806	14	0	6	1826	697	13850
FLUSHING TOWNSHIP	160	41	4	4043	0	0	4248	0	91	1	0	5	97	40	4385
FOREST TOWNSHIP	167	83	27	2079	0	0	2356	0	105	5	0	11	121	61	2538
GAINES TOWNSHIP	207	41	3	2924	0	0	3175	0	52	0	0	4	56	62	3293
GENESEE TOWNSHIP	53	370	98	7463	0	0	7984	0	391	12	0	15	418	491	8893
GRAND BLANC TOWNSHIP	0	593	119	13166	0	0	13878	0	890	49	0	4	943	174	14995
MONTROSE TOWNSHIP	198	48	17	2470	0	0	2733	0	110	2	0	3	115	35	2883
MT MORRIS TOWNSHIP	91	661	50	9136	0	0	9938	0	584	6	0	12	602	1056	11596
MUNDY TOWNSHIP	115	282	72	6424	0	0	6893	0	548	10	0	5	563	126	7582
RICHFIELD TOWNSHIP	80	90	38	3950	0	0	4158	0	182	6	0	10	198	80	4436
THETFORD TOWNSHIP	170	73	32	2707	0	0	2982	0	111	0	0	19	130	32	3144
VIENNA TOWNSHIP	79	287	44	5349	0	0	5759	0	357	7	0	11	375	65	6199
CITY OF CLIO	0	128	8	684	0	0	820	0	150	3	0	3	156	70	1046
CITY OF DAVISON	0	127	19	1512	0	0	1658	0	244	7	0	3	254	81	1993
CITY OF FENTON	0	408	55	4096	0	0	4559	0	681	35	0	2	718	327	5604
CITY OF FLINT	0	4541	464	50541	0	0	55546	0	2212	88	0	13	2313	0	57859
CITY OF FLUSHING	0	167	11	3163	0	0	3341	0	257	4	0	1	262	95	3698
CITY OF GRAND BLANC	0	205	5	2380	0	0	2590	0	401	2	0	1	404	88	3082
CITY OF MT MORRIS	0	111	3	1097	0	0	1211	0	114	0	0	5	119	117	1447
CITY OF SWARTZ CREEK	0	154	8	2288	0	0	2450	0	255	1	0	1	257	97	2804
CITY OF BURTON	0	744	207	12453	0	0	13404	0	873	43	0	12	928	289	14621
CITY OF MONTROSE	0	66	2	603	0	0	671	0	64	0	0	1	65	52	788
CITY OF LINDEN	0	93	2	1651	0	0	1746	0	142	0	0	1	143	34	1923
Totals	1785	11185	1459	173844	0	0	188273	0	11723	315	0	180	12218	4545	205036

Resolution to
Authorize the Approval and Signing of an Interlocal Agreement
For the Genesee County Designated Assessor

WHEREAS, MCL 211.10(g) establishes the requirement for a named Designated Assessor in each county within the state and that such designation should be made before December 31, 2020; and

WHEREAS, to meet the requirement of appointing a Designated Assessor for Genesee County, the Assessing Districts within Genesee County and the County of Genesee itself have agreed to designate Stacey Kaake as the Genesee County Designated Assessor; and

WHEREAS, the Interlocal Agreement naming the Designated Assessor shall be binding upon all Assessing Districts, Stacey Kaake, a majority of the Assessing Districts, and the State Tax Commission upon its approval by the County Board of Commissioners; and

WHEREAS, the Designated Assessor shall only act as the assessor of record for an Assessing District when required to by the State Tax Commission pursuant to MCL 211.10(g) or upon direct action of the governing board of an Assessing District.

NOW, THEREFORE, BE IT RESOLVED, that this Board of Commissioners of Genesee County, Michigan, approves and authorizes the Interlocal Agreement naming Stacey Kaake, an individual qualified and certified by the State Tax Commission as a Michigan Advanced Assessing Officer, to be the Designated Assessor for Genesee County (a copy of the Agreement and memorandum request being on file with the official records of the October 28, 2020, meeting of the Board of Commissioners) and the Board Chairperson is authorized to execute the Interlocal Agreement on behalf of Genesee County.



ARCHITECTS. ENGINEERS. PLANNERS.

November 9, 2020

Adam Zettel, AICP
City Manager
City of Swartz Creek
8083 Civic Dr.
Swartz Creek, MI 48473

**RE: Safe Routes to School Grant, Infrastructure Design
City of Swartz Creek**

Dear Mr. Zettel:

The City of Swartz Creek has partnered with Swartz Creek Community Schools to construct pedestrian safety improvements on two (2) elementary and one (1) middle school campus in conjunction with the Safe Routes to School Grant (SRTS) opportunity. A Conditional Commitment has been provided by the Michigan Department of Transportation (MDOT) which includes infrastructure grant dollars totaling \$635,790. In addition, a non-infrastructure grant of \$24,000 is also being awarded. This letter presents our proposed scope of services and fee to complete the design of the infrastructure portion of this grant. The construction budget for the improvements is estimated at \$635,790.

