

**City of Swartz Creek
AGENDA**

**Virtual Council Meeting, Monday, February 8, 2021, 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 January 25, 2021 MOTION Pg. 27
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.
6C. Fire Department Maintenance Job Description Pg.
6D. Poverty Exemption Policy Materials Pg.
6E. 2020 Planning Commission Report Pg.
6F. Springbrook Sewer Easement Pg.
7. **MEETING OPENED TO THE PUBLIC:**
7A. General Public Comments
8. **COUNCIL BUSINESS:**
8A. Fire Department Description Approval RESO Pg.
8B. Fire Department Medical Runs DISCUSSION
8C. Amended Poverty Exemption Policy RESO Pg.
8D. Easement Acquisition RESO Pg.
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION Pg.

Next Month Calendar

Downtown Development Authority:	Thursday, February 11, 2021, 6:00 p.m., PDBMB (Virtual)
Fire Board:	Monday, February 15, 2021, 6:00 p.m., (Virtual)
Zoning Board of Appeals:	Wednesday, February 17, 2021, 6:00 p.m., PDBMB (Virtual)
City Council:	Monday, February 22, 2021, 7:00 p.m., PDBMB (Virtual)
Metro Police Board:	Wednesday, February 24, 2021, 10:00 a.m., (Virtual)
Planning Commission:	Tuesday, March 2, 2021, 7:00 p.m., PDBMB (Virtual)
Park Board:	Wednesday, March 3, 2021, 5:30 p.m., PDBMB (Virtual)
City Council:	Monday, March 8, 2021, 7:00 p.m., PDBMB (Virtual)

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, FEBRUARY 8, 2021, 7:00 P.M.**

The regular virtual meeting of the City of Swartz Creek city council is scheduled for **February 8, 2021** 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: February 8, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/5699610014>

Meeting ID: 569 961 0014

One tap mobile

13126266799,,5699610014# US (Chicago)

+19292056099,,5699610014# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+ 1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 569 961 0014

Find your local number: <https://us02web.zoom.us/j/5699610014>

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 non-regularly 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 virtual application or by dialing *9 on their phone, if applicable.

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, February 8, 2021 - 7:00 P.M.

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

FROM: Adam Zettel, City Manager

DATE: February 4, 2021

.....

ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

✓ **MICHIGAN TAX TRIBUNAL APPEALS** *(Update)*

We have an appeal filed for an office at 5376 Miller Road. An appraisal for this property has been completed by Kevin Groves Appraisals, Inc. We have a hearing date, but may be able to settle beforehand based upon our data. I will keep the council informed on the progress of this appeal.

Another appeal is for Family Farm and Home. This is part of a disturbing trend we are hearing about in which businesses use the economy of the COVID year to set their taxable values substantially lower, knowing that they cannot improve with the economy during a rebound (Proposal A). What is more disturbing is that some industries saw banner years, fast food and yard/hardware among them, however the appeals are still coming in.

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

✓ **2020-2023 TRAFFIC IMPROVEMENT PROGRAM (TIP)** *(Update)*

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. The project is slated to be complete in 2022, one year after the water main installation in this area. We are proceeding with preliminary engineering for this project. The engineers have included work scope regarding our desire to widen Paul Fortino to the north so that a left turn lane may be added. We expect this will occur whether or not the townhome project proceeds.

In addition, we expect to ramp up with the next round of TIP submissions. This is the phase in which we request funding of specific major streets through the federal programs next three year cycle. Andy and I have been working on a strategy, and we believe we have no choice but to submit Miller Road (Morrish to N. Seymour) and ONLY this segment. In the past, we have submitted other major streets as backup. While they have been funded (Morrish and Fairchild), we have not been adequately addressing our largest and most crucial asset.