Project Approach Overview

This proposal outlines the tasks to be completed by OHM Advisors (OHM) to complete the infrastructure design for each of the following campuses: Elms Elementary, Syring Elementary, and Swartz Creek Middle school.

Proposed Infrastructure Improvements

Elms Elementary:

- a. 10-foot shared use path from the proposed Genesee Valley Trail along West Bristol Road, connecting to the southeast corner of the Elms Elementary School campus.

Syring Elementary:

- a. 5-foot sidewalk on the west side of Seymour Road between First Baptist Church and north of Oakview Drive.
- b. 5-foot sidewalk on the west side of Seymour Road between Young Drive and Miller Road.

Swartz Creek Middle School:

- a. ADA compliant mid-block crossing with Rectangular Rapid Flashing Beacon (RRFB) and in-street pedestrian crossing sign configuration at Moorish Road between Grove and Wade Street.
- b. 10-foot shared use path along the north side of West Branch Swartz Creek, connecting Morrish Road and Fairchild Street.
- c. Improvements at pedestrian crossing south of the intersection at Fairchild Street and Cappy Lane. Improvements include removal of existing pedestrian crossing south of the intersection of Fairchild Street and Cappy Lane and enhancement of pedestrian crossing at the west side of the intersection of Cappy Lane and Fairchild Street with curb bump-outs and crosswalk paint.



Engineering design for the Safe Routes to School project will include topographic survey, preparing detailed construction plans, permitting, developing contract documents, and bidding administration. In addition to typical design services that OHM provides, OHM will assist with the grant administration, as well as coordination with MDOT for contract bidding, NEPA requirements, SHPO clearance application, and administration per the Safe Routes to School grant requirements. It appears the acquisition of three (3) permanent easements will be required by MDOT for the work completed on the Swartz Creek Community School campuses. In addition, we understand (1) off campus easement will be required for the Elms Elementary pathway and (2) off campus easements will be required for the Swartz Creek Middle School pathway. Based on discussions with the City Assessor, each of the (3) off campus easements will not exceed the \$10,000 threshold and therefore an appraisal by a licensed realtor will not be required. Following is a detailed outline of our design scope:

Task 1 – Project Initiation and Obtain Information

Under this task, we will initiate the project and obtain necessary information to proceed with the design. Specific work efforts include:

- Organize and attend a kickoff meeting with City staff to review project objectives, prepare design criteria, and establish a specific delivery schedule.
- Review existing utility information and record drawings.
- Perform a site review to identify elements that are sensitive to project, i.e. driveway locations and other access issues, utility facilities in the area, and drainage features.
- Perform topographic survey for specified areas of the project.
- Notify known utility agencies of the proposed work and verify locations of existing known utilities, including both public and private, within the project limits for conflicts and coordinate relocations if necessary.
- Coordinate with G2 Consulting Group to obtain soil borings along the path from the proposed Genesee Valley Trail to the southeast corner of the Elms Elementary School and the path along the north side of West Branch Swartz Creek. We do not anticipate needing soil borings along the established residential area along Seymour Road.
- Prepare documents per National Environmental Policy Act (NEPA) requirements.
- OHM will engage Commonwealth Heritage Group to prepare documents to obtain a State Historic Preservation Office (SHPO) review per Section 106 Requirements. As of July 1, 2020, all applications must be prepared by a federally qualified individual in Archaeology, Architectural History and History.

Task 2 – Base Plan Development

Under this task, develop preliminary geometrics for the project. The design will be developed in accordance with the current version of MDOT's Local Agency Programs Guidelines for Geometrics. Specific work efforts include:

- Review field information collected and develop sidewalk/pathway alignments and RRFB locations.
- Prepare typical sidewalk/pathway cross-sections for the project.
- Evaluate grading and ROW impacts associated with the proposed sidewalks/pathways and determine construction limits.
- Prepare a Maintenance of Traffic concept as may be necessary for review and general concurrence.
- Prepare a preliminary Engineer's Opinion of Probable Cost.
- Arrange and attend one (1) project meeting with City staff to review the project and identify concerns.
- Complete final Base Plans and submit to the City for review. A meeting will be held with City staff to review the plans.