As such, we propose completing PE for Miller Road early and keeping it as a standby project for other unspent TIP funds in the county (e.g. if the GCRC or another community in Genesee receives funding for a project but cannot complete it for some reason, a 'shovel-ready' project can take its place). Doing so will put our project on stand by and also demonstrate to the selection committee the degree of

our commitment to having Miller Road funded in the next cycle. We will have a proposal before the council to consider in February.

Lastly, the county has put Miller and Elms intersection on a short list for potential roundabout candidates. It is unclear if there will be any additional funds (safety, air quality, or other). However, we are taking the first steps to take this into consideration. This intersection certainly poses some safety and efficiency issues.

✓ **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 this 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)*

We are ramping up for a new slate of inspections, cleaning, and lining. Revenues and fund balance are still adequate for an aggressive program. This is true even with the added expense of the District 3 expansion. All of this is good because we have learned that there is more clay pipe in the system than we originally thought, including Springbrook.

With that said, we are going to include more routine cleanings and inspections on an annual basis. Previously, these were limited to inspections in our capital improvement program or to high grease/high problem areas. However, we would like to revisit lines every 10 years instead of every 20. For select lines, the frequency is as high as one year.

Andy and our contractor will be compiling a list of projects for this coming year. This may result in budgetary adjustments. However, the funds and work are both present, so we wish to proceed.

Note that we also intend to apply for funds that may help with storm sewer disconnections. This is part of the massive Inflow and Infiltration (I&I) program that the county must undertake. I&I enables stormwater to enter the sanitary sewer and results in high volumes (up to 10x normal flow), which impact the treatment facility

and transmission lines can be overwhelmed. As such, we have been working to eliminate I&I by lining clay pipes, sealing manholes, and removing direct inflow (home weep tile, business roof drains, etc.).

We hope to secure the noted grant to be able to eliminate weep tile connections as we come across them. Most of them are in Winchester Village, and they are responsible for most of our I&I. While our I&I is not relatively bad, it can still cause problems. The grant could save a homeowner up to \$10,000 for such a disconnection.

We continue to work on GIS mapping updates for all sewer system attributes.

✓ **SEWER CAPACITY INITIATIVE (*Business Item*)**

We continue to work on easements. We have secured the Masonic Lodge, but Springbrook is taking more time. There are some trees that the Springbrook representatives would like to remove which has caused some additional negotiations. We can easily do this during the project, but the association is particular about how the work is done and what gets replanted.

We believe the best way forward is to have the association manage the tree removal and replacement on their property. The city can then reimburse them for this expense. Mr. Harris quoted out such services when it was expected that the services would be performed by the city in tandem with the sewer work. The cost was approximately \$15,000. As such, we recommend that the city agree to reimburse up to half of this amount (\$7,500) for contracted services related to tree work in the vicinity of the sewer line installation, as a condition of Springbrook granting a permanent easement.

A resolution and easement is included in the packet. This is essential to provide the sewer relief, and we believe the reimbursement is fair. Once acquired, the other county and state reviews can occur, paving the way for bidding and completion.

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*)

Andy and I met with the engineering consultants on January 15th. We are very pleased with the USDA work and USDA program in general. Given the scope of work that remains, we are interested in pursuing another round of funding (loans with a small chance of additional grants). This will help us afford the remainder of the Winchester Village Streets:

Greenleaf
Winshall
Durwood
Norbury
Whitney
Seymour

If we are going to do this, we may need to skip a street reconstruction in 2022 so that the USDA process is ready to go. The upside is that 2023 and 2024 could see the total completion of all Village watermain and streets. Doing so will also require another street bond. This is something we can probably arrange for ten years like we did with the first segment of road work.

We are looking at the numbers now. The idea is to balance our reliable revenues with the cost of borrowing and the benefits of completing a larger scope of work in a timely manner. Updates coming!

Work is complete on:

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

The majority of water main has been installed from Tallmadge to Dye however the Contractor will be returning this year to complete the connection near Dye Road and install water services.

The water main installation on Bristol from Elms to Miller is nearing completion. Once main is complete and all tests have passed the Contractor will begin working on services along both Miller and Bristol Roads. There is one section of main on Miller near Dye that still needs to be installed. That work will require a portion of

Miller Road to be removed and will be completed this spring to minimize the amount of time of having an unpaved travel lane.

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 this 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.

✓ **WATER SYSTEM MASTER PLAN** *(No Change in Status)*

The city must complete a Water System Master Plan by mid-2021 for compliance with America's Water Infrastructure Act of 2018 (AWIA). The city must also update a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP). The Water System Master Plan will address the requirements of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Safe Drinking Water Act (Act 399) for both the Water Reliability Study (Part 12) and General Plan (Part 16) portions.

This Water Master plan will ultimately be used by the City to address high-priority asset needs that are critical to the City's infrastructure performance, hydraulic capacity, and planning for future capital and operating expenditures. The City last completed an update in 2013.

Under AWIA, the RRA & ERP must certify to the Environmental Protection Agency (EPA) that the RRA has been completed by June 30, 2021. The certification that the ERP has been completed is due 6 months after RRA certification. The RRA identifies key water system assets and potential threats to those assets, and the Emergency Response Plan identifies the procedures and processes the City will employ to address the identified threats.

The investigation and analysis to complete these tasks is highly sophisticated. As such, we have retained OHM to provide these studies and reports. They are at work on the matter.

✓ **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. In fact, the state does not allow shut offs due to COVID. 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 January (winter) edition of the newsletter is out. Let us know what you think.

✓ **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 has been recommended for funding through the **DNR Trust funds for 2021 construction of the Genesee Valley Trail**. The MDOT grant is conditionally awarded. We hope to combine this with the Safe Routes to School initiative for 2021 construction.
2. The **raceway did not benefit from any last minute 2020 state statutory changes**. The owner may be looking to repurpose the site at this point, but he has not affirmed that yet. I have debriefed with Senator Ananich and Mr. Schafer, and they plan to reconvene this month to go over the prospect for 2021 legislation. If it does not appear highly favorable, I suspect we will be looking at working with Mr. Schafer to plan and market the site for a new use.
3. Communities First has a purchase option for **Mary Crapo**. This option has apparently been extended by the School Board for one year as of this month. 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.
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** is finalizing a survey plan for the master deed. This is a crucial step. Once done, the property can be transferred and building commenced. The 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. 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 Spring. I expect an application for connect fee waivers.
8. The next **Springbrook East** phase is under construction. They have pulled their first home permit.

✓ **TRAILS (Update)**

We sent offers to GM and the other property owner, both of which have not granted needed easements for the trail construction. We have not heard back. Upon expiration of the offer, our counsel will take further steps.

The DNR is recommending funding of the Trust Fund grant application in the amount of \$300,000! This is fantastic news which should cover the absolute lion's share of the construction amount. As always, the bids could come in high or construction change orders could add costs, but we are definitely in a good spot. I suspect high exposure will be \$150,000 of local funds at this point. Hopefully, this will cover most of it!

✓ **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*)

We have received a \$150 cashier's check towards the rent on January 11th. There was also a hearing on January 19th with our attorney. There is another hearing set for the first week of February. If terms are not met by the next hearing, we will seek to recover the property.

As of writing, the tenant has not made additional payments, returned calls, or communicated with me in any way. We do not intend to relent on the legal proceedings at this point unless directed to by the city council. In my opinion, not enough has been communicated or contributed to maintain a healthy lease.

The previous report is below.

The city attorney has been authorized to commence eviction. Per our conversation, I have reached out to the tenant and informed her that our desire is still to maintain a workable relationship that can enable her business to use the premises and thrive. I have instructed her to communicate with us on the matter. As of writing, I have a text message that indicates a desire to finance a purchase of the property outright. She indicated that she would know more at the end of this week (12/4/20). If she cannot make a bonafide attempt to maintain the lease or show a good faith effort to purchase, the attorney's work will continue unimpeded.