Task 3 – Preliminary Plan Development

Based on comments received from the Base Plan review, Preliminary Plans (Grade Inspection plans) will be created. These plans will include input from several elements, including sidewalk/pathway geometrics, utility evaluation, and special provisions. Specific work efforts include:



- Develop sidewalk/pathway plans in accordance with current AASHTO standards based on comments received from the City on base plans.
- Detailed maintenance of traffic plans will be provided for the project per the approved concept completed during the Base Plan phase.
- Create special provisions for all non-standard pay items in accordance with 2012 MDOT Standard Specifications for Construction and MDOT LAP guidelines.
- Compute preliminary quantities and revise the preliminary Engineer’s Opinion of Probable Construction Cost.
- Obtain title work and prepare sketch and legal descriptions for the (3) on campus and (3) off campus permanent easements currently anticipated.
- Prepare proposed preliminary schedule for work including the construction start, substantial completion, and final completion dates.
- Prepare documents to obtain Genesee County Road Commission (GCRC) right-of-way permit for sidewalk/pathway and RRFB/pedestrian signals.
- Prepare documents to obtain Genesee County Drain Commissioner Water and Waste (GCDC-WWS) soil erosion permit.
- Submit Grade Inspection (G.I.) package including plans, project specifications, MDOT financial programming forms, and engineer’s opinion of probable construction cost to MDOT Local Agency Programs for review.
- Coordinate and attend G.I. review meeting with MDOT and City representatives.

Task 4 – Final Plan Development

Based on comments received from the G.I. review, Final Plans will be created. Specific work efforts include:

- Finalize design plans based on comments obtained from the G.I. review meeting.
- Complete construction details.
- Finalize detailed grading.
- Finalize sidewalk/pathway improvement limits on the school campuses.
- Submit final plans, project specifications, and an opinion of probable construction cost in MERL format to MDOT Local Agency Programs.
- Answer questions raised by contractors from MDOT during the bidding process.

Schedule

The project will commence upon authorization to proceed. It is anticipated that the field work for the design would take place this winter (2020), with design, permitting and bidding following. Based on the MDOT LAP Project Planning Guide, it is anticipated that the project could be let in mid to late 2021. Coordination with the Swartz Creek Community Schools will be required which may result in work on campus being done in the summer of 2022.

Budget

Based on the above outlined scope of services and assumptions, our proposed lump sum fee to perform this work is as follows:

OHM Final Design	\$63,500
OHM Easement Documents (6 total @ \$1,200 ea)	\$7,200
SHPO Application by Commonwealth Heritage Group	\$8,300
Soil Borings by G2 Consulting Group	<u>\$4,200</u>
 Total lump sum fee	 \$83,200

Contract Terms and Conditions

Work will be performed through our Continuing Services Agreement with the City of Swartz Creek.



Assumptions

The following summarizes our assumptions with this proposal:

- Education and Encouragement Programming will be completed by City of Swartz Creek and/or SCCS.
- Easements required beyond the (3) on campus and (3) off campus are not anticipated or included. All of the easements will be under the threshold value thereby eliminating the need for an appraisal per MDOT requirements.
- Easement negotiations will be completed by the City of Swartz Creek.
- There are no known conflicts with guy wires or utility poles that would require relocation beyond the pole locations near Syring Elementary.
- Wetland delineation and survey, mitigation, and permitting are not included.
- Environmental assessments or reports, drainage studies, or other environmental evaluations associated with potential contaminated soils are not included.

Acceptance

If this proposal is acceptable to you, a signature on the last page of this letter will serve as our authorization to proceed.

Thank you for giving us the opportunity to be of service. We look forward to working with you on this project.

Sincerely,
OHM Advisors

Mark A. Landis, P.E.
Project Manager

Authorization to Proceed

Signature Date

Printed Name Title

cc: Andy Harris, PE City of Swartz Creek
Lou Fleury, OHM
Michael Campos, OHM
File

For Immediate Release

AmRace Remains Committed to Reviving Michigan's Thoroughbred Breeding & Racing Industry

Swartz Creek, Michigan (November 17, 2020) - The Michigan Gaming Control Board has denied AmRace & Sports LLC's 2021 Thoroughbred Race Meet License for Sports Creek Racetrack located in Swartz Creek. AmRace submitted its application with the expectation that the legislation in the form of Bill No. 661 would be advanced to a more conclusive stage after passing in the Senate unanimously last December. The legislative delays caused by COVID prevented AmRace from committing to complete improvements at the site pursuant to the schedule dictated by the statutes that the MGCB must follow. However, AmRace's Nelson Clemmens remains undeterred. "We remain committed and the MGCB remains supportive of our efforts to bring the Thoroughbred racing & breeding industry back to Michigan. We have license options for 2021 so long as the legislature and Governor continue their efforts so that SB 661 is enacted".

Once this legislation is put into place, the state Thoroughbred industry will become a substantial contributor to the agricultural, entertainment and tourism sectors of Michigan in terms of jobs created, expanded agricultural growth and increased revenues to the state Treasury. These benefits are currently going to other Midwest states as Michigan horsemen have taken their business there until they can return home.

State Senator Ananich has been a leader with this legislative initiative to reestablish the Michigan Thoroughbred industry and bring racing as well as the planned horse park programs to the track located just outside of Flint. "My bill would be a shot in the arm for the horseracing industry in our state," Senate Minority Leader Jim Ananich (D-Flint) said. "The agriculture, entertainment, and tourism sectors of our economy all stand to benefit from successful horseracing in Michigan, bringing important economic value to the communities of Genesee County. I expect to see the bill receive bipartisan support in the House, just like it did in the Senate, so we can quickly get this to the governor's desk."

With the timing of the denial, AmRace will constructively take the necessary steps, including a claim of appeal, to preserve its standing with the MGCB while the company continues to focus on furthering the progress on the legislative front.

About AmRace & Sports LLC: AmRace & Sports LLC is dedicated to restoring and growing the Michigan Thoroughbred racing and breeding industries. Our mission inspires us to continue to innovate to bring this sport to new heights and move the industry forward for the benefit of Michigan and its agricultural and commercial gain.

Media Contact:
Nelson Clemmens
(502) 292-6566
nclemmens@amwestentertainment.com

APPLICATION FOR APPOINTMENT

City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473
810.635.4464

APPOINTMENT SOUGHT: Planning Commission _____
 Parks & Recreation Advisory Board _____
 Zoning Board of Appeals _____
 Downtown Development Authority _____
 Board of Review _____
 Local Officers Compensation Commission _____
 Other: _____

NAME: _____

ADDRESS: _____

PHONE: _____ EMAIL: _____

DOWNTOWN PROPERTY INTEREST – DDA ONLY (Property or business ownership):

1. What experience, training, and other qualifications prepare you for this position?

2. What specific contributions do you hope to make conducting service in this appointment?

3. Describe your community service background and involvement.

4. What community topics are a priority for you?

5. Why do you want to be appointed to this position?

6. What current and previous service do you have as any elected or appointed official in local government capacity?

7. Do you plan to change your residency status or business location (DDA only) in the next four years?

8. Do you object to abiding by the Freedom of Information Act, the Open Meetings Act, Roberts Rules of Order, the City Handbook, or any other applicable federal, state, and local statutes, policies, or guidelines, as may be required or expected of the appointment?

Signature of Applicant

Date

Appointment Type: Mayoral; Qualified Elector Status Required; Three Years; Varies

General Statement of Duties: The Commission makes recommendations to the city council regarding zoning ordinance changes, site plans, special land uses, master plan content, and other general advice.

Meetings: First Tuesday of Month; 7:00 p.m.; Paul D. Bueche Municipal Building; Minimum of Four Meetings Per Year; 60-90 Minute Typical Duration

Compensation: None; Training/Travel Reimbursements Provided; Membership with Michigan Association of Planning Included

Orientation Materials: Open Meetings Act, Freedom of Information Act, Roberts Rules of Order Summary, Employee Handbook, Zoning Enabling Act, Planning Enabling Act, Swartz Creek Master Plan, Swartz Creek City Code of Ordinances, Swartz Creek Park Plan, Downtown Development Authority Plan.

Examples of Work Performed: The following tasks are typical examples of the work performed by an appointee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position.

- Read and interpret staff, applicant, and consultant reports and renderings.
- Speak or otherwise communicate with commissioners, staff, applicants, and the public at a public venue.
- Read and interpret plans, ordinances, maps, and other technical data.
- Attend training courses and seminars.

Desirable Knowledge, Abilities, and Skills (Not Required):

- Working knowledge of parliamentary procedure, grammar, business English, correspondence formats and composition.
- Preference for working knowledge of personal computer & email usage.
- Comprehensive ability to accurately compute numerical figures, schematics, and detailed reports.
- Ability to communicate clearly and effectively, orally and in writing, with staff and the general public.
- Ability to listen and maintain professionalism with other commissioners, staff, and the public.

Charter Requirements: None

Statutory Requirements: Planning Enabling Act of 2008; MCL 125.3815; Abridged

(1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or 2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government.

(5) In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter. However, in a city, village, or county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission.

The term of an ex officio member of a planning commission shall be as follows:

(a) The term of a chief elected official shall correspond to his or her term as chief elected official.

(b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.

(c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.

Ordinance Requirements: Sec. 13-23. - Composition, terms of office, compensation.

(a) The planning commission shall be composed of the mayor, the city manager or a person designated by the manager, a member of the council appointed by the mayor and six qualified electors of the city appointed by the mayor and confirmed by a majority vote of the council. The mayor, manager or manager's designee, and member of the council shall serve as ex officio members of the planning commission.

(b) The term of the mayor shall correspond to his or her term as mayor. The term of the city manager or manager's designee shall expire with the term of the mayor. The term of the member of the council shall expire with his or her term on the council.

(c) The terms of members who are qualified electors shall be for three years. Of those members first appointed, a number shall be appointed to one-year or two-year terms such that, as nearly as possible, the terms of one-third of all the planning commission members will expire each year.

(d) If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

Appointment Type: Mayoral; Three Years

General Statement of Duties: The board shall advise and make recommendations to the appropriate city official regarding the planning, maintaining, improving, financing, and supervision of the *parks* and recreation facilities and programs of the city.

Meetings: First Wednesday of Month; 6:00 p.m.; Paul D. Bueche Municipal Building; 60-75 Minute Typical Duration

Compensation: None; Training/Travel Reimbursements Provided;

Orientation Materials: Open Meetings Act, Freedom of Information Act, Roberts Rules of Order Summary, Employee Handbook, Swartz Creek Master Plan, Swartz Creek Park Plan, Downtown Development Authority Plan.

Examples of Work Performed: The following tasks are typical examples of the work performed by an appointee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position.

- Read and interpret staff, applicant, and consultant reports and renderings.
- Speak or otherwise communicate with commissioners, staff, applicants, and the public at a public venue.
- Read and interpret plans, maps, and limited technical data.
- Attend public functions and/or fundraising events.
- Participate in limited public improvement/volunteer efforts.

Desirable Knowledge, Abilities, and Skills (Not Required):

- Working knowledge of parliamentary procedure, grammar, business English, correspondence formats and composition.
- Preference for working knowledge of personal computer & email usage.
- Ability to listen and maintain professionalism with other commissioners, staff, and the public.

Charter Requirements: None

Statutory Requirements: None

Ordinance Requirements: Sec. 11-22. - Membership. The city *parks* and recreation *advisory* board shall consist of nine members and, except as otherwise provided for, shall be appointed by the mayor with the concurrence of the council.

Sec. 11-23. - Term of office. The term of office of each member of the board shall be for three years.

Sec. 11-24. - Compensation. The members of the board shall serve without compensation, provided that they may be reimbursed for actual and necessary expenses incurred by attendance at conferences or seminars approved by the city manager.

Sec. 11-25. - Organization. The members of the board shall annually elect a chairman, a vice-chairman, and a secretary and they shall adopt rules for the conduct of their business.

Sec. 11-26. - Vacancies. If there is a vacancy on the board, the mayor, with the concurrence of the city council, shall appoint a person to fill such vacancy for the remainder of the term vacated.

City of Swartz Creek

Appointment Type: Mayoral; Qualified Elector Status Required; Three Years

General Statement of Duties: The Board reviews variance applications, interprets the zoning ordinance, and reviews appeals of zoning decisions in an adjudicatory fashion.

Meetings: Third Wednesday of Month, as needed; 6:00 p.m.; Paul D. Bueche Municipal Building; 60-120 Minute Typical Duration

Compensation: Stipend Set by City Council; Training/Travel Reimbursements Provided; Membership with Michigan Association of Planning Included

Orientation Materials: Open Meetings Act, Freedom of Information Act, Roberts Rules of Order Summary, Employee Handbook, Zoning Enabling Act, Planning Enabling Act, Swartz Creek Master Plan, Swartz Creek City Code of Ordinances.

Examples of Work Performed: The following tasks are typical examples of the work performed by an appointee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position.

- Read and interpret staff, applicant, and consultant reports and renderings.
- Speak or otherwise communicate with commissioners, staff, applicants, and the public at a public venue.
- Read and interpret plans, ordinances, maps, legal opinions, and other technical data.
- Attend training courses and seminars.

Desirable Knowledge, Abilities, and Skills (Not Required):

- Working knowledge of parliamentary procedure, grammar, business English, correspondence formats and composition.
- Preference for working knowledge of personal computer & email usage.
- Comprehensive ability to accurately compute numerical figures, schematics, and detailed reports.
- Ability to communicate clearly and effectively, orally and in writing, with staff and the general public.
- Ability to listen and maintain professionalism with other commissioners, staff, and the public.

Charter Requirements: None

Statutory Requirements: Zoning Enabling Act of 2006 MCL 125.3601

Sec. 601. (1) A zoning ordinance shall create a zoning board of appeals. A zoning board of appeals in existence on June 30, 2006 may continue to act as the zoning board of appeals subject to this act. Subject to subsection (2), members of a zoning board of appeals shall be appointed by majority vote of the members of the legislative body serving.

(2) The legislative body of a city or village may act as a zoning board of appeals and may establish rules to govern its procedure as a zoning board of appeals.

(3) A zoning board of appeals shall be composed of not fewer than 5 members if the local unit of government has a population of 5,000 or more or not fewer than 3 members if the local unit of government has a population of less than 5,000. The number of members of the zoning board of appeals shall be specified in the zoning ordinance.

(4) In a county or township, 1 of the regular members of the zoning board of appeals shall be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission. In a city or village, 1 of the regular members of the zoning board of appeals may be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission, unless the legislative body acts as the zoning board of appeals under subsection

(2). A decision made by a city or village zoning board of appeals before February 29, 2008 is not invalidated by the failure of the zoning board of appeals to include a member of the city or village zoning commission or planning commission, as was required by this subsection before that date.

(5) The remaining regular members of a zoning board of appeals, and any alternate members under subsection (7), shall be selected from the electors of the local unit of government residing within the zoning jurisdiction of that local unit of government or, in the case of a county, residing within the county but outside of any city or village. The members selected shall be representative of the population distribution and of the various interests present in the local unit of government.

(6) Subject to subsection (2), 1 regular or alternate member of a zoning board of appeals may be a member of the legislative body. Such a member shall not serve as chairperson of the zoning board of appeals. An employee or contractor of the legislative body may not serve as a member of the zoning board of appeals.

(7) The legislative body may appoint to the zoning board of appeals not more than 2 alternate members for the same term as regular members. An alternate member may be called as specified in the zoning ordinance to serve as a member of the zoning board of appeals in the absence of a regular member if the regular member will be unable to attend 1 or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the zoning board of appeals has the same voting rights as a regular member.

(8) A member of the zoning board of appeals may be paid a reasonable per diem and reimbursed for expenses actually incurred in the discharge of his or her duties.

(9) A member of the zoning board of appeals may be removed by the legislative body for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

(10) The terms of office for an appointed member of the zoning board of appeals shall be 3 years, except for a member serving because of his or her membership on the zoning commission or legislative body, whose term shall be limited to the time he or she is a member of that body. When members are first appointed, appointments may be for less than 3 years to provide for staggered terms. A successor shall be appointed not more than 1 month after the term of the preceding member has expired.

(11) A vacancy on the zoning board of appeals shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(12) A zoning board of appeals shall not conduct business unless a majority of the regular members of the zoning board of appeals are present.

(13) A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other unrelated matters involving the same property.

Ordinance Requirements: Section 22.01. - Membership.

- A. Base membership: The board shall consist of not less than five members appointed by the city council: the chairman of the *planning commission*, a member of the city council appointed by the city council; and the remaining members appointed by the city council from the electors residing in the city.
- B. Alternates: The city council/township board may appoint not more than two alternate members for the same term as regular members to the zoning board of appeals. The alternate members may be called upon as specified herein to sit as regular members of the zoning board of appeals in the absence of a regular member if the regular member will be unable to attend one or more meetings. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate having been appointed shall serve in the case until a final decision has been made. While serving, the alternate member shall have the same voting rights as a regular member of the zoning board of appeals.
- C. Terms of appointment: Appointments shall be for a period of one, two, and three years, respectfully, so as nearly as may be to provide for appointment at an equal number each year, thereafter, each member to hold office for the full three-year term; provided, however, that the terms of members serving because of their membership on the *planning commission* or city council shall be limited to the time they are members of those bodies.
- D. Reappointment: Members may be reappointed.
- E. Membership restrictions: An elected officer of the city shall not serve as chairperson of the zoning board of appeals. An employee of the city may not serve as a member of the board.
- F. Removal: Members of the board of appeals shall be removable by the city council for nonfeasance, malfeasance, and misfeasance of office.
- G. Conflict of interest: A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure to do so shall constitute misconduct in office. A member of the zoning board of appeals who is also a member of the *planning commission* or the city council shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the *planning commission* or the city council. However, the member may consider and vote on other unrelated matters involving the same property.
- H. Compensation: The compensation of the appointed members of the zoning board of appeals may be fixed by the city council.

Appointment Type: Mayoral; One Resident, Mayor, Five+ With an Interest in Downtown Property; Four Years

General Statement of Duties: The Board oversees projects and programming within the DDA district; budgets fund; direct activities of the DDA Director.

Meetings: Second Thursday of Month; 6:00 p.m.; Paul D. Bueche Municipal Building; 60-900 Minute Typical Duration

Compensation: None; Training/Travel Reimbursements Provided

Orientation Materials: Open Meetings Act, Freedom of Information Act, Roberts Rules of Order Summary, Employee Handbook, Swartz Creek Master Plan, Swartz Creek Park Plan, Swartz Creek Downtown Development Authority Plan.

Examples of Work Performed: The following tasks are typical examples of the work performed by an appointee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position.

- Read and interpret staff, applicant, and consultant reports and renderings.
- Speak or otherwise communicate with commissioners, staff, applicants, and the public at a public venue.
- Read and interpret plans, maps, and limited technical data.
- Attend training courses and seminars.
- Attend and participate in public functions and/or fundraising

Desirable Knowledge, Abilities, and Skills (Not Required):

- Working knowledge of parliamentary procedure, grammar, business English, correspondence formats and composition.
- Preference for working knowledge of personal computer & email usage.
- Comprehensive ability to accurately compute numerical figures and detailed reports.
- Ability to communicate clearly and effectively, orally and in writing, with staff and the general public.
- Ability to listen and maintain professionalism with other commissioners, staff, and the public.

Charter Requirements: None

Statutory Requirements: Downtown Development Authority Act of 1975 MCL 125.1654

Sec. 4. (1) Except as provided in subsections (7), (8), and (9), an authority shall be under the supervision and control of a board consisting of the chief executive officer of the municipality and not less than 8 or more than 12 members as determined by the governing body of the municipality. Members shall be appointed by the chief executive officer of the municipality, subject to approval by the governing body of the municipality.

Not less than a majority of the members shall be persons having an interest in property located in the downtown district or officers, members, trustees, principals, or employees of a legal entity having an interest in property located in the downtown district. Not less than 1 of the members shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it. Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The chairperson of the board shall be elected by the board.

(2) Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

(3) The business which the board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date,

And place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL

15.261 to 15.275. The board shall adopt rules consistent with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the board.

(4) Pursuant to notice and after having been given an opportunity to be heard, a member of the board may be removed for cause by the governing body. Removal of a member is subject to review by the circuit court.

(5) All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

(6) In addition to the items and records prescribed in subsection (5), a writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) By resolution of its governing body, a municipality having more than 1 authority may establish a single board to govern all authorities in the municipality. The governing body may designate the board of an existing authority as the board for all authorities or may establish by resolution a new board in the same manner as provided in subsection (1). A member of a board governing more than 1 authority may be a resident of or have an interest in property in any of the downtown districts controlled by the board in order to meet the requirements of this section.

(8) By ordinance, the governing body of a municipality that has a population of less than 5,000 may have the municipality's planning commission created pursuant to 1931 PA 285, MCL 125.31 to 125.45, serve as the board provided for in subsection (1).

(9) If a municipality enters into an agreement with a qualified township under section 3(7), the membership of the board may be modified by the interlocal agreement described in section 3(7).

Ordinance Requirements: None

Appointment Type: Mayoral; Qualified Elector Status Required; Three Years, beginning July 1st; Alternate/member in training position available

General Statement of Duties: The Board shall hear complaints of all persons considering themselves aggrieved by assessments.

Meetings: First Tuesday following the first Monday and the third Monday in March; Second Monday in March; Tuesday after third Monday in July; Tuesday following second Monday in December; times vary/ Paul D. Bueche Municipal Building

Compensation: Stipend; Training/Travel Reimbursements Provided

Orientation Materials: Open Meetings Act, Freedom of Information Act, Roberts Rules of Order Summary, Employee Handbook, State Tax Commission Board of Review Handbook.

Examples of Work Performed: The following tasks are typical examples of the work performed by an appointee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position.

- Read and interpret staff, applicant, and technical reports.
- Speak or otherwise communicate with board members, staff, applicants, and the public at a public venue.
- Read and interpret complex statutory requirements, tax regulations, appraisals, market data, assessing rolls, property cards, sale instruments, and other technical data.
- Attend training courses and seminars.

Desirable Knowledge, Abilities, and Skills (Not Required):

- Working knowledge of parliamentary procedure, grammar, business English, correspondence formats and composition.
- Preference for working knowledge of personal computer & email usage.
- Comprehensive ability to accurately compute numerical figures, state laws, and technical reports.
- Ability to communicate clearly and effectively, orally and in writing, with staff and the general public.
- Ability to listen and maintain professionalism with applicants, other board members, staff, and the public.

Charter Requirements: Section 9.7. - Board of Review.

- (a) A Board of Review is hereby created, composed of three members who have the qualifications of holding elective city office as set forth in [Section 4.4](#) of this charter.
- (b) The members of the Board of Review shall be appointed by the Council, and may be removed for reasons of nonfeasance or misfeasance by the vote of five members of the Council. The first members shall be appointed during the month of January, 1960, for terms expiring on July 1, 1961, 1962, and 1963. Thereafter one member shall be appointed in the month of May of each year, for a term of three years, commencing on the following July first.
- (c) The Board shall, annually, on the first day of its meeting, select one of its members chairman for the ensuing year. The Assessor shall be Clerk of the Board, and shall be entitled to be heard at its sessions, but shall have no vote on any proposition or question.

Statutory Requirements: General Property Tax Act of 1893; MCL 211.28 Sec. 28.

- (1) Those electors of the township appointed by the township board shall constitute a board of review for the township. At least 2/3 of the members shall be property taxpayers of the township. Members appointed to the board of review shall serve for terms of 2 years beginning at noon on January 1 of each odd-numbered year. Each member of the board of review shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the membership of the board of review. A member of the township board is not eligible to serve on the board or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve on the board or to fill any vacancy. A majority of the board of review constitutes a quorum for the transaction of business, but a lesser number may adjourn and a majority vote of those present shall decide all questions. At least 2 members of a 3-member board of review shall be present to conduct any business or hearings of the board of review.
- (2) The township board may appoint 3, 6, or 9 electors of the township, who shall constitute a board of review for the township. If 6 or 9 members are appointed as provided in this subsection, the membership of the board of review shall be divided into board of review committees consisting of 3 members each for the purpose of hearing and deciding issues protested pursuant to section 30. Two of the 3 members of a board of review committee constitute a quorum for the transaction of the business of the committee. All meetings of the members of the board of review and committees shall be held during the same hours of the same day and at the same location.
- (3) A township board may appoint not more than 2 alternate members for the same term as regular members of the board of review. Each alternate member shall be a property taxpayer of the township. Alternate members shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the alternate membership of the board of review. A member of the township board is not eligible to serve as an alternate member or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve as an alternate member or to fill any vacancy. An alternate member may be called to perform the duties of a regular member of the board of review in the absence of a regular member. An alternate member may also be called to perform the duties of a regular member of the board of review for the purpose of reaching a decision in issues protested in which a regular member has abstained for reasons of conflict of interest.
- (4) The size, composition, and manner of appointment of the board of review of a city may be prescribed by the charter of a city. In the absence of or in place of a charter provision, the governing body of the city, by ordinance, may establish the city board of review in the same manner and for the same purposes as provided by this section for townships.

Ordinance Requirements: None

Appointment Type: Mayoral; Qualified Elector Status Required; Five Years

General Statement of Duties: The Commission shall determine the salaries of the local elected officials. Recommendations for compensation of appointed members of the Zoning Board of Appeals and Board of Review may be requested.

Meetings: The Commission shall meet for not more than 15 session days in every odd-numbered year and shall make its determination within 45 calendar days of its first meeting; Days and times vary; Paul D. Bueche Municipal Building; 60 minute duration

Compensation: None; Expense Reimbursements Provided

Orientation Materials: Open Meetings Act, Freedom of Information Act, Roberts Rules of Order Summary, Employee Handbook

Examples of Work Performed: The following tasks are typical examples of the work performed by an appointee holding this position. The list is not all inclusive and does not include all of the tasks relevant to this position.

- Read and interpret job descriptions and staff reports.
- Speak or otherwise communicate with commissioners, staff, and the public at a public venue.

Desirable Knowledge, Abilities, and Skills (Not Required):

- Working knowledge of parliamentary procedure, grammar, business English, correspondence formats and composition.
- Preference for working knowledge of personal computer & email usage.
- Comprehensive ability to accurately compute numerical figures
- Ability to communicate clearly and effectively, orally and in writing, with staff and the general public.
- Ability to listen and maintain professionalism with applicants, other board members, staff, and the public.

Charter Requirements: None.

Statutory Requirements: None.

Ordinance Requirements: Sec. 2-275. - Membership, eligibility.

(a) The local officers compensation commission shall consist of five members who are registered electors of the city and shall be appointed by the mayor subject to confirmation by a majority of the members elected and serving on the council.

(b) No member or employee of the legislative, judicial or executive branch of any level of government or any members of the immediate family of such member or employee shall be eligible to be a member of the local officers compensation commission.

Sec. 2-276. - Terms.

The terms of office shall be five years, except the members first appointed shall each be individually appointed to the following terms: one for one year, one for two years, one for three years, one for four years, and one for five years.

Sec. 2-277. - Appointment, vacancies.

The members shall be appointed before October first of the year in which the vacancy occurs. When vacancies occur during the term, the appointment shall be for the unexpired term.

City of Swartz Creek