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

The school is continuing to work on most facilities. Major efforts underway include the admin building. Much site and building work at the city elementary schools is finishing up, as are the athletic facilities. More work on the high school and middle school campuses is slated for 2021. It appears there will be a series of trails near the high school campus.

✓ **CDBG** (*No Change in Status*)

Applications were submitted prior to the due date of January 15th. The amount of funding available for the 2022-2024 cycle is \$42,025. 15% will go towards senior services and 85% will go towards new downtown residential neighborhood sidewalks.

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.

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

A conditional award has been made by the MDOT! We have also funded and awarded engineering for this effort. This is a substantial 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.

✓ **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.

✓ **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.

✓ **COVID 19** *(No Change in Status)*

Our operational status, including open meetings being virtual, has not changed. However, business restrictions are loosening as caseloads continue to drop off November highs. The vaccine is also in play, with Metro and the SCAFD having willing staff able to receive doses. Our water system operators are now eligible, but vaccine supplies are limited in Michigan.

✓ **8067 MILLER ROAD** *(Update)*

The future of this property was put before the Planning Commission on February 2nd. The commission deliberated some options, and is leaning towards marketing and selling the house as a live-work residence. Mr. Zuniga is going to provide more information at the next meeting that can help pinpoint a vision.

For the time being, the commission has no objection with acquiring an easement, with the understanding that they are leaning towards a sale sometime in 2021, one way or another. If there is not an objection, I will seek a quote from one of our engineers to do this and bring that to the council.

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

In addition to Metro getting over \$100,000 last fall, it appears that the FD will get about \$12,000. This will not be prorated 50-50 but according to how the wages were spent based on hourly tabulations. I will remove this section from future reports.

✓ **MASTER PLAN UPDATE** *(No Change in 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.

We need to get this process underway. There are two circumstances that should settle prior to commencing. We need a final disposition on the raceway, and we need a better open meeting environment. Once the raceway is known, we will have a better idea of the plan scope. We can then decide whether to do this in-house like last time or to contract the service out.

✓ **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** *(No Change of Status)*

The raceway friendly legislation is not going through this year. Senator Ananich indicates he has a strategy for doing so in 2021, but the owner may not have any interest in waiting longer. In fact, their previous statements indicated that they would like to move on if there was not legislation in place by January of 2021. I have debriefed with Senator Ananich and Mr. Schafer, and they plan to reconvene this month to go over the prospect for 2021 legislation. If it does not appear highly favorable, I suspect we will be looking at working with Mr. Schafer to plan and market the site for a new use.

I hope to have a clear strategy quickly. I believe that an option to pursue further legislation has a small chance of success, leaving us in a stagnant situation which we have little control over. If the owner chooses to redevelop the site, we will be very involved and busy indeed. I suspect the community is more than able and willing to play that role. I will keep the council informed.

✓ **SPRINGBROOK HYDRANT** *(Update)*

The association decided to hold off on hydrant replacement for the time being. It appears they will consult with their attorney for advice. I have forwarded them the utility agreement they have with the city. The previous report follows:

We have a cost to relocate the Springbrook hydrant. The homeowners association (HOA) is considering whether they find this work worth the effort to contribute half of the cost. At this point, they indicated that they do not, so we will consider this matter closed unless council wishes to revisit this. If the HOA has a change of heart, I suspect they will request that the city council cover the other half of the expense and proceed.

Background: the water system in Springbrook was originally a private common area element of the association. At the request of the state regulatory agencies, the city took over the system about a decade ago. The city now owns, operates, and maintains the system. However, the city is not responsible for common area elements above or around the water system. The reason for this is that the construction of the system was not carried out to city standards. As such, the HOA is responsible for those features.

This brings us to the hydrant. The hydrant exists about two inches from an existing driveway. This is a preexisting conflict that is getting new attention. The driveway cannot reasonably be relocated or reduced, but the hydrant can. However, given the terms of operation, the city should not bear responsibility for the apparent conflict between the public system and a common area element.

With that said, the HOA has verbally inquired about the likelihood of sharing the burden. This is worth considering. As far as we can tell, this is the only such obvious conflict. Moving the hydrant certainly makes sense and can reduce a future repair on our end. However, expending such dollars to eliminate a common element conflict sets a bad precedent. Therefore, splitting the cost may be a good compromise. I will report what the HOA decides. Council will then be able to make a decision.

✓ **WASTE BIDS** (*No Change of Status*)

Our contract with Republic expires July 1, 2021. We are seeking new bids for full refuse, recycling, and yard waste. We are also seeking bids for both automated and traditional/manual collection methods. As council is aware, we have had a tough time managing the rising complaints from the service performed by Republic. It is unclear if the automated service is playing a role or if other factors are in play. There is clear evidence for both. As such, we are seeking both to compare side-by-side.

Bids are available to be viewed if requested. We are aware of four bid holders at the moment, including Republic. However, bid specifications have not been posted publicly. This ensures that we maintain a comprehensive bid list for the purposes of communicating addendums.

Bids are due back on February 24th. Once in, we will communicate the results to the city council. The council can choose to select one or set a more rigorous review process to determine the award.

✓ **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 met on February 2, 2021. In addition to the discussion on 8067 Miller Road (above), the commission held their annual meeting. They maintained the same slate of officers, with Wyatt as Chair, Novak as Vice-Chair, and Farmer as Secretary. They also approved the 2020 annual report, which is included in the packet.

Note that there was some confusion within the Zoom meeting (propelled by myself). It appears that Mr. Grimes (current PC member) was not in attendance, but Mr. Hicks (not on PC) was. Given Mr. Hick's place on other boards and commissions, I confused him for a participating member in placed of Mr. Grimes. Since all votes were unanimous voice votes, there is no meaningful impact. However, it should be noted (I am embarrassed).

The next meeting is March 2nd.

✓ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

The next meeting date February 11.

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

There was a sign variance request heard at the January 20, 2021 meeting. The LED wall sign at Letavis was approved as installed, condition upon the forfeiture of all ground sign rights.

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

The Park Board met on February 3rd. They approved the donation of a white pine tree and memorial stone for Elms Park. Since forestry and memorials are existing and common features of the park, I am not sure if this requires council approval. We can discuss this and vote on it if needed.

The park board also deliberated on an event that some Swartz Creek students are seeking to hold at the park. The students normally do a Special Olympics polar plunge in Fenton, but they cannot use the facility this year due to COVID. They originally desired to hold a slip and slide at Elms Park, seeking to use our tarp and restrooms.

After discussion, it was found that a sprinkler event (performed by the SCAFD & with paramedics onsite) would be safer, cleaner, and less risky to the public and city. This is planned for February 27th. It is expected to have about 30 participants and last 45 minutes. The school mentor, Special Olympics liaison, and SCAFD will be onsite. The city will not have any staff, equipment, or restroom involvement. However, feel free to go freeze yourself for a good cause!

Their next meeting is March 4th.

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

The Board of Review will convene in March.

At the December Board of Review, they had a total of twelve petitions, including veterans' exemptions, Principle Residence Exemptions (PREs), and a couple of recappings from people that hadn't filed PTAs. The Sanctuary of Swartz Creek also had an attorney appeal their exemption status for 2019. It was denied for the same reason that the assessor had denied it, that the people owned it along with the church.

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

I was notified by Genesee County last week that there will be two countywide proposals on May 4, 2021 ballot. We await for the official proposal language from the county, which the deadline is February 9, 2021.

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

Over the past two weeks water main repairs and maintenance have been completed on Raubinger Road, south of Miller and at the Miller/Fairchild and Brady/Fairchild intersections. The existing valves at those intersections were not functioning and are crucial for allowing us to isolate the mains south of Miller Road. The work is complete and the road and sidewalk will be replaced when warmer weather arrives.

We have completed a review of signs throughout the City and have placed an order for over 50 signs that will be replaced. I anticipate that this will be an ongoing maintenance item and we'll continue to monitor and upgrade where necessary.

With in-person school back in session we'll continue to focus on snow removal and road salting. As a reminder, please respect the snow plows when you see them on the road. Our number one goal is to provide safe roadways for users. Please have patience and allow extra space when sharing the road with the snow removal equipment.

✓ **TREASURER UPDATE (Update)**

Preliminary work on the draft budget for fiscal year 2021-2022 has begun. Work continues on revisions needed to the chart of accounts to align it with the new uniform chart of accounts approved by the Michigan Treasury Department in November 2020. Routine duties were performed including but not limited to writing and processing routine journal entries, processing tax distributions, bank wires, review of accounts payable invoices, preparation and review of payroll remittance payments, processing of utility billing payment arrangements, and other financial matters impacting the city.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **FIRE DEPARTMENT JOB DESCRIPTION (Update)**

The fire board has created a new position, that of Vehicle Maintenance Specialist. They are seeking affirmation by the city council and township board. It is unclear if this is required, but it does not hurt to proceed. There is not a budget adjustment accompanying this so I do not see any issues myself. Chief Plumb will attend our meeting to answer questions.

✓ **FIRE DEPARTMENT SERVICES (Update)**

The prospect for medical runs is back in play. Chief Plumb reported the following as it relates to this topic:

In December of 2019, a resident proposed that the SCAFD engage in medical runs. Chief Plumb made the recommendation that both municipalities pass on doing so until further data could be reviewed and/or community situations changed.

Since that time, there have been significant changes in the response times of ambulances as well as a decrease in overall ambulance availability. Many times, a week, there are no ambulances available and other times there is a 20 minute response time to emergencies.

The chief, at the direction of the fireboard, is now prepared to present to the municipal boards on this matter. In consulting his staff, he believes they can keep costs down and provide the medical service to our residents by implementing a new approach to how fire departments conduct medicals in the county.

He proposes a program would restrict medical responses to one or two fire personnel per run. This is a great reduction from some departments that have up to twenty people on the payroll for a call. The department would license two vehicles only. After initial costs, which he is still investigating, he estimates a yearly increase of about \$1500 a year per municipality.

Chief Plumb will be presenting on this matter at our meeting. I have not prepared a resolution, and I do not know exactly what the fire department expectation is on a decision or implementation timeline. We will see where this goes.

- ✓ **AUDIT OF MINIMUM ASSESSING REQUIREMENTS POLICIES (*Business Item*)**
The AMAR review has specific requirements for best practice as it relates to numerous policies, procedures, forms, and practices. The city has adopted and updated many of our assessing policies in recent years to remain compliant. As of January 19, 2021, the state has altered their guidance related to the granting of poverty exemptions (see attached policy). To align with these, Heather recommends we update our guidelines to remain compliant. I see no reason to wait. Note that we currently have zero such exemptions in the city. I have drafted a resolution that will affect the requested changes.

Council Questions, Inquiries, Requests, Comments, and Notes

Clear Vision: Andy took a look at the corner of Fairchild and Cappy (east bound stop). While it is crowded, there is not a clear vision concern. However, since this is expected to be worked on during the SRTS effort, we will look to move the school wayfinding sign.

Winchester Village Soil Erosion: A review was completed by the Drain Commission and the catch basin filters have been removed.

Notable Code Issues: Our attorney is pushing a court date as quickly as possible on the Miller Road camping; we hope to have demolition permits for the homes on Miller by Elms that are blighted soon; we are working on one unpermitted sign (Burkeshire).

Speed Limits: The signs on Seymour have been ordered and we're hopeful they will be received and installed on March 1st. Moving forward, any speed studies should be affirmed by the whole council prior to their commencement. This will ensure greater awareness by the council, community, and other stakeholders. This should provide the transparency and scrutiny that folks expect.

**City of Swartz Creek
RESOLUTIONS
Virtual Regular Council Meeting, Monday, February 8, 2021, 7:00 P.M.**

Motion No. 210208-4A **MINUTES – January 25, 2021**

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, January 25, 2021, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 210208-5A **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 February 8, 2021, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 210208-6A **CITY MANAGER’S REPORT**

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager’s Report of February 8, 2021, including reports and communications, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210208-8A **RESOLUTION TO APPROVE A NEW JOB
DESCRIPTION FOR USE BY THE SWARTZ CREEK
AREA FIRE DEPARTMENT**

Motion by Councilmember: _____

WHEREAS, the city provides fire protection via an interlocal agreement with the Township of Clayton, vesting the Swartz Creek Area Fire Board with certain rights to operate the area fire service; and

WHEREAS, the SCAFB approved a new job description, Vehicle Maintenance Specialist, that can be held by a civilian member of the fire department; and

WHEREAS, the addition of this job description does not coincide with any budgetary changes; and

WHEREAS, the SCAFB is seeking affirmation of the new description from the Swartz Creek City Council and the Township of Clayton Board of Trustees.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek approves the Vehicle Maintenance Specialist job description as included in the February 8, 2021 city council packet, and as may be amended by the SCAFB from time to time.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210208-8C

RESOLUTION TO APPROVE AN AMENDED POVERTY EXEMPTION POLICY AS PART OF THE MICHIGAN STATE TAX COMMISSION AUDIT OF MINIMUM ASSESSING REQUIREMENTS

Motion by Councilmember: _____

WHEREAS, the Michigan Tax Commission conducts an Audit of Minimum Assessing Requirements (AMAR) of Townships and Cities; and

WHEREAS, the city has adopted various policies and procedures related to this requirements, including a local Poverty Exemption Policy; and

WHEREAS, the State Tax Commission Policy Regarding Requests for Percentage Reductions in Taxable Value for Poverty Exemptions Under MCL 211.7u, has been updated as of January 19, 2021; and

WHEREAS, the assessor recommends that the city council update and affirm written guidelines for poverty exemptions.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek adopts the City of Swartz Creek Requirements of Poverty Exemption, as included in the February 8, 2021 city council packet, including the Michigan Department of Treasury application form 5737, as amended from time to time.

BE IT FURTHER RESOLVED that the City of Swartz Creek hereby waives penalties and interest that is otherwise required to be levied for failure to file a Property Transfer Affidavit under MCL 211.27b.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 210208-8D

RESOLUTION TO APPROVE ACQUISITION OF A SEWER EASEMENT AND COMPENSATION RELATED TO IT FOR TREE REMOVAL

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek owns operates and maintains a system of sewer collector lines that discharge to a county interceptor; and

WHEREAS, it has been determined that one such collection system is below capacity for current and future needs; and

WHEREAS, design plans to expand capacity include the addition of a new collector line that will necessitate two easements across private property; and

WHEREAS, one such easement was donated; and

WHEREAS, the second easement, crossing common area of Springbrook Colony, will require substantial tree removal; and

WHEREAS, the Homeowners Association is willing to provide the easement, but they seek reimbursement for the tree removal and reforestation to restore the common area and make the HoA whole; and

WHEREAS, the City Engineer has drafted an easement in consultation with the city attorney and HoA.

NOW, THEREFORE, BE IT RESOLVED, the Swartz Creek City Council hereby approves acquisition of the easement as included in the February 8, 2021 city council packet, including the reimbursement of up to \$7,500 to Springbrook Colony for forestry efforts related to the project.

BE IT FURTHER RESOLVED that the City of Swartz Creek City Council directs the Mayor to execute the easement on behalf of the city.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Motion No. 210208-11A

ADJOURN

Motion by Councilmember: _____

I Move the Swartz Creek City Council adjourn the regular council meeting of February 8, 2021, and set Zoom as the venue for the next regularly scheduled council meeting of February 22, 2021.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